

Inaugural address
of

George D. Aiken

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1937

Thursday, January 7, 1937

Inaugural Message

Member of the General Assembly:--

On the second of July in the year 1777 a group of men from the settlements of the New Hampshire Grants were gathered in the town of Windsor. None of them were trained in law; it is assumed that all of them were poor; if the word "radical" had been a common political term at that time, it might have been applied to them, for on that sultry July day—even while the hired soldiers of King George the Third and their Indian allies were descending upon the scattering settlements west of the Green Mountains—this intrepid group wrote the most progressive political document the New World had yet seen—the Constitution of Vermont. For the first time in America a state government prohibited human slavery and extended the right of suffrage to all freemen. This group of undoubted "rugged individualists" recognized that private property should be subservient to public need, the right to religious freedom, the right to freedom of speech and of the press and of trial by jury.

And although the founders of our state also recognized the right of the people to alter their form of government in any manner "conducive to the public weal", yet they wrought so well that to this day Chapter 1 of the 1777 Constitution known as the "Bill of Rights", exists as part of the framework of our state government in an almost unchanged form. As we meet here at the beginning of this General Assembly I recommend to all of you that you read carefully this document of the 18th century, which is printed in your legislative directory, and which should represent the spirit of Vermont today, as it did 160 years ago.

It is expected of an incoming governor that he will, in an address to the General Assembly, express his views on various problems of state, and recommend what he believes to be desirable legislation.

Believing that the prosperity and security of a community or a state is in fact a reflection of the prosperity and security of the people living therein, it seems fitting that the first problem to which I should call your attention is that which has to do with guarding the health, strengthening the mind and character, and correcting the wayward tendencies of those of our people who are less fortunate than most of us. These activities are grouped under the heading of Public Welfare.

The Department of Public Welfare is charged with the supervision of the hospital for the insane, the state's prison, industrial school, school for feeble minded, woman's reformatory and sanatoriums for the care of tuberculous persons. It is also in charge of paroles and probations.

The point has been reached when certain of our institutions have become over-crowded and requests have been made for appropriations totaling over a million dollars for additional buildings, equipment and operating expenses. It is my opinion that appropriations for this purpose should not be made until there has been a real study of our entire system of public welfare and state institutions.

We have 1200 people in the state on parole and probation. At present probationary work is handled by part-time officials and is in a generally unsatisfactory condition, several hundred persons failing to meet the terms of their probation. It is very probable that a few full-time probation officers would be so much more effective in their supervision of these cases that the cost to the state for their services would be negligible.

The Woman's Reformatory at Rutland is a fine institution used to only a third its capacity. The Brandon Home for Feeble minded is overcrowded, without even a place to isolate the victims of contagious diseases. At Vergennes we are spending between five and six hundred dollars a year apiece to care for children, some of whom doubtless should never have been sent there. At the State Hospital in Waterbury 1100 persons are confined in an institution built to accommodate 800. At the State Prison in Windsor half the prisoners are idle because there is no work for them to do.

It has been recommended that we should employ a full-time psychiatrist to work at our institutions and that if this were done the saving made by releasing inmates would amount to more than his cost to the state.

I confess I do not feel competent to make detailed recommendations at this time. I believe it is our duty to see how many people we can keep out of state institutions rather than how many we can put in. Rather than spend five hundred dollars a year in keeping a boy in Vergennes I would prefer to spend half that amount in keeping him out. I do not like to hear of an old person being sent to an insane asylum simply because he has reached the age where his mind fails to function and he is not self-supporting.

And so I would request that this legislature authorize a committee of not over five and preferably three persons, which may be a sub-committee of a regular legislative committee, or a special committee to be appointed by the governor, and with an appropriation to enable it to make a real study, not only of our state institutions but of our entire welfare system. Although it might take some time for this committee to complete its studies, yet it could report before the end of this session its recommendations on matters requiring immediate attention, so that legislative action might be taken by this assembly.

Old Age Assistance.—During the recent business depression there was sharply brought to our attention the sad plight of those people who, facing the sunset, saw the savings of a lifetime, which might have made their declining years more comfortable, wiped away while they were helpless to prevent it. Avenues of employment were closed to them, and to some thousands living within our state the only recourse was dependence on public charity with its accompanying humiliation.

In 1933 Vermont adopted a policy of old age assistance. The act providing funds to carry out this policy was based on insufficient information. Where it was estimated that only two thousand people were in need of this assistance, actual experience showed that about six thousand are equally in need and equally deserving. Small monthly payments are now being made to about four thousand of our citizens, these payments proving to be of great assistance, not only to the recipients but to the towns and cities in which they live.

Although it is true that the old age assistance undertaking is still in the experimental stage and care must be taken lest the burden placed on those providing the benefits outweigh the benefits themselves, yet it is only just that some means be found whereby we can extend this assistance to the two thousand deserving citizens who are as much entitled to it as the four thousand who are now aided.

If no more feasible plan is presented I would suggest that a head tax of \$2.75 would prove sufficient to extend the present rate of assistance to the six thousand who qualify, and in view of the fact that towns and cities are permitted by law to drop questionable polls from their list, I recommend that the municipalities be permitted to retain ten per cent of the tax to cover the cost of collection, instead of twenty per cent as at present.

Education.—Our law relating to education was carefully revised two years ago and I believe has given general satisfaction. I think it should be continued without serious changes. Although we cannot afford to do as much for our schools as we would like to, yet we must be sure that there shall be no let-down to our standards and should strive to improve them at every opportunity.

Agriculture.—The problems of agriculture are innumerable and must in the long run be solved more by cooperation than by legislation.

We may be thankful that our state has at last been declared practically free from bovine tuberculosis, yet we must take no chances on a return of this disease, and a comparatively small annual appropriation to guard against it is wholly warranted.

Unless present requirements are changed by congressional action this winter, it will be necessary for us to create a commission or agency for administering the federal soil conservation program if the farmers of this state are to enjoy its benefits.

Liquor Law Enforcement.—Although Vermont's liquor law is considered one of the most workable, yet it is apparent to everyone that there is much to be desired as regards its enforcement. License holders have the right to protection from illicit traffickers and bootleggers; those using our highways are endangered by automobile operators who have indulged too freely; children of school age are too frequently seen in varying stages of intoxication. This state of affairs is deplorable in the extreme and must be corrected to the best of our ability. The trials of local enforcement officers and the difficulty they have in securing evidence and convictions

is common knowledge. At present the attorney general has an appropriation of \$5,000 a year to spend on liquor law enforcement but it appears to me that enforcement should more properly be committed to the Liquor Control Board, who by the nature of their duties are more conversant with circumstances indicating probable violation, and I recommend that enforcement be transferred to the Board and that said Board be authorized to employ, with the consent of the governor, such officers as they deem necessary to properly enforce the law and that the expense of such enforcement be paid out of the funds of this board.

And I further recommend that the Liquor Board should cooperate with the Department of Education or other agencies in dispensing information tending to reduce the excessive use of intoxicants and encourage our young people to live more temperate and useful lives.

Motor Vehicle Department.—With the increased highway traffic which is here and that which promises to develop in the near future, it is apparent that more adequate policing of the highway is necessary to insure maximum safety to the public, and I recommend that the commissioner be authorized to increase to a reasonable extent the number of enforcement officers. If not carried too far, it appears that additions to the force would be self-sustaining, in the same manner as those now employed.

Highways.—In 1931 a state-owned highway system of 1037.12 miles was established and in 1935 additions to this system brought the total up to 1765.59 miles. Although notable strides have been made in hard-surfacing this system there still remain over 750 miles without a surface superior to gravel. In view of this fact, it would seem inadvisable to make further additions to the state system until we have a higher percentage of hard surface over that which we now have.

Highway funds are now fairly divided between town, state aid and state owned roads. I believe that we should continue this division of funds in about the same proportion as now exists. Funds received from the gas tax and motor vehicle registrations should not be diverted to purposes other than highway building and maintenance except in case of extreme necessity.

Looking into the near future it is not difficult to foresee the time when our present system of main highways will prove inadequate to bear the traffic required of it. Already routes 5 and 7 are heavily congested at certain seasons of the year. This congestion of traffic is due to increased industrial activity and to a decided increase in recreational travel. For this state of affairs we should be very thankful. However, it is clearly apparent that additional routes, which are mostly already state-owned, must be improved to handle this increase in traffic. Particularly a midstate route from the Massachusetts border to Lake Memphremagog by way of Wilmington, Ludlow, Rochester and Morrisville and two or three cross-state routes, would seem to provide almost unlimited possibilities for the development and settlement of our mountain towns by tourists, summer and permanent residents.

These people are attracted to Vermont because of the natural beauty and charm of our state. Conditions existing along the roadsides are likely to decide visitors from other states as to the advisability of purchasing homes in Vermont. Therefore it seems vitally necessary that the state should control the roadsides of our most scenic highways if desecration and despoilation are to be guarded against.

So I recommend that the Highway Board be empowered to secure along existing or prospective rights of way by gift, purchase or lease such areas as may be necessary to preserve the natural beauty along our highways. And I further recommend that the board be empowered to regulate industrial traffic on obviously scenic or light travel highways in order that the purpose in developing these routes may not be defeated.

Recreation.—Progress in developing the recreational resources of Vermont during the past few years has been truly remarkable, due to the efforts of the National Forest Service, the National Park Service and the C.C.C., our State Forest Service, the State Publicity Department and the cooperation of our citizens who are engaged in the business of operating hotels, summer camps and tourists' homes.

We may also look with satisfaction upon the sale of hundreds of our small hill farms and village properties to those who have bought them for homes, either summer or permanent. These people, who are of the finest type of citizen, have not only brought millions of dollars worth of new capital to Vermont, but have materially

added to our permanent population until, according to the United States Census Bureau, we have gained as much during the last six years as we did during the previous sixty.

Although we were told a few years ago that this influx was a temporary depression movement of folks who would leave Vermont as times got better, yet it is a satisfaction to note that, as business conditions improve, instead of leaving us they are coming in increased numbers.

Although we should not go to extremes in publicizing Vermont as a recreational state but try to maintain a sound balance with our agriculture and industry, yet we should continue to consistently develop our recreational resources in such a manner that people from other states may find Vermont most attractive, either for a summer vacation or a home. Our present appropriation for publicity, which is used largely in advertising our recreational advantages, should be continued. We should continue to acquire such areas of land as will give public access to our larger lakes and mountains. In my budget message you will notice that I am recommending only a small amount for the acquisition of more land by the state, but it occurs to me that the large annual expenditures which we are incurring in purchasing reservoir sites might better be spent in acquiring and protecting areas of recreational value.

I call your attention to an act of Congress known as the Fulmer Act authorizing the United States Forest Service to cooperate with the states in purchasing areas of land for public use. This act provides that areas of this nature may be purchased with federal funds but will be operated by the state. One half the income from such land is to be returned to the federal government until the purchase price, without interest added, has been repaid, at which time the state becomes sole owner of the property. It is the opinion of many that a national park or monument of considerable size in northern Vermont would prove to be of great value to the recreational industry. I believe that the National Park Service would look with favor upon such a project if they are convinced that the people of Vermont desire it. In other states where national monuments have been established the funds with which the land has been provided have mostly come from private sources. I submit to you that a project of this nature is deserving of careful study on your part to determine whether it could be properly financed and carried out.

The increase in tourist traffic has led to the construction of a great many tourist camps about the state. We may congratulate ourselves that most of these camps are clean and comfortable. For the protection of the traveling public as well as the operators of clean overnight camps, it seems that an official inspection and licensing of these places would be advisable. Our present law provides for inspection only at the option of the owner.

Natural Resources.—The Legislature of 1935 established two boards, whose duties had to do with the management and conservation of our natural resources, the Board of Conservation and Development and the State Planning Board. The members of these boards have been loyal citizens who have performed their work conscientiously.

The State Planning Board, whose activities have been largely financed by federal funds, has engaged in research work having to do with different phases of Vermont's welfare, including study of our water resources. Being financed largely with federal funds, the Planning Board has perhaps felt obliged to follow courses other than it might have pursued as a strictly state planning board. If this board is continued I am recommending an appropriation sufficient to enable it to be a state planning board in fact as well as name.

The Board of Conservation and Development has been in charge of the activities of fish and game, publicity and forestry. However, there is a widespread feeling throughout the state that the activities of the Fish and Game Department are of sufficient importance to warrant its being made a separate department, as it was prior to being placed under the Conservation and Development Board two years ago. The fish and game clubs of Vermont are practically unanimous in requesting this change and it appears that they are justified in so doing.

As is done in nearly all states, the Publicity Department might be restored to the office of the Secretary of State. I would then recommend that a Board of Natural Resources be authorized, which would combine the State Planning Board with the remaining activities of the Board of Conservation and Development. This Natural Resources Board would have control of state forests, recreational areas and investigational study of our water

resources and other natural advantages, having a definite work to do while laying plans for future developments. I believe such action would coordinate recreational and other activities dependent on our natural resources.

Banking and Insurance.—In 1933 the banking industry found itself in an acutely dangerous situation and the Vermont legislature passed much emergency legislation tending to alleviate the situation. Since that time there has been some improvement. The F. D. I. C. has insured deposits until nearly all of the savings of our people are now protected. The R. F. C. has loaned Vermont banks nearly seventeen million dollars, which provides liquid assets with which to do business. But although deposits in Vermont banks are now insured against loss, yet they have been steadily decreasing. The reason for this is not difficult to find. All our banks are now limited to payment of two per cent interest on deposits and are subject to strong competition, including that of the federal government which offers the small depositor so-called baby bonds that yield nearly three per cent interest. With the legal rate of interest at six per cent there is now permitted a spread of four per cent between the rate of interest paid depositors and that charged borrowers. This is obviously too great and many of our progressive bankers, recognizing this, have voluntarily and in good-businesslike manner reduced the rate of interest charged to five per cent or less on good security.

Some banks, however, persist in maintaining this spread of four per cent between depositor and borrower. The situation thus created is not only unsatisfactory but manifestly unjust, placing many Vermonters at a disadvantage as compared with citizens of other nearby states. I have hoped that this condition might be corrected without additional legislation, but my hopes have not been realized as yet and legislation may be necessary. Perhaps the solution lies in reducing the number of banks in the state and consequently the overhead costs of the industry.

The latest report of the Commissioner of Banking and Insurance calls attention to a serious evil now existing in Vermont. I refer to the practices of so-called financing companies, mostly located outside the state, who make small loans to our people of very moderate means. Too late, the borrower, in desperate need of a loan, finds he has signed away a large part of his pay check for months or years to come, and has agreed to pay interest charges which may ultimately amount to from fifteen to forty per cent. I agree with the recommendations of the commissioner that the activities of these concerns be drastically regulated or prohibited. We want no peonage system in Vermont.

I recommend the continuance of Vermont's Worthy Debtor Law, which extends to the farmer, the laborer and the small business man the same right to temporary receivership as is enjoyed by public utilities, banks and large corporations.

Water Resources and Storage Reservoirs.—Following the flood of 1927 a commission of hydroelectric engineers made an exhaustive study of the water resources and possible reservoir sites within the state. Their report recommended the construction of eighty-five reservoirs within our borders with the recommendation that such reservoirs be used in connection with the development of hydroelectric energy. The report indicates that there is some over half a million undeveloped horse power in Vermont.

No start was made in putting these recommendations into effect until after the legislative session of 1933. Since that time storage reservoirs have been constructed at Wrightsville and East Barre and a third is now being built in Waterbury.

At the time construction of the East Barre and Wrightsville dams was authorized it was expected that the cost to the state in acquiring flowage rights and dam sites and other expenses incidental to the construction of these dams would not exceed two hundred thousand dollars. An act of the legislature authorized the Public Service Commission to levy assessments against the supposed beneficiaries to pay a substantial part of this cost. I fear few people realize what an expense the construction of these reservoirs has been to the state. Instead of the two hundred thousand dollars, which was expected to cover the cost of the two completed reservoirs, I find that the state has spent \$99,236 on the East Barre project, \$236,200 on the Wrightsville project and \$17,289 on the Clothes Pin Dam at Montpelier, making a total of \$352,000 already spent.

The highway between the village of Worcester and Montpelier is yet below the flood level, thus necessitating an increase of several miles' travel between these two points when there is high water. If this road

is raised sufficiently to protect it from floods another expense of over \$100,000 will fall upon the state. The road between East Barre and Orange is also below the spillway level and the cost of raising this highway is estimated at \$141,000. However, this last expense will likely be unnecessary as there is an available detour between the towns of Washington and Orange.

As for the Waterbury project, the state has paid out to date \$40,109 and it is estimated that if and when the Little River Dam is complete the cost will be approximately \$180,000 more. Therefore, it is apparent that the state will have a total investment in these three reservoirs of approximately \$600,000 besides the obligations of yearly taxes and maintenance.

It is reported that an effort is to be made to have the state bear the entire cost of these projects. In view of this turn of affairs it appears to me that we cannot afford to embark upon any more projects of this nature without an irrevocable guarantee from private and municipal beneficiaries that they will assume a fair proportion of the cost.

However much a problem the construction of reservoirs on rivers wholly within the state may be, there is a larger one which confronts us in the Connecticut River basin. States to the south of us are rather insistent on the construction of huge reservoirs on the tributaries of the Connecticut in Vermont, and Congress has already authorized construction of eight dams which our more southern neighbors desire to have built.

The fact that the cost of a development of this nature, with the expense of reservoir sites, the abandonment of farms, the loss of population, the sacrifice of recreational and industrial development, relocation of highways and other huge expenses, would run well up into the millions of dollars may be accepted without question. That Vermont would be absolutely unable to stand this expense and the sacrifice of our assets, even if partly borne by other states, is also unquestioned, and it is further true that we ourselves would derive comparatively little benefit from the construction of this reservoir system. I think we may also assume that the people of the lower Connecticut Valley have been given to believe that this program would afford them far greater protection from the flood waters of the Connecticut than it really would.

There is still another feature of this program which has not made a very prominent public appearance as yet. That is this: if a series of storage reservoirs were constructed in Vermont to maintain the summer flow of water in the Connecticut River, the states of Massachusetts and Connecticut would be enabled to generate electrical energy at a little more than half the cost of producing it here in our state. It may be readily seen that this would, give them a tremendous advantage as regards future industrial developments.

At present the State of Vermont and the towns in Vermont have an annual income of over a million dollars from taxation of hydroelectric energy and the reservoirs, power houses and transmission lines by which it is generated and transported. That we have other undeveloped locations within the state where electricity might be generated profitably and without serious damage to other lines of development is also acknowledged.

If these sites are developed with public funds we would not only lose a huge amount of taxable property from our grand list, but under our present law incur an annual tax bill of large proportions.

We wish to remain on good terms with our neighboring states, but the water power of Vermont is our heritage, a natural resource bestowed upon us even as other states have their natural advantages and I believe this gift should be used primarily for the benefit of our own state and we should not surrender any of it without just recompense. I hope the time is not far distant when every Vermonter will be enabled to enjoy the use of electric power in his home or business at rates proportionate to our bounty.

The situation is being ably and diplomatically handled by a committee of our Planning Board with Mr. Ralph Flanders as chairman, and this committee should continue in charge of the matter.

State Finances.—Vermont has reason to feel proud that during the years of the depression we have been able to run on a pay-as-you-go basis. It is true that we have done without some things which might be considered necessities and for which there will be a stronger demand than ever now that economic conditions are more favorable.

Within a few days you will receive my budget message. My recommendations will be conservative and total well within the amount of probable income. I believe that the entire state is desirous of avoiding any further indebtedness. It is possible that the legislature will make some new appropriations, but if this is done I expect that additional revenue will be found to meet the new obligations. It should be borne in mind that in 1938 and 1939 payments of a hundred fifty thousand dollars and interest each year on our temporary bonds must be made. In addition we must provide \$48,000 in 1938 and \$50,000 in 1939 for the retirement of war bonds.

During the last year a capable commission has been at work studying different phases of state financing, including possible new sources of revenue. When you receive this report I suggest a thorough study of it because it may be necessary to draw upon these sources. And I further recommend that consideration be given those sources of income that are now exempt from taxation to determine if some of them should not at this time begin to bear their share of the public burden.

During recent years we have suffered a great loss in revenue from the decline in railroad taxes and in the tax on bank deposits. The special legislative session of last winter made a flat reduction in the tax rate on railroads. It is true that some of our roads were in desperate need of relief, but it is equally true that others were in more favorable condition, yet all received an equal reduction. We have a commission authorized to hear appeals by the public utilities from the appraisals made by the tax commissioner, and to make equitable adjustments. I believe it more desirable to let this commission use its authority in making adjustments in appraisals where advisable than by legislative action to reduce the rate paid by any group to a point which is based on the ability of the weaker ones to pay.

The falling receipts from the tax on bank deposits can be stayed only by improving generally the banking conditions within the state so that savings deposits will again be encouraged and by liquidating as rapidly as possible the fifteen million dollars worth of real estate, which the mutual savings banks have acquired by foreclosure proceedings and which is permitted as an offset against the tax on deposits.

And I would further recommend that serious thought be given to setting a flat rate for the registration of all pleasure automobiles. The tendency of manufacturers toward building lighter cars has resulted in a drop in registration fees until the average is now \$18.10 for each car. If the tendency toward lighter cars should continue so that any one of the three popular weight groups should fall to the next lower class, we would be faced with a loss of \$250,000 annually in registration fees. Pegging the fee at \$18.00 per car would insure a revenue of not less than that which we are now receiving.

And now I have no more recommendations to make at this time. There are many things I might discuss, but I have presented those I believe to be of major importance. I have spoken plainly lest my words be misinterpreted by some. As Governor, I intend to transact business openly so that the people of Vermont may know how their affairs are being handled.

With some things I have said today many of you will disagree. That is inevitable. But when we disagree on a subject and express our viewpoints openly, then we are in reality making progress.

While I occupy the executive office it will not be the office of any particular group or sect, and I selfishly hope that at the end of my term it may be said that my administration was a successful one. With your help it will be. Let us forget our political differences, forget that we may not attend the same church, or that we belong to different occupational classes, but remember we are all Vermonters working to promote the welfare and increase the happiness and prosperity of the people of our state. If we will do this, then I know that under the guidance of the Great Master of us all we shall succeed.

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1939

Thursday, January 5, 1939.

Inaugural Address

To the General Assembly and people of Vermont:

Speaking to you today I am in reality making two addresses. First, as retiring Governor I should give an account of the state administration of the last two years. As incoming Governor, it is my duty to make recommendations for your consideration. I shall spend little time in looking backward.

For two years I have attempted to conduct the work of the Executive Office in a manner consistent with Vermont tradition.

At the beginning of my administration in January, 1937 I announced that I would conduct the affairs of the state openly so that the people might be constantly informed of what is going on in their government. I believe the people of Vermont are as well informed concerning the affairs of their government as are the people of any state.

I also announced at that time that I would not interfere in the selection of employees of the different departments or attempt to dictate in detail the manner in which departmental work should be conducted. This placed responsibility for the work directly upon the head of each department. I mean to continue this policy.

I do not claim that the work of our state departments is perfect. In fact I know it is not, that weaknesses exist and that there will continue to be weaknesses. But they are being corrected as rapidly as we can do so. Cooperation of the departments with the Executive Office has been excellent at all times. This cooperation has also been extended by most of the people of our state.

I have from time to time appointed committees some official and some unofficial, to assist me in my work. Many of these people have been put to much expense in order to serve the state. I have appreciated their work more than I can adequately express.

I suppose we ought not to think of progress in terms of money. Yet these are the terms which everyone seems to understand. During the last two years the net obligations of the state have been reduced by approximately one and one-half million dollars. This is in spite of the fact that one-half million dollars authorized by the Legislature of 1937 has been expended in improving buildings; grounds and equipment of our state institutions.

Before making any definite recommendations to you, I wish to speak briefly of the work of several of the state departments.

The banking situation in Vermont has been unsatisfactory for many years, but I believe it has constantly improved under the able supervision of the present Commissioner of Banking and Insurance. A general revision of the banking laws is advisable. However, we cannot act intelligently in this direction until study has been made and adequate information is available on the subject. It may be that you will see fit to authorize a study of the situation by an interim committee which will report to the Legislature of 1941.

The Department of Education has endeavored to constantly improve the standard of Vermont schools and has given continuous attention to the improving of teacher training facilities. Progress has been made particularly in the fields of health, in safety education, and in vocational and educational guidance in the high schools in order that the students may have a better opportunity to choose their life work wisely.

I believe that curriculum offerings should be further broadened so that more courses definitely related to the students' probable life work will be offered. Rehabilitation service for the handicapped has proven of much value in establishing them as useful self-sustaining citizens.

The Highway Department, which has one of the biggest jobs of the state, has conducted its affairs with its usual efficiency. During the biennial period ending June 30, 1938, we have added approximately one hundred

and forty miles of hard surfaced road, all paid for. Because of the hurricane of September, 1938, this year's program has been necessarily curtailed.

Through cooperation of town, state and federal governments, the five million dollar storm loss to highways will be repaired. While we may have to curtail our program of permanent construction on all types of road by approximately one-half this year, yet I believe it will be unnecessary as well as unwise to incur further bonded indebtedness because of the September storm. New construction in those areas not affected by the flood should go forward as planned previous to the storm.

The Liquor Control Board has been concerned with law enforcement, a business-like administration and promotion of temperance through educational work. The work of this Board has been well done.

The Motor Vehicle Department also maintains a high degree of efficiency and has won the respect and commendation of people from other states as well as our own.

The Planning Board has devoted its intelligent efforts mainly to a travel survey and a survey of the water resources of the Connecticut River Basin.

The Department of Public Health was given new duties by the 1937 Legislature in being charged with the inspection and certification of all places in the state where food is served. This work has been well handled and has resulted in increased safety for the traveling public.

The State Library Commission has greatly expanded its beneficial work particularly in the smaller towns of the state as a result of an increased appropriation in 1937.

Our Unemployment Compensation Commission, with which the Employment Bureau is now coordinated, has been administered in a common sense manner and has won the praise of Federal officials. Benefit payments have been made as fast as certified. I am advised that some revision of the law would make the work of this commission less costly, its functions better understood and its operations still more efficient.

Rural electrification has gone forward rapidly in Vermont. Several hundred miles of new rural line have been built by private utilities in accordance with an agreement reached with the agricultural organizations of the state. In addition to this, a cooperative line is being constructed to serve several communities in northern Vermont.

Vermonters may well be proud of our military units. The Vermont National Guard has attained a very high rating and will rank with the best of similar units in any state.

The 1937 Legislature authorized the participation of our state in the New York Worlds Fair in 1939 and made an appropriation of twenty-five thousand dollars to cover the costs. A committee which was appointed in accordance with this legislative authority has decided to unite with four other New England states in making a joint exhibit. Plans are well advanced in this direction.

The Public Works Board has had the difficult task of representing the state's interest in flood control operations in the Winooski River Valley. As a result of its experiences, I strongly recommend that if any more so-called flood control dams are constructed in Vermont where power development is deemed likely or profitable, that the title to such dams should be held by the public for the benefit of all our people. No more entangling alliances with private utilities companies should be made.

Let us now consider a few specific problems that are ahead of us,

AGRICULTURE

More Vermonters are directly or indirectly dependent upon agriculture for their well being than on any other activity. While it is true that to a great degree we are dependent upon national and international prices of farm produce for our prosperity, yet we should spare no efforts to help ourselves and to improve agricultural conditions within the state to the best of our ability.

All dairy products shipped out of Vermont are required to be produced in dairies which meet certain standards of healthful and clean conditions. I believe that we should expect all products sold within the state to be equally clean and healthful and recommend the enactment of such legislation as will tend to bring this about.

The Dairy Investigating Committee authorized by the Legislature of 1937 performed valuable work and reported interesting and instructive facts concerning the dairy business in Vermont.

The members recommended the appointment of a subsequent committee to devise ways and means of profiting from the facts that had been found.

I appointed such a committee consisting of eight members who, like the first committee, worked earnestly without pay or without any expense to the state and which has submitted valuable recommendations to me which will be transmitted to you later.

You will likely be called upon to consider the problem of Bangs Disease among our cattle. The market for Vermont cattle has been seriously crippled by quarantines of other states against untested cattle from our state. As a result exports are far below normal. The situation is undoubtedly critical.

Should you decide to make an appropriation in order to further the control and eradication of Bangs Disease, I recommend that the amount be rather modest and that testing be voluntary and not on a compulsory basis. The state is in no position at this time to finance heavily an immediate program of eradication, and many farmers cannot readily prepare them for the losses which will be inevitable.

Relatively, the agricultural situation in Vermont is favorable in comparison to that of other states. This situation is due in a large measure to the extent to which cooperative activities have been undertaken by our farmers and other groups as well.

Cooperatives of all kinds in Vermont are doing business amounting to over forty million dollars annually, and over seventeen million dollars of this is done by marketing as associations. Under our statutes, however, it is possible to effect an organization which may be cooperative in name only.

I would recommend first that we standardize our legislation under which cooperatives are organized. Secondly, that an annual financial report be required from each cooperative, such report to be made to a state department authorized to receive the same. Third, that the state be authorized to make, when requested, an audit of any cooperative organization the expense to be paid by such organization.

It has been found that Vermont agriculture is too much dependent on a single product, fluid milk. Any encouragement which this Legislature can lend to a program of diversification will be beneficial.

INDUSTRIAL RELATIONS

Our Department of Industries as now constituted is a division of the Public Service Commission. We have no Department of Labor. Neither is our Department of Industries what its name implies. It is, in effect, a workmen's compensation court which also has charge of a sadly inadequate factory inspection service.

It is my opinion that the work of this department is of sufficient importance to warrant its being reorganized as a Department of Industrial Relations, having in its charge such legislation as effects Industrial Relations, including, of course the welfare of the laboring people of the state. I have the following specific suggestions.

The staff today is inadequate to enforce already existing laws, and an adequate number of factory and health inspectors is needed. Provision should also be made to enable this department to cooperate with the federal government in the enforcement of the Wage-Hour Laws. By doing this it should, be possible to share, the cost of the inspection services. Labor should be represented in the management of this department.

The laws relating to arbitration should be improved and strengthened.

We have for many years promoted and assisted agriculture by our Department of Agriculture. It is now time that we expand the scope of our Department of Industries and create a Department of Industrial Relations to promote and assist our Industries and the hitherto insufficiently recognized interests of those who work therein.

TRANSPORTATION

Transportation is a vital problem to the people of any state, and Vermont is no exception. Changing methods have created a critical situation in our economic life. Thirty percent of the railroads of the country are now in the hands of the courts. Here in Vermont the Rutland Railroad presents a most acute problem and we are informed that the fate of the line is hanging in the balance. It has been publicly stated that operations on this road can be continued only by greatly curtailing expenses.

The question of wages cannot immediately concern this legislature because federal laws provide the only means for handling the wage question. We can only hope that this matter may be settled with fairness to all.

A reduction in taxes has been requested. In view of the decreased earning power of the railroads of the state I approve the action of the Tax Commissioner in making what appears to be a reasonable reduction in their appraisal value.

Because of the importance of the Rutland road to the people of western and southern Vermont, it may well be that you will find special assistance to this road advisable. A study has been made of the situation by an expert consultant, and you will have the benefit of his findings.

I trust that your actions in this matter will not be taken hastily and without the knowledge of all facts concerning this situation.

In my judgment an independent audit of the railroad's finances should be made before final action is taken. If then, the situation is found to be as critical as represented, I recommend that the state in some way further reduce the tax burden on this road temporarily, as its contribution to the rehabilitation of the road.

The Rutland Railroad should not be saved solely at the expense of the taxpayers of Vermont or the employees of the road. The owners of the road should stand their part of the burden as well. In the light of past experiences, I am opposed to a direct loan to any railroad and believe we should avoid any program which promises a continued drain on the state treasury.

We should consider the transportation problem as a whole, realizing that agriculture and industry in Vermont compete with similar lines of activity in other states and should not be placed at any disadvantage in this respect. We should use careful judgment in encouraging progress in transportation methods and support present methods within our means and within reason.

AIR TRANSPORTATION

Aviation should not be neglected in a consideration of transportation methods. Northern Vermont in particular would profit by a more rapid means of travel to and from the great centers of population and the west. Vermont should lend encouragement to the promotion of air transportation for the time will come when thousands of new families will be living in northern Vermont to enjoy all the comforts now associated with city life and in addition those advantages which only living among the hills can give them. More adequate air service will hasten this day.

STATE OFFICE BUILDING

The business of the state has grown to such an extent that office space available is totally inadequate to meet our needs. Departments and divisions of departments are scattered all over Montpelier and even in other towns. Large sums are being expended for rent each year. The business of the state cannot be conducted with full efficiency when a map or guide book is needed to locate the different divisions of a department.

I recommend that this assembly give due consideration to the necessity of providing adequate space for our state departments. Construction of a new building would doubtless mean that for one year we would not reduce our net obligations. But I believe that an expenditure which might amount to several hundred thousand dollars is warranted and that permanent benefits would result.

MERIT SYSTEM FOR STATE EMPLOYEES

The efficiency of our state employees as a whole is high and they are not overpaid. At present the Governor is required to approve the personnel and the salaries paid employees of the various state departments.

I do not believe the Governor should be required to pass upon the qualifications of each new employee. This should be done by an independent board. During my administration I have insisted upon each department head's selecting his own employees and being responsible for the work they do.

I believe it possible to establish a standard of requirements and qualifications for the different jobs. I suggest that this legislature authorize the selection of a committee to study the present situation and to recommend, if they find it feasible to put such a system into effect, how this may be done.

This commission should report back to this session of the legislature, as its findings might conceivably effect the appropriations for the various departments.

I think it possible to devise a plan which, by its insistence on qualified personnel, will guarantee the efficiency of our state government and remove the appointment of employees from politics as far as possible. Partisanship, political pay-off and favoritism have no place in sound government. Evidence of the disastrous effects of these methods may be found in any daily newspaper.

FINANCE COMMISSION

For many years Vermont has maintained a Department of Finance under which the Tax Commissioner, the Commissioner of Banking and the Purchasing Agent have operated. The Governor has had the option of acting as Commissioner of Finance himself. For the last two years, I have exercised this option.

I have come to the conclusion that the state might well abolish the Department of Finance, leaving the heads of the three divisions under it responsible directly to the Governor. The pre-auditing duties of the Deputy Commissioner of Finance might then be transferred to the Auditor's Office along with the appropriation necessary to permit the Auditor to perform his duties which would necessarily increase. I believe such a move would promote efficiency in the handling of the state's financial affairs.

TAXATION

I believe it is my duty to inform you that the present methods of taxation may not be adequate for the future. A constant shrinkage of revenue from certain erstwhile profitable sources may necessitate still further changes. It is not inconceivable that the revenue for the year ending next June 30th will be several hundred thousand dollars less than for the preceding year.

This loss of revenue from these sources may continue indefinitely and should be taken into consideration in making appropriations. I feel that this legislature will, as other legislatures have done, find a way to meet this situation.

Tax money collected and well spent is doing for us all cooperatively those things which we could not afford to do as individuals or groups. When tax money is wasted the people who pay it have a very proper complaint.

BUDGET

For over a century and a half, Vermont has lived within her means. We should not depart from that custom now. Demands for services of all kinds are constantly increasing. Taxpayers consistently protest. Before this legislature adjourns, I expect it will make provision for paying all current expenses for the next two years.

WORTHY DEBTOR LAW

In 1933, Vermont enacted a law giving small business men, farmers and other individuals the right to temporary receivership such as is enjoyed by banks, railroads and other corporations. This law has been continued by each succeeding legislature for a two year period. It has proved its worth, and I recommend that it become a part of our permanent statutes.

RECREATION

The recreational industry is of constantly growing importance to the people of our state. This industry should be given all proper encouragement. As far as legislation can effect it, our landscapes and scenic attractions should be preserved.

Our acquisitions of public lands should be within reason, with care being taken not to incur a permanent expense unwarranted by the benefits received by our citizens. Whenever additions are made to state property, we assume a permanent expense for upkeep, such as roads, maintenance of picnic grounds and taxes to towns.

Private industry pays the expenses of government, and should not be unduly burdened in this respect. However, there are certain areas such as in the Smugglers' Notch and Willoughby Lake regions which ought to be under state ownership as soon as means permit.

NATURAL RESOURCES

It has come to my attention that certain natural resources of the state are not now under the jurisdiction of any department of our state government unless it be the Executive Department. And I would recommend to you that the jurisdiction, management and control over all public natural resources and particularly those which may be affected by the development of electric energy be given to the Board of Conservation and Development or such other state agency as you may deem proper. There should be excepted, of course, all such as are specifically placed under the control of other state agencies.

I have also learned that there are cases of stream erosion substantially affecting the public interest and which no state agency has authority to remedy. I believe that the necessary authority should be given to the Board of Conservation and Development, together with a modest appropriation to carry out the work.

PUBLIC WELFARE SERVICES

The importance of public welfare services has grown far beyond the imagination of a few years past. Public consciousness demands public effort to provide opportunity, to promote security and to prevent suffering. The demand for these things has far outstretched the taxpayers' capacity to pay. Particular emphasis is placed on affording equal opportunity to youth and an equal measure of security for old age. Vermont is cooperating with all federal agencies in an effort to meet these demands.

Child welfare services are now given largely to two special classes. First, to those children who are taken from their homes and committed by the courts to the custody of the state. One-half of the expense of caring for these children is borne by the state and one-half by the town from which they are committed. The federal government does not share in this expense.

Then there are the children whose mothers are assisted in caring for them in their own homes. One-third of this expense is borne by the federal government, one-sixth by the state and one-half by the towns.

For some reason Vermont has an exceptionally high percentage of committed children with approximately nine hundred entrusted to the state's care. Our percentage is far above the average for the United States, it appears to me that it would be not only more humane but also better business to increase the assistance to children in the homes of their parents or relatives and at the same time reduce the number of state wards.

I think that we should change our law so that the federal government, the state and the towns will share equally in the cost of aiding dependent children in their homes. There would then be less tendency to take these youngsters from their homes and commit them to the care of the state.

There are now so many children under public supervision that our staff of workers is unable to reinvestigate cases as often as should be done. I believe that if an adequate staff were provided that not the children themselves would receive better attention, but that the state would be relieved of the care of a sufficient number to make it worth while financially.

The Old Age Assistance Department has been operating as efficiently as possible with funds at its command. But you do not need to be told that these funds are inadequate to meet reasonable demands and need for old age assistance. We could not foresee two years ago the tremendous increase in this need. But it is also

true that this assistance can be carried on so far as to place an unbearable burden on the shoulders of those who must support it.

I recommend that this legislature give grave consideration to increasing the appropriation to this department to such an extent as is warranted by the needs of the beneficiaries and the ability of the state to support it.

It is my opinion that our welfare work could be handled more efficiently by consolidating the case work for the blind, the aged and the dependent children now being carried on by the Welfare Department and the Old Age Assistance Department. If this were done, it would reduce the area covered by each worker so that more frequent attention could be given each recipient of assistance.

PUBLIC HEALTH

A subject of nation-wide discussion today is that of health insurance and hospital insurance. Hospital insurance began in Vermont, and we the people of the state recognize full well that the health of our neighbors as well as of our own family is of vital importance to us.

We recognize that many people who should be getting medical care or hospitalization are not now receiving it. It is also an accepted fact that much improvement could be brought about through cooperative efforts by communities or possibly on a state wide basis.

There may be federal legislation concerning health insurance. Vermont wants no part in any plan which would permit political selection of doctors or the direction of their activities by the government. But we ought to be ready to cooperate either among ourselves, with the people of other states or with the federal government on any plan providing for cooperative and voluntary efforts to promote better health among our citizens.

Hospitals, doctors and laymen in Vermont are all working toward this end. It may be that some plan will be devised before this legislature adjourns that will appear practicable and will permit the broadening of our present sporadic efforts to a statewide basis. If such a plan is devised and legislation appears necessary to make it effective, I hope such legislation will be enacted.

RELATIONS WITH OUR NEIGHBORS

Friendly relations with one's neighbors go far toward promoting prosperity and welfare. During the last two years our relations with neighboring states and with the Province of Quebec have been of a most cordial nature. I believe this has resulted in mutual benefits received with an increase in business activity and the sustaining of public moral so necessary in these times of world wide adversity.

We have also cooperated freely with the federal government in most matters and have found federal officials generally courteous, earnest in their work, and desirous of cooperating with us. With the desire of certain federal officials to remodel the lives and direct the ways of our people, we have felt obliged to disagree.

Nor has our state administration felt that it could recognize the claim of the federal government to take for itself the resources belonging to the people of our state without our consent and without making a just recompense. I intend to maintain this stand during the next two years.

It is my earnest hope that we will continue to maintain and improve our friendly and neighborly relationship with the Dominion of Canada, our neighboring states and with the federal government.

But I believe Vermonters are still able to govern themselves and that we should be ready at all times to stand shoulder to shoulder with our neighboring states, or alone, if necessary, in resisting any attempts to take from us the right of self government or to put upon us any form of oppression whether that oppression comes from within or without our national borders.

Inaugural address
of
Harold J. Arthur*
As it appears in the
Journal
of the
JOINT ASSEMBLY
BIENNIAL SESSION
1950

*Harold W. Arthur became Governor when Governor Ernest Gibson resigned on January 16, 1950 to accept appointment as a U.S. District Judge.

Monday, January 16, 1950

Inaugural Address

Friends and Fellow Citizens:

Vermont's Constitution which I have sworn to uphold provides the mandate prompting the ceremonies on this occasion. Today, with the aid of Divine Providence, I am assuming the responsibilities devolving upon the highest office within the power of the electorate of our great State to bestow. For this signal honor and rare opportunity I am, indeed, humbly grateful. The decision at the polls in 1948 indicates the confidence of the voters and I pledge my continued effort to retain that confidence in assuming this sacred trust. Every Chief Executive must necessarily inherit unfinished business and I am no exception to the rule.

We have had a long line of good Governors, each burdened with the responsibilities appropriate to the times and each endeavoring to serve in accordance with the will of his constituents. I shall continue the progressive movement already under way in keeping with the Vermont tradition. Calvin Coolidge assures us that there is a sufficient store of the spirit of liberty in these green hills of Vermont to replenish the lack of it in all other parts of the land. This same philosophy can well be applied to thrift and ours is an opportunity to promote good, economic and efficient government.

I assume my new duties unfettered by any pledges to, and uncontrolled by, any group or individual. After years of legislative experience, study of government and constant observation of public opinion, I have formed definite views on important issues and the kind of leadership Vermont needs. As time passes in our constantly progressive stride and as necessity requires, these opinions will be made known.

The financial condition of the State is reported as excellent. If the predictions made become a reality next June 30th, I am confident that we may realize the various goals set by the last legislature in its endeavors to improve roads, schools, health, assistance for the aged, reforestation, stream purification and other developments with an additional direct benefit to the people by way of reduction in taxes. Such an accomplishment must necessarily be supported wholeheartedly by the coordinated efforts and teamwork of all our officials and employees. Only thus may we realize more service for each dollar of the taxpayers money. Cutting needless spending, overlapping of department functions and eliminating useless labor will be constant aims during my administration.

I sincerely hope that it may be my privilege to make appropriate recommendations to the Legislature of 1951. The loyal cooperation of every person is earnestly solicited in the interest of the general welfare and good government and I emphasize that the door of the Governor's Office will be open to all of the people. In accordance with the Constitution and the laws of Vermont, with the help of Almighty God, I will endeavor to press forward with a strong heart and courage to do the right.

Inaugural address
of
John L. Barstow
As it appears in the
Journal
of the
Joint Assembly
Biennial Session
1882

Thursday, October 5, 1882
Inaugural Address

*Gentlemen of the Senate and
House of Representatives:*

It is one hundred and five years since our fathers, while surrounded with dangers and enemies, established the "Constitution of this Commonwealth," under and by the provisions of which successive legislatures have met without let or hinderance and in pursuance of whose provisions we have now assembled as the "trustees and servants" of the people to execute certain requirements of existing statutes, and to enact "such laws as are necessary for the good government of the State." Having sworn to support this Constitution, let us give our attention to the important duties of our trust with the same scrupulous care and fidelity that we would exercise in the management of a private estate committed to our charge, and bring them to a close at such early time as the interest of the State will permit.

We meet under most favorable circumstances. General health and peace, bountiful harvests, fair business prosperity, ample demand and reward for labor, absence of debt, faithful and zealous State officers, are among the blessings that crown the close of the past bi-ennial term. Our first thought should be thankfully to recognize these and all other favors of Divine Providence, and devoutly to supplicate their continuance.

Yet our congratulations at this time are clouded by the remembrance that within the present year we have lost two of our most distinguished and highly honored citizens. The death of John Pierpoint, who for so many years adorned the highest judicial office in our State and of the eminent scholar and diplomat, George P. Marsh, who has filled many positions of responsibility in this Commonwealth and Nation, is cause of deepest sorrow. Not since the death of Senators Foot and Collamer have we been called to mourn the loss of men who have rendered the State such distinguished service.

The Governor is directed by the Constitution to prepare and lay before the General Assembly such business as may appear to him necessary, but under our bi-ennial, one term system, the newly-elected executive has but slight opportunity to become acquainted with the needs of the state either by an examination of the reports of its officers for the previous fiscal year, or by any official knowledge of the operation of the laws. This disadvantage is, however, greatly obviated by the custom on the part of retiring Governors of sending to the Legislature a farewell message. They have deemed it proper in each case to offer an excuse for so doing, but its benefits are so obvious that I suggest it be made a duty.

Some of the reports of State officers I have not seen; others were furnished in manuscript at a late day; while a few were seasonably prepared and forwarded. They will all be laid before you. A careful study of these documents from men most familiar with the affairs and wants of the State is indispensable to proper legislation. I am confident that this has been very much neglected, and I earnestly invite your attention to them, as well as to those of previous years, and to the reports of legislative committees found in the various journals, all of which are of great interest and value.

FINANCES.

The financial condition of the state, as shown by the Treasurer's report, is as follows"

LIABILITIES

Due towns, U.S. Surplus fund.....	\$13,397.62
“ soldiers’ account.....	8,959.02
“ suspense “ (outstanding checks).....	1,940.24
“ bonds and coupons, due 1876	4,360.00
“ towns on account savings bank tax	42,760.36
“ agricultural college fund, due 1890.....	135,500.00
“ orders not presented	2,666.55

	\$209,583.79

ASSETS.

Cash and deposits.....	\$126,118.66
Uncollected taxes.....	218.94
Due from savings banks.....	28,167.63
	\$154,505.23

The only items in the list of liabilities that are likely to be called for are suspense, savings bank tax, and orders not presented, amounting to \$47,367.15, leaving an excess of available assets over current liabilities Aug. 1, 1882, of \$107,138.00
 The excess reckoned on the same basis, Aug. 1, 1878, was 153,009.00
 “ “ “ 1880 was 199,483.00

I respectfully renew the suggestion of my predecessor that the tax levy be so made as to avoid leaving large sums in the treasury. It is a fertile source of extravagance in the National as well as State Government, and an unnecessary burden on the people. Authority being given to the Treasurer to negotiate temporary loans, no embarrassment will ensue. The temporary loans made by the Treasurer in 1882 were \$83,500, of which \$56,500 was under authority of the act of 1880, and the remainder under previous acts. These previous acts, running back to 1865, are regarded by the Treasurer as still in force, and under them there is still authority to borrow over one million dollars. I recommend the repeal of all such authority, including the act of 1880, and that future acts should provide that the power of the Treasurer to borrow money should cease at the end of the succeeding session.

STATE EXPENSES.

The disbursements for the last two years are presented by the Treasurer in his usual clear and careful manner. Omitting all payments on account of loans, savings banks, tax, United States deposit, soldiers' and trust funds, that are not taken into account as a part of the current expenses of the State, the disbursements for the two years ending August 1, 1882, were \$719,171.00
 “ “ 1880, were 773,911.00
 “ “ 1878, were 824,572.00
 “ “ 1876, were 810,858.00
 “ “ 1874, were 697,638.00
 “ “ 1862,
 (omitting all war expenses, also) were 364,772.00

The Auditor estimates that \$70,000 of the expenses of 1881 and 1882 were exceptional. Admitting this, and deducting but \$16,000 as exceptional from expenses of 1861 and 1862, during which time two regular and one extra sessions were held, we find our annual current expenses \$150,000 greater than twenty years since, and they were much larger at that time than they should have been. A system of the same petty frauds existed then that have been so often reported of late years. I am aware that this statement will surprise many, for nearly all the tables prepared on this subject refer to 1860 and 1861 for comparison, and these years are generally spoken of as a halcyon period “before the war,” but the Auditor for 1860, in his report, devotes some space to “deficits” and “frauds” In the treasury; to “errors and irregularities” of county clerks; and as to accounts of State’s attorneys, he says “ I find in most of them improper times charged and allowed,” by court auditors, “and it is believed that considerable amounts of money will be found in the hands of some of them unaccounted for.” He also treats of sheriffs in about the same manner, so that if we seek to find a time when State expenses were what they should be, we must go back of 1860. But with all these practices in vogue, the court expenses for that year were \$75,642, against \$178,027 in 1878.

The whole subject of Court and State expenses has been so freely discussed by the press, so much attention was devoted to it in the messages of Governors Fairbanks and Proctor, and in able reports by Hon. Samuel Williams, a chairman of a joint special committee in 1876, and by Judge Veazey, who, as a commissioner on this subject, appointed in 1878, made a full, clear, and valuable report to the Legislature in 1880, that it seems needless to do more than ask your attention to the matter. I would suggest that every thing bearing on the

subject of expenses, in the documents referred to, be reprinted for your information, and that the recommendations of Judge Veazey be carried into effect. Among them are the increase of jury fees, the limitation of the number of trial justices, and the power of the State's Attorney to prosecute all crimes by information. When a man of Judge Veazey's high character and ability devotes time to a matter with which he is already familiar and suggest measures that will reduce taxation, and root out long established evils, his suggestions should not find a tomb in the hands of a committee.

The re-publication of these reports is desirable for the reason that it is almost impossible to arrive at any correct result or conclusion from reading the State reports of that period. Mr. Williams says; "With this view, we recommend the adoption of the joint resolution herewith submitted, so that the report of the Auditor of Accounts may hereafter exhibit a more comprehensive and detailed summary of the receipts and disbursements of the State revenue The later reports are such as not only to require days of labor, but uncertainty as to the correctness of the result, unless the vouchers are examined in detail. In order to ascertain in regard to the receipts and disbursements, you must collate and compare the reports of the Treasurer, Auditor of Accounts, and county clerks, examine the vouchers and classify the items, and be very careful to add or deduct from the expenses of the different departments items which appear in others. The classification in the Auditor's report is very defective, so that if, for example, it should be desirable to ascertain the costs of the Board of Insurance Commissioners, it would be necessary to examine all the vouchers in detail, as some items are found in 'official expenses,' some in 'printing reports,' and some in 'miscellaneous,' and the same remarks will apply in respect to "other expenses." This difficulty may be further illustrated by the fact that the court expenses for 1878 are given differently in official documents, the lowest statement of them being \$110,549, while Judge Veazey's correct analysis shows them to have been \$178,027.

The classification in the later reports of State expenses has been much improved, but if we look for the items of which a certain class of expenses is made up, we still find it a work of great difficulty. I venture to suggest, as an addition to the present system of classification, that the Auditor be required to append to each heading a list of all orders drawn under it, and that any order embraced under more than one head should be so designated. It will tend to diminish taxation if such light is thrown upon our expenditures that both legislators and people can, without the aid of an expert, ascertain exactly for what purpose and to whom their money is paid.

It is evident from the Auditor's report and from the documents before referred to that some claims for fees and expenses are paid under the head of court expenses that are not specifically authorized by law. There is also another class of accounts which have partly grown out of legislation during the war, when the Auditor was necessarily vested with great discretionary power, that are paid without specific authority of law, some of which are classified among official expenses. The amount of these claims will vary with different auditors and different officers. I am of the opinion that section 219 of the Revised Laws should be repealed, and that no State officers should be allowed to approve, pay or draw orders for any purpose not specifically authorized by law. If any hardship arises under such a restriction, it will soon come to light, and can be provided for. I regard the saving of money to the people, important as that may be, as of less consequence than is the adoption of a system which will put a stop to improper and illegal expenditures based on custom, and which diminish with a faithful auditor, and when public attention is directed to them, but increase again under different circumstances. We should not only remove abuses, but prevent their recurrence.

In regard to the whole subject of State expenses, I may observe that they are made up of small items, and each one must be carefully scrutinized, or the aggregate is large. The largest single item is the debentures of the General Assembly. By resolutely refusing to act on private bills, the object of which can be accomplished under the provisions of the general laws, by refusing to adjourn unnecessarily, refusing to consider bills not introduced early in the session, by refusing to pass any bill not shown to be actually beneficial and needful, by observing the clause of the Constitution which enjoins that "previous to any law being made to raise a tax, the purpose for which it is to be raised ought to appear evident to the Legislature to be of more service to the community than the money would be if not collected," you will earn the gratitude of your constituents and lessen their burdens.

It is gratifying to know that a considerable reduction has been made in the State expenses since 1878, when they reached their highest point. This is owing to several causes, not the least of which is the faithful, fearless performance of duty by the present Auditor.

The total expenses for the year ending			
July 31, 1878, were			\$178,027.00
do.	do.	1879,	156,287.00
do.	do.	1880,	150,849.00
do.	do.	1881,	123,765.00
do.	do.	1882,	120,687.00

While the reduction in court expenses, as shown by the foregoing table, is worthy of note, it should also be observed as equally deserving of attention, that there has been a large increase in the amount of fees and costs collected, as appears by the following table:

Fines and costs collected for the term ending July 31, 1878,		\$28,583	
do.	do.	1880,	45,007
do.	do.	1882,	66,576

SCHOOLS.

In our colleges, normal, high and graded schools, we have a corps of teachers to whom we owe a debt of gratitude. They have grown gray in the performance of ill-requited labor for the common good. Their duties are the most arduous, as they are the most noble and dignified of all secular professions. Thoroughly devoted to their work of the higher grade, they have never failed to recognize the supreme and commanding importance of the common schools, and have ever been ready to do labor for their improvement. One of these is our present Superintendent of Education, who enjoys and deserves the confidence of all that know him, yet I regret that he has not, associated with him, a board of these veteran teachers, for official advice and counsel. It is thought, however, by many of our oldest and most experienced teachers, that the popular distrust of this method of official supervision, which was occasioned by the employment of a secretary who had a pecuniary interest in the enforcement of the law requiring uniformity to text books, has not sufficiently subsided to justify a return to it. It was this that caused the "extinction of the board and the creation of supervision resting solely in a single person," and it gave the cause of popular education in Vermont a blow from which it has not yet recovered. The board, with its secretary, was abolished by the Legislature by an almost unanimous vote in 1874, but its books remained until, by another step backward in 1878, the uniformity of text books was destroyed by an act allowing each town to select its own books. The obnoxious arithmetic then left Vermont, only two towns voting to retain it, while one hundred and eighty-six towns went back to the "obsolete" arithmetic of 1867.

The act of 1878, creating as many "Boards" as there are towns, providing over seven hundred persons, instead of six, "to prevent the too frequent change of text books in common schools," was not as destructive of uniformity as might have been expected. The resolute good sense of teachers and town superintendents secured to some counties absolute uniformity, but where this was not the case, the result has been deplorable. Before the meeting of the next Legislature, two hundred and forty other boards will be elected to create further diversity, unless your wisdom interposes and provides some other course. I respectfully suggest, as most economical and conservative, that the Superintendent be directed to select a list from the books now in use in the largest number of towns; that towns be allowed to continue using books now adopted; but that in case a change is made by any town in 1884, as provided by law, it shall be to the list prepared by the Superintendent. Thus will a majority vote of all the towns decide what the list shall be, and we shall gradually return to the old system.

I should, however, desire to change some of the readers in use by our schools. Emphasis and inflection, pitch and modulation, can be taught as well from the orations of Patrick Henry and Daniel Webster, from the writings of Andrew Jackson and Charles Sumner, from the patriotic poetry of Whittier, Holmes, Bryant, Lowell and Drake, as from the works of DeFoe or the plays of Shakespeare, while from the daily drill in reading such lessons of freedom, nationality and patriotism, there will be taught that love and duty toward the country and its

flag, which, when occasion arises, will present a race of patriots as devoted to liberty, and as ready to defend it, as were our fathers of the Revolution and those who succeeded them in more recent contests.

The following table from the report of Mr. Conant, the Superintendent in 1880, gives some interesting facts:

	1850	1860	1870	1880
Number of school districts	2,594	2,591	2,480	2,359
Number of children in the schools	99,110	75,691	75,026	75,238
Number of teachers		5,009	4,796	4,359
Average wages per week, including board, of teachers	\$3.15	\$3.72	\$6.06	\$5.53

Entire expenditures by districts and towns for schools, 1850, \$217,402.33; 1860 \$334,932.00; 1870, \$543,627.28; 1880, \$446, 216.90.

The cost here given does not include that of books, which, when no changes are made, are estimated to cost \$125,000 per year. In the confusion incident to frequent changes of law and supervision, the price of books has greatly increased, and most of them are of such poor quality in paper and binding as to need frequent renewal. Radical legislation can change this and effect a saving to the people of one-half the present cost of books, and this saving could be applied to obtaining a better grade of teachers, which is our present great need.

It is worthy of your consideration that for twenty years nearly all our official school boards have urged the adoption of the town system, and greater assistance to Normal Schools. Some difference of opinion exists as to whether we should have a greater or less number of Normal Schools. Those we have are under most excellent management, and are doing great good. In every department of education I trust you will exercise a wise liberality. The Superintendent should have sufficient funds to continue his meetings, and in greater number. The people understand their duty, but need to be continually reminded of it. These meetings tend to infuse life, create interest, enlarge ideas, and increase the zeal of all who attend them.

A request has been sent to me from a highly respectable source that I should ask your attention to the half-day system of schools.

The public library is the most valuable adjunct of the public school. No greater aid can be given to the cause of education than by affording to the pupils in our schools free access to large and carefully chosen collections of books. It is gratifying to note that the number of public libraries in our State is increasing each year.

UNIVERSITY OF VERMONT AND STATE AGRICULTURAL COLLEGE.

The act of Congress of July 2, 1862, which gave to Vermont the fund of which the income goes to this institution, provides that this income shall be used for the support of at least one college "where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are *regulated* to agriculture and the mechanic arts, in such manner as the Legislatures may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life." November 9, 1865, the Legislature passed an act constituting the present institution, and provided that the course of study should be such "as shall render the whole instruction in conformity with said act of Congress." In the succeeding February the trustees, in accordance with law, established a professorship of modern languages, a professorship of chemistry and its application to agriculture, analysis of soils, relations of soil to vegetable production, botany, forestry, habits of domestic animals, insects injurious to vegetation, and also civil engineering. Professional instructors of military tactics have also been provided, and special winter courses of lectures have been introduced on agricultural chemistry, botany, physics, entomology, stockbreeding, dairying, fruit culture, road-making, farm accounts and bee culture, and these courses will be renewed and extended as they are called for. The trustees and officers have been constant and indefatigable in their efforts to comply with the law in letter and spirit.

At the time of its charter it was an experiment, and many leading men through the State had great fears as to its success, and would have preferred a separate institution. I have conferred with many of them during the past

summer, and find that they are now satisfied that the course taken was a wise and judicious one, and its results most beneficial, their only regret being the limited number of students who have availed themselves of its privileges. Legislative committees have been appointed to investigate its progress and management, and have found and reported that the trustees and managers have studiously aimed and faithfully labored to comply with their charters, and to meet, so far as their means would allow, all the demands for instruction that have been made upon them, and that more than the increase derived from the United States fund is annually expended in paying the expenses of the industrial department. The President and Professors are always in readiness to respond to calls for public addresses from lyceums, literary, agricultural, and other associations, and in this way do a vast amount of good, and it is to be noted that they uniformly and pointedly enforce the idea of the dignity and nobility of labor.

Some persons favor an experimental farm to be used in connection with the college, and thoughtlessly reflect on the trustees for not providing one. The United States law provides that not over ten percent of the fund may be expended for land, and that on no "pretence whatever" shall any part of the fund be used for the "erection, preservation, or repair" of any building. When the State is ready to erect the buildings and assume their preservation, we shall doubtless find the trustees ready to provide the land and tutors. Experimental farming had its origin in Prussia thirty years since, and has rapidly extended until there are now many stations in Prussia, France, England, and our own country. They are to be found in our own latitude and climate in neighboring States. Everything of value in the results of this experimental farming is published in agricultural papers, and is easily and cheaply accessible to all. Such work in Vermont would be largely duplicate. Every State that accepted the government fund has largely aided its agricultural college, in some cases to the amount of millions. Vermont has not yet expended a cent. The institution has always kept out of debt, and its management has inspired such confidence that private beneficence is being largely extended to it. Through the liberality of Mr. John P. Howard, the old edifice is now being greatly enlarged and almost entirely rebuilt, and the announcement of Mr. Billings' generous gift to the University has just been made public. It has an extensive library, art gallery, laboratory, and a highly successful medical department.

I respectfully suggest that you take into consideration the propriety of extending some aid to deserving young men of moderate means, to the end that the opportunities here afforded for a higher education may be improved to a greater extent than is now the case. As the Senate is based on population, I would mention, as one plan, that each Senator be allowed to name one person residing in his county who should be entitled to tuition in the agricultural college.

OTHER COLLEGES IN THE STATE.

Middlebury College has long ranked high as an institution of learning. It has sent out many distinguished graduates, not a few of whom have served this Commonwealth in positions of responsibility, and it deserves to receive the confidence and fostering care of the people of the State.

The college at Northfield is also doing good work in its special and all other departments, and is worthy of every commendation.

LIBRARY AND CABINET.

Your attention will doubtless be called to the necessity of providing additional room for the library and cabinet. I am informed that books are being stored in inaccessible places, and that the specimens in the cabinet are being boxed and laid away for want of room. The matter is one for your examination and decision. Of the two plans submitted by the commissioners on this subject I much prefer the one which contemplates the erection of a separate library building, for the reason that I fear any extension of our State House would mar the symmetry of this beautiful structure. It would certainly seem that until better accommodation is provided, the purchases for these objects should cease.

In making any arrangement for giving more room to the library, it would be well to consider carefully its design and the nature and extent of its usefulness. The last report of the trustees gives the number of volumes as 18,614, but does not classify them or make any statement as to their use. A superficial examination of the subject leads me to believe that the State should purchase only such books as relate to law, legislation, political

economy and statistics. If the volumes of poetry, fiction, biography, and other works of general literature, now on hand, were presented to the town of Montpelier, with suitable restrictions, and no more purchased, it might relieve the immediate pressure for room to accommodate the books which are most useful to the Legislature and State officers. The number of books drawn from the library by members and officers of the Legislature at the last session was less than 600, and of this number over 200 were works of a miscellaneous character and fiction. One hundred and forty members drew no books, but probably used the library for consultation and reference.

NEW COMMITTEE.

I respectfully suggest the propriety and benefit of forming a joint standing committee on phraseology, by whom the language of all bills presented to the Legislature should be examined, and, if need be, corrected.

The suggestion here made has been adopted by other States, and substantially in this State by the Legislature of 1880. As a consequence of this action, one of the judges of the Supreme Court says: "The public acts of the session of 1880, in conciseness, good grammar, and perspicuity surpass the laws of any session in a hundred years. The saving in printing alone more than twice paid the expense of the clerk who revised the acts as they were introduced. There is no measure of the expense incident to a badly-constructed law."

ATTORNEY-GENERAL

Many of the most sagacious and careful men in the State are, and have long been, of the opinion that the office of Attorney-General should be created, in order to secure a more systematic, uniform and universal execution of the criminal law, and also as a measure of real economy.

It has been found necessary to establish this office in almost every State in the Union. In our own State, each county and city, and nearly every incorporated village, has its law officer, but the State has none, and each year it pays large sums to special counsel employed to assist the State's Attorneys, and additional sums for other legal services. Some of these expenses would be saved, and in most cases the services required would be better performed by a State officer.

As one remedy for the expense caused by the frequent change of the State's Attorneys, and the inexperience of many of them, Judge Veazey, in his report, recommends the appointment of an Attorney General, "who should have charge of and be responsible for the administration of the criminal law." On this subject I also ask your attention to the advice of Ex-Governor Horace Fairbanks, found in this message to the General Assembly in 1876.

Questions of law are constantly arising in the administration of State affairs on which the advice of an able law officer is required, and should the office be created, I am confident that many duties of importance and value to the State would be imposed upon the incumbent.

CONSTITUTIONAL AMENDMENTS.

There will be laid before you the proposals of amendment to the Constitution, six in number, that were adopted by the last General Assembly. These proposals were examined by committees in each house, were published at the time, and have been extensively discussed by the press. They should, however, receive your close scrutiny; for the organic law of the State should not be lightly changed, and should be so clear as to admit of no doubt as to construction. Should you concur in any or all of them, it will be your duty to provide for a submission of each one so concurred in to a direct vote of the people.

One of these proposals greatly restricts the power of the Governor to pardon or commute the sentence of persons convicted of murder, and, if adopted, will doubtless lead to a more speedy and certain punishment of that crime, after conviction.

Another is a supplement to the last clause of section 26 of the Constitution, which reads as follows: "Nor shall any person, holding any office of profit or trust under the authority of Congress, be eligible to any appointment in the Legislature, or of holding any executive or judiciary office under this State."

In 1880, the distinguished member from Montpelier resigned a lucrative federal office to serve his townsmen in the Legislature, but this is a rare exception to the rule that the constitution is habitually violated in this respect.

Persons ineligible under the Constitution, elected to the Legislature, have uniformly been good men, and it has not been the duty of any particular person to enforce this provision. But its non-observance has not passed unnoticed, for the press has always, with energy and perseverance, called attention to it, so that the whole people have for years had the spectacle persistently brought to their eyes, of the law-making power of the State acting in open disregard of the Constitution. The worst result wrought by this practice is the disrespect which it tends to create for law generally. It teaches disregard for authority, and is a deplorable lesson to the people that constitutions and laws are only to be obeyed by virtue of force. The proposed amendment is designed to remedy this state of affairs and make the existing clause of the Constitution self-operative.

Another proposal relates to the election of certain State officers. It is now the duty of the Legislature to elect about twenty-five State officers at each session, and except in cases of re-election, they are usually chosen from among its own number or officers. Hardly any other State adopts this practice to such an extent, and in many, as well as in Congress, it is unknown. Every Legislature contains men who are fitted by experience, ability, and above all by their honest, independent character, to fill any office in the State, and many times these qualities are so conspicuously exhibited in the Legislature by such members, as to properly lead to their election to important offices. The trouble rests in the fact that these men do not seek the offices, and they are left as the prey of another sort of men who spend their time in forming combinations with others of like character to advance their own schemes, and these combinations frequently extend to the passage or defeat of pending measures. At the same time, it is not to be denied that some of our best and most faithful State officers have been elected by Legislatures of which they were not members, and that offices otherwise elected or appointed have not always proved to be the best. The practice, at its best distracts attention from legislation, prevents deliberation, and, by lengthening the sessions, is very expensive, the average cost per day of actual session being estimated at one thousand dollars. This proposal is intended to bring the power to elect two important officials directly to the people.

Another proposal is one which prohibits the manufacture and sale of intoxicating liquors, and is mainly in accordance with the long existing law which has repeatedly received the approval, and sanction of the people through their Legislatures. It is to be observed, however, that the law allows the sale of intoxicating liquor for medicinal, mechanical, and chemical purposes, while the proposed amendment restricts it to medicinal purposes only.

In this connection I may allude to the fact that, owing to disagreements between county commissioners and local authorities, many towns have no agency for the sale of liquor, thus forcing entire communities into a violation of the law.

In considering the question of court, jail, pauper, reform-school, house of correction, and state prison expenses, it is well always to bear in mind that a large share of them are directly traceable to the illegal traffic in intoxicating liquor, and that the enactment of laws or constitutional amendments tending to restrain and destroy this evil, is in the direction of moral and economical legislation. Men may differ as to what such laws should be, but those that are enacted should be uniformly enforced.

OFFICIAL BONDS.

I would suggest, as an improvement in the form of official bonds now used in the State, that in all cases the sureties should make affidavit on such bonds as to their qualification in property. The form of official bond used by the United States Government required the sureties to make oath showing the amount of unencumbered property owned by them, over and above all debts and liabilities, to be double the penal sum named in the bond. It seems to me that the adoption of this feature in our own official bonds would not only throw about the execution of these important instruments an increased and proper solemnity, resulting in better security to the State, but would also relieve in some measure those whose duty it is to approve such bonds from the necessity of making inquiries as to the sufficiency of sureties.

SAVINGS BANKS AND TRUST COMPANIES.

There are sixteen Savings Banks and six Trust Companies now doing business in the State, and the total amount of deposits therein on the thirtieth day of June last, was	\$12,675,269.00
an increase in the two years of.....	3,599,955.00
Of this total sum there was due non-residents	2,454,091.00
The number of depositors was	42,583
an increase in the same period of.....	7,714
The average sum due each depositor was	\$298.00
The number of persons credited with sums in excess of \$2000 was	373
There has been credited to depositors' accounts in Savings Banks, and to stockholders in Trust Companies, during the last year, as interest and dividends.	\$382,821.00
An increase of	30,849.00
Seven Savings Banks paid dividends of	4 per cent.
five " " " " "	4½ " "
and four " " " " "	5 " "
The surplus held by all the banks is	\$439,624.00
The cash on hand and on deposit was.....	710,514.00
or about one-eighteenth of the total deposits.	
Under the tax law of 1878 there was received by the State	
Treasurer, during the past year, as taxes, from these Banks	\$53,681.00
of which there was distributed to towns	42,760.00
leaving in the treasury from deposits by non-residents	10,920.00

Other important and interesting statistics will be found in the report of the Inspector of Finance.

This officer bears gratifying testimony to the skilful and honorable management of these institutions in the main. He has exercised great care and good judgment in the performance of his duties, and I trust that his recommendation will receive your serious notice. Coming from a bank officer, they are likely to be within, rather than in excess of the necessities of the case. 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 other States the bank officer is required to ascertain and report the number and amount of deposits remaining in each bank, undisturbed, for a certain number of years.

The increase in deposits may be taken as an indication of general thrift and prosperity, and, though doubtless some portion of this increase is due to the fact that many persons, competent to manage their own property, are unable to find a better place of investment, yet, as a whole, these deposits represent the savings of years of toil and self-denial. It is your duty to see that all the safeguards that prudence and experience can suggest are thrown around the vital interests of these persons. "Limited deposits, restricted investments, economical management and conservative dividends, will insure security." But laws will be of no avail unless they are enforced. The Inspector of Finance should be given ample power, and it should be made his duty, to enforce the observance of the law. A mere report from year to year that certain banks do not entirely comply with the law will never remedy the evil.

The suggestions of this officer are not to be taken as indicating distrust or criticism of the way in which the banks are managed; on the contrary, they are mainly intended to point out the steps already taken by our oldest and soundest institutions, and which, in his opinion, should be followed by all.

STATE BANKING LAW.

Should the National Government continue the payment of its bonds at the represent rate, the securities, on which rest over sixty per cent of the national banks notes, will be extinguished within the next four years. In this event, it is not impossible that existing corporations may avail themselves of the provisions of the State law.

Hence, this law should be carefully examined, and be of such a nature as would afford absolute security to note-holders.

INSANE ASYLUM.

The management of this private charity is a credit and an honor to the State. Its per-centage of deaths and recoveries compares favorably with that of similar institutions elsewhere. Its Trustees are scrupulously faithful to their trust. Dr. Goldsmith says: "The most searching inquiry has failed to find that a single dollar of the millions which have passed through their hands has ever been misapplied or unaccounted for."

The Superintendent, Dr. Draper, is commended in the warmest terms by those able men who in past years have severely criticized the construction of the Asylum and its fitness for the care of the insane, and to whose efforts, in directing attention to the matter, much credit is doubtless due for subsequent improvement. Dr. Fasset says: "Dr. Draper is an educated, intelligent man; has had many years' experience in general practice and in the care of the insane; is a man of good judgment, kind and humane in disposition, devoted to his profession, zealous and earnest." He further says: "We are convinced that the food of the inmates is abundant and of good quality. The entire institution is kept very clean; as completely so as any Asylum in our knowledge. The inmates are decently clothes and their clothing, as well as their persons, is kept carefully clean. The most perfect good order prevails throughout the entire hospital. Kindness and gentleness, so far as they are consistent with mechanical restraint and seclusion, are everywhere apparent. We believe that no cruelty or harsh treatment on the part of attendants is ever permitted if known." The present Supervisors say: "We believe the Superintendent, his assistants, and employees generally, to be eminently fit for the business in which they are engaged, and we are quite sure that there would be no distrust of their kind and faithful care of all who are put in their keeping."

During the past few years, the Trustees have expended large sums in enlarging and improving the Asylum. They have added ventilation by means of a steam fan, new heating apparatus, a gymnasium, workshop, new and extensive park and summer retreat, billiard, bowling, and reading rooms, while every ward now opens to light, air and sunshine.

It will thus be seen that nearly every cause for stricture has been removed, and that the institution deserves, and should receive the unreserved confidence of the people.

One remaining source of complaint lies in the fact that the inmates are too numerous for the best good of all.

INSANE POOR.

This unfortunate class deserve our deepest commiseration and generous care. But common sense and reason should not be left behind in our action for their relief. The State should not be burdened with the support of transient poor from other States, or of those improperly committed by towns. The Supervisors in their report say that some town authorities "send to the Asylum all their paupers who are in the least demented, idiotic or vicious." It has also been clearly charged in several previous reports that many persons are confined who should be taken care of by the towns from which they came. This is a great wrong to those towns that deal justly with the State in this respect.

Under the law giving the Supervisors the right to discharge all persons who should not be inmates, they have discharged twenty-five, and say they would have sent away many more but for fear they would become the lawful prey of the historic poor-house. I believe the towns, as a rule, treat their paupers with humanity and kindness, and that the "historic poor-house" is a mere tradition, and that the harmless, incurable insane would receive no injury from being returned to their respective towns. The State should support none but those needing restraint and medical treatment. The supervisors having the power, it should be made their duty, to purge the Asylum of every such inmate. If this were done, there would be abundant room for the best treatment of those who remain. This distribution of the harmless insane poor among the alms-houses has been adopted in other States with favorable results, as regards both health and expense.

With the greatest respect for the ability and high character of the Supervisors, I cannot pass without comment their views on

THE LAW RELATIVE TO THE INSANE.

After quoting from the report of the previous Board of Supervisors, that “the incarceration of the same in an insane asylum would be an impossibility in Vermont,” they say: “as the law now is, such a thing, in our opinion, would be by no means difficult. . . . The law allows the *careless opinion* of two physicians to send any person to an asylum, and from this there is no appeal. Whose dog would we kill without more sanctity and better evidence? And yet an overworked, nervous and sensitive woman, if she becomes disagreeable to an unfaithful husband or other interested person, may be sent to an asylum by *any* two inexperienced, ignorant or designing physicians.”

The law reads as follows: “Sec. 2906. No person, except as hereinafter provided, shall be admitted to, or detained in an insane asylum, as a patient or inmate, except upon the certificate of such person’s insanity, made by two physicians of unquestioned integrity and skill. . . .”

“SEC. 2907. Such certificates shall be made not more than ten days previous to the admission of such insane person to the Asylum, and, with a certificate of the Judge of Probate of the district in which the physicians reside, that such physicians are of unquestioned integrity and skill in their profession, shall be presented to the proper officer of the asylum at the time of such insane person is presented for admission.”

“SEC. 2908. The certificate of the physicians shall be given only after a careful examination of the supposed insane person made not more than five days previous to making the certificate; and a physician who signs a certificate without making such examination, shall, if the person is admitted to an asylum upon the certificate, be fined not less than fifty dollars, nor more than one hundred dollars.

It will be observed that the statement is made, that “there is no appeal” from the “careless opinion of two physicians.” While this may be technically true, it is one of the main duties of the Supervisors to protect all inmates from injustice. The law directs that one of their number shall visit the Asylum as often as once a month, and that they shall “hear the grievances of the patients, apart from their officers and keepers, and investigate the cases that, in their judgment, require special investigation, and particularly shall ascertain whether persons are confined in any asylum who ought to be discharged, and shall make such orders therein as each case requires.”

This matter is presented at some length in the belief that it is a fair example of much of the adverse criticism to which the Asylum and our laws relative to the insane have been subjected for years, to the great detriment of the institution and the good name of the State. But if the Supervisors have found that in its practical working the law is defective, it should be amended.

It has been strongly urged that such part of section 2893 as provides for the payment of one dollar a week by the State and for mileage, should be repealed.

The good effect of State supervision is seriously interfered with by frequent changes of the officers. Having a good board, we should retain at least one of its members in the new board to be elected. It would be better if the Supervisors were elected for two, four and six years respectively.

In regard to a new Asylum, it may be stated that the lowest estimate for its cost is \$300,000, and as to its being in any measure self-sustaining, the Reform School may be mentioned as an illustration of the error of any such expectation. Its projectors claimed that plain, substantial buildings, with a farm in connection, were all that was needed, and some confidently predicted that its entire cost would not be over \$20,000, and that it would hereafter be nearly self-sustaining. Instead of this, we have an expensive structure, and the school has cost the State over \$370,000, or over \$20,000 per annum for 18 years.

The State paid for the support of its beneficiaries at the Asylum in

1861.....	\$5,065.00
1866.....	12,623.00
1871.....	13,061.00
1876.....	22,834.00
1880.....	30,531.00
1881.....	35,345.00
1882.....	37,198.00

PENAL INSTITUTIONS AND REFORM SCHOOL.

The most noticeable and gratifying feature of the report from these institutions is the great decrease of inmates, as shown by the following table.

Number of inmates in the respective institutions the first day of August:

	1878	1880	1882
State Prison	176	142	90
Reform School	145	122	86
House of Correction.....		70	45

The main cause of this decrease of crime is doubtless owing to the great demand for labor, which removes the temptations that are always occasioned by idleness. There has been drawn from the treasury for new buildings, repairs and current expenses, during the two years ending July 1, 1882:

For the State Prison.....	\$75,126
“ House of Correction	27,141
“ Reform School	37,174

and there has been returned from convict labor and other receipts:

From the State Prison.....	\$25,354
“ House of Correction	14,363
“ Reform School	1,071

It is a matter of congratulation that the several superintendents are said to be exceptionally able and faithful officials. Good discipline is maintained, while those confined are treated in a kind and humane manner. A small appropriation to complete out-buildings is asked for at the Prison and House of Correction. None is requested for special purposes at the Reform School, but its equivalent is recommended in such changes of the law as will reduce its income.

I am unable to agree with the Trustees of the Reform School in their recommendation that the law be repealed which requires towns to contribute to the support of the children they send to the School. The greatest fault found with the working of the Reform School has been that children were improperly sent there – for trivial offenses, of tender age, and of weak minds – sent by towns merely to be rid of them, thus throwing upon the State the expense that should be borne by the towns. Ex-Governor Dillingham, while trustee, asserted this in strong terms, saying, also, in one of his reports, that over sixty improper commitments had been made under the vagrant or tramp law alone. The law obliging towns to pay a portion of the expense of the School has been passed entirely with a view to preventing improper commitments. To repeal it would be another mark of changeable legislation, repealing laws before they have been fairly tested. The School might again be flooded with mere vagrants from the large villages, and we should again be called upon to enlarge the buildings. Communities should not be relieved of all responsibility in regard to truant boys.

MILITIA.

A force of disciplined militia is a vital necessity in any State, as it is the last resort for the enforcement of the law. It is the only power that can vindicate the rights and preserve the liberties of the State in certain emergencies, without calling upon the general government, and its existence may prevent the necessity for its

use. Our military force is small, consisting of one regiment and battery, but its efficiency is asserted by the Adjutant-General, and I am informed that constant efforts are being made by the field and line officers to improve its condition. The State is under obligations to all its members for their sacrifice of time and labor and for their efforts to preserve the martial spirit of the people. Certain business men of wealth have for years greatly aided the regiment and battery, and to them also our acknowledgments are due.

BOARD OF AGRICULTURE.

The board serves a useful purpose in arousing the attention of farmers to a proper sense of the importance and dignity of their calling, and in disseminating valuable knowledge in regard to improved agricultural methods. So many of your number are familiar with the importance and necessity of the board, that I doubt not every measure calculated to enhance its value will receive your cordial support.

FISHERIES.

I am informed that your attention will be called to the necessity of some change in the present law relating to the protection of fish.

The subject is one of no little importance to many persons, particularly to those living on the shores of Lake Champlain, and to the thousands who there make their summer homes.

The Fish Commissioners have practical and scientific knowledge, and I trust that ample power will be given them, or other proper persons, to enforce such laws as are enacted.

METHOD OF TAXATION.

Many writers on this subject hold that only real estate should be taxed, while the other extreme view would tax all property, visible and invisible, the amount of invisible property to be ascertained by placing every person under oath as to the list returned by him. The latter is substantially our present plan, though we make many exemptions in both classes, and allow offsets for debts, against personal property. You will probably be asked to enact a law by which offsets can be made against real estate, to the amount of the mortgages thereon, but such relief would not be uniform unless extended to debts not secured by mortgage. Such laws would be just, but would tend to increase the number of mortgages, and to perpetuate those already existing. Exemptions and offsets should be abolished, or made uniform upon every species of property. Perhaps equal justice would be done by abolishing offsets, which in our last list amounted to over \$32,000,000. This sum, added to the present valuation, would greatly decrease the rate per cent of taxation, and be more uniform and just than the present system. In any event, justice demands that the owners of real and personal property should be put on the same basis of equality.

The present law was the result of an earnest, honest effort to equalize the burdens of taxation, and to remedy the evils notoriously existing under the old law. The step having been taken, and apparently approved by the people, no pains should be spared to make the law as perfect as possible. By its operation, the amount of personal property subject to taxation has been more increased than that of real estate, relieving to this extent, only, the owners of real property. Those who pay only a poll tax have received the greatest benefit, and this is the class that most deserves relief.

The appraisal of 1881, without equalizing boards, created perhaps the most unequal real estate grand list we have ever had. That of 1882, after equalization, is much more uniform, but is far from perfect. When the county boards meet, the fact that one of their number is to be chosen a member of the State board, has a bad effect. I would suggest that, in future, State boards be appointed by the Governor from the members of the county boards, or that it be made the duty of county boards to elect their members of the State board before doing any other business.

It is claimed that the present appraisal of railroad property, not having been submitted to the equalizing board, is much lower than it should be, and this deserves your attention.

No law will prevent the "race of fraud" to escape taxation. It will never cease until State taxes are raised in some other manner. Several States pay their entire ordinary expenses by a tax on corporations. A bill adopting

this system was presented to the last Legislature by Ex-Governor Page, of Rutland. Another plan is that embraced in a bill introduced by Senator Dwinell at the same session, by which State taxes are to be levied on towns according to population. While this would not be entirely uniform, as no tax levy can be, it would seem to be more so than our present system. To both these plans I respectfully ask your attention. You will doubtless endeavor to regulate our method of taxation so that it shall conform to the principle of the Constitution, that every member of society is bound to contribute his proportion towards the expenses of the State.

The following table shows the changes in the State grand list for the last five years:

	1878	1879	
Real Estate	\$92,568,432	\$71,017,981	
Personal Property	16,845,123	15,375,533	
	-----	-----	
	\$109,413,555	\$86,393,514	
	1880	1881	1882
Real Estate	\$71,114,747	\$102,437,102	\$106,577,599
Personal Property	15,037,262	46,896,967	46,996,025
	-----	-----	-----
	\$86,152,009	\$149,334,069	\$153,573,584

The direct taxes levied and collected for the last two years were \$497,097.

SUPREME COURT.

It is generally believed that the last increase of the number of Judges was unnecessary, but since that time the cases involving large amounts have increased, and it is claimed that the time of the Bench is now fully occupied in official duties. Two years since, the illness of Judge Pierpoint was urged as a reason for not reducing the number of Judges, and now, the somewhat impaired health of Judge Redfield, causing a general regret, affords a similar reason. The reputation of the Court for impartial independence, and for learning and ability, is such as to be a just cause of satisfaction, and it would not be good policy to impose such an additional amount of labor upon them as would cause the resignation of any, particularly the elder members.

RAILROAD COMMISSIONER.

This officer makes a sensible, business-like report, and very properly asks that a law be enacted insuring greater safety of passengers by requiring each car to be provided with axes and bars and with more secure heating apparatus.

RAILROAD LEGISLATION.

Few subjects attract so much attention and occupy so much time in State Legislatures and Congress. It presents many new problems, and we cannot look to the past for a guide to their solution. It should not be kept out of sight and discussion, nor raised to undue prominence. In its consideration we should be free from the influence of railroad corporations, and from that of demagogues who seek to create hostility to railroad interests in order to obtain some personal advantage. We should never forget the vast benefits Vermont has derived from her railroads. It has been well said that "We have no means of forming a correct estimate of how much has been added to the wealth, comfort, prosperity, and power of our State by the construction and operation of our great railroad system, by the facilities they have furnished for travel and transportation, by the markets they have opened, and by the value they have given to other property." But when complaints arise that the people are not afforded the same facilities in freight and passage that are extended to other communities by the same lines: that discriminations in freight rates are made between persons and places: that rebates and special contracts are allowed to some and denied to others: that unjust combinations exist whereby consumers are obliged to pay more than a fair price for articles in common use: that large numbers travel without pay, thereby increasing the price paid by others: that the farmers of the West can place their products in the Boston market as cheaply as can the farmers of Vermont: that our small villages are becoming undesirable places of residence and business, for the reason that they cannot be reached or left by through trains: that manufacturers are

deterred from locating in the State, by reason of uncertain and high rates of freight: it manifestly becomes a proper topic for legislative consideration.

The power of the state to regulate and control railroad corporations and protect the interest of the people will not be denied. The late Hon. George P. Marsh, who was our second railroad commissioner, says in one of his reports: "The undersigned entertains no doubt of the legal power of the Legislature to subject railroad corporations in all respects to such general regulations as the public moral and material interests may demand." But this power should be used with caution. Customs in force and long-established in this and adjoining States cannot be suddenly changed here while still in force elsewhere without great detriment to our railroads. Some of the evils complained of can and should be remedied by State legislation, but we should stop short of enacting laws hampering our railroads, so as unnecessarily to impair their prosperity or their power to compete with lines in other States.

Vermont is fortunate in having her railroads operated by her own citizens, men of liberality and public spirit, deeply interested in whatever relates to the prosperity and welfare of the State. It is a general belief that they are conducted with a spirit of courtesy and accommodation, that every exertion is made by their managers to please and satisfy the people in all their gatherings at fairs and public meetings. It is highly desirable that this state of things should continue. No class controversy should arise between those who are mutually interested and dependent upon each other.

Realizing that it was impossible to frame a law to meet all requirements, Mr. Marsh, in the same report to which I have referred, says: ". . . the proper remedy is the creation of a board to which, under proper restrictions, the general controlling power of the State over the management of railroad companies shall be delegated." Should the power of the State be so vested, I have no doubt that every cause of misunderstanding within the State would be adjusted in an honorable and amicable manner. But no Board or Legislature can reach outside the State, and much that is wrong in these matters is the result of the great national and continental system, controlled by immense and consolidated wealth, a system in which Vermont roads are as a drop in a bucket, a link in a chain. It is a power so great that small corporations like those in Vermont are forced to join and strengthen it, or perish. We can, however, imitating the example of many other State Legislatures, give such expression to our views as shall arouse our State delegation in Congress to assist the national movement for the regulation of inter-State commerce, the power to do which was vested in Congress by the founders of our national constitution. The propriety of expressing to the State delegation in Congress your wishes on any subject has often been recognized by the action of Legislatures, notably in two instances, when the welfare and material interests of the State were threatened by efforts to secure the renewal of the reciprocity treaty with Canada.

GENERAL CONDITION OF THE STATE.

The census of 1880 again shows that our rural population and wealth are decreasing, while our villages and cities gain only a little more than enough to compensate for the loss in the country towns. The reduction of our representation in Congress also forcibly reminds us that our beloved State is not keeping pace with others in material prosperity and development. This fact should cause every thoughtful and patriotic citizen earnestly to consider and study its causes and to strive to remove them if possible.

Have complaints as to railroad management, elsewhere mentioned, deterred capital from entering the State? Are our laws in regard to manufactures, quarries and mines such as to induce investments therein? Is it worth while to try to attract within our limits a portion of that vast stream of population which is pouring into this country? These are most pertinent inquiries at this time.

The scarcity of labor through the State is well known. Many, who a few years since were day-laborers, are now land-owners and employers, respectable, honest, law-abiding citizens. I suggest that you consider the propriety of making the Quartermaster General, or other State officer, the medium of communication between the commissioners of immigration at New York and Boston, and such of our citizens as desire to provide suitable homes and occupation for deserving and industrious persons arriving at those ports seeking for work.

Gentlemen: You are here by the recent voice of the people to deal with many important legislative and constitutional questions, and although most of you are new to the duties of your respective positions, I am confident that your acts will be consistent with the simplicity of our form of government, and that they will evince the highest regard for the welfare of the State.

I am deeply sensible of my own inexperience and deficiencies, and shall need your kind forbearance in our mutual efforts to benefit the State.

JOHN L. BARSTOW.

EXECUTIVE CHAMBER,
Montpelier, Vt. Oct. 5, 1882

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Inaugural address
of

Charles J. Bell

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1904

Thursday, October 6, 1904

Inaugural Address

Gentlemen of the General Assembly:

In accordance with the constitution of the commonwealth, we are convened for the purpose of legislating in the interests and for the prosperity and dignity of our state.

I believe that our industries are well represented in this body; that a full measure of the wisdom and virtue of the state are here assembled; and that we are united in the determination that the best laws should be enacted and that unwise laws should be repealed.

Trusting in an overruling Providence that guides the affairs of states and shapes our destinies, may we each realize the necessity of acting well and wisely our part for the greatest good of all our people.

TAXATION.

The question of taxation is one of the most important matters to be considered in this session.

We are trying to improve the condition of our state along all lines. For such improvements every one should be willing to pay a just proportion. All property should be made to pay taxes according to its productive valuation. We should avoid double taxation and all property, both real and personal, should be made to pay its share.

When we legislate to exempt any property or class of values from taxation it becomes a difficult matter to frame just laws. When all property is equitably taxed and there are no exemptions whatever, then laws are, and can be made more simple and effective.

In years past many million dollars' worth of property, largely in the form of lumber, has been taken from our hills and mountains into market without taxation, thereby depriving our state of enormous values without a just return. The only thing left in such instances is denuded land tracts and depleted streams.

I am in favor of a law whereby no property, real or personal, shall be exempt from its proper levy for the support of the public treasury.

SCHOOLS.

We have improved our laws considerably in the past few years in regard to the public schools.

The report of the superintendent of education, which you will have before you, shows that the average paid our teachers during the last two years has considerably increased. While the increase is small, it proves that the tendency is steadily in the direction of more competent instruction in our common schools.

In view of the widely scattered condition of our rural communities, I am of the opinion that it would be a step in the right direction for many towns to look toward a central school, to which all pupils can be brought, thus making it possible to give them the benefits of the better educational advantages thus afforded at a slight increase of cost. The added advantage of such educational facilities at home where the pupil while obtaining them can remain within the circle of home influence and restraint, would, I believe, be a guarantee of the best results. In such a school, with so much of nature all about, the science of agriculture should be prominently taught, in order that the pupil may better understand the deeper meaning and influence of home environments and advantages. In other states where this course has been pursued, the results have been most satisfactory. I am mindful of our somewhat strenuous weather during the winter months, but a slight readjustment of the school year to make the vacation in summer shorter and in winter longer, would remove much of the objection to this plan.

BETTER HIGHWAYS.

The roads of Vermont have been greatly improved under our present laws.

The report of the state highway commissioner will inform you fully of this important work.

I believe in government aid in road building. It is certainly reasonable for the general government, while doing so much in the larger towns by way of public buildings and public works, to do something that will benefit large and small towns alike in the way of road improvements.

Vermont's highways should be so constructed and maintained as to not only facilitate business, but also to add to the health and pleasure of those who chance to use them.

The roads have been built, paid for and maintained for the use and convenience of the traveler, whether on foot or in team. In keeping up with the wonderful inventions of the age, we should legislate so that the roads be kept safe for all. At present this is not the case.

Would it not be well to restrict the automobile to a few roads and trunk lines, when possible, reserving some, and the winding narrow hill roads for the exclusive use of teams? This would remove one source of danger.

I would recommend some system of highway supervision, requiring a license for the automobile, that it be numbered for identification, restrained in rate of speed, and restricted to the freedom of certain thoroughfares which could be marked so plainly that whoever runs may read and understand.

I am in favor of some law covering the better care of roadside environments. Obstructions, bushes and unsightly weeds should be destroyed, for they become an offence. Let the trees remain; the shade tree by the highway should be regarded the personal friend of every traveler for it helps to make his journey more pleasant. We should have laws in regard to these matters, and they should be strictly enforced.

I would have a law forbidding the custom of making bridges and highway fences billboards for the free advertising of all sorts of wares. In a chance trip for instance across the country, it is often a matter of considerable doubt, judging by the nature of the placards, just what a certain farmer's specialties are, potatoes or soap and patent medicine.

STATE INSTITUTIONS.

The proper conduct of the various public institutions of the state should be the pride of every loyal citizen.

I have recently had the pleasure of visiting these institutions on a tour of inspection with other state officials, and can frankly say that I was in every instance much impressed with the high grade of service the state has at its command in them. Along broad lines and speaking generally, the public institutions of Vermont are in excellent shape. I was forcibly impressed that in each instance the comfort and health of all inmates is always a matter of first concern, and as a result most of those thus cared for are better provided with the actual comforts of life than they could have possibly been at home. My only wish is that any one disposed to criticize any one or all of our public institutions, first visit them with a view to details. They are public institutions. They are open to public inspection, and those in control are not only willing but anxious to give all possible information in regard to them.

In the case of the hospital at Waterbury, it should be remembered that under our present law many towns are able to rid themselves of what was formerly an expense to them, thus lessening the burden to the town, but increasing the cost to the state.

Any one who visits the Soldiers' Home at Bennington must be impressed with the fact that Vermont cares most tenderly for the veterans. It is a touching lesson in patriotism to the generation just coming upon the stage of action. I am in favor of increasing, if necessary, rather than lessening, the cost of properly caring for the old soldier while he is with us.

As to these and other institutions, however, I have no specific recommendations to offer at this time. The reports of the officers of each, and the suggestions of the retiring administration as detailed by Gov. McCullough in his message, are before you, and are entitled to your careful consideration.

ATTORNEY-GENERAL.

I heartily recommend the creation of the new office of attorney-general.

I believe the services of such an official would not only be a great advantage to the state in its criminal prosecutions, but also a great convenience to the executive and other departments of the government in matters that are constantly arising where the best legal experience is demanded.

The custom has arisen in many instances of electing the younger and less experienced members of the bar to the office of state's attorney. This is perhaps natural enough and there are many good and sufficient reasons for it which it is not necessary to discuss at this time. The result has been, however, that the important interests of the state, in criminal litigation, especially, have often been placed in inexperienced hands, and the state's attorneyship has become an experiment station in the law.

The auditor's report for the biennial term ending June 30, 1904, shows that the following sums have been paid in the several counties for grand jury services during the past two years: Addison, \$293.60; Bennington, \$1,186.48; Caledonia, \$651.34; Chittenden, \$394.96; Essex, \$265.44; Franklin, \$557.76; Grand Isle, \$182.84; Lamoille, \$308.73; Orange, \$536.76; Orleans, \$874.00; Rutland, \$579.60; Washington, \$3,112.32; Windham, \$231.60; Windsor, \$575.36, a total of over \$6,000. It is reasonable to presume that if the state's attorneys had had the benefit of the experienced services of an attorney-general in the preparation of cases, some of this expense might have been avoided.

During the past two years there has been paid out in counsel for the state in county court \$2,870.30; supreme court, \$243.04; employed by the governor, \$541.73; employed by the railroad commission, \$555.00; employed by the board of health, \$70. The services for which this expense was incurred would have been satisfactorily performed by an attorney-general, had there been one.

I am sure that such an official, whose compensation should be placed at a reasonable figure and still be sufficient to attract our best talent for the service, would result in a more prompt and effective execution of our criminal laws, and at the same time tend to the administration of the affairs of the state along the lines of a broader economy.

CATTLE COMMISSION.

At the last session of the legislature the work of this commission was separated from that of the board of agriculture.

With the law as it is at present, owners obtain eighty per cent of the value of their diseased cattle, and the hides. The proper execution of the law has been crippled by lack of proper provision for the expense of assistants and veterinaries. Many herds have been tested at the expense of owners. The biennial report of the commission will show cost of about \$48,000. I would advise enlarging the power of the commission and the establishing of some date after which the state shall cease to be responsible for nearly the full value of diseased animals.

RAILROAD COMMISSION.

The power and duties of this commission have been considerably enlarged from year to year.

It would now seem advisable to go at least one step further and provide that in the cases where competing lines are so seriously at variance that there is no hope for reasonable results, the commission have the power to step in and take some action to prevent further inconvenience to the traveling public.

VERMONT'S WEALTH AND ATTRACTIONS.

We are making commendable progress in the development of our mines and quarries. Our manufacturing interests increase by leaps and bounds from year to year, until nearly every city and large village within our borders has some important industry to the conspicuous success of which the whole state can justly point with pride. In a large number of instances these particular enterprises are standards of their kind, and by the excellent quality of their product are able to lead the way against the sharpest competition of the general market.

Mindful of all this, however, I still maintain that agriculture continues to be our distinction, and the most important field for our activity and best endeavor.

In view of possible legislation, I call your attention to the board of agriculture, the good work of the agricultural college, the interests of the forestry commission, the dairymen's association, the maple sugar association, the horticultural society, and kindred organizations.

There is no question but that the Vermont farmer aided by these and supplemented by the instructive work of the grange, has been able to systematically increase and wonderfully develop the agricultural wealth of the state, until today while cultivating less acres, he is making possible larger pro rata crops, and is producing larger pro rata amounts of maple sugar, fruit, corn, grain, hay, potatoes and dairy products, than any other state in the union. Furthermore, with improved machinery and with brains trained to better appreciate the relation of cause and effect, he is doing all this with better actual results in profits than ever before.

Today farming is recognized as a science. I could almost say it ought to be classed as one of the professions, for he who will succeed in it must study, must be well informed and must thoroughly understand the business. From this it follows that the farmer must recognize his rights and be ready to demand them in matters of legislation. The advantage in respect to numbers in this general assembly is, as always, with the farmer, and his interests should be given the just attention they deserve.

COMING LEGISLATIVE ELECTIONS.

At specified times during the session, it will be your duty to elect important state officers, including the judges of the supreme court. These elections demand your most careful attention. Upon the result of your action in these matters, depends to a great degree, our administrative success for the next two years.

You will be called upon to elect a successor to Hon. Redfield Proctor as United States Senator for the term of six years from March 4, 1905. The result of your action in this instance is of more than local or state importance; it is an affair of national consequence. So long as we are represented in the Senate of the United States by such men as Edmund and Morrill, Proctor and Dillingham, we shall be heard from in national affairs, and Vermont will, as in the past, continue to occupy a commanding position in matters of national legislation.

IN CONCLUSION.

Much intended legislation is suggested, and no doubt considerable is desirable, regulating the careful expenditure of public funds, looking to an improved system of auditing accounts, the better protection of fish and game, a reasonable caucus law, and a more effective restriction of the liquor traffic.

You are elected to attend to these matters in the best interests of the state. Let me suggest in closing, that you cannot conclude your work satisfactorily to yourself or the state unless you bring these matters up for consideration at the earliest possible moment, and, after necessary deliberation let your conclusions be prompt and honest and the result of most mature judgment.

At the conclusion of the message Governor Batchelder of New Hampshire addressed the Joint Assembly. Thereupon the Governor withdrew and the Joint Assembly dissolved.

FREDERICK G. FLEETWOOD

Secretary of State, Clerk.

Inaugural address

of

Franklin S. Billings

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1925

Thursday, January 8, 1925
Inaugural Message

Members of the General Assembly:

Agreeable to custom it is my duty to bring to your attention matters that in my judgment require your careful consideration. I trust that we shall work most harmoniously together and accomplish much for the best interests of Vermont.

Governor Proctor and the last Legislature accomplished an immense amount in the way of placing our financial system and our various departments on a sound business basis. The creation of the office of Commissioner of Finance was a distinct forward step and the present incumbent has accomplished much. In my judgment nothing should be done to lessen the importance of the office. The Legislature of 1923 realized that the State must be careful in her expenditures and I trust that you will agree with me that appropriations should be kept within the income of the State.

We should make a strong effort to have our expenditures such that no State tax will be necessary.

LAW ENFORCEMENT

This is one of the greatest problems which we have confronting us at the present time. A number of states have had to resort to what is known as "State Police", for the purpose of a better enforcement of the laws.

To enact laws and then fail to enforce them shows an inherent weakness in the government. I hope that you fully realize the seriousness of such a situation and that you will agree with me that we cannot afford to lose sight of our duty to restore, through the instrumentality of our present law officers and a sentiment of respect for our legislative acts, a high standard of efficiency in the enforcement of the law.

It is my duty, under the constitution, to see that the laws are enforced and with this end in view, I ask for and shall expect the hearty co-operation of all good citizens and especially from those whose duty it is to take cognizance of all unlawful acts committed against the State. I shall expect that all officers of the law faithfully perform the duties of their office in accordance with the oath which they have taken.

If we do our duty as the law requires, there will be no necessity for "State Police" and the taxpayers will not be burdened with the additional expense incurred if we increased our police force.

SECRETARY OF STATE

The Automobile Department has been as efficiently administered as the available funds have allowed but this traffic is becoming so great that it seems to me that some action should be taken to conserve life and limb. People financially irresponsible as well as those responsible should be compelled to carry liability insurance, or be bonded. This whole subject is so important and needs such careful study, I would recommend that a special joint committee be appointed to take up the entire automobile question including the codification of the automobile laws.

I recommend that the gasoline tax be increased to two cents per gallon. This tax is collected with very small expense and part of it is the only income that the State receives from automobiles from other states.

The suggestion has been made that the Automobile Department be taken from the duties of the Secretary of State. I feel that this would be a grave error. The department is now well organized and being efficiently administered and the expense would be greater if the change was made.

Publicity

There are 116 towns in the State that have a smaller population today than in 1820. Those towns surely are as attractive now as then. We know that there are people all over the United States looking for homes. I, therefore, recommend an appropriation of \$10,000 per year for our Publicity Department to be used for the purpose of advertising our agricultural and industrial advantages as well as attracting the summer tourist.

Bill Boards

The law governing bill boards should be amended to allow the Secretary of State to more fully control this objectionable evil and more easily collect the license fees.

MILITARY DEPARTMENT

I trust that the policy of building one armory every two years will be continued. On March 4th, a native son of Vermont will be inaugurated President of the United States of America. I consider it the duty of the Legislature to decide whether or not our Infantry Regiment shall be sent to Washington to do honor to President Calvin Coolidge.

AGRICULTURE

This is the basic industry of our State and should so be kept. I have urged co-operation among the farmers and this, I still believe to be of the greatest importance, not only in their selling but in their buying.

The fight to eradicate bovine tuberculosis in my judgment should be continued to the extent that the State can afford and that I believe to be at a cost of not over \$100,000 per annum. Former Commissioner of Agriculture, E. S. Brigham, states in his biennial report, "It will be seen that in some counties of the state considerable progress has been made in placing the herds under supervision. I believe that a bill providing for township area testing should be considered by the next legislature and should be enacted for the benefit of those sections of the state where almost complete eradication has already been accomplished. If the areas could be completely tested for a few years and quarantined against movement of infected cattle into them, it would not be necessary to test herds as often as once a year, and a considerable saving would be effected thereby in the expense of making tests". In October, 1922, in a public address I made a similar recommendation and am as strong now as I was then for this area testing. I believe greater progress can be made in this way.

EDUCATION

This department reorganized under the laws of 1923 is giving good service and now the great thing needed is stability. To change the laws governing a department every two years weakens that department and makes for inefficiency. Therefore, I urge you only to amend these laws in a very few minor particulars. I will suggest one.

The present laws have increased the burden of the smaller towns as to supervision. This should be changed to more fairly equalize this expense.

Our rural schools have greatly improved during the past year. There has been a sincere desire among them to become either a Standard or Superior School, and the one who proposed the plan should feel great satisfaction in the results. Everything should be done to encourage and improve these community centers.

Free Public Library Department is now under the State Board of Education. It has done splendid work throughout the State but during the past two years has been greatly handicapped by lack of funds. Four changes have been made in the office of Secretary during the past two years as too small a salary had to be paid. I, therefore, recommend an appropriation for this department of \$10,000.

STATE INSTITUTIONS

Under the efficient direction of our Commissioner of Public Welfare these have functioned as well as the appropriations and the size of some of the plants would allow. If Vermont's income were larger, many things could be done to improve them. Although I feel that the greatest economy should be exercised in the affairs of the State, I think that a new dormitory at the State School for Feeble-Minded at Brandon would result in economies to the State and I strongly urge the Legislature to provide a proper sum for this purpose. I have not included this in the Budget, however.

HIGHWAYS

The Commission plan has now been in force for four years and I consider that it is working well. During the past two years great improvement has been made in our highways, not only in many stretches of newly constructed roads, both gravel and hard surface, but also in new bridges, dust laying and the efficiency of the

patrol system. I believe that this same policy should be continued and that all monies received from automobiles and the gasoline tax be expended on our highways and Highway Department, I *still* do not believe that it is wise for the State to bond for this purpose, but as much money should be spent for hard surface roads in places where the travel or natural conditions make gravel roads unprofitable as the State can afford. The suggestion has been made that the State take over some of our highways and I stated in my campaign that I thought "the next Legislature should give careful consideration to the taking over by the State the Federal Aid Roads either in part or in whole." I have examined during the last months the feasibility of this proposition, and I find that it is more complicated than it at first appears. I therefore recommend that the committees on Highways and Bridges in careful consultation with the State Highway Board make a thorough investigation of the proposition.

RAILROADS, BUSSES, AND TRUCKS

As we look back over the history of Vermont, we may well wonder what progress she would have made in her development if she had not had the railroads. Even today in some of the winter months the railroads are practically the only means of transportation (both passenger and freight) that Vermont has. The railroads have had to build their own road beds, have paid very large sums in taxes, and are now very strictly regulated. In competition with the railroads the State now has the jitney bus and the truck. These have their road beds furnished by the State and towns, and are taxed (by registration) a very small sum. They are regulated very little in comparison with the railroads. We certainly do not wish to drive the railroads out of business and ought to be fair with them. I, therefore, recommend that the busses and freight trucks be more adequately taxed and regulated in a way that will be just to the railroads, to the busses, and to the trucks, and will also be a protection to the public.

PUBLIC SERVICE COMMISSION

Considerable criticism has arisen because of the manner in which public service corporations are permitted to issue securities. The law requires that the Public Service Commission, after hearing, approve the issue of stock, mortgages, bonds or other securities of such corporations in order to prevent overcapitalization. For several years no funds have been placed at the disposal of the Commission or the Attorney General for investigations in such cases and the hearings have necessarily been more or less *ex parte*. Because overcapitalization affords a basis for higher rates to the consuming public and in view of the fact that such Corporations advertise that their securities are approved by the Public Service Commission of the State of Vermont, I believe that the companies should pay a sufficient sum to enable the Commission to make a proper investigation before their approval is granted in each case, and that all such hearings should be attended by the Attorney General or the State's Attorney of the County that the good name of the State may be protected and that it may be more nearly impossible to put out such securities for more than their actual value. Otherwise the law requiring such approval should be repealed.

Since 1917 no railroad grade crossings have been eliminated. Conditions largely due to the war made it unwise for the expenditure of money in this way. Now, matters have so adjusted themselves that it seems to me wise for a reasonable appropriation to be made each year for a continuation of the work. It is certainly for the safety of the people.

TAXATION

Taxes should be kept at the lowest possible point consistent with the proper needs of the State. Attempts every two years to enact new modes of personal taxation upsets the business interests of the State and creates a feeling of instability. In the past a number of bills have been introduced creating an income tax law. It is my opinion that such a law would be injurious to Vermont. Florida has recently amended her constitution to provide that there shall never be an income tax in the State. Oregon has recently repealed her income tax law. Vermont may well learn a lesson from such movements.

TAXATION OF HYDRO-ELECTRIC PROPERTIES

On January 4, 1917, Governor Charles W. Gates in his retiring message to the General Assembly said, "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 is 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.”

Little has been done along this line since then, although there have been further large developments of hydro-electric power. The State should receive more benefit from her water powers. I, therefore, recommend that the local property tax be left undisturbed and the State impose a very small per cent tax on the gross receipts of these companies. If this mode of taxation should prove difficult to assess on account of plants in this State being “hitched up” to plants outside the State, then some other plan should be found.

BUDGET

Section 25 of No. 7 of the Acts of 1923 requires the Governor not later than the third Tuesday of the session to submit a budget “which shall embody his estimates, requests and recommendations for appropriations or other authorizations for expenditures from the treasury of the State for the next biennial fiscal period”.

Wishing to assist you in all possible ways to hasten the business of the session, I have the Budget prepared and herewith submit it.

In an effort to expedite the business of the session and to keep its length within proper limits, I have requested the State Officers and the heads of departments to have ready at the opening of this session, all bills covering changes in the law respecting these several departments which they recommend. It is hoped that members of the General Assembly intending to introduce bills touching the law respecting these State departments will introduce them within the first two weeks of the session so that the Committees may have before them very early in the session all proposed changes in the laws respecting the general administration of the business of the State. If such a course is pursued and the time limit for the introduction of bills is really made a limit as the rules provide, it should be possible to give full and fair consideration to the simpler and less complex bills early and the last part of the session be given over to the appropriation bill and other very important measures. Furthermore, to press the consideration of a large number of bills upon the Governor in the closing hours of the session may compel immature consideration and the failure of some meritorious measures which might have become law had they been brought forward earlier.

I shall be glad to confer with members of the General Assembly at any time, and I am sure that we all wish to do our part to make this session a profitable one for the State. Please remember that there is more danger of making too many laws than of making too few.

FRANKLIN S. BILLINGS.

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

Volume VII.

1826

SPEECH OF GOV. BUTLER— 1826¹.

Gentlemen of the Council and Gentlemen of the House of Representatives:—The recent election, made by the enlightened freemen of Vermont, has laid me under obligations deeply affecting, and called me to the performance of duties that ought to excite and bring into action all the powers I possess, for the promotion of the public good. The approbation of my fellow citizens of my past services in subordinate stations, in which they have heretofore placed me, implied by their suffrages in the present election—a favor I have never sought, never expected, but has been freely given—I view as the greatest reward in their power to bestow. It is received with the deepest gratitude. As to the future, the same honest intentions that have marked the past, will direct my conduct. I should, however, shrink from the trust assumed, but for reliance on that kind, overruling Providence, from whom I have so often found support, and upon your good will, indulgence and co-operation. With the hope of these, I engage in the work before me.

Those who are the best acquainted with my past conduct will expect a frank disclosure of my own views on every occasion when duty requires it. In making a few remarks, not so directly connected with the ordinary duties of legislation, but of no less vital interest to the community, apology may be thought necessary; and the only one I can make, is the ardent desire felt for the future prosperity of our country. However conscious I might have been, that my talents were capable of doing but little good or hurt, opportunities for both have not been wanting. Ever since the adoption of our constitution, with the exception of three or four years, I have constantly had a direct concern in the legislation of this state, or that of the general government. Neither was the freedom of our country obtained without my participating personally in her sufferings. Thirty years ago, fears were suggested that the great body of the people of this country would not at this time find themselves in possession of those political privileges which they now so richly enjoy. At that early period, I firmly resolved that my own conscience should never upbraid me with aiding the loss, if it must be sustained. To that resolution I have adhered; and with a view to perpetuate those privileges, is the object of these remarks.

Our country has struggled through trying scenes. They have all terminated in our political prosperity, and resulted in the stability and permanency of our institutions. At present we see her rapidly advancing to that high eminence of national importance to which she evidently is destined. The people in every part of the Union are in the full enjoyment of all that liberty which the honest can desire, both civil and religious; with the exception only of that unfortunate class of the human species, held in servitude in some of our sister states. But it is confidently hoped, that the time is not far distant when those states may deem it expedient, in accordance with the philanthropic feeling of benevolent individuals and societies, to join heartily in their complete emancipation, in such a way as shall be consistent with the safety and peace of community.

In no other part of the world are the principles of freedom so well understood or so fully enjoyed. We have just cause to consider ourselves the most favored of the human family; and nothing can or will stop the current of this favor, unless it is obstructed by our own vice and folly. Let the constitution of the United States be held sacred; let none of its fundamental principles be altered or undermined; let no amendment take place until its necessity is obviously shown by experience; let the government continue to be justly and wisely administered, and we may then expect the perpetuation of our national prosperity. If morality and piety continue to prevail, the elections by the people will make it manifest. The national legislature will be composed of men possessing integrity as well as wisdom; such legislators will never betray the trust reposed in them. As the same freemen also elect the members of the state governments, the same desirable result must follow as to the internal concerns of the respective states. It was integrity of heart and sound morality that guided our fathers in all their sagacious exertions to obtain for themselves and their descendants those peculiar privileges we now enjoy. Information is of much use, but will only produce its legitimate fruits when united with morality, and all who are engaged in its promotion, by their precepts and example, are affording constant aid to good government.

¹ From the printed *Assembly Journal* of 1826.

The general government has given the fullest proof of its ability and intention to protect our country from foreign aggression and while it continues that just and magnanimous course it has hitherto pursued, we have nothing to fear from abroad. In the executive of that government we have entire confidence, founded on the best proof that the same policy will be adhered to, during the present administration.

The numerous attempts lately made, to amend the constitution of the United States, will naturally call the attention of the state governments. A subject so deeply interesting to *all*, will not escape the jealous concern of *any*. Much might be apprehended from such proceedings, were less reliance placed on the national and state legislatures. So long as the great body of enlightened freemen are in the belief that they now enjoy all the liberty and security that human government can afford, we deem our country in no danger of those evils that would be the natural consequence of an ardent desire of change.

Permit me to add, that the people of this state have manifested as strong attachment to their *own* institutions as those of the United States. During thirty-three years, we have lived and prospered under our present constitution. Repeated attempts have been made by a small minority to amend or change that instrument, but, on every occasion, the powerful voice of an overwhelming majority hushed all to peace, – silenced all complaints. The short periods for which all our elections are made the easy and silent manner in which all are discharged from the public service, have been the means by which time common sense of a well-informed community has been carried into every department of the government. Our institutions, ejections, manner of legislating, customs and laws, are as strictly republican now as thirty years ago. We have greatly increased in numbers, in wealth, in the arts and sciences, and at the same time equality and friendly intercourse is maintained between all professions and classes of citizens in our state, beyond example. Submissions to the laws has been as uniform, – piety and morality as much encouraged, and find as sure protection here as in any section of the world. Whence, then, the desire of change and thirst for novelty? In depressed circumstances they are highly useful, but in a state of unexampled prosperity, if indulged, will prove ruinous. Community at large has a deep interest in every act of the legislature, and unborn millions may be affected by its decisions. In all the appointments you have to make, – in all the deliberations in which you engage, your own responsibility should steadily be kept in view.

While calling your attention to the immediate business of legislation before us, I am not sensible that any material alterations in the laws relating to any department of the government could be beneficially made at this time. It seems now to be well understood, that alterations should be made only in those cases pointed out by experience. When these are provided for, let us stop.

The manner in which the two houses have transacted the business of legislation as pointed out by the statutes on that subject, has given universal satisfaction to the people. They need no alteration to promote and cherish the good understanding which has heretofore existed; and the friendly feeling that so fully prevailed the last session is highly important to our constituents.

Religious liberty, so well understood and so fully possessed in this state and so firmly established by ancient laws, has produced many salutary effects. Laws so just in themselves, and so safe for all, could not fail to remove complaint and promote friendship between the different religious denominations in community, and peace among the people.

Our judiciary system has been often amended, altered and changed. The laws now in force are of recent date, — the people have not yet had sufficient time to form a correct opinion of their ultimate effect. Let the system remain undisturbed for the present, and in process of time, experience will mark the path of duty to be pursued by the legislature on this subject.

The laws regulating and governing the militia will claim your serious attention. They have been so lately revised and amended, that hopes are entertained that no alteration will be found necessary at present. Much reliance, however, must be placed on information yet to be received from different parts of the state, by gentlemen who have been actively employed in carrying those laws into effect.

Vermont has never been inattentive to the great interests of education. This appears in all the grants of land made, and in the numerous acts passed, having for their object the instruction of youth. The exertions made on this subject have proved salutary, in a high degree.

At present, the people in this state are as well informed as in any part of the Union. A matter of such importance will ever be kept in view by every wise legislature. The act of the last session, making provision for a permanent fund for the support of common schools, is highly commendable and if any means can be discovered by which its resources may be increased, the measure will meet the approbation of our constituents, and, in some future day, be highly applauded by their descendants.

Expenses of making and repairing highways are very great, and much importance attaches to our laws on the subject – the public at large are interested in the improvement of those in use, and that others should be made where they are needed. Laws should be such that all may view their duty and interest united. The act passed Nov. 3, 1810, directing the disposition of fines imposed on towns for not keeping their roads in repair, appears to be unwise. It has often been the ground of encouragement to neglect present duty by the inhabitants of some parts of a town, in the hope that a large fine might be imposed, the expenditure of which would be useful to themselves and expensive to others, who had been more industrious. Principles similar are contained in the act passed Nov. 2, 1821, but in the case provided for in this act, they appear unexceptionable.

If it should be thought inexpedient, still, to abolish imprisonment for debt, yet something may be done to render commitments less numerous. Was the creditor made liable for all those expenses now chargeable on the town, where the indigent debtor has settlement or happens to reside, commitments would be less frequent, and much cost saved that ought never to have been made. The justice and utility of the measure unite in recommending it to your consideration.

The appointments you have to make are numerous and important. The peace and prosperity of the state will in no small degree depend on the wisdom manifested in this branch of your duty. Integrity and ability united in the same person, are the highest recommend aliens for office, and should be kept in view, in every appointment. In addition to the ordinary appointments to be made, this session, a senator must be elected, to represent this state in the senate of the United States, for six years from and after the 3d of March next. Provision must also be made to carry into effect the 43d section of the constitution of this state, by an act, regulating the choice of a council of censors, and fixing the place of their first meeting.

For more than twenty years past, the legislature of this state has uniformly manifested its disapprobation of raising money by lotteries for any purpose whatever. Last session, large sums were offered for the privilege of selling tickets and drawing lotteries in this state; but every proposition of the kind was rejected and it is believed, the great body of our citizens are in sentiment opposed to raising money that way; indeed, the principles of morality in Vermont must suffer a sad decline, before this species of gambling will be sanctioned by the government, or approved by the people. The numerous sales of lottery tickets made within the last year has not been a little surprising to many and especially to those who had personal knowledge of all that took place at the last session. If the construction be correct, lately given to these grants anciently made by the state to raise money by lotteries, by those who are principally concerned, it is difficult to say, when the business will stop. I would suggest for your consideration, the propriety of appointing some suitable person to bring the whole subject before the proper authority and obtain a legal decision as to all the grants on which reliance is placed for support in this speculation. At the same time, protection may be afforded to many who are exposed to pecuniary penalties. This would accord with justice and sound policy.

Economy is of importance in all the concerns of private life; without it, no individual can long be prosperous or happy. It is as essential in the affairs of governments. It has marked the general course of former legislation in Vermont and it is presumed the present assembly will not be less frugal in the expenditure of the public treasure.

Experience has shown the propriety of confining legislation to its legitimate objects. Considerable expense to the public, and great inconvenience to individuals, have already been the result of indiscretion on this important subject.

All communications to me, from any source, proper for your consideration, will be seasonably laid before you.

To conclude, let us reflect on the past, and make a wise improvement of the experience we have had. This will assist us in our future progress, and teach us how to profit by our own mistakes. Let every one faithfully adhere to the dictates of his own conscience, and however great the diversity of opinion, individually expressed, may be, the result will be the united wisdom of the whole, – and all may hope for the blessing of Divine Providence on our exertions for the promotion of the public good.

I shall often go wrong through defect of judgment. I ask your indulgence for my errors, which will never be intentional; and your support in maintaining peace and good order in society – and I humbly beseech God our Saviour, whose we are, and whom we ought to serve, to bestow his blessings on our labors, our persons, and our constituents.

EZRA BUTLER.

Executive Speech
of
Ezra Butler
As it appears in the
RECORDS
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Volume VII.

1827

SPEECH OF GOV. BUTLER— 1827¹.

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

Called by the suffrages of the people, I again engage on the duties assigned me. On the present occasion permit me not only to acknowledge my obligation to the freemen for their continued confidence, but my gratitude to Him who has protracted my life, and continued the prosperity of the state another year. The instances of mortality constantly thinning the ranks of those accustomed to legislation, cannot fail to remind us all, of the slender tenure by which we hold office and life.

It is necessary that the business for which we have assembled, should be prosecuted with decorum, deliberation and dispatch, in order to promote the interests of and give general satisfaction to the people. On the wisdom, by you to be manifested, in the numerous appointments you have to make, will the reputation, the peace and morality of the state, much depend.

Education is of too great importance ever to escape the notice of wise legislators. Many among the well-informed have thought our laws deficient as they regard the expenditure of public money raised for the support of common schools — that a proper board should be appointed, in each county or town, for the examination of those who are to be employed as instructors; and that every town should appoint suitable persons to visit the schools. Should it be thought that an act to effect these objects would render the expenditure of public money more useful to community, you have the example of some of our sister states for your encouragement in trying the experiment.

To the subject of lotteries the attention of the legislature was called, last session. Permit me to ask your further attention to what was then communicated for I have seen no just cause for altering the opinion then expressed. The act of that session is, in my view, of doubtful tendency. And should it prove as salutary as its supporters expected, can never close the door against the admission of an evil allowed on all hands to be highly demoralizing in its tendency. The money received by the state, although expended for the best of purposes, will, never, fully compensate community for the various species of immorality that will have received encouragement.

A bill entitled “An act to abolish imprisonment for debt,” published with the acts of the last session, will claim your attention. The subject has repeatedly occupied the consideration of the legislature; and although the object is desirable, yet the manner in which it can be effected with safety to all concerned, seems not to have been discovered. The bill, in its present shape, is too complicated to answer the best purpose. It would increase litigation rather than discourage it — embarrass the administration of justice, rather than promote it. If concealment of property should be constituted a crime, and punished with severity as such, executions might issue against the property only, of the debtor, with as much safety to the creditor, as the constitution, or justice require. This subject is important—it has engrossed the minds of many for years past, and if nothing further should meet your approbation, I hope the propriety of compelling the creditor to provide for the support of his debtor, during his confinement, will be duly considered.

Our statutes will all pass in review before you. But it should be kept in mind that every unnecessary alteration is, not only perplexing and inconvenient in the administration of justice, but often the occasion of injurious mistakes. Where the necessity of new enactments has become obvious, let us act without fear; but with due caution.

For some months past, several engineers, in the employment of the general government, have engaged in examining different routes for canals in this state but as to the result of their labors no information can at this time be given.

¹ From the printed *Assembly Journal* of 1827.

A communication has been received from the ordinance department of the United States, by which it appears there is now ready for the use of this state one thousand five hundred and nineteen muskets, as its quota for the four years last past. If desired, other arms or accoutrements, of equal value, will be furnished. These arms will be sent to any designated place in Vermont to which they can be conveyed by water. As the arms are not wanted for present I have delayed to direct their removal to any place in this state; and will still wait the order of the legislature in relation to them.

Permit me here to suggest the propriety of landing these arms at Burlington and that they be brought from thence to some place to be provided for that purpose, near the seat of government, and kept in good order until wanted for use. Should the proposition meet your approbation, provision must be made to carry it into effect. The legislature will then have opportunity to know the actual condition of the arms, from year to year, without further expense or inconvenience. In no part of the state can they be more secure, or to every part more readily distributed, should the unhappy necessity of using them ever occur. It is to be feared that most of the arms heretofore received from the United States will be of little further use to the state, should no additional attention be paid to the subject. But those now to be received are, doubtless, in good order, and may easily be preserved in that condition; and as the number will from time to time be increased, your attention to the subject seems the more necessary.

Several resolutions from our sister states have been received, which will in due time be submitted for your consideration.

The people of this state can never remain indifferent observers of the proceedings of Congress, or the course pursued by the Executive of the general government. And we have too much confidence in the rectitude of our motives, and correctness of our views, to conceal them. So far as the public good may require, they should be made known. Let every state in the union do the same, and it may be of some service to that government on which we all depend for national security, and the protection of our rights. The dereliction of duty in the last Congress, so well calculated to impair the confidence of the public in the national legislature, is a matter of serious regret. For that body to refuse protection to the industry of a majority of the people, when the necessity had become too obvious to be mistaken, is just cause of complaint; for it is wounding to the laudable pride of our country. Had no other important interest been neglected the wound would have been less painful, and might have been borne in silence. However for the present, we can but cherish the hope, that by the next Congress all just cause of dissatisfaction will be removed, and the confidence of the people again restored to the Legislature on whose wisdom and integrity the United States are in so high a degree dependent for her prosperity.

The preparations making for the next presidential election seem to have brought to view political doctrines that will, when reduced to practice, endanger the stability of our institutions, and tend to their final overthrow. Among others that, in my opinion, are dangerous, this is not the least that is improper and unsafe to give any man a second election as President, however just, wise and prosperous his administration may have been, for the first term. This idea is novel and I am inclined to think the remark has been hastily thrown out with but little consideration, and will, when duly examined, be retracted. There can be no better guide in politics than past experience. Look at the present prosperous condition of the United States — three successive administrations continued eight years each: one after another steadily progressing in prosperity and credit at home and abroad. Is all this to be forgotten in our future march? Or shall this instructive lesson be improved as a lamp to our path? It is true no one can say what would have been the consequence if Jefferson had not received his second election and Madison, and Monroe, had shared the same fate and all three, one after another, had been dismissed from public service at the end of their first term. But all must know, that the state [nation] would have lost twelve years' service of those able statesmen; and that too not the least useful part of their services. Add to this the hazard and risque, of selecting three new candidates to serve four years each. Let the candid decide whether the doctrine that has heretofore prevailed is not more safe for the country than that against which I contend. Due consideration will convince any one, that it is unjust as well as unsafe. There is no other way in which the great body of the freemen can express their approbation of the first four years' administration, but by a second election. Should that take place, and should the same course be pursued the last four, the president leaves the chair of state with the sealed approbation of the nation — his reputation is secure forever, as it ought to be. Not so with him who receives no second election. A direct stigma is cast either on his person or his policy.

The disgrace must follow him to the close of life; and in the present condition of society, would be visited on his descendants. Would it have been just for the country to have treated either of the exalted individuals I have named, in the manner lately proposed to treat every one who may hereafter occupy the chair of state? Had the constitution been so framed, or should this idea so prevail that a second election can never take place, the honest patriot would always be deprived of the reward he most esteems for all his services – there would be no way left by which the people are distinctly to decide whom they approve and whom they disapprove. The good and the bad, the wise and the simple, are all alike to be thrown aside as useless lumber. Is this just? But the injustice to individuals has not been the occasion of these remarks. The increased dangers to which our institutions would be exposed is that which most deserves our attention. The doctrine against which I protest, in its practical operation, would in all cases deprive the state of the services of the ablest statesmen, at a time when they would be most capable of being useful, and perhaps too, at a time when their services would be indispensably necessary to preserve the country from distraction, and the government from dissolution. Again, the reins of government must be committed to new hands once every four years; and if the views of some are to guide us, they ought to be taken, not from the cabinet, but from some other employment or station, in which they have had little or no acquaintance with the duties they now have to perform and direct. On every occasion of the kind, heretofore, we have given the reign to no man until he had been well disciplined, and had become acquainted with the duties he had to perform; and had given evidence of his ability and integrity. It appears to me there is some risk in placing the power of the nation in unexperienced hands, every four years. It may be further observed, that to unite the public mind on any individual to fill that most important office, is no trifling undertaking. The subject has, on every occasion, employed the talents and pens of our ablest and best citizens, with the deepest concern. And to this subject the ambitious and designing will *never* be inattentive. If it has been so difficult to concentrate the public opinion once in eight years, will it not be much more so, to unite on a new candidate once in every four? The danger of electing incompetent and designing men, is greatly increased. Double the number must be elected – the more frequent the draughts, the more difficult the choice – and still more doubtful whether it will be good. The more I have thought on this subject, the more fully I am confirmed in the opinion so often expressed by the people of the United States – and that the same opinion will still prevail, we are not inclined to doubt.

The unbending integrity, the wisdom and prudence, of the administration of the general government, as it richly merits, so it will receive the approbation of a sagacious, enlightened, and virtuous community. Every year furnishes additional evidence of the wisdom manifested in the last presidential election. The wise and prudent course, pursued by our government, for twenty-four years previous to that auspicious event, has been faithfully observed, by those now at the head of the government. The American system must, and will be supported; or the retrograde march of our country will soon commence.

Every exertion made by the legislature, to promote the interest of the state, as connected with that of community at large, will receive my cordial support.

EZRA BUTLER.

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

Volume VI.

1813

SPEECH OF GOV. MARTIN CHITTENDEN – 1813¹.

Gentlemen of the Council, and Gentlemen of the House of Representatives, – We meet under prospects not the most flattering. Our political horizon is encircled with clouds somewhat portentous. It is a period peculiarly interesting, as it respects our national and state affairs, and most eventful in the history of the world: a crisis demanding the united wisdom, prudence, and firmness of the whole community. Under these views and prospects, and with a due sense of my own inexperience and imperfections, it is with extreme diffidence that I enter upon the duties assigned me by the constituted authorities of a moral and enlightened people. But I do it cheerfully, relying on that candor and indulgence which I have often heretofore experienced.

The national constitution having wisely placed our foreign relations in the hands and under the controul of the general government, our attention will principally be directed to the local concerns of the State. To provide for the protection and promote the greatest possible prosperity and happiness of every class of citizens, being the legitimate object of all wise and free governments, will necessarily claim your attention. The peculiar situation, under which I am called to enter upon the duties of the Chief Magistrate, must afford an apology for not laying before you, at this time, so particular a view of the affairs of the State as might be desirable. But I have the satisfaction of believing that the wisdom and intelligence of the legislature, composed of men elected from every portion of the State, and intimately acquainted with the feelings and necessities of their constituents, will furnish all the information necessary to promote the public interest.

The preservation of all free governments principally depending on the virtue and intelligence of the great body of the people, forcibly recommends the propriety of selecting for office men distinguished for virtuous example; disregarding those local and² party views which stimulate one part of the community to trample on the rights of the other, and to sport with the feelings and happiness of their fellow men. In just retribution, however, for this perversion of reason, this violation of duty, it will generally be found that this spirit is not less destructive to the happiness of the aggressor than of the aggrieved.

The importance of the subject of the militia will not fail to claim your deliberate consideration. I have always considered this force peculiarly adapted and exclusively assigned for the service and protection of the respective States; excepting in cases provided for by the national constitution, *viz. to execute the laws of the Union, suppress insurrection, and repel invasions*. It never could have been contemplated by the framers of our excellent constitution, who, it appears, in the most cautious manner, guarded the sovereignty of the States, or by the States, who adopted it, that the whole body of the militia were, by any kind of magic at once to be transformed into a regular army for the purpose foreign conquest; and it is to be regretted, that a construction should have been given to the constitution, so peculiarly burdensome and oppressive to that important class of our fellow citizens.

The known spirit and patriotism of the militia forbid the supposition that they will not cheerfully perform their duty, when it shall be clearly defined, and their rights permanently secured; and nothing is now wanting but proper regulations and suitable encouragement to render them an efficient force for all the purposes contemplated by the national and state constitutions. But a recurrence to our present militia system will evince the propriety of many alterations and amendments. The propriety, likewise, of many alterations in our present code of laws may be apparent. But that subject being under the consideration of the Hon. Council of Censors, I would suggest the propriety of waiting the result of their deliberations.

The state of our financial concerns will be derived from the Treasury Department; and the known integrity and ability, with which the duties of that office have been performed, leaves no room to doubt its correctness. And it is to be hoped that no additional burdens will be necessary to meet the current expences of the present year. A consideration of the embarrassed situation of our commerce – the great source of national and individual income in times of prosperity, and the heavy burdens soon to be imposed in the form of direct and internal taxes cannot fail to recommend a strict attention to the principles of economy both public and private.

¹ Ms. *Council Journal*, Vol. 7, p. 19.

² Or in the printed journal

The national constitution very justly enjoins due obedience to all the laws and regulations which are made in conformity to it. But the same charter of our political rights ensures us the freedom of speech; a right never to be resigned while a single vestige of civil liberty remains. It is, therefore, our unquestionable right, and, at periods like the present it may be considered our duty, not only to reflect on the state of our public affairs, but with a manly and temperate frankness, becoming freemen, to express our sentiments respecting them; and in the exercise of all fair and constitutional means, endeavour to produce such a state of things as will promote a just, secure and honourable peace, and avert the evils we feel, and the much greater, which we have reason to expect, from a war with one of the most powerful actions of Europe, and from the toils and intrigues, still more dangerous, of another. The war, in which we are engaged, would require the united wisdom and energy of the nation to sustain. It was declared under circumstances which forcibly induced a great proportion of the people to consider it at least doubtful, as to its necessity, expedience or justice. And its continuance has become still more so, since the removal of the Orders in Council, the principal alleged cause of it. The subject of impressment never having been considered a sufficient cause of war by either of the preceding administrations, and having been adjusted by two of the present cabinet, Messrs. Monroe and Pinckney, ministers on our part, in such a manner as was by them stated to be both safe and honourable to our country, it would seem that it ought not now to be considered an insuperable obstacle to a fair and honourable peace, or an adequate cause for a protracted, expensive and destructive war. The conquest of the Canadas, of which so much has been said, if desirable under any circumstances, must be considered a poor compensation for the sacrifices, which are and must necessarily be made. Notwithstanding the multiplied embarrassments, and afflictive judgments, with which we are visited, yet as a people, our situation is enviable compared with that of many of our fellow men, who are groaning under the iron hand of despotism and oppression; and we have the highest reason to express, with grateful hearts, our dependence on an indulgent Providence for the bounties of the present season, and other unmerited blessings we still enjoy.

Should the documents of the office furnish matter for your consideration, it will be made the subject of a future communication. In the prosecution of the important business of the session, you may be assured, that every measure calculated to promote the security, prosperity, or happiness of our constituents, shall meet with my cordial co-operation and support. I am sensible, that in times of party heat and general commotion, passion too often usurps the place of reason; which seldom fails to lead to an improper result. But, with a firm reliance on the assistance of Divine Providence, I trust we shall never disregard those duties, which are enforced by the national and state constitutions, and which, if steadily pursued, will not fail to result in the promotion of the public good.

MARTIN CHITTENDEN.

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

Volume VI.

1814

SPEECH OF GOV. MARTIN CHITTENDEN – 1814¹.

Gentlemen of the Council, and Gentlemen of the House of Representatives, – The unsolicited approbation of my conduct the year past, considering the extreme embarrassments under which I entered upon the duties of my office, is highly gratifying, and will not fail to produce renewed exertion to promote the best interests of my fellow citizens. At the same time it affords the pleasing hope that my future services in the discharge of the duties of the office, which I have again undertaken, will be considered with the same indulgence. Without it, I should despair of discharging those duties in a satisfactory manner at this most difficult and eventful period.

The true patriot can submit to no sacrifice of truth or principle, to procure his own advancement, or promote the interests or views of a party. Men may change, and parties may change – but truth, principle and virtue are immutable. It ought, therefore, to be our firm determination to pursue the plain path of duty with steadiness and fidelity.

In declaring my undeviating attachment to the principles of our wise and excellent system of government, independently of any regard, or blind devotion, to those who may have administered it, I am sensible that high sounding professions are not the surest test of sincerity, and shall, therefore, only refer you to the general tenor of my conduct for future expectations.

Our foreign relations and defensive operations being exclusively committed to the management of the general government, excepting in particular cases, in which assistance may be required, our attention is principally confined to the local concerns of the State. And it affords me great pleasure to have it in my power to observe, that the internal quiet security and prosperity of our fellow citizens, for the year past, has been unexampled for times like the present.

Justice has been promptly, and, I believe, impartially administered, the laws duly respected, and litigation gradually diminishing – the natural and certain consequence of a well placed confidence in any upright and intelligent judiciary. Our fiscal concerns have been conducted with that fidelity and correctness which were to be expected from the acknowledged talents and integrity of the officer at the head of that department.

Our schools and seminaries of learning have not suffered that diminution and depression which might have been expected, excepting that it has been deemed advisable that the operations of one nearest the seat of war² should suffer a temporary suspension, that, at a future and more favorable period, they might be resumed, under better prospects and with increased vigor and energy.

The economy and correctness with which that liberal and humane institution, established for the security and correction of state criminals, has been conducted, affords the consoling prospect of its great usefulness to the community, evinces a general improvement in the state of society, and probably will afford some revenue to the State.

Notwithstanding the corrupting and demoralizing tendency of a state of war, our citizens have enjoyed their civil and religious privileges in an unusual degree.

The distinguished talents, integrity, and experience, of which your honorable body is composed, will render my duties less arduous, and afford a sure pledge to our constituents that their best interests will be promoted.

Man never appears in a more responsible and truly dignified station than when called to act as a representative of a free, sovereign, and independent people. We are selected from among our fellow citizens, not for the base and degrading purpose of securing our own promotion aggrandizing our particular friends, or to favor the views and interests of a party – but to consider the whole community as one common family, and like faithful guardians of their rights endeavor to promote the general welfare.

Yours is the duty, and on you, gentlemen, rests the responsibility, of selecting proper persons to fill the various offices in this State for the ensuing year – persons to whom we may safely trust the administration of justice in all its important branches, and on whom we must, in a great measure, depend for the preservation of

¹ From printed *Assembly Journal* of 1814, p. 15.

² The University of Vermont.

the peace and internal quiet of the state. It will likewise become your duty to select a suitable person to represent this State in the Senate of the United States from and after the third day of March next.

In the execution of these important duties, the most perfect confidence is entertained, that you will, unbiased by local or party considerations, be influenced by a single view to the public good.

The great importance of a well organized militia in a free state cannot escape the notice of a wise legislature. The want of precision and energy into our present military system must be apparent to every man who is conversant in military affairs, and demands a revision to adapt it to the exigencies arising from our exposed situation. It would be desirable that the burthen should be equalized, as far as is practicable, that the weight may not rest on those who are least able to bear it.

We have a right to demand from the general government full protection and security. Still it is but too evident from past experience, that much depends upon our own exertions. May not this consideration suggest the expediency of adopting some further measures for arming the militia, and providing field artillery and munitions of war, which may be applicable to sudden emergencies? We have before us the example of many of our sister states for raising a small volunteer corps, which may be relied on, in case of sudden alarm, and serve as a rallying point for other and efficient aid.

As we are authorized by the constitution to look to the general government for that protection which our exposed situation may require, it must be perfectly evident, that the militia were only designed to be called in aid of the regular force in particular cases. Those instances, which have occurred during the last year, have been met by our patriotic and brave citizens with a promptitude, spirit and zeal which are highly honorable to themselves, and which render them worthy of the gratitude of their country.

To meet the request of Gen. MACOMB, for assistance, on the late incursion of the enemy, which terminated so gloriously for the American arms, there being no portion of the militia detached or called for by the President, in conformity to the laws of the United States, it was considered that a call upon our patriotic citizens for their voluntary services was the only mode, by which efficient and timely aid could possibly be afforded.

The result has been such, as many of you, gentlemen, have witnessed. It far exceeded, in extent, our reasonable expectations. By it the enemy have been taught a useful, although mortifying lesson, that the soil of Freemen will not bear the tread of hostile feet with impunity.

At the same time it reflects the highest honor on the patriotism, spirit and valor of our fellow citizens, who, without distinction of age, character, or party, were ready to brave danger, in its most formidable appearance, for the defence of their country. And it should seem that it ought to palsy the tongue of slander – every desirable object having been secured, and in a manner the least burthensome and offensive to the feelings of a free and enlightened people.

Much is due to Gen. STRONG, and our brave volunteers; and I am requested by the Secretary of War to present them the thanks of the general government “for their prompt succor and gallant conduct in the late critical state of this frontier.”

I should do injustice to my own feelings, as well as violence to every correct principle, were I to refrain from testifying the high sense which I entertain of the brilliant achievement of Commodore MACDONOUGH, and his intrepid associates, on Lake Champlain, over a far superior naval force – an achievement which renders all encomium feeble and inadequate.

I should likewise do injustice, if I should neglect to notice the cool, persevering, and brave conduct of Brig. Gen. MACOMB, and his alike brave associates in arms, in the discomfiture of a greatly superior force of veteran troops, commanded by experienced officers.

These glorious achievements are not surpassed in the records of naval and military warfare. New lustre is added to the national character. But the effects are more immediately experienced by the northern sections of the State of Vermont and New York.

This late special interference of the Almighty in our behalf, in completely defeating the hostile designs of the enemy on our northern borders, cannot fail to render it a subject of respectful legislative notice. And although it may not be in our power to add to the laurels of those gallant commanders, and their brave associates, who, under Providence, were the authors of our protection and safety, yet we may express our gratitude to heaven, and to them, for so great a deliverance.

I have received a letter from the governor of the State of Pennsylvania, which enclosed a resolution of the Senate and House of Representatives of that State, proposing an amendment of the constitution of the United States, – by which the term of service of Senators in Congress shall be reduced from six to four years. I have received, likewise, a letter from the governor of the State of Tennessee, enclosing a resolution of the general assembly of that State proposing an amendment of the same import. These papers will be laid before you. And should any thing further of importance come to my knowledge during the present session, of which you are not possessed, it will be made the subject of a special communication.

On the subject of the war, in which our country is most unfortunately engaged, I feel disposed, at this critical period, to say as little as may be consistent with duty. But I consider it due to myself, and more especially to my constituents, explicitly to state, that the events of the war have in no wise altered my opinions of its origin, or its progress. I have conscientiously and uniformly disapproved of it, as unnecessary, unwise and hopeless, in all its offensive operations. – And notwithstanding the few brilliant successes we have met with in our operations of defence, I can see very little in its general complexion, which affords the least consolation.

Many very considerable places on our seaboard are now in the possession of the enemy. The capital of our country, that proud monument of better times, has been possessed and destroyed by him – a humiliating reflection to every real American. And I consider, that we are now suffering the evils which have, from the mistakes and misconduct of rulers, befallen this, as well as most of the nations of the earth.

It therefore becomes us to look calmly and firmly on our dangers, and meet them like men, who are mindful of what they owe to their own characters, and what they owe to their country.

It would have afforded me heartfelt satisfaction to have been able to announce to you the return of peace to an afflicted people. But our reasonable hopes, on this subject, not having been realized, and the particular spirit, with which the war appears to be prosecuted by the enemy, renders defensive measures and operations not only necessary, but righteous and just, in which we may engage with feelings most honorable and praiseworthy, and with a firm reliance on the Almighty, who has never forsaken us in the hour of peril.

I shall now, gentlemen, cheerfully proceed in the discharge of the duties of this office assigned me, – and in the prosecution of the business of the present session, you may be assured of my cordial co-operation in every measure, which has for its object the promotion of the public good.

MARTIN CHITTENDEN.

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

Volume II.

1779

October 14, 1779.

A SPEECH OF HIS EXCELLENCY THOMAS CHITTENDEN, ESQ.,

Gentlemen of the Council and Assembly:

The honor conferred on me by the freemen of this State, in appointing me their chief magistrate, demands a return of my warmest thanks: at the same time, I regret my inability to support the character of so important a station. Notwithstanding, as my appointment appears so unanimous, it affords me the highest satisfaction, and is to me a confirmation of their general approbation of my former conduct; therefore, I shall consider it my duty to serve the ensuing year, and by Divine assistance, shall labor to continue an equal, steady firmness, and impartial administration of justice, which has hitherto governed my conduct; relying on the candor and assistance of my council and the Legislature for my support.

Gentlemen:

The Legislature having constitutionally met, I cannot forbear expressing to you my highest satisfaction in the many great and important advantages arising from the due execution and careful administration of the laws, since they took place, and cannot but rejoice when I reflect on the infinite difference between a state of anarchy and that of a well regulated government; the latter of which we daily experience. And I most earnestly recommend to all magistrates, and others in authority under me, together with the freemen over whom I have the honor to preside, to persevere and let their conduct be uniformly just, and upright, and encourage one another to unite in the supporting and maintaining their common rights; which cannot fail to recommend this State to the impartial world. At the same time am unhappy to inform you that, notwithstanding the generous and lenient measures with which the disaffected inhabitants in the lower part of Cumberland County have been indulged,¹ yet they continue in their unjustifiable obstinacy against the authority of this State; I shall however, recommend the suspension of the laws² intended to have been executed on those offenders, at present, in consequence of a letter received from his Excellency John Jay, Esquire, President of Congress, inclosing certain acts passed by that honorable board, relating to a final settlement of all difference subsisting between this and the adjacent States; which I now submit to you for your consideration; a subject of the greatest importance, and demands your most serious attention.³

Your agents to Congress have attended, agreeable to their instructions, from time to time. Their proceedings I shall now lay before you for your perusal and approbation; which, I hope, will prove satisfactory. From every circumstance, I think we have the highest reason to believe that from the efforts of our agents and the interposition of Congress, our unhappy disputes with the neighboring States, will soon terminate in a final and happy issue.

With respect to the present situation of the domestic affairs of the State, it is with pleasure that I inform you that the measures pursued by the Board of War, by the assistance of Divine Providence, have proved effectually sufficient to defend our frontiers, against the ravages of the common enemy, while they have been permitted to execute their horrid vengeance on many of the innocent inhabitants of the different parts of the continent; which, in some measure, proves the approbation of Heaven to our Independence, and justifies the measures pursued to support and defend it. As the time for which the troops now in service, are engaged, expires the middle of November next, you will be careful to make such provisions for future defence, as your wisdom shall direct.

¹ See the proclamation of pardon, *Appendix H*, Vol., I

² The act specially referred to was that of June 1779, "to prevent persons from exercising authority unless lawfully authorised by this State," which, though general in terms, was of course specially aimed against all persons who should attempt to act in the name and by the authority of New York. The penalty for the first offense was a fine not exceeding one hundred pounds; for the second not exceeding forty stripes on the naked body; and for the third, the right ear was to be nailed to a post and cut off, and the forehead was to be branded with the letter C [contumacious?] with a hot iron. – See Slade's *State Papers*, p. 389.

³ For resolutions of Congress of June 1779, see Vol. I, p. 520; and for resolutions of September 1779, and the consequent action of Vermont, see *Appendix B*.

Gentlemen of the Assembly:

I shall, from time to time, during the session, digest and communicate to you, such other matters as shall appear to me to require your attention, in a full confidence that the same zeal to promote the common cause, for which the inhabitants of this State have hitherto been distinguished, will be equally conspicuous in your deliberations.

THOMAS CHITTENDEN.

Executive Speech
of
Thomas Chittenden
As it appears in the
STATE PAPERS OF VERMONT
VOLUME THREE
JOURNALS AND PROCEEDINGS
(VOL. I)
OF THE
GENERAL ASSEMBLY
OF THE
STATE OF VERMONT.
1780

October 14, 1780.

“GENTLEMEN OF THE GEN’L ASSEMBLY.

“This Council have had so much business in forwarding assistance to the frontiers, that they have not had time sufficient to arrange the whole of the business that will likely be laid before you this Session; shall therefore at this time lay before you the following for your present consideration, viz.

1st The ways and means of supplying the Treasury and securing the frontiers:

2^d The procuring provisions and ammunition for the year ensuing.

3^d The taking some effectual measures for the securing such lands as heretofore have been and hereafter may be confiscated to the use of this State.

4th The making such resolves as will in equity quiet the ancient settlers.

5th The making such resolutions concerning the unsettled rights of land which have been heretofore granted as will appear just and reasonable and be a means of bringing forward the settlement of the unsettled towns within the lines;

“And any other matters as they shall occur shall from time to time be laid before you for your consideration.

By order of Council

THO^s CHITTENDEN GOV^r”

Executive Speech
of
Thomas Chittenden
1781 - 1788

No transcripts are available to indicate the Governor addressed the Legislature at the opening of these legislative sessions.

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

Volume III.

1790

October 20, 1790.

The speech of his excellency governor CHITTENDEN, to the council and assembly

GENTLEMEN OF THE COUNCIL AND ASSEMBLY:

I have received official information of my appointment by the freemen of this state to be their governor for the year ensuing. My heart is imprest with a grateful sense of the singular respect shown and honor done me by this election.

This day witnesses the excellence and beauty of our glorious constitution; which by the blessing of heaven, the fortitude and perseverance of former conventions, councils, and assemblies, with the aid of the military force, we have obtained and supported, against the opposition of a potent foreign power, a haughty neighbouring government, and numerous domestic opposers. The constitution, gentlemen, grouped [groped] in the dark for days, months and years, but now it shines with purer lustre. By it our lives, properties, liberties and privileges, civil and religious, are protected: By it we retain a right to choose our own rulers and that from among ourselves; – by it we are rescued from submitting to the edicts of any foreign power, or neighboring government, while every civil officer is annually taught his dependence. The appearance of this day also evinces, that our government is well established, the minds of the people happily cemented, and every thing contributes to complete our political felicity, and prepare the way for the happy day when we shall add no small weight to the scale, and be under the protection of a new and glorious empire, which bids fair in a short time to vie in power and policy with any of the European States, which gives me more satisfaction than all the honors in the power of this or any other state to confer on me.

It is with some reluctance that I shall enter again into public service, all circumstances considered; yet the good of this people lies so near my heart, that when duty calls, nothing shall deter me from acting that part I judge will contribute most to the peace, happiness and prosperity of the people. Therefore with a firm reliance on receiving that kind aid and support from the Council and House of Representatives that the nature of my office requires, I shall accept the office to which I am elected, and am ready to take the qualifications pointed out by the constitution; and I pray God to grant me wisdom to conduct agreeable to his will, and then I trust it will be for the best good of his and my people.

The *Gazette* added: “His excellency was then duly qualified by chief justice Chipman in the presence of both houses, and a numerous body of spectators.”

Executive Speech
of
Thomas Chittenden
1791 - 1796

No transcripts are available to indicate the Governor addressed the Legislature at the opening of these legislative sessions.

Inaugural address

of

Percival W. Clement

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1919

Friday, January 10, 1919
Inaugural Address

Mr. President and Gentlemen of the Joint Assembly:

The town is the unit of government in Vermont, and the meeting of the representatives of towns antedated by many years of the formation of the state government as it is now constituted. A meeting of the town representatives therefore has always been an important event to the people of Vermont. This meeting of the legislature of 1919 is particularly important on account of the problems which confront us, and upon which you will be required to pass your judgment.

We have been intrusted with the management of state affairs for the coming two years. I know that we approach the performance of our duties guided by a lofty purpose to do our best for the prosperity of the state. Yet, however high may be our ideals, however much we may hope to accomplish, we may fail of achievement unless we can at times lay aside our personal preferences and act with the majority. Team work is more necessary for specific performance in legislative action than anywhere else. If at times we find our individual opinion submerged, we may console ourselves with the thought that, by and large, the judgment of the legislature is better than the judgment of any one man in it.

When our predecessors last met in this historic chamber, less than two years ago, we were entering upon the greatest war the world has ever known. The history of the world is the story of its wars and we have not been slow in making history since that day. Even two months ago, when we were elected in office, the slogan of the country was "Everything to win the war." And now, so quickly do armies and navies shift the scenes in times of war, we face the problems of peace. Whatever the League of Nations or the League to Enforce Peace may do for the world in the future, of one thing we may rest assured: The horrible memories of the struggle through which the world has just passed will deter it from entering upon another great war so long as we live.

Thanks to the dauntless courage of our sailors and soldiers, the victory is ours. All honor to the noble men and women who have stood close behind our fighters with material aid and cheery word. We could not all be in the firing line, but we have been able to pass up the ammunition. All honor to those who have given their lives in defense of their country. In the moment of our victorious rejoicing the thought of them comes to us. Their memory will ever be fresh in our hearts. Their names are engraved upon the pages of our country's history. They are immortal; for their deeds will live after them.

The legislature of 1917 provided for the payment of a small bonus to each enlisted soldier and sailor during the first year of his enlistment. That was during the period when the federal government was not paying a proper wage. I see no good reason why men who were drafted should not have the same benefit. The service they performed was equal and the same. I therefore recommend that the provisions of Section 53, No. 168 of the Acts of 1917, be extended to all men drafted from Vermont into the naval or military service of the United States not above the rank of private.

PUBLIC EDUCATION.

The laws regarding public education should be modified with regard to transportation and the restoration of the rural school. Our farmers are entitled to have adequate school facilities provided for their children, and to have the schoolhouse, wherever possible, so located as to become the center of the varied interests of the community.

The report of the State Board of Education will show that during the past year \$200,209.27 was paid for transportation. Of this amount the state paid \$90,477.21. Under proper arrangement a large proportion of this sum would have been available for the repair and building of schoolhouses and for the employment of properly qualified teachers. The law should be so amended as to make transportation optional with the school directors, subject to proper methods of appeal. At the same time the State Board of Education should be given

responsibility and authority for cooperating with the towns in the planning, repairing and building of rural schoolhouses.

STATE EXPENSES.

The problem of state expenses is very serious and complex. During the war we were justified in spending a large amount of money in order that Vermont should do her full part toward winning that war. Now that the war is over we should give our attention with the same diligence to a reduction of expense and the conservation of our resources. In 1901, as shown by the auditor's comparative statement, state activities were less than thirty in number, and the grand total of state expense was less than \$800,000. Today state activities have reached a total of over fifty and the expense has risen to \$2,250,000 per year. So within the knowledge of every member of this assembly, we have near doubled our state activities and trebled our state expense. The state has not increased in population. There is no more taxable property now than in 1900, although the valuation for taxation purposes has been increased. In fact, the reduction in tilled areas of farm land would indicate that the farm property as a whole has deteriorated in value. How then have these additional sums been raised? The answer is by the taxation of banks, railroads, corporations and other indirect forms of taxation, the sources of which have now been thoroughly exploited.

We have reached our taxing limit in this direction and your predecessors, the legislature of 1917, found it necessary to impose a state tax of twenty cents on the dollar of the grand list in order to meet the expenses of the war and the increased cost of doing public business. The war is over, but the expenses of it are not paid, and you are not only faced by the same conditions, but the report of the budget committee—which you have before you—indicates that the continuation of this direct tax of twenty cents is not only necessary, but if this legislature passes any special appropriations of any kind, an increase in that state tax will be necessary.

Every administration for the past twenty years has been confronted by this problem of increased state expense, and various attempts have been made to consolidate state institutions, departments and activities. Your predecessors and mine have made some important progress in that direction, but the net result has always been that we have had every year more state activities and greater expense, with no proportionate gain in the public convenience, or the public benefit therefrom, or the public ability to pay therefor.

STATE INSTITUTIONS.

A partial list of the state's actual running institutions supported in the whole or in part by state funds is of interest in this connection:

The State House and the new building for the use of the Supreme Court and the State Library.

A number of state departments which have been housed outside these buildings and paying rent elsewhere.

- State Prison
- House of Correction
- Industrial School
- State Hospital
- Home for Feeble-Minded
- Vail School and Farms
- Randolph Agricultural School
- University of Vermont
- Norwich University
- Middlebury College
- Johnson Normal School
- Castleton Normal School
- Summer Schools
- Teacher Training Courses
- Supreme Court
- Probate Courts
- County Courts

Municipal Courts
Soldiers' Home
State Fair
Agricultural Fairs
Armories
Fish Hatcheries
Forest Reserves
Camp Ground at Fort Ethan Allen

The State of Vermont is not a business corporation and we cannot treat it as though it were. Nevertheless a glance at such a list must immediately suggest to you that the state is in business on a very large scale, with most of the revenue to be provided by taxation. Taxation, whether direct or indirect, hits everyone whether he owns property or not. I believe that one of the reasons why the number of state institutions and state activities has so continually increased is because the people do not feel indirect taxation; but they participate in it, just the same. Everyone bears a part of the expense of maintaining our public institutions and conducting our public activities whether he feels it or not. You and I, therefore, are directly interested whether we pay directly or indirectly.

You have before you the report of the budget committee, which estimates the expense of the state for the coming two years at \$4,857,890. After reckoning every indirect source of revenue, the available income to meet this sum is but \$3,711,300. Here is a difference between the expenses of the state and the income—so far as known at this time—of more than \$1,100,000. It is clear, therefore, that there must be a levy by means of a direct tax to make up this deficiency. Speaking as business men, what in your opinion should be done towards a remedy of existing conditions? What can we unite upon that will materially reduce our annual expense and still not reduce the necessary activities or impair the efficiency of the state institutions?

In addition to what might be called state institutions listed above, there are a very large number of more or less permanent activities and institutions which might be listed as follows:

State Highways
State Military
Agricultural Department
Board of Education
Board of Health
Public Service Commission
Armory Commission
Board of Pharmacy
Commission on Boundary Lines
Commissioner of Industries (Factory Inspector)
Budget Committee
Fish and Game Commission
Horticultural Society
Maple Sugar Makers' Association
Dairymen's Association
Poultry Association
Insurance Commission
State Library and Free Libraries
Purchasing Agent
Sergeant at Arms
State Geologist
Topographical Survey
Vermont Historical Society
Investigation Water Resources
Legislative Reference Bureau

State Engineer
Attorney General (Detective Service)
Board of Charities and Probation
Freeing Toll Bridges
Tuberculosis Commission

CONSOLIDATION.

If we were conducting such enterprises upon strictly business principles and at our own personal cost, would we have two state prisons, one at Rutland and one at Windsor, when one prison would amply care for all our offenders against the law?

Would we have two normal schools, one at Johnson and one at Castleton when one central school would suffice?

Would we have two agricultural schools, one at Randolph and one at Lyndon, when either one of these schools would care for all our pupils, to say nothing of the Agricultural College in connection with the University of Vermont, maintained in part by federal aid?

Would we have a school for pedagogy in Middlebury and one at the University of Vermont?

Would we support sixteen municipal courts, fourteen county courts, twenty probate courts and a supreme court?

Would we distribute and scatter our business interests over the entire state, making it necessary for our boards and officers of supervision to travel continually in order to keep in touch with them, or would we aim at concentration in some central plant?

Some progress toward concentration and centralization has already been made.

These are problems for you to consider, and I am aware that any attempt on your part to change existing conditions will be met by opposition on the part of those who have a special or local interest in such institutions as may be affected. My purpose at this time is merely to call these conditions to your attention, not to urge upon you any legislation except such as in your wisdom would appear to you in adequate and proper remedy.

ACCOUNTING.

In regard to accounting, all material for the use of the state should be purchased upon requisition from the department requiring the same. These requisitions should be made upon the Board of Control sufficiently in advance of requirements so that material can be purchased to the best advantage. After being approved by the Board of Control, the requisitions should be handed to the Purchasing Agent, the material purchased and the bills therefor presented to the Auditor. The Auditor should examine the bills and if found correct they should be vouchered for payment.

The Auditor's office should be an office of record with regard to appropriations made by the legislature and the amounts charged against them from time to time. It should also examine and certify as to the correctness of all bills against the state. When bills are found to be correct, they should be vouchered and sent to the State Treasurer for payment.

The Treasurer's office should keep full and complete books showing cash on hand and the full financial condition of the state every night.

One of the best ways to provide for the payment of bills and the receipts for the same is by means of a voucher-check. Such voucher-checks should be issued from the Treasurer's office and a full account thereof kept there. No money should be paid out from the Treasurer's office except upon vouchers, properly authenticated by the Auditor. It is not necessary that money should be advanced to the heads of departments, and this practice which has prevailed in the past, resulting in financial difficulties for the state, should be stopped. All receipts for money received for the state by departments and persons employed by the state should be covered directly into the state treasury.

It would be tiresome to go into the full details of such a system of accounting, but it can be worked out with the help of expert accountants.

I believe that instead of examinations by the Bank Commissioner, whose duties in connection with the examination of state banks should take all of his time, the state should have a certified accountant make examination of all state books and accounts relating to the receipts and disbursements of money at least twice every year. All material in state institutions and departments bought and on hand should be made a matter of careful inventory, so that the exact condition of such departments and institutions in relation to state property could at all times be determined by an examination. This has already been done in state institutions during the year 1918.

HIGHWAYS.

The problem of good roads is one that affects every citizen and resident in Vermont, and has a direct influence on every kind of business and every public and private activity. Our present system of highway construction is an outgrowth of the township form of government, which, while it represents the purest form of democracy so far as internal government is concerned, is very difficult to adjust to the necessities of highway construction, now that the automobile has brought all parts of the state close together, and the motor truck is fast taking the place of horse drawn vehicles for the transportation of produce and other merchandise over our highways. The value of farm or manufacturing property is measured somewhat by its distance from the market where its products are sold. A farm which is located ten miles from its market center on a road which is good and passable for a motor truck or other heavy vehicle at all seasons of the year is in fact nearer market and more accessible than a farm located three miles from its market center upon a road impassable for such vehicles six months in the year.

Under the town system we are likely to have 247 different kinds of roads, owing to the different ideas of 247 road commissioners, and although the provisions for state and county supervision represent a decided advance, we are nevertheless faced by the necessity of changing our plan of highway construction and maintenance so that we shall have, not only better town roads in our 247 towns, but continuous highways from town to town and from county to county, which may be traveled with safety and convenience at all seasons of the year.

To this end it seems desirable for you to consider whether it would not be well to place the construction of certain selected highways in the hands of a state board, to consist of the state highway commissioner, the state engineer and the governor *ex officio*.

We are spending in the vicinity of a million dollars a year for highway purposes, and a survey of conditions in Vermont during the months of October and November in the year 1918 must convince any student of road building conditions that there is something radically wrong with our present plan of highway construction and maintenance. The results accomplished for the past ten years have not been commensurate with the heavy expenditures which have been incurred. You should consider some radical change to be made therein, and whether the state should adopt a policy regarding its highways as a profitable investment and not entirely as a perpetual expense.

I am not advocating a bond issue nor do I consider it necessary for the state to borrow any large amount of money at one time. But it is a fact that the money collected from automobile licenses, from the state tax, and from legislative appropriations, is sufficient to maintain all the permanent roads of the state, considerably improve the town roads, pay the interest on such loans as you may consider necessary to authorize for permanent highway construction, and provide a sinking fund for retiring the bonds at their maturity, should you consider it wise to authorize such an issue.

I do not conceive it my duty to formulate a set plan at this time.

It is sufficient to say that in my judgment a comprehensive highway plan can be satisfactorily and profitably financed, so as to secure the construction of such permanent highways as you may designate, incurring no excessive burden, and I shall be glad to cooperate with you in its accomplishment.

It is seemingly superfluous to say that in connection with such a plan the same rigid system of audit should prevail as in all other departments of state government, and expenditures should be authorized by a responsible state board other than the proposed highway board, or the existing Board of Control, and no money should be expended except to pay for work actually done, material actually purchased and only on properly approved vouchers to be paid by the state treasurer, the same as in other state expense.

The federal government will undoubtedly increase the amount of its appropriations available for road construction. And the State of Vermont should take advantage of all moneys apportioned to this state for such work.

Of course any plan which is adopted for permanent road construction will not obviate continued effort to improve the town roads, which work is quite as necessary and important as the building of permanent roads, so-called.

ECONOMY.

Elsewhere I have called your attention to the remarkable growth of state institutions, a list of which indicates that we have machinery for conducting a state as large as Massachusetts or New York, although we have a population less than the city of Buffalo. A list comparing Vermont with cities of about the same population in the country is as follows:

	Population	Assessed Valuation of Property
Vermont	364,322.....	\$233,479,647
Buffalo	472,169.....	590,213,183
Minneapolis.....	363,454.....	265,152,603
Washington, D.C.....	366,631	440,415,899
New Orleans.....	371,747	244,078,013

You see, although we have a population less than Buffalo by 100,000 people, Buffalo has two and a half times as much grand list as we have. The State of Vermont is about on a par in population with Washington, but Washington has a grand list nearly twice as large as that of Vermont,

I call these facts to your attention only by way of caution. There are very many activities which are good in themselves, and in the adoption of which we might all of us concur, provided we had the money to pay for them. But the same proposition meets us in handling business of the state that confronts us every day of our lives. We in our private affairs are forced to choose what things we will have and what we will deny ourselves; not because we do not want and would not enjoy all of the good things of life, but because we have not the money to pay for them.

It is plain that in planning all that can be done in the way of consolidating and condensing the state activities and the business of state institutions, we should also try to make them self supporting so far as possible.

I am informed that the State of Vermont owns 1,700 acres of land in connection with these institutions, and 15,000 acres of woodland. This acreage should produce a large part of the food, provender and at least a part of the fuel used in such institutions. A beginning has already been made in this direction and it should be the business of your officers and employees in such institutions to make this policy a fixed and important part of the solution of our financial problems.

BOARD OF CONTROL.

Your predecessors in the legislature of 1917 passed a law placing the control of the principal state activities and most of the financial transactions of the state under the supervision of a Board of Control, consisting of the Governor, the Auditor of Accounts, the Treasurer, the Director of State Institutions, and one other member. In my opinion, this Board has done some important work in the way of concentrating authority and responsibility, but the upward progress of state expenses has not been checked, due perhaps largely to the war. On the contrary, it shows a net increase in the biennium of \$1,571,390.65 and judging from the statement of the budget

committee, you will be faced by the necessity of providing revenue for a still further increase unless appropriations are sharply limited and some decided action taken towards retrenchment.

I believe that the Board of Control is well constituted and doing good work, but it would seem as though the farmers of Vermont, representing its most important industry—an industry which is absolutely essential to the very existence of the commonwealth and its people, should be represented on this board, and to this end I recommend such changes thereon as will permit the Commissioner of Agriculture a seat upon this board and a voice in its transactions.

The hand of the federal government rests heavily upon all the business of the United States. On account of the war the people have suffered this without complaint and with the hope that relief would come with the coming of peace. So far this is a hope only, and there is apparently no definite plan for returning to rightful ownership property which has been seized by the federal government under the plea of war emergency. This presents a matter to you which merits your serious consideration. The railroads and telephone and telegraph companies contributed a revenue to the state of \$1,182,899.44 during the past biennium. This is one of our largest sources of revenue. There is a definite program before Congress for the federal ownership of public utilities, principally the wires and the railroads. If this plan should be consummated, the state must face the loss of this revenue which would mean undoubtedly a still higher state tax. It would seem to me proper for this legislature to go on record against further sequestration of the sources of state revenue by the federal government.

FEDERAL AMENDMENT.

The State of Vermont has already sacrificed a large revenue by its adoption of the amendment to the federal constitution which takes over to the federal government the princely revenue from income taxes, and the end is not yet.

You will be asked at this session to pass upon another amendment to the federal constitution which not only deprives the State of Vermont of a certain revenue, but which also abrogates certain powers of self government, which the state has always retained, and deprives our citizens of time-honored rights. While this matter rests entirely with you, and not with me, I do not deem it improper at this time to remind you of the danger which lies in a too complaisant surrender of the rights and powers inherent in our sovereign state, and in our people.

At the proper time I may make further suggestions on this subject, but at this time I will only express the hope that your work upon this most serious question may be well and carefully performed.

There will also be some falling off in the amount of the state tax on deposits in savings banks and trust companies which in the past biennium represented \$1,507,849. This falling off will be due to investments in Liberty Bonds and War Savings Stamps, etc., and under normal business conditions will undoubtedly be returned in due time.

You have also before you the recommendations of the Commissioner of Taxes in which he asks for certain additional powers in the way of supervising the collection of taxes in the various towns. At the time this recommendation and estimate was made there was \$230,000 in uncollected taxes on the books of the various towns in Vermont. This proposal to permit a closer supervision of tax collecting methods with the final right to issue an extent upon property of delinquent collectors merits your careful consideration. The state must watch its problems of revenue with the most jealous care, for the reason that a further falling off must undoubtedly result in increased direct taxation.

WORKMEN'S COMPENSATION.

In 1915 the State of Vermont undertook to deal with questions of Employers' Liability and Workmen's Compensation, to which was added in 1917 the inspection of factories, all now coming under the jurisdiction of the Commissioner of Industries. This department bears a most important relation to our industrial life, and the desire of employees coming under its jurisdiction for a higher schedule of compensation, in the case of death resulting from injury there-under, should be considered in connection with the costs of compensation, which already fall heavily upon the employers of the state. If the schedules of compensation are to be increased, then

the legislature might properly consider whether provision should not be made for carrying the risks under this law by means of voluntary associations, organized under such plans as would permit this to be done at cost, and such amendments to the insurance laws should be made as to provide therefor without imperilling the industry and business interests concerned therein.

You will give these suggestions and recommendations such consideration as they merit. I on my part will undertake to cooperate with you towards the best improvement of the laws under which we are to live, and pledge myself to a careful and fearless execution of them. This I conceive to be my duty under the constitution which binds us all and in the light of which our official deeds must be judged.

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

FREDERICK G. FLEETWOOD,
Secretary of State, Clerk.

Inaugural address
of
Julius Converse
As it appears in the
Journal
of the
House of Representatives
Biennial Session
1872

Friday, October 3, 1872
Inaugural Address

To the Hon. Senate and House of Representatives, constituting the General Assembly of the State of Vermont:

After a vacation of two years we are again assembled, agreeably to the requirements of the Constitution, to deliberate with reference to the welfare of our beloved State, and to adopt such measures, within our constitutional authority, as in our best judgment will promote such welfare.

The two last years have been characterized, in a marked degree, with the blessings of a kind Providence. Peace and quiet have reigned throughout our borders. An unusual measure of health has prevailed. Unsurpassed prosperity has attended our people, and crowned their industries with success. The earth has yielded her harvests in abundance. Moral, religious and educational privileges and advantages have been continued to us. The various departments of our government, filled, it is believed, with competent and faithful public servants, have steadily and quietly moved along in their respective spheres, performing their duties with diligence, ability and fidelity.

STATE FINANCES.

I congratulate my fellow citizens on the favorable and highly encouraging condition of our financial affairs, as presented in the Treasurer's Report, to which I respectfully invite your attention, an abstract of which I here insert. Under the wise policy adopted by previous Legislatures, and carried out with scrupulous fidelity by our accomplished and faithful Treasurer, it seems that the time is not far distant when the public debt will be wholly paid and extinguished, and that, too, without any severe burden upon the people.

The Treasurer credits the State as follows for 1871:

Balances, Sept. 1, 1870		
Bonds in Treasury,	\$43,000 00	
Sinking Fund,	196,194 02	
Cash,	48,338 78	
	-----	\$288,532 80
Recd. For Military Stores, by Qr. M. Gen.,		137,729 71
“ Extra State pay refunded,		15 86
“ Fines in liquor prosecutions,		101 77
“ from Auditor, for land sold,		150 00
“ “ Sec’y Board of Education (refunded)		71 00
“ for Statutes sold,		1,111 56
“ “ Circus Licenses,		3,000 00
“ from J. & J. M. Poland,		100 00
“ “ Income Ag. College Fund,		8,260 00
“ “ Foreign Insurance Companies, fees,		495 70
“ “ Railroads, for Commr’s Salary,		567 75
“ for Interest – On taxes overdue,	\$195 15	
“ On balances,	6,769 20	
	-----	6,964 35
“ from County Clerks,		25,035 91
“ “ Judges of Probate,		8,956 50
“ “ Temporary Loan, act of 1865,		25,000 00
“ “ Balance of State Tax, 1869,		5,546 34
“ “ State Tax, 1870,		555,642 82
“ “ Registered Loan issued,		136,000 00
“ “ Sinking Fund, (borrowed)		38,746 60

		\$1,242,027 98

BY THE TREASURER CHARGED TO THE STATE

For Debentures of General Assembly, 1870,		\$49,401 20
“ Extra State pay of \$7 per month,		2,900 00
“ Allotment pay,		836 00
“ Auditor’s orders,		227,811 67
“ Court orders,		62,872 60
“ Temporary loan, act of 1864,		25,000 00
“ Int. paid on registered loan,	\$14,345 00	
Allotment acc’ts,	289 92	
Surplus Fund,	658 29	
Temporary loan,	16 67	
Coupons of bonds,	45,285 00	
	-----	60,595 88
For Discount on Taxes,		\$16,536 52
“ Premiums on coin,		8,724 25
“ Registered loan (cancelled),		138,000 00
“ Coupon bonds (cancelled),		471,500 00
“ Sinking fund,		177,849 73

		\$1,242,027 98

REPORT ON TAXES

The amount assessed and collected on State Taxes are as follows:

Tax of 1869, 50 per cent. on \$1,081,076 74, is		\$540,538 37
Add tax on gores and unorganized towns,		537 30

		\$541,075 67
Deduct abatements and collection fees,		24,053 96

		\$517,021 71
Accounted for in 1870,	\$511,475 37	
Accounted for in this report,	5,546 34	
	-----	\$517,021 71
Tax of 1870, 50 per cent. on	\$1,176,314 73	588,157 37
Add tax on gores and unorganized towns,		708 76

		\$588,866 13
Deduct abatements and collection fees,		26,172 99

		\$562,693 14
Accounted for in this report,	\$555,642 82	
Balance to be accounted for,	7,050 32	
	-----	562,693 14

The above balance accounted for is due from several towns named in the Treasurer’s Report, the aggregate amount of which is the sum of \$7,050 32.

AGRICULTURAL COLLEGE FUND.

The Treasurer's account with the Agricultural College Fund is as follows:

Balance to credit of income account, 1870,	\$68 40
Amount of income from State loan,	8,070 00
Amount of premium on bonds sold,	190 00

	\$8,328 40
Paid Treasurer of College, Auditor's order,	8,328 40

CURRENT LIABILITIES.

Auditor's orders outstanding, estimated by Auditor,	\$3,000 00
Due towns on U.S. surplus fund,	11,176 18
Due towns on U.S. surplus fund, interest,	24 26
Due on allotment accounts,	3,721 91
Due on extra State pay accounts,	14,857 71
Due on outstanding checks,	1,877 73
Due on interest on allotment accounts (estimated),	1,000 00
Due on overdue bonds, matured June 1,	24,500 00
Due to sinking fund,	38,746 61

	\$98,904 70

CURRENT RESOURCES.

Due on tax of 1870,	\$7,050 32
Sinking fund appropriated for funded debt,	177,849 73

	\$184,900 05

Excess of resources over liabilities,	\$85,995 35

FUNDED DEBT, AUGUST 1, 1871.

Certificates of Registered loan under acts of 1867 and 1870, issued to amount of	\$383,500 00
There has been redeemed of same,	147,500 00

Leaving outstanding at date of this report, \$236,000 00

Which becomes due as follows:

December 1, 1874,	\$26,000
December 1, 1876,	36,000
December 1, 1878	38,500
June 1, 1890	135,500

	\$236,000 00

The coupon bonds not yet due mature as follows:

December 1, 1874,	\$91,500
December 1, 1876,	168,500
December 1, 1878,	51,500

	\$311,500 00

FUNDED DEBT, AUGUST 1, 1872.

Under the authority of the acts of 1867 and 1870, certificates of registered loan have been issued to the amount of \$388,000 00
 From which there has been redeemed, 150,000 00

Leaving outstanding at date of this report, \$237,500 00

Which becomes due as follows:

December 1, 1874,	\$26,500	
December 1, 1876,	36,000	
December 1, 1878,	39,500	
June 1, 1890,	135,500	
	-----	\$237,500 00

The coupon bonds outstanding not yet due will become due as follows:

December 1, 1874,	\$82,500
December 1, 1876,	150,500
December 1, 1878,	45,000

The amount of funded debt maturing at different dates, including registered loan and coupon bonds, is as follows:

December 1, 1874,	\$109,000	
December 1, 1876,	186,500	
December 1, 1878,	84,500	
June 1, 1890,	135,500	
	-----	\$515,500 00

After deducting loan of 1890, held by the State, 135,500 00

Leaves to be provided for, \$380,000 00

During the year past the Treasurer has paid the balance outstanding in 1871, of bonds due in that year,

Due in 1874,	8,500 00
Due in 1876,	18,000 00
Due in 1878, bonds and registered loan,	5,500 00

 \$56,500 00

ESTIMATE FOR 1873.

Extra State pay and allotment accounts,	\$3,000 00
Interest on bonds, &c.,	31,700 00
Ordinary State expenses,	316,000 00

 \$350,700 00

ESTIMATE FOR 1874.

Extra State pay and allotment accounts,	\$2,500 00
Interest on bonds, &c.,	31,000 00
Ordinary State expenses,	\$250,000 00
Bonds due in 1874,	109,000 00

 \$392,500 00

There will therefore be due of the funded debt as follows:

December 1, 1874,	\$117,500
December 1, 1876,	204,500
December 1, 1878,	90,000

June 1, 1890,

135,500

----- \$547,500 00

The Treasurer says: "As the bonds due in 1890 are all embraced in the Agricultural College fund, of which the State is by law the trustee, for all practical purposes they may be said to be provided for, which being deducted from the amount above stated, leaves the debt to be provided for \$412,000.

TREASURER'S ACCOUNT, 1872.

The report of the Treasurer, of August 1, 1872, shows a total credit to the State of

\$897,291 29

The items of credit are specified, and embrace avails of military stores, received since the estimate of 1870,

\$144, 246 32

Also from the United States, on account of war debt,

56,502 18

Making

\$200,748 50

The balance of funds was derived from the usual sources.

The above credit is accounted for and balanced in the following manner:

For extra pay of \$7 per month,	\$2,414 76
For allotted pay,	330 00
For Auditor's orders	236,452 96
For Court orders,	58,760 52

For interest paid:

On allotment accounts,	\$89 71
Towns on Surplus Fund,	645 17
Temporary loans,	636 38
Registered loan,	14,493 00
Coupons of Bonds,	18,480 00

----- \$34,344 26

For discount on taxes, \$15,768 44

For bonds due June 1, 1871, paid,	\$24,500
For bonds due Dec. 1, 1874, "	8,500
For bonds due Dec. 1, 1876, "	18,000
For bonds due Dec. 1, 1878, "	2,500
For bonds due Dec. 1, 1874, registered,	500
For bonds due Dec. 1, 1878, "	4,000

----- \$58,000 00

For U.S. Fund paid to towns, 2,299 13

For U.S. Fund paid to towns, in new appor'tnt, 50,023 17

For paid temporary loan of 1864, \$13,000

For paid temporary loan of 1868, 50,000

----- \$63,000 00

For paid registered loan due 1878, redeemed, 3,000 00

For paid A.L. Miner, Receiver Bank Safety Fund, 10,363 89

For balance, Sinking Fund, 184,351 02

For Balance, cash in Treasury, 178,179 14

\$897,291 29

REPORT ON TAXES.

The amounts assessed and collected on State taxes are as follows:

Tax of 1870, 50 per cent. on \$1,176,314	37,	\$588,157 37
Add tax on gores and unorganized towns,		708 76

		\$588,866 13
Deduct abatements and collection fees,		26,172 99

		\$562,693 14
Accounted for in 1871,	\$555,642 82	
Accounted for in this report,	7,050 32	

		\$562,693 14
Tax of 1871, 45 per cent. on \$1,170,729	34	\$526,918 21
Add tax on gores and unorganized towns,		664 33

		\$527,582 54
Deduct abatements and collection fees,		23,447 86

		\$504,134 68
Accounted for in this report.		500,685 20

Balance to be accounted for,		\$3,449 48

This balance consists of balances due from various towns mentioned, amounting to \$3,449 48.

AGRICULTURAL COLLEGE FUND.

This Fund is all invested in the Registered Loan of this State, and amounts to the sum of \$135,500, on which the interest for the year, amounting to \$8,130, has been credited to account of income of the Fund. Amount paid to Treasurer of College on Auditor's orders, \$8,130.

CURRENT LIABILITIES.

Auditor's orders outstanding, estimated by Auditor,	\$3,000 00
Due to towns, U.S. surplus fund,	11,687 87
Due to towns, interest on surplus fund,	29 55
Due on allotment accounts and interest,	4,302 20
Due on extra State pay accounts,	12,442 95
Due on outstanding checks,	1,877 73

	\$33,340 30

CURRENT RESOURCES.

Due on tax of 1871,	\$3,449 48
Balance to credit of Sinking Fund,	184,351 02
Cash in Treasury.	178,179 14

	\$365,979 64

I would recommend, however, to your favorable consideration, the suggestion of the Treasurer, of the inexpediency of making appropriations for anticipating the payment of immature bonds.

However desirable it may be to discharge our entire debt, and however compatible with the economical habits of the people to be and remain free from a public debt, it seems to be very doubtful economy to burden ourselves with onerous taxes for the sake of purchasing our bonds at a large premium, which have only a few

years longer to run. It seems to me specially improper, in view of the fact that many towns in the State are still indebted to considerable amounts, and therefor liable to heavy taxation, for debts contracted in furnishing men and other means for suppressing the late rebellion, and for repairing damages by floods, fires, etc.

The redistribution of the United States Deposit money, made necessary by the census of 1870, under the provision of the statute was effected in a very satisfactory manner by the Treasurer. That officer in November, 1871, collected of one hundred and eighty towns and goes the sum of \$50,023.17, and disbursed the same to sixty-eight towns and cities.

It is apparent that the burdens of taxation are still quite unequally distributed. Is further legislation necessary to remedy the evil, or is it chargeable to the improper, unfaithful, or imperfect execution of the laws? The subject is worthy of the serious consideration of the General Assembly.

EDUCATION.

The cause of Education will ever claim of the General Assembly a most careful and watchful attention. It requires no argument to convince an intelligent Vermonter, that it is poor economy to withhold from any class of our citizens, and especially the youth, the means of acquiring knowledge, whatever reasonable expenditure of money is thereby made necessary. On this important subject I can not better express my views than in the language of my distinguished predecessor, in his message to the General Assembly, October 1870, and which I take leave to again present to your consideration:

“There is a growing interest in our public schools, and the truth is generally acknowledged that the education of the people is an indispensable safeguard to the preservation of free government. For the general diffusion of education, reliance must be had, primarily, upon free common schools. It is, therefore, of vital importance to the welfare of the State, that the instructions afforded in these schools should be of the highest character attainable.”

“Experiment in all the States foremost in the cause of education, has proved the great value of Normal Schools in training teachers of common schools. Good teachers are indispensable, and the Normal School is the instrumentality which can be employed to secure the needed supply. I venture to suggest that the time has come for the adoption in this State of a more settled and effectual policy on this subject.”

In corroboration of the views above expressed, I earnestly recommend to your favorable consideration the report of the Board of Education, and the suggestions therein made, confirmed as they are by the suggestions of the Secretary of that Board. It is believed these suggestions meet a hearty response from teachers, and all others who have given the subject a careful examination. Whatever necessary increase of appropriations may be required for the carrying out of the above views and suggestions, will readily be granted, I doubt not.

It is believed the Act of November 23, 1870, No. 12, Session Laws, has received little attention from the towns in the State. I would respectfully refer the General Assembly to the Reports of the Board of Education for 1869 and 1870, recommending the enactment of such a law.

I would suggested the propriety of allowing the system therein provided for to be fairly and satisfactorily tested, with such modifications, if any, as appear to be necessary or desirable.

It seems to have engaged the attention of many considerate and reflecting men in the State, and to have become their settled conviction, that military service, in its various departments, should in some measure be connected with and become a part of the education of our young men, and with a view to this end the institutions in this State in which this science is taught, should receive more liberal pecuniary aid from the State. I would respectfully ask your candid attention to the subject, and take the liberty to refer to the published report of the doings of the National Agricultural Convention, held at the city of Washington in February last, where the subject is much discussed.

STATE INSTITUTIONS AND CHARITIES.

I am happy to see that by the reports of the officers of the State Prison, it appears that the financial condition of that institution is greatly improved, and the prospect is favorable for a still greater improvement hereafter. It

is believed the duties of the several officers have been well and faithfully performed. I respectfully recommend an appropriation, out of the surplus earnings of the prisoners, for the purpose of fitting up a convenient room in one of the unused work-shops, to be used for a chapel for the prisoners on Sundays, and other occasions.

The Reform School, I take pleasure in saying, commends itself more and more to public favor. It is believed to be one of the most valuable of charitable institutions. Under its excellent management it is accomplishing incalculable good. For a full statement of its present condition in all its varied interests, I refer you to the reports of the officers having charge of those interests.

The encouragement and promotion of the great agricultural and manufacturing interests of the State in their diversified ramifications, will not be overlooked by the General Assembly, if within the range of constitutional and reasonable legislation.

That the immense water power afforded by our numerous streams should be employed in some profitable industries, must be apparent to all. In this connection I refer the General Assembly to the first Report of the Board of Agriculture, Manufactures and Mining, for interesting and valuable information.

The Asylum for the Insane should ever be watched with a vigilant and scrutinizing eye. Is it not to be feared that the institution at Brattleboro is wanting in some respects in those accommodations and appliances necessary for the health and proper care and treatment of the unfortunate class confined there? I respectfully and earnestly call the attention of the General Assembly to the Report of the Commissioner and his suggestions. On this important subject, I am persuaded no member of the General Assembly will neglect his duty.

While the State has made adequate provision for the deaf, dumb, and blind, in the State, it is thought by many that provision should also be made for an equally unfortunate and equally meritorious class of our citizens – the imbecile or weak-minded children or youth of poor parents. If anything can be done, in any degree, to ameliorate the condition of that unfortunate class, within the authority of the General Assembly, I have no doubt that authority will be exerted in their behalf.

For the purpose of aiding the cause of temperance among the people, laws have been enacted and are now in full force, prohibiting the traffic in alcoholic or intoxicating drinks. It is to be feared that in some parts of the State at least, these laws are lamentably neglected, if not wholly disregarded. I respectfully submit whether some plan may not and ought not to be devised which shall secure the more faithful execution and enforcement of the laws.

From a source entitled to high consideration, I have been requested to recommend that provision be made by law for the establishing in every town in the State a public library of suitable and well selected books, for the use of the inhabitants of the town, under proper regulations. I would recommend the subject to your candid and thorough examination.

FOREIGN INSURANCE COMPANIES.

The people of this State are very deeply interested in the matter of insurance. A great amount of property is insured in, and large sums of money are paid to, foreign corporations. Many of such corporations have failed; some have proved worthless. Our citizens have been and are still liable to be defrauded and injured. The Commissioners, who have in a limited sense this matter in charge, receive no compensation for their services. Is not the subject worthy your careful consideration?

Before closing this communication, I desire to say, that with profound gratitude to my fellow citizens for the exalted position to which their kindness has raised me, it gives me great pleasure and awakens a just pride – as I know it does in the bosom of every Vermonter – to cast a retrospective glance over the entire history of our commonwealth, and find that, with so few exceptions, the complicated machinery of our system of government has operated so harmoniously, each department being assigned to able, devoted, and faithful servants. Those entrusted with the financial affairs of our State have usually been honest, vigilant and trustworthy. The judiciary, always the safeguard of the people's rights, and the conservator of the peace and good order of any community, have invariably been impartial, independent and upright – administering the laws with an unflinching fidelity, and dispensing justice with an even balance. That judiciary, for ability and learning, and

other eminent qualifications, has ever commanded the high respect and consideration of the men of most eminent juridicial ability in this State and the other States in the Union.

Our soldiery, peaceable, industrious, intelligent and patriotic as citizens, ever ready to shoulder the musket and buckle on the armor at their country's call, from the days of Ethan Allen and Seth Warner to the present moment, have shown themselves as daring and invincible on the battle field, as they are peaceful, industrious and patriotic in private life. They have deserved and received the nation's praise, admiration and gratitude.

Education, ever the handmaid of morality and religion, has always been fostered and nurtured with parental care and a mother's affection. The log cabin, the school-house and the church have reared up a class of noble men and women, who have adorned every art, trade, calling and profession throughout the land, from the honored tiller of the soil to the dignified and learned physician, lawyer, judge, statesman, theologian – thereby reflecting high honor on the State and nation, till the name Vermonter has become, as it were, a synonym for worth and merit, and a passport to confidence and respect. May this ever be her history, and this people continue that "happy people whose God is the Lord."

I need not say that economy, both of time and money, will be consulted by making as brief a session as is consistent with the due consideration of the several matters that come before you.

I am not aware of any necessity for important changes in our statutes. Allow me to ask whether there is not greater danger of *too much* rather than *too little* legislation? Upon this question I would appeal to the experience of those upon whom is devolved the duty of administering the laws. I shall be pardoned, I trust, for suggesting that under our present constitution, requiring only biennial sessions, increased vigilance should be exercised to guard against hasty and inconsiderate legislation.

I pledge my hearty co-operation in expediting the proper business of the session. I respectfully refer you to the reports of the various departments and to the suggestions therein, several of which without fault on the part of anyone, I have been unable to see.

JULIUS CONVERSE.

EXECUTIVE CHAMBER,
Montpelier, October 3, 1872

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Inaugural address

of

Carlos Coolidge

As it appears in the

Journal

of the

Senate

October Session

1848

Thursday, October 19, 1848
Inaugural Address

Fellow Citizens of the Senate, and of the House of Representatives:

At our entering upon the service of the State for a new political term, it is due to Him from whom all good things proceed, that we gratefully acknowledge His goodness so signally illustrated by the ample measure of temporal blessings imparted to the people of this State, in the year past. With the deepest conscientiousness, our fathers, in peace and in war, in prosperity or adversity, in all their public councils, recognized the Divine Providence: and it is a fact which keeps bright the hope we cherish for the permanent welfare of our country, that the reverent example the departed commended to us has not been, as yet, either forgotten or slighted. The prayer of the true patriot is, that it may be long before human pride or a vain philosophy shall seduce us, as a nation, to deny our dependence on God, or make us ashamed to avow it. And now, while we are interchanging congratulations over the physical gifts bestowed upon us, let us not be unmindful, that whatever of wisdom we have with which to conceive measures for the general good, springs not from ourselves but, cometh down from above. The thought of this, if it attend our legislative deliberations, will chasten the feeling of self-confidence, and aiding us in the exercise of judgment in deciding, and of prudence in acting, will guide us the more surely in the path of duty.

You will not expect that, in making this communication, I array before you many topics.—So simple is the form and so easy the working of our State government—so quietly do our civil and political institutions move on in their courses—so seldom, in our comparative seclusion, is the surface of popular content ruffled—that a very stringent exigence for legislative interposition rarely occurs. Our municipal polity still rests, mainly, on its first principles, and few among us, it is believed, are disposed to disturb the foundation. Its theory is, that laws, not men, govern, and although the maxim has been so often uttered as to have become a truism, we shall nevertheless be profited by frequently recurring to the essential truth it contains. In a political system based on the undoubted right of all men to self-government, the maintenance of civil liberty depends upon the supremacy of the law. The proofs, that a government originated by and administered for the people is practicable, are thickly spread on the pages of our history: and we are living witnesses to the eminent success of the experiment for the enlargement of the happiness of the race, on which our ancestors hazarded all they had. Intrinsically, the laws have no force. They cannot, so to speak, execute their own commands. Being only the exponents of the resolutions of the representative body, they require the will and the action of the people to energize them. Here, therefore, where no executive power exists which is not derivative from the legislative power, moral submission to a law is a positive condition of its supremacy. The sentiment of reverence of it should be early cultivated. No one, who, loving his children, loves also his country, will neglect to teach at his fire-side the doctrines of respect and of obedience to the laws of the land.

It is truth having intimate connection with the idea above expressed, that the sense of obligation to honor the laws and enforce their sanctions is weakened by very frequent changes in them. The first conception of a stable government is that in the nature of things, its rules of duty are to be constant, alterable, at most, only on imperative necessity for conforming with the material changes that grow out of the progress of society. It is to be kept in mind moreover, that no code can be made to meet and satisfy at once every emergency in the affairs of life. The leading provisions of all statutes are to be deemed, in one view of them, mere principles, in the adaption of which to cases as they arise, the tendencies and effects of those provisions will be elicited. Time and careful study are indispensable to the duly adjusting with the general law a new statute. Besides, no habitual observer of the different sources of legal controversies can have failed to discern, that some of them owe their existence to the uncertainty which veils the construction of some recent act not yet judicially expounded. Yielding to the force of the considerations thus briefly stated, and others of much weight omitted, I submit the proposition, which, I think, should have continual presence and authority in every law-making body that no enactment be passed until it shall have been clearly shown that the harmony of the general law of the main subject would not be thereby broken. The matured experience of others sustains my confidence in the

opinion that were the rule intimated adhered to, conjectural emendations of the statutes would less frequently be tried, and so our legal system would obtain time for consolidation.

The subject of Popular Education is one that must not pass unnoticed. While I would not consciously invade the province of the accomplished State superintendent of common schools whose report, it is assumed, will soon be laid before you, I should feel that part of my duty remained unperformed if I omitted to pay my tribute of respect to a cause so manifestly deserving of high consideration. In this State, much to its honor, an ardent desire to widen the scope and multiply the means of mental instruction, has evinced its resoluteness in persevering efforts on the part of the Legislative authorities for the attainment of those objects; and to these endeavors the people, moved by an impulse too disinterested for jealousy, have given a generous support. In this cause no party victories may be won.

Education for all, is now demanded. Inquisitive men long since found out, that there is no such a thing as that which literary fops have called the “vulgar mind”. The artificial distinctions of the past are yielding to the claims of common sense and common justice, and it is foreshadowed that, in our country, if not elsewhere, man is to take rank by the measure of his intellectual ability and the degree of his moral worth.

Coming up from all parts of our commonwealth, you have ample information of the operations and auspices of the system of common Schools. That it is the best that can be devised, is not yet demonstrated. Results in some of its provisions, remain to be developed. These ascertained, may show that it has intrinsic defects. As it might have been expected, there are conflicting opinions pronounced in respect of its utility. There are those who insist that it is encumbered with too many officers, and is, therefore, distractedly administered. Others urge, that it does not insure the requisite competency of those who are to decide upon the qualifications of teachers: holding that, as a consequence, the standard of fitness to instruct is widely varied by different examiners. Upon these suggestions I make no comment. In my view, however, there rests upon us a weighty obligation to create and maintain a legal scheme for common Schools which shall, in due time become permanent. The honor of the State and the welfare of its people exact it. And if there is ever required a stout resistance to frequent radical innovations, it would seem to be emphatically demanded in behalf of every general educational policy: such as one always pleading, with cogent reason, for time as the main criterion of its merits. If we bear in mind the fact, that the character of each generation is, substantially, formed by the one that precedes it, we shall not inconsiderately vary the course of public action upon any of the leading measures that bear upon that character. In this day of ardent rivalry pervading all departments of science, art, and trading economy, we may not deal out scholastic knowledge to the youth in set portions. Nor will any amount of human learning suffice for them, unless they are, also, trained in the disciplinary exercises that *educate*, while they inform the mind; in which sense, only, is knowledge power. We shall not, I trust, be satisfied with any advance towards the acquisition of a sound literature, for all classes, until we shall have secured of high ground of exaltation for the intellectual character of the mass of the people of this State, as they now occupy for republican virtue. Vermont has not many of the recognized elements of political power. But she has enough to satisfy the real wants of civilized life—enough for all desirable renown. Although she has no luxuries of commerce to send to other climes, she has treasures for rich gifts. Those she has liberally bestowed without being impoverished by it. Many of her sons have gone forth, whose well-schooled minds, firm morals, and enterprising spirits enabled, them, wheresoever they alighted, together and send home contributions to the honest fame of the common parent. We can all join to wish, that the characteristic institutions of this State and of her New England sisters might diffuse throughout our country the social happiness that radiates its gentle light for us. How long Vermont shall hold her place in the union as she now does—or how soon be turned off when mightier and prouder sovereignties shall have arisen and overshadowed the broad West—it is idle to inquire. Be that as it may, this State has in hand her own independent guaranties. Whatever may be, in the future, her relations to the rest of the world she will, we trust, forever remain the same—her citizens industrious and frugal, religious in sentiment and in life, sturdy in republicanism, unbending in adherence to the unpretending, yet conservative system of government under which they have hitherto found peace and security, and cemented in unity as a free and highly educated yeomanry.

Is it not due to the cause of popular education, that we consider whether instruction in political science should not be engrafted on the body of our schooling? Under the constitution of this State, he who attains to the

prescribed age is thenceforth, theoretically, a politician; and whether qualified or not to act discreetly in the new character, he is now one of the constituents of the government and of its laws. They that would ascertain the principal source of the political knowledge by which the electors are guided, will find it in the public journals. Comparatively, few study the science of politics to its widest range—few, indeed, have leisure to pursue to its full extent. Yet, on it every free government leans, and from it draws its necessary ailment. All may understand so much of the science, as to have acquaintance with the forms, and correct understanding of the nature, of different governments—to be cognizant of the principles and the spirit of law as a rule of human conduct—to know the distinctions in rights—and to have clear comprehension of their obligations as citizens. A much more extended indoctrination of the young men of our country in political truth than they have yet had is, in my view, indicated as a precaution by numerous “signs of the times;” and I am not now aware of any mode in which the proposed object could so easily be accomplished as by making a text-book of the science for Common Schools. He who should apply the energies of a disciplined mind to the preparation of such a work, and render it acceptable for its completeness and accuracy, will have conferred upon his countrymen an invaluable favor.

Recent events, of which none of us are ignorant, have placed in unusual prominence before the public eye a subject which it is impossible to touch without stirring the sensibilities of the whole Union. One of the effects of the war with Mexico, is the acquisition of large portions of her domain, which are now waiting to be placed by the United States under territorial government. Of the character of that war, or the justness of that acquisition, I do not propose here to speak, being forbidden so to do by the respect due unto the opinions of others, and by the rules of official decorum. But, the territory is the common property of all the States, and upon the point of the disposal, or of the management of it, Vermont is entitled to be heard, and to act. It is, therefore, a matter of domestic interest, and, as such, claims our attention and vigilance. The country yielded by our sister republic being contiguous to the slaveholding States, and much of it being supposed to be naturally suited to the labor of the black man, it is insisted that slave owners should be allowed to carry their slaves into it and there hold them as property: that Congress, in providing a government of it, should expressly legalize slavery therein. I do not understand that the Statesmen of the slave States, except the few that ascribe to slavery a divine origin, claim any natural, or unqualified, right in one man to enslave another—nor, allowing the same exceptions, do they hold that slavery exists as an institution. It was not established by the federal government, but tolerated only: and this was a reluctant concession to a supposed necessity. Whether Congress can, *rightfully*, by act of legislation put slaveholding under guaranty in any place, where it did not exist when the constitution was formed, and its compromises, so called, were arranged, the people of this State, I apprehend, do not consider to be debatable—they denying to that body such right. But, that Congress, in making “all needful rules and regulations respecting the territory” belonging to the United States, may, and ought to, put an interdict upon Slavery—that, although they may not legislate for the introduction of it, they may for its exclusion. If, viewed as a compound case of right asserted, and of power exercised and in some degree submitted to, it has come to be considered as settled by practical construction, that national legislation can be properly exercised in either way; still, this State, in confining herself to protests, has not surrendered the principle.

The attempt to procure the allowance of slaveholding in Oregon, and its failure, are fresh in the recollection of all.—Upon that defeat, of a design to extend slavery and upon the evidence it affords of a resolution of the free States to restrict the institution to its present limits. I heartily congratulate you—not in exultation as for a sectional ascendancy gained, but in joy that humanity has achieved a victory—the joy not a little enhanced by the belief, that ere long, our southern brethren will ennoble themselves and make the world glad, by voluntary removal of the blasting evil from their fair fields, and then start away with unshackled limbs, to run the race of national prosperity.

In relation to the point of Slavery, the position of this State cannot be misunderstood. This institution was interlaced with the fabric of the federal constitution, and it may not be violently extracted. Yet as it injuriously affects our representative rights, no further similar encroachment there on will be consented to. For a sufficient political reason, then, this State objects to the extension of Slavery.

There is, however, a profounder cause for her uncompromising opposition to it. The people of Vermont have never needed lessons in humanity; nor have they yet to learn how to distinguish between what they owe to

the Union and what to themselves. Hostility to Slavery is, in them, an instinct. From the first, they have ever stood before the world and avowed their determination to make no other terms with it than those that now bind them. This resolve Vermont has, at all times to which it was appropriate, distinctly announced in clear consciousness of her maintaining the right. She has proclaimed in her legislative assemblies and in the national councils, by her own voice and the voices of her faithful representatives, as is fully attested by her highest records. There is no ground for fear that she will not continue steadfast therein. In performing their part of the work of destroying slavery her people will not falter at that which they can rightfully do. They will not do evil that good may come, but they will obey the voice of an enlightened conscience, and labor when, where and how, it bids them do so. Humbly following, not running before, the indication of the designs of the Infinite Mind herein, they may trustfully abide the issues.

A copy of the Memorial of inhabitants of the county Missisquoi, Canada, to the Governor General of British North America, upon the subject of obstructing the navigation of the waters of Lake Champlain, communicated by the Charge d'Affairs of her Britannic Majesty to the Department of State of the United States, has been transmitted from that department to this: and it, with sundry communications from other States and public bodies, will shortly be submitted to you.

CARLOS COOLIDGE.

Executive Chamber, }
Oct. 19, 1848.

Inaugural address
of
Carlos Coolidge
As it appears in the
Journal
of the
Senate
October Session

1849

Saturday, October 13, 1849
Inaugural Address

*Fellow – Citizens of the Senate and
House of Representatives:*

With a grateful sense of the confidence reposed in me by the people, and by you, their delegates, I tender to you my unfeigned respects, and cordially proffer my best efforts for the public service. The chronicles of the political year, just closed, bear no record of adversity inflicted upon us or upon our cherished institutions. In prosperity we and they stand, testimonials of the goodness of Him who ruleth over all: and as well the secret as the audible invocation shall rise from each heart, that these institutions, alike our glory and security, may ever remain, as hitherto they have been, the supports of civil, political and religious liberty.

In presenting to you such topics as I deem appropriate to this communication, I may seem to draw too largely on your courtesy by commenting on a subject which I discussed to some extent on a former occasion. My reason for reviving the consideration of it is, that I am confirmed in the conviction that it involves the vitality of the State government as it *is*, and the welfare of those who shall succeed us. In performing the various duties constitutionally enjoined upon them, the General Assembly are charged with a large number which are special or temporary – which relate to persons, offices and corporations – which, in short, are not laws in the political sense or character of law. Important, highly so, indeed, as all these are, they do not make any part of the legislation of the State – the framing of statutes that are to constitute the law of the land. The influences from acts of the former kind are transient – they injure no public interest, disturb no public peace. It is not so with the latter. These depict the prevalent characteristics of the times, both moral and intellectual: so that the laws of a State may be justly called the reflex of the character of the people.

In clear perception of the qualities of the people, and aiming to provide only so much of government as should meet their actual wants, the framers of our Constitution carved it out in simplicity of design, and thus rendered easy the task of developing the principles of that instrument. It was the peculiar felicity of the earliest political age of this State, that the framing of the statutes was committed to men who, in performing that work, added to the purest intentions and the soundest judgment the knowledge derived from profound study and observation. Hence sprang that admirable system, or codified series, of laws, which for so many years remained intact, and which even now constitutes the vigorous body of our statutory enactments.

But the “spirit of the age” – and that spirit is ever restless, innovating upon what *is* – has laid its hand, as well on the laws of our country as on other things valuable. The consequences are seen in the decay of that reverence for the law which is its best sanction – in the contempt of legal restraints, in many portions of the Union daringly avowed – and in the greatly multiplied outrages that are heard of, are soon forgotten, and never punished.

At the present, the bias of many men of upright minds but ardent temperament is strongly set towards the most serious changes in the rules of civil duty and conduct: and principles, long held to be so essential to the security of human rights as never to be debated, much less impugned, are now regarded by some as obstacles in the path of improvement which the genius of reform is soon to remove, as so much lumber of the past. Such spirit, having ascendancy, would make the laws bend to the impulses of society – in other words, they would have no force other than that of popular passion – a state of things which is the chief condition of anarchy. Believing that instability in the laws of any state invariably opens the way for ultimate denial of obedience to the civil power, I submit that prudence demands a steadfast opposition to every legal change which is radical, until its necessity shall be made manifest. Let us preserve something of the past to hold on by. The anchor must not drag. Whatever changes in our legal code may be projected, now or hereafter, it is to be fervently desired that the cardinal doctrines on which our fathers settled the government of this state, may be held firmly in their places and have all honor. The celerity in which the thoughts and passions of men are forced onward warns them who have in charge the public peace and safety, to watch more intently the tendencies of the day.

Our little republic contains all the elements of true greatness, with unlimited resources for all innocent enjoyment in social life. That so many of these elements have been put in motion and so many of these resources have been opened – producing for her people a happiness in measure never surpassed, shared by all in remarkable nearness to equality – is justly to be ascribed to the vigorous impress made on the character of our political forefathers by the excellent constitutional and legal doctrines under which they deposited their rights and privileges as citizens and as freemen. In view of this subject, and trusting in your indulgence of these prolonged remarks upon it, I have embraced the few opportunities falling to me to urge upon the elevated patriotism and discriminative judgment of my fellow-citizens the exercise of increasing vigilance, lest the innovating spirit of the day shake our honest polity.

In discharging the duty assigned to me by the Constitution, I have to inform you that in compliance with the requirement of a resolution of the General Assembly of 1848, directing the appointment of three persons “to digest and prepare a general law regulating and governing all Railroad Corporations,” &c., I appointed as Commissioners for that service Messrs. CHARLES K. WILLIAMS, of Rutland, LUCIUS B. PECK, of Montpelier, and ERASTUS FAIRBANKS, of St. Johnsbury.

Railroads have proved themselves to be powerful agents in controlling and directing the leading interests of every country into which they have been introduced. That they are effecting important changes in the relations of communities and States, in the methods and rules of business, and in social as well as commercial intercourse, is apparent; and it is obvious that similar results, in conformity to the law of self-interest, will ever follow the establishment of these new modes of communication. Although the Railroads of this State are not yet entirely completed, the facilities afforded by such portions of them as have been put to use, are daily testifying to the large influence over our internal trade which these modern improvements are destined to exert. It is not presumptuous to express the opinion that, notwithstanding the great changes to be wrought by these agents in the particulars alluded to, and in others – and allowing full weight to the immense capital absorbed by them – the spirit of enterprise in our inhabitants will be quickened – the agricultural power of the State enlarged, its general resources developed, and its aggregate wealth enhanced – and all to a degree that will remove every doubt of the utility of railroads. They are already among the wants of the civilized world. They will become features of its glory. The imagination cannot now grasp the magnificent aspect of our country as it will open to the vision of those who may live to see the whole land interlaced by one vast network of iron.

Vermont is geographically divided by her noble mountain range. Common trials and dangers united the earliest settlers of these wilds, and formed and fixed in them a common character. The dwellers on both sides of this physical barriers were brethren. They constituted but one household: When one member suffered, the other members shared in the suffering. The unity thus created has never been broken. From that time till now, the people have held the State administration far above sectional jealousies – thereby signally illustrating the patriotism that first regards the whole. It is worthy of observation, however, in respect of trade and social intercourse between the residents of the East and the West, that this lofty pile of nature has caused a practical severance between communities and person who, being bound by political ties, would wish to be ever cemented by interest, sympathy and friendship. It is an enlivening anticipation that when the elliptical lines stretched across our beautiful mountain, with all their connecting ways, shall be completed we shall become one in the interchange of the social offices that make up human happiness, knowing more of each other, and loving each other not less.

The subject of International Exchanges will doubtless secure your attention if, as I trust, it has retained its hold in your favor. The provision heretofore made for this agency is not, in terms, made permanent. It will be for you to determine on what basis it shall be put.

In November last, I received M. ALEXANDRE VATTEMARE’s Report of his operations, which will be transmitted to you. This communication is not the place for a review of that report; but I cannot refrain from soliciting your favorable consideration of the subject. While the commerce of the world brings to us, in our insular position, the physical comforts and luxuries that other countries produce and diffuse, let it be our endeavor to draw from every source the products of science, literature and the arts and look to the time and the occasions when we may recompense them to whom we thus become indebted. The strength of Vermont consists in intellectual character of her people, and therein is the element of her renown. She can bring from

afar – from every land, distant as it may be – the true riches, the fruits of mental labor and the refinements of pure taste and incorporate them with her own solid virtues. She can educate all her children, and do it thoroughly. She can raise men, and they may help to move the world. Let her then study how she can most completely prepare herself to maintain her just claim to equality of honor among her confederate States, and before foreign nations; and, as means to the end, emulously to, and, according to her ability, give, all that is required for the attainment of a distinguished reputation in the world of letters.

A resolution, passed at the last session of the General Assembly, having assigned to the board, to whom should be committed the framing of a general railroad law, the further service of preparing a general law for incorporating Manufacturing Companies, that subject has been submitted to the Commissioner before named.

In accordance with an act of the last General Assembly, entitled “An Act to provide for the expenses incurred under certain resolutions of the Senate and House of Representative,” I have received and examined copies of documents which in my judgment, “serve to illustrate the early history of this State,” and having accepted them, I have ascertained the expense of the same and drawn a warrant therefor.

Acting under the resolution passed in 1848, “providing for preserving the materials for completing the Geological Survey,” I appointed Mr. ZADOCK THOMPSON, of Burlington, to perform the service contemplated by the General Assembly. That gentlemen having undertaken it, his report upon the state of those materials will be soon laid before you.

Mr. JAMES MCM. SHAFTER resigned the office of Secretary of State, in January last, and I appointed Mr. FERRAND F. MERRILL, of Montpelier, then the Secretary’s Deputy, to fill the vacancy caused by said resignation.

In June last, Mr. C.N. CARPENTER resigned the office of State Librarian, and to supply the vacancy, I appointed Mr. GEORGE NICHOLS of Northfield.

The grave subject of Slavery, as it exists within the American Union, stands in the line of topics appropriate to this communication, and I am not at liberty – nor have I disposition – to recede from it. It is the heavy burden of millions of generous hearts. It being evil and only evil, these hearts will never find rest until all shall have been done for the extinction of it that man may rightfully do. It would appear, perhaps, to all the rest of the civilized world, merely supererogatory for Vermont to reiterate, what she has so often and so emphatically declared, her unrelenting hostility to the bondage of human beings. But it is fit – nay more, it is our duty – as a State, and as a people, to make every leading public occasion commemorative of our sentiment and purpose in respect of this highest national crime.

In relation to Slavery within the States that compose the Union, it suffices to remark, that this State having entered the Confederacy under a federal constitution that, by compromises, guarantied to the States in which Slavery then existed, the continuance of such dominion over their black population as, to the shame of humanity, was maintained at that period – and having continued in the confederacy on the same terms until now – she can not, perhaps, justly assail the institution, as it is in those States, by any other than the moral agencies which are calculated, as persuasives, to work out desirable changes in the opinions of men. But, to the utmost possible extent, in the employment of such agencies, we are, I think, justified; and, to my view, it is worse than apolitical blunder in our fellow-citizens of the Slave States, to attempt to shut out from themselves by statutes, resolutions, and paper burnings, the light of that truth which will, in due time, penetrate all minds, and animate all men with the love of pure freedom. The anti-slavery spirit of the people of this great nations will no slumber nor falter. Against all opposition on the part of Slaveholders, the great work of enlightening the general mind in Slave-holding States goes steadily forward; and if they that labor therein do not forget the great physical changes in the condition of mankind are the results of agencies directed by One wiser than they, and shall not impiously attempt to forestall His designs – the freedom of the Slaves in these States will be attained, and that just when and in what manner it is best it should be.

The continued existence of slavery, and of its traffic, in the District of Columbia, is an anomaly. That small national domain having been made up by cessions from slave states, it is objected to the abolition of slavery therein that, whatever rights of legislation, government and police the Federal Government acquired by the acts

of cession, individual rights of property were not thereby conveyed continued to have the right to purchase and hold slaves, under the federal jurisdiction as under their former respective state governments. The conclusion drawn by those who maintain the objection is, that Congress has no constitutional power to abolish slavery in the district, without the consent of the owners of the slaves. While the question has been much considered and many able minds have taken an opposite view of the case, and while in relation to this, some difficulties exist, not insuperable, yet embarrassing – it is enough for us to say, that the people of this State cannot concede to slavery on any federal territory a power superior to that of the Federal Government, nor be made to believe that there is not a way by which this foul blot upon the national escutcheon may be removed. They, therefore, insist that it should be. They have no doubt that if Congress will do in this behalf what it may, the flag of the Union – emblem of liberty – would no longer throw its graceful folds from the capitol over the slave pen and its contents of unmitigated misery.

The imminent question of this time, touching the peace of the Union, is that of the *extension* of slavery. Under circumstances so peculiar as to have impressed the event very deeply in the public mind, Congress failed to establish territorial governments for New Mexico and California. The inhabitants of these territories have, therefore, been constrained to regulate their civil affairs as they best could, under the laws of the country existing when it was acquired, so far as those laws have not been affected by the exercise of a military jurisdiction, maintained by the Executive of the United States. It is not easy to define the nature of the government under which the people of those lands have lived; but it is apparent they were abandoned by the power that owed them protection. Being thus remitted to their natural indefeasible rights – rights recognized by our Declaration of Independence – rights which the founders of the organic law of our State emphatically asserted – the inhabitants of these territories have instituted proceedings towards the formation of a State Government for each, and therein made such progress that, in much probability, one of them, if not both, will be found, with a State Constitution in hand, knocking at the door, during the next session of Congress, for admission into the Union. These constitutions may contain provisions excluding slavery from the soil they cover, or they may be silent upon the subject. With respect to that which the people of California shall present, there is little room for doubt that it will bear express terms of exclusion. New Mexico being in greater proximity to the Slave States, and having, as it is represented, a portion of its land suited to slave labor – it may be apprehended that her organic law will leave the subject untouched. In such case, it will be insisted by all slave owners, and doubtless by many others who, preferring the non-extension of slavery, nevertheless regard the question more as political than moral, that it will be the duty of the present States to admit her into the confederacy, on the ground that slavery being a State institution it may be allowed or repudiated at the pleasure of the particular State. But whenever a constitution for a new State shall be presented, without guaranty against involuntary servitude except for crime, Vermont, if I do not greatly misapprehend the sentiment of her people, will be found opposed to the admission sought for, and enforcing her opposition in all the ways in which she may constitutionally act. She holds that slavery is a moral evil – not merely a physical and political one: and hence she deduces the conclusion that, upon first principles, no community of men, in either separate or confederate relations ought to be permitted to establish institutions for enslaving men. As a member of the Union, she has an undoubted right to consent or object to the coming in of a new member. That she will feel it to be her duty to object on the occurrence of the supposed case, I do not entertain the slightest doubt. And she will not stand alone in making such demonstration. So rapidly has been evolved the sensibility of the people of the eastern, middle and western sections of the country, in relation to this eminently critical question – uttering but one sentiment and one determination – that we may confidently trust, that it is too late for slavery to succeed in placing her foot on American soil not now within her control.

I need hardly add, in conclusion, that any action that the General Assembly may in its wisdom think proper to take, to embody the long-entertained and deeply seated sentiment of the great mass of our common constituency in relation to the manifold evils of domestic slavery, will assuredly command my ready assent and co-operation.

CARLOS COOLIDGE.

Executive Chamber,
Montpelier October 13, 1849. }

Executive Speech
of
Samuel C. Crafts
As it appears in the
RECORDS
OF THE
GOVERNOR AND COUNCIL
OF THE
STATE OF VERMONT.

Volume VII.

1828

SPEECH OF GOV. CRAFTS— 1828¹.

Gentlemen of the Council and Gentlemen of the House of Representatives: – In obedience to the will of the freemen, as manifested by their suffrages, I enter upon the duties prescribed by the constitution and laws of this state. This distinguished mark of the confidence of my fellow-citizens, as well as the very favorable light in which they have been pleased to view my endeavors to discharge the several trusts, with which I have heretofore been honored, excites my sincerest gratitude – and demands from me a pledge, that whatever talents I possess will be faithfully exerted, to promote the interest, the honor, and the prosperity of the state.

Our happy relations with the General Government, by relieving us from all concern in legislating on subjects connected with our intercourse with foreign nations – with commerce, and other subjects affecting the general interests of our country, renders your duty, as legislators, comparatively simple and easy. To provide for the prevention of crimes – for the protection of our persons and property – to promote the moral and social virtues – and to appoint the necessary officers to administer and execute the laws, are the principal subjects which will require your consideration. Happily our civil and criminal codes, devised by the wisdom and perfected by the experience of preceding legislatures, are so well adapted to the protection of our persons, our rights, and our property, that it is even doubtful whether the public interest requires any alteration, either in their principles, or in their application.

The circumstances, under which I meet you at this time, will be my apology for omitting to lay before you any particular statement of the condition of our public institutions; or to notice any communications from the General Government, or from the Executives of our sister states, which may have been received by my honored predecessor. These, with any other information, necessary for your consideration, when received, will be made the subject of special communication.

As our social and political institutions can be sustained and perpetuated, only by the general virtue and intelligence of the community – it is our indispensable duty, as members of one great political family, and guardians of the generation which will soon fill out places on the active theatre of life, to make such provision for instruction, as will qualify our youth to discharge the important trust which will be committed to their care. Our youth can be considered in no other light than as children of the state, having a common interest in the preservation of, and in the benefits to be derived from, our free institutions – and possessing also, whether rich or poor, equal claims upon our patriotism, our liberality and our justice. It is, therefore, our paramount duty to place the means for obtaining instruction and information, equally within reach of all. The act to provide for the support of common schools, passed at the last session of the General Assembly, although, in some respects, an improvement upon the laws previously in force, seems to fall short of carrying into full effect the benevolent intentions of the General Assembly – and equal benefit to all, from the apportionment of the money raised for the support of schools. This arises, principally, from the unequal sizes of the different school districts, and from the discretion given to the districts to raise money. The great inequality in the number of scholars, in different districts, produces a like inequality in the amount of schooling. Whilst some districts contain from eighty to one hundred scholars, other, not unfrequently, contain only from twenty to thirty; and as the public money is distributed according to the number of scholars, the opportunities for obtaining instruction will be alike disproportioned. The power given to districts to raise money is frequently, from parsimony, want of ability, or from other causes operating upon a majority of the district, but sparingly exercised. It is believed that these evils may be avoided, and the opportunities for receiving instruction rendered nearly equal to all, by requiring the towns to arrange their several school districts, so as to contain, as near as possible, a similar number of scholars; and directing the selectmen, instead of three cents on the dollar, to assess such an amount on the list, as will, including any school fund such town may possess, amount to a definite sum on each scholar; which sum ought to be sufficient to provide the necessary schooling, in each district, for the year. With these alterations, it is believed, the provisions of the act of the last session of the General Assembly would be productive of the most beneficial effects.

For several years past, petitions for the incorporation of banks have been presented to the General Assembly; and it is probably that similar petitions will be presented at the present session. It is conceded that, in

¹ From the printed *Assembly Journal* of 1828.

commercial towns, banks are necessary, if not indispensable: and that the various operations of commercial transactions, requiring the frequent use and interchange the large sums of money, could hardly be effected, without the aid and facilities afforded by these institutions. Yet, in an inland country, almost exclusively agricultural, the necessity for banks is considered as much more questionable. It will not be contended that a certain number may not be sustained, within this state, without any material injury to the interests of the people; or that, in some respects, they may not prove beneficial – particularly, in supplying a uniform and known circulating medium. But this number has its limits, beyond which any increase will prove injurious. And whether the number, already established, falls short of, or exceeds those limits, time alone must determine. The motives, which influence monied men to apply for these incorporations, partake less of patriotism and a desire to benefit the community, than to procure a profitable investment of their money. And so long as such investment shall yield a fair profit, so long the property of the bank will be owned by men of capital, who will conduct their concerns in a manner which will preserve the reputation of the institution. But as every additional bank, by dividing the business, must, necessarily, lessen the profits, and, of course, the inducement to hold bank stock; it is to be feared that the stock, when it shall no longer be productive, will pass into the hands of unprincipled speculators, who regardless of the interest of the community, will be tempted, as has frequently been done, to adopt such measures as will bring distress and ruin in their train.

These observations are not made with a knowledge of any improper transactions for the banks now in operation within this state: but, on the contrary, it is believed, that the stockholders have conducted the concerns of their several banks, as much to render them acceptable to the public, as to promote their own private emolument. As there are no known data, whereby to determine the number of banks which may be sustained, within this state, without compromising the welfare and interest of the community, it becomes your duty, as guardians of the rights and interests of the people, to act with great caution on a subject, from which, under present circumstance, but little of benefit can be expected, but which may be productive of the most disastrous consequences.

Among the subjects which annually require the attention of the General Assembly, are applications for land taxes, for the purpose of making roads in the several towns. This mode of taxation had its origin in the early times of our government; and whilst the townships were but partially settled, and, generally, not divided into severalty, the taxation of lands, by the quantity, without reference to their value, for the purpose of rendering them more accessible to settlers, might be, not only a fair, but perhaps the only mode by which taxes on lands, so situated, could be collected. But, at the present time, the situation of the state is materially changed. There are few towns in which the comparative value of lands is not apparent and well ascertained. And whilst some lands, by their proximity to settlements, and to public roads, or from the improvements made upon them, are become very valuable, other lands, lying on mountains, destitute of roads, and often unfit for cultivation, are of little value, it has become desirable that a more equal and just mode of taxation should be adopted. I would therefore recommend for your consideration the inquiry, whether the present mode of taxing, by the quantity, ought not to be discontinued; and that all uncultivated lands, situated in organized towns, be made subject, in conjunction with other taxable property, to all taxes for highways, according to their just valuation.

I congratulate my fellow citizens upon the prosperous condition of our common country. In profound peace with all nations – the great interests of our country fostered and protected – our population and resources increasing at a ratio unprecedented in the history of man – a revenue, collected in a manner the least burdensome to the people, so abundant as to defray the ordinary expenses of our national government, to contribute largely to the permanent defenses and internal improvements of our country, and rapidly to reduce our public debt – and a government which bears so lightly on the people as to be felt only in the consciousness of the security it gives. This unexampled prosperity, in connection with the civil and religious liberty enjoyed under our free institutions, places within the reach of the citizens of the United States greater means for happiness than ever fell to the lot of any other people. Yet in a section of this so highly favored country, there are at this time restless and aspiring characters, some of whom have stood high in the estimation, and have partaken largely of the confidence of their fellow-citizens, who, from disappointed ambition, sectional prejudices, or from other motives as little patriotic, and as regardless of the peace and prosperity of their country as of their own political reputation, have publicly advanced doctrines, and recommended measures, hostile to

the fundamental principles of our government, and, in their tendency, subversive of the integrity of the Union. That these doctrines, instead of receiving the prompt and decided disapprobation of the public, have, on the contrary, acquired numerous proselytes, must, to the patriot, be matter for astonishment and regret. It is however to be hoped that the sober and reflecting portion of the population of that section, having nothing to gain, but much to lose, by a dissolution of the Union, will be found so great as to render these treasonable and seditious proceedings abortive.²

There is another subject which I approach with reluctance, but which the solemn duty I owe to my country induces me to notice. It is the bitterness and acrimony, with which the contest for the highest offices in our government is conducted, - and the misrepresentations, slanders, and abuse, which are so unsparingly bestowed on the first characters of our country. That the privilege of electing our rulers - and only for limited periods - a privilege in which the excellence of a republican form of government principally consists, - should be the cause of such an unprecedented agitation of the public mind, must, to the real friends of our institutions, be a source of the deepest regret. It is not my intention, in this place, to enter into any comparison of the respective qualifications of the distinguished men who at this time divide the public opinion, but to lay before my fellow-citizens some of the dangerous consequences, which may ensue to our institutions, from the manner in which this election is conducted. If the highest officers in our government - men of great experience, acknowledged talents, and of the strictest integrity, who measures, after being subjected to the severest scrutiny, and found to be wise, prudent and promotive of the honor and best interests of our country, are to be vilified - their characters traduced - their motives questioned, and their acts misrepresented; the time cannot be distant when the wise, the prudent, and the friends to peace and order will retire from the contest; and our offices will be filled with the ambitious, the unprincipled, and the designing. Our form of government is yet but an experiment. For the purposes of defense against foreign aggression, it has been tried, and found to be competent. But whether it is also competent to withstand the corrupting and insidious inroads of prosperity, remains to be determined. There is virtue and intelligence in our country sufficient, if put in activity, to correct these alarming evils. And it is believed, that whenever the people shall be convinced that their liberties are in danger, they will awake from their apathy, and vindicate the cause of morality of good order, and the honor of their country.

Gentlemen, in all your measures tending to promote the interest, and to increase the happiness of our fellow-citizens, you will have my most cordial co-operation.

SAMUEL C. CRAFTS.

² The reference here is to the nullification doctrines of South Carolina, and especially to John C. Calhoun, who, as member of congress and Secretary of War, was cotemporary with the term of Gov. Crafts in Congress.

Executive Speech
of
Samuel C. Crafts
As it appears in the
RECORDS
OF THE
GOVERNOR AND COUNCIL
OF THE
STATE OF VERMONT.

Volume VII.

1829

October 9, 1829.

SPEECH OF GOV. CRAFTS— 1829¹.

Gentlemen of the Council and Gentlemen of the House of Representatives: – Being again called, by the voice of my fellow-citizens, to fill the honorable office of chief magistrate of this state, permit me, through you, to tender to them the homage of my deepest gratitude, and to assure them that this renewed mark of their confidence will be met with renewed exertions, on my part, to discharge the important duties assigned me, with a single view to the interest, the honor, and the happiness of the good people of this state.

If we turn our attention to the condition and internal concerns of the state for the past year, we shall find much to gratify the patriot and philanthropist, and abundant cause for thankfulness and gratitude to the Divine Source of Wisdom and Goodness, that the course of events has been so ordered, that no general and desolating sickness has prevailed; that the various application of the industry of our citizens has been rewarded with reasonable profits; that our civil and religious institutions remain unimpaired; and that the state is steadily progressing towards that respectable station among her sisters states, which she seems destined to occupy.

Since the last meeting of the general assembly, the distinguished individual who then held the first office under our federal constitution, has retired to private life, and that office has been filled by a gentleman who has rendered important services to our country. Although he was not the favorite candidate of a majority of the citizens of this state, he has been constitutionally elected; and, therefore, it becomes our duty, as members of our great political family, to acquiesce, and to yield that respect and obedience to the acts of his administration, which the constitution and laws of our country require; being, at the same time, at full liberty to discuss the policy of those acts, and freely, but temperately, to express our opinions of the effects they may produce on the welfare and prosperity of our country.

You have been selected, by our fellow-citizens, to devise and adopt such measures as shall promote the general welfare of the state; and, in the performance of this, honorable trust, you will find your duties and your powers clearly pointed out in the constitution.

I am not aware that the interest of the community requires any material alteration in our public laws. They appear to afford, under the administration of our courts of justice, an adequate remedy for every wrong; which is the object of law. All laws should be explicit, stable, and duly enforced. Frequent changes tend to create doubt and uncertainty, and promote litigation. No law, therefore, which has received the construction and application of its principles, by our courts, ought to be altered, except from a thorough conviction of its inadequacy to accomplish the object for which it was enacted.

Among the important duties assigned you, by the constitution, there is no one that calls for the exercise of a sounder discretion, and a more pure devotion to the public interest, than that of appointing to the several offices prescribed by law. The honor of the state, the peace, the harmony and security of the citizens, all require that no other considerations should be taken into the account, but such as relate particularly to the moral character of the candidate, and to his qualifications to discharge the duties of the office. This course would be honorable to the general assembly, and would, it is believed, have a powerful tendency to allay the spirit of party, which unfortunately prevails. In the early stages of our republican form of government, different degrees of faith in its stability, and a difference of opinion with respect to the legitimate application of its powers, were to be expected. But the experience of half a century has dissipated all doubts of its stability, and has pretty clearly pointed out the general policy, and the great objects of national interest, to which the powers of government ought to be directed. Although the politicians of some of our sister states have contended for a very limited construction of the powers conferred by the constitution of the United States, yet, in this state, so far as my observation has extended, there has been a very general unanimity of sentiment in favor of the liberal construction of that instrument, which has, for many years past, been adopted and applied by the general government. If we are agreed as to the principles and measures of the government, it is difficult to perceive

¹ From the printed *Assembly Journal* of 1829.

any substantial cause for the existence of political division. It is, therefore, most sincerely to be hoped, that a spirit of moderation and candor will preside in our councils; that the public good will be held paramount to every other consideration; and that there will be an union of exertion to promote harmony and good feeling among our fellow-citizens.

The peace, prosperity and respectability of a community depend, essentially, on the morality, good order and industry of the members of that community. Every measure which will have a tendency to promote such a desirable state of society, is a proper subject for your consideration. Among the causes which tend to impair, if not destroy it, a free indulgence in the use of spirituous liquors holds a prominent place. The fruits of it are a waste of time and money, and often intemperance, the parent of almost every vice. The general prevalence of this evil has attracted the attention of the friends of virtue, morality and religion, and praiseworthy exertions are making to arrest its progress. The facilities allowed by our laws to the procuring of licenses, have had a tendency to spread the temptation to this indulgence over every part of our country. Whilst these remain, it is very much to be feared that no individual or associated exertion will be able to eradicate the evil. I therefore respectfully recommend the inquiry, whether a higher assessment on licenses for retailing spirits, and a repeal of the eighth section of the act directing the mode of obtaining licenses, and regulating inns and houses of public entertainment, would not, by diminishing the means of obtaining spirituous liquors, be promotive of the cause of morality and good order.

The demoralizing effects of the practice, so general, with officers of the militia, of treating their companies with spirits, on training days, has been witnessed, by many, with regret. This practice has been of so long standing that few officers are disposed to risk their popularity by adopting a different course. It imposes a heavy and unnecessary burden upon the officers, without any adequate benefit to the companies, but often the reverse – causing frequent instances of intemperance, profanity and strife. It is believed that a law prohibiting this practice, would be very acceptable to the orderly portion of our citizens.

At the last session the superintendent of the state prison was directed to make, and lay before the present legislature, an estimate of the probable expense of so altering or enlarging the state prison that it shall contain at least one hundred and forty cells. This direction was given with a view of making such alterations in the internal arrangements of the buildings as would admit of the introduction of a more perfect system of prison discipline. The prison was constructed according to the most approved plan known at the time of its erection. And so far as the security and labor of the convicts were contemplated, it appears to have fulfilled the expectations formed at that time. But the primary object of punishment is to produce a more beneficial result – the reformation of the convict. To ascertain the best method to effect this benevolent and humane object, has engaged the attention of many of our most enlightened citizens, who have devoted their time and their money to the prosecution of the inquiry. Most of the prisons in the different states have been examined; and the different kinds of discipline, and their effects on the convicts noted, and carefully compared. These examinations have resulted in a perfect conviction, that much, if not the only prospect of success, depends on the internal construction of the building. In our prison, the cells are so few in number, that it has been necessary to confine two or more in a cell – often the hardened villain with the youthful offender; giving them an opportunity for conversation through the night – to recount over their deeds of wickedness – the means used to circumvent the unsuspecting, and to form plans for future depredations on society. In these schools of wickedness, the young are instructed in the whole science of knavery; and, when released, return into society with greater ability for mischief. It has been found, by experience, that by confining the convicts in separate cells, so that when they leave their work-shops, they can hold no communication with each other, and kept in silence and solitude, ever a never-ceasing supervision and inspection, these evils have been prevented. In the solitude of their cells they have much time for reflection, and are rendered peculiarly susceptible to instruction in moral and religious principles. In several of the state prisons, Sabbath Schools have been introduced, and with the happiest effect. Those who could read, have been supplied with Bibles; and, in some instances, those who could not, have been taught to read. If the contemplated alterations should be made in our state prison, and a proper course of discipline maintained, there are strong grounds to believe that a large portion of that unfortunate class of human beings may be reclaimed and restored to society; and, by their industry and good conduct, make amends for their former misdeeds.

In the month of June, I received a communication from Captain Graham,² of the corps of Topographical Engineers, stating that he had arrived at Montpelier, with three assistants, and with directions from the Engineer Department to continue the surveys and examinations in this state, with a view to the connection of the waters of lake Champlain and the river Connecticut, through the valley of Onion river. As the engineers were necessarily unacquainted with the topography of the country to be explored, and the object entrusted to them being of general interest, I thought it my duty to designate some person, who had a general knowledge of the country to be explored, to act as agent in behalf of the state. I accordingly requested Joshua Y. Vail Esq., who had been represented to me as well qualified to perform these services, to procure for the engineers such information as would aid them in the discovery of the most practicable route; and, so far as it might be necessary, to accompany them in their examinations. Mr. Vail has performed these services; and as there is no legal provision for compensation in such cases, his account will be laid before you; and I trust you will feel disposed to make him such reasonable compensation as his services have merited.³

I have received communications from the executives of several of our sister states, which will be laid before you. Among these are some which, from the importance of the subjects to which they relate, and the high degree of excitement elicited by these subjects, in some sections of our country, it is considered proper to notice more particularly. These communications comprise certain resolutions passes by the legislature of South Carolina, denying the constitutional power of congress to regulate duties on imports, for the purpose of encouraging domestic industry; to construct roads, or roads and canals, in the states, for the purpose of internal improvement; or in any way to patronize, or direct appropriations for the benefit of the American Colonization, or any other Society. These resolutions are accompanied by an exposition of the injurious effects of the tariff upon the interest and prosperity of the agricultural states. Also, a report adopted by the legislature of Georgia, in which the principles advanced in the resolutions of South Carolina are recognized. This report, also, is accompanied by a memorial on the subject of the tariff, addressed to the anti-tariff states, and a remonstrance to the states in favor of the tariff. Also a report and resolutions adopted by the general assembly of Virginia, on the resolutions of South Carolina and Georgia, supporting the constitutional construction maintained by those states, so far as they relate to the powers of Congress to pass laws for the encouragement of domestic manufactures. And also a report and resolutions, adopted by the legislature of the state of Missouri, denying the constitutional power of congress to appropriate monies for the purpose of aiding the American Colonization Society. These resolutions and documents have been transmitted to me, by the executives of those states, with the request that they be laid before the general assembly of this state. These communications are written with great ability, and relate to subjects intimately connected with the great interests and prosperity of our country: and being the deliberative acts of the legislatures of four respectable members of our national confederacy, are entitled to all that attention and consideration which is due to the importance of the subjects, and to the high sources from which they have emanated.

In conformity to the act providing for the publication of the reports of the supreme court, passed at the last session of the general assembly, I appointed James Davis, Esq., to prepare, and cause to be printed and bound, five hundred copies of the reports of cases, decided by the supreme court, during the year ending on the first of October, 1828. By reason of the ill health of the chief justice, and the delay in making out the reports by some of the others, the printing of them was not commenced so early as would have been desirable. But I have been

² James D. Graham, appointed Colonel of Engineer Corps June 1, 1863.

³ Joshua Y. Vail Esq. of Montpelier received from the state \$68.25, and John McDuffie Esq. of Bradford \$154, for aiding and assisting the U.S. engineers "in examining and surveying a canal route from Onion river in Montpelier, across the heights to Connecticut river, by way of Wells river." – See *Acts of 1829*, p. 32. Although this and other surveys demonstrated the impracticability of canals across the Green Mountains, they served a valuable purpose in indicating the feasibility of railroads. A few weeks after receiving his pay for assisting in the survey for a canal in 1829, Mr. McDuffie published two articles in *Vermont Watchman & State Gazette*, affirming the feasibility of a railroad from Boston to Ogdensburgh, via Concord and Plymouth, N.H., Bradford and Montpelier, Vt., to Lake Champlain, and from the lake to Ogdensburgh. Mr. McDuffie was a surveyor of high repute in Vermont and New Hampshire, and the fact above stated indicates that he deserved high reputation. In preparation for the first survey of the Montpelier and Wells River Railroad, the editor of these volumes procured, for the use of the engineer, from Col. Graham, who was then at the head of the U.S. Topographical department, the last copy in his possession of his survey and profiles of the canal route from Montpelier to Wells River village. The Montpelier and Wells River Railroad, at the summit, now passes a very few rods south of Col. Graham's canal line of 1828.

assured that a volume, consisting of five hundred pages, will have been printed and placed in the hands of the book-binder, by the tenth of the present month. A few copies will, soon after that time, be delivered at this place; and the remainder may be expected before the close of the present session.

By a resolution passed at the last session of the general assembly, it was made my duty to request the governor of Lower Canada to cause to be removed the obstructions across the river at the outlet of lake Memphremagog, so that the water in said lake may be reduced to its former height. I took the earliest opportunity to confer with some of the proprietors of the lands, represented to be injured, and requested them to procure the affidavits of some respectable persons, who were acquainted with the lands, before the waters were raised, to ascertain the quantity damaged, the amount of damage, and the effect produced by raising the water, on the health of the inhabitants living in the vicinity of the lake. It appeared to me both proper and necessary, that evidence of these facts should accompany my application to the governor of Canada. After several months had elapsed, and the proprietors not having complied with my request, I appointed a special agent, with instructions to procure the affidavits of such persons as he should discover to possess a knowledge of these facts. But, for reasons unknown to me, I have not received any return from the agent; and nothing further has been done. If the general assembly shall not otherwise direct, I shall continue my endeavors to effect the object of the resolution.

I would respectfully invite your attention to the alterations in the act relating to common school; and to the several acts regulating particular land taxes, which I had the honor to propose at the last session, and which remain undisposed of.

I shall most cheerfully co-operate with you, gentlemen, in the performance of our public duties; and may that BEING, who appoints the destinies of nations, direct us to the adoption of such measures as will secure the lasting prosperity of the state.

SAMUEL C. CRAFTS.

Executive Speech
of
Samuel C. Crafts
As it appears in the
RECORDS
OF THE
GOVERNOR AND COUNCIL
OF THE
STATE OF VERMONT.

Volume VII.

1830

October 20, 1830.

SPEECH OF GOV. CRAFTS— 1830¹.

Gentlemen of the Council and Gentlemen of the House of Representatives: – In reviewing the internal concerns of the State, for the year past, our attention cannot be withheld from noticing the general comfort and prosperity, that prevail. Under the protecting care of a kind Providence, our citizens have enjoyed a good degree of health, and the produce of the year is believed to be amply sufficient for their subsistence; good order and an increasing attention to education and good morals have prevailed; our civil and religious privileges have been preserved, and every man has been left free to pursue his own happiness, in the manner most agreeable to his inclination, and not inconsistent with the rights and happiness of others. To this general prosperity we have to lament that there are some painful exceptions. The uncommon rains in the month of July last have, in some sections of the State, caused the destruction of a very large amount of property, both public and private, as well as the lives of several of our fellow-citizens; and, in some towns, in addition to individual losses, the cost of repairing the roads and building the bridges will prove so burdensome as to give them strong claims upon their fellow-citizens for aid.

In governments founded by the people for the security of their persons, their property and their privileges, the meeting of their representatives will ever be viewed with the most lively interest; for, coming from every part of the government, they must necessarily possess a knowledge of all the wants as well as the wishes of their constituents. As no human wisdom can devise a code of laws, which will permanently apply to the ever-varying interests and pursuits of civilized man, frequent meetings of the legislature, therefore, become indispensably necessary, to examine the operation of the laws on the various subjects, to which they apply; – to rescind such as are unnecessary, or have proved oppressive in their application, and to provide such others, as the various circumstances of the community may render necessary. Nevertheless, a system of legal provisions, whose application has been settled by long usage, should be approached with great caution, and should be altered only upon mature deliberation and a full conviction that the public interest would be essentially promoted by the alteration.

Our system of jurisprudence had its origin in a foreign country, and in the ages of antiquity, when the civil and political rights of man were imperfectly understood, and but little regarded; being modified so as to conform to our free institutions, we have adopted it as our own, and as modified, it is, with few exceptions, admirably calculated to protect the rights and interests of the community. That feature in our code, which authorizes imprisonment for debt, when there is no appearance of fraud, seems, however, not to be in accordance with the improvements in jurisprudence, nor in unison with the spirit of the age; and public opinion calls loudly for its removal. This subject has heretofore occupied the attention of the legislature; but as their deliberations were directed principally to cases occurring under debts already contracted, so many difficulties presented themselves in framing a law, that should benefit the debtor without infringing upon the rights of the creditor, that no measures were finally adopted. With respect to debts contracted under the existing laws of the state, and with a full knowledge of the means, provided by those laws, to enforce the payment, it is believed that no alteration, essentially benefiting the debtor, can be made without violating that provision of the constitution of the United States, which declares that no state shall pass any law impairing the obligation of contracts. But to pass a law to exempt the bodies of debtors from arrest and imprisonment, on all contracts to be entered into after the passage of such act, is deemed to be completely within the constitutional powers of the Legislature. The only question that can arise is the expediency of the measure. It might have tendency to diminish the general credit which it prevails throughout the state; and should such even be the case, it is believed the effect would be beneficial, rather than prejudicial to the community. The subject is respectfully recommended to your consideration.

The education of our youth is a subject always deserving the attention of the Legislature. In communities, where people elect their rulers, and, in effect, dictate and control the general policy, the measures and the laws, that shall exist in such communities, a more general diffusion of information, a more correct knowledge of their

¹ From the printed *Assembly Journal* of 1830.

rights and their duties, is required than under any other form of government. No person, who does not understand the nature and genius of our institutions, nor duly appreciates the inestimable value of our civil and religious privileges, the necessity of good order, and a due subordination to the laws, is qualified for self-government. Such men often are and always may be the instruments, in the hands of aspiring men, of acquiring power, or of accomplishing some favorite measures for their own advantage. If our liberties be ever subverted, it will be effected through the agency of the uninformed and unreflecting portion of our population, guided and directed by unprincipled and designing men. Such has been the fate of most of the republics which have preceded ours; and nothing will prevent our own from a similar fate, but a general diffusion of virtue and intelligence amount our citizens. The mode of instruction, adopted in our common schools, and, in some degree, in those of a higher order, is directed, more to the improvement of the faculties, than to form and fix the character of our youth. To qualify them to perform the high and responsible duties of freemen, our youth, in addition to the usual course of instruction, should be instructed, also, in the principles of our free institutions, in the social relations and duties, in a love of country, of order, morality and religion, and in whatever shall tend to establish correct habits and principles. With a population thus educated, the liberties of our country will be safe, and will be transmitted to successive generation, in all their purity. If such important results depend upon education, it becomes our imperious duty not only to provide the means, but to direct the application of them in such a manner, as will tend to render our youth virtuous, useful and happy.

The State of Vermont, possessing a salubrious climate, a productive soil, much mineral wealth, and immense amount of water power, and an industrious, enterprising and intelligent population, seems destined to become, when her natural resources shall be fully developed, a very important member of our great family of states. But, at present she is subjected to some serious inconveniences, which not only retard her in her growth, but so sensibly affect the interest of her inhabitants, that numbers are daily emigrating to other states, where these inconveniences do not exist, or are less felt. Situated at a distance from the seaboard, she can have no participation in the commerce with foreign nations; her attention must necessarily be turned to the improvement of her internal resources. Like the inhabitants of all newly settled countries, the employment of our citizens has been confined chiefly to agriculture, and to the production of such articles as require but small capital; and our surplus production has found a market only in the commercial towns of other states, where they are exchanged for such articles as our necessities or fancies may require. These markets are distant from our inhabitants, from one hundred to two hundred miles; and the aggregate cost to the state for transportation has been estimated to amount to several hundred thousand dollars annually. Such estimates, from the difficulty of obtaining correct data, cannot be made with great accuracy; but, whatever may be the amount, it is, so far, an actual tax upon production. In other words, those, who live in the vicinity of the markets, obtain as much for their productions as our citizens obtain for similar productions, including the cost of transporting them to market; to which may also be added the cost of transporting home those articles of necessity or convenience, for which our productions are exchanged. Besides under the present condition of our roads, the more bulky products of agriculture, of our forest, and our mountains, excepting so much as are necessary for the use of our inhabitants, are valueless. The inhabitants of that portion of the state, which is situated in the vicinity of lake Champlain, through the enlightened policy and enterprise of a neighboring state, have, in a great measure, been relieved from the burden, which bears so heavily on the greater part of the State, and is, perhaps, felt the more sensibly by the comparison.

These disadvantages can be obviated only by the creation of some easier and cheaper mode of transportation from the different sections of the state to the market towns. For what is saved in the cost of transportation will be added to the value of our products. The same causes which operate so unfavorably to our agriculture, will also prevent the establishment of manufactures, to any considerable extent. The principal manufacturing establishments of our country have been, and, to be profitable, ever must be located in those places which possess the greatest facilities for transporting the raw materials, provisions, and manufactured articles. If some safe, cheap and expeditious means of communication with the market towns be constructed, no part of the Union would offer more eligible situations for some branches of manufactures than Vermont. The effect of such establishments would be, to create a home market for our provisions, and raw materials, to increase our population, to render more valuable the products of our labor, and, consequently, to increase the means for comfort and happiness. But until some cheaper mode of communication shall be effected, we cannot

reasonably expect any considerable amount of capital to be invested in manufactures, nor the condition of our inhabitants to be materially improved. Although the resources of the state, if gradually applied, might do much towards the improvement of the means of communication within our own limits, yet, to extend them through the intervening states to the market towns, would require very substantial aid from some other source. It would be decidedly an object of such general interest as to come clearly within the rule adopted by Congress, in making appropriations for roads and canals in other States. In all which works, Vermont, although paying into the national treasury nearly half a million dollars annually, has received no benefit, excepting so far as those works may have added to the aggregate wealth and resources of the nation. If a full representation of all these circumstances were made, we might, with confidence, expect that Congress, upon the same principles, on which it has granted aid to other states, would be disposed to afford also very liberal aid towards the accomplishment of an object of such general utility, and so essential to the interests of this State.

I have felt it my duty to submit these remarks, not with a view that works of such magnitude can be immediately commence, but as a subject of examination and inquiry. I would, however, suggest the propriety of an expression of the opinion of the General Assembly upon the constitutionality and expediency of applying the surplus revenue of the General Government, after the public debt shall be discharged, to objects of internal improvement, within the several states, in the ratio of their representation.

In offering these views I have not considered it necessary to express any opinion, as to the particular kind of improvement, which would prove most beneficial, whether by canal, railroad, or by rendering more practicable the navigation of our rivers, nor to designate the commercial towns to which they should lead. All these circumstances must necessarily depend upon the opinion of those individuals, or public bodies, who may be disposed to furnish the necessary funds.

By a resolution of the General Assembly, passed October 24th, 1828, it became my duty to request the Governor of Lower Canada to cause the obstructions across the river, at the outlet of lake Memphremagog, to be removed, so that the water in said lake might be reduced to its former height. Various causes operated to delay an application to the Governor of Canada until the month of January last; at which time, having obtained the necessary information relating to the injury occasioned by raising the waters of the lake, I commenced a correspondence with the Governor of Canada upon the subject. In his reply he informed me he would cause an examination to be made, and, in case the representations should be confirmed, there would be every disposition, on his part, to effect a remedy. Accordingly in the month of June last, I received a communication notifying me that he had deputed a competent person to repair to the lake for the purpose of carefully examining and reporting upon the effect produced by raising the waters, and signifying a desire that the person, so deputed, might be accompanied, in the examination, by an agent on behalf of this State. I therefore authorized James A. Paddock Esquire, a gentleman possessing the necessary qualifications, to proceed to the outlet of the lake, and, after viewing the obstructions at that place, to accompany the person appointed by the Governor of Canada to the head of the lake, and to furnish him with such facilities and information as would enable him to obtain a correct knowledge of the damages occasioned by raising the waters above their natural level. This examination has been made, and I am informed by a late communication from the Governor of Lower Canada, that the examination had so far confirmed the representations made to him, that he had directed the Attorney General of the Province to take the necessary legal measures to cause the obstructions to be removed. In the performance of this duty I have been under the necessity of incurring the expense of sending an agent to the lake to assist in the examination. As these services were considered necessary, it is presumed the General Assembly will feel disposed to allow the agent a reasonable compensation.

Among the subjects, which will require the attention of the General Assembly, during the present session, is the election of a Senator to represent this state in the Senate of the United States, for the term of six years from and after the third day of March next, In the place of Hon. Dudley Chace, whose term of service will expire at that time.

There have been forwarded to my care, by the direction of the Secretary of War, one hundred and seven copies of *Abstracts of Artillery Tactics*, and twelve hundred and ninety-six copies of *Abstracts of Infantry Tactics*. There have been also forwarded by the Secretary of State two hundred and ten copies of the laws passed at the first session of the twenty-first Congress. These books have been committed to the custody of the

Librarian and are subject to the disposition of the General Assembly. I have also received communications from the Executives of several of our sister states, which will seasonably be laid before you.

Gentlemen, In all our deliberations, let us look for assistance to that BEING who is able to direct them to such results, as will insure the best interests of our fellow-citizens.

SAMUEL C. CRAFTS.

Inaugural address
of

Deane C. Davis

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1969

Thursday, January 9, 1969
Inaugural Address

Tom, I thank you for those extremely generous words.

Governor Hoff and Mrs. Hoff, I would like at this time on behalf of the people of the State of Vermont to thank you first, Governor Hoff, for six years of dedicated, exciting service and to thank you also for the help which you have given to me and to my associates during this transition period. It really isn't a transition from one government to another. It's merely the shifting of responsibilities because you, I am positive, will continue to have a great interest in the affairs of this state and will contribute wherever and whenever there is opportunity so to do.

I am sure the people of the State of Vermont wish for you happiness, comfort and satisfaction for many, many years in exciting service in many fields.

And, Mrs. Hoff, on behalf of the people of the State of Vermont, I would very much like to thank you for occupying so graciously an equally important office, that of First Lady of the State of Vermont.

Mr. Speaker, Mr. President Pro Tem, Mr. Chief Justice Holden, and the Associate Justices of the Supreme Court, Governors Emerson, Arthur, Keyser and Johnson and their ladies, and members of this distinguished body, the House of Representatives and the Senate of the State of Vermont, one of the great deliberative bodies in the United States, one with a long and rich tradition:

The "swearing in" process is deeply embedded in the history and traditions of our democratic society. It does emphasize the degree of fidelity and performance which the people expect of their elected officers.

It is a great privilege to serve one's state in this capacity, and I would be insensitive indeed if I did not express my own deep sense of pride and appreciation for the opportunity which has been given to me to work during the next two years with this Legislature and the many other officers of state government.

State government does not operate in a vacuum. We are much affected by what goes on in the nation and in the world around us, perhaps more today than ever before, and as we look around, we see much that we do not like.

We see ourselves involved in a war in Southeast Asia of which our people have grown weary; a war which we have neither been able to win by military force nor by negotiated peace.

Crime is on the increase. Racial and class tensions divide us. Organized protest has become for many a way of life.

The world monetary system is in precarious balance and the trend of both our balance of payments and balance of trade continues to move against us. Inflation increases at a rapid rate and continues to deal cruelly with the elderly and others on fixed incomes. Interest rates are the highest in a hundred years.

Here in Vermont, as elsewhere, we enjoy increasing affluence amid increasing poverty. We have the highest level of employment in our history and simultaneously the highest level of people on welfare. Large numbers of our people are unable to secure adequate housing. We have lost thousands of farms from production and the annual loss continues at a rapid rate with no solution in sight.

Real estate taxes are climbing rapidly. Yet the towns are not able to keep up with the demands for better schools and other town services. At the state level even though we are participating in more than 82 programs in which the Federal Government pays all or part of the cost, we are unable to support the level of service our people want. At the moment, we have a financial problem of substantial proportions.

All of these things are disturbing. And yet, we have some blessings to count, too. An abundant, vigorous economy; education, public health and medical science showing rapid improvement. A new thrust toward equality of opportunity gives promise of progress in eliminating discrimination among our people.

And here in Vermont, we have a natural environment which is the envy of millions. It is unique in a way, perhaps difficult to describe, but the beauty and simplicity of our physical environment, the sharpness of four distinct seasons, the green, vigorous quality of its vegetation, the open lands and forest cover and the

sparkling clarity of our lakes and streams with the abundance of fish and game all help make Vermont what it is today. But we see increasing evidence that much of this is destined to gradually diminish in the years ahead and these things will become even more precious when there is less to enjoy.

This trend may be inevitable but if we care enough we can slow it down, introduce a sense of order and prevent the waste and spoliation. We can still have economic growth without destroying the Vermont we love.

It is helpful, I think, at a time like this to restate our goals. Let's see if you agree with me as to what Vermonters want most of all.

They want, I believe, their state government to provide for the public safety, to maintain order and a fair and efficient system of justice under law. They want their children to have the opportunity for a good education at the elementary and secondary levels. They want every child in the state to enjoy this privilege regardless of whether he lives in a rich or poor family and regardless of whether he lives in a rich or poor town.

They want no qualified young Vermonter to be denied the opportunity for a college education for financial reasons alone.

They want the State to provide for the care and comfort of all citizens who are unable to provide for themselves because of age, immaturity, or physical or mental disability. They want our system, imperfect though it may be, to separate those who *can* work and won't, from those who *would* work but cannot.

They want to preserve and protect the natural environment in which we live. They want clean water, clean air, and a reasonable number of natural areas which provide a chance for nature to perform its miracles of life and growth.

They want to see a continuing increase in job opportunities through industrial development, and they want the cost of government distributed as fairly as may be.

To accomplish these objectives, there is much that needs to be done. A few of the specific programs to which we must turn our attention are the following:

1. Increase state aid to education to 40% of the cost.
2. Improve the formula for distribution of state aid to make it more equitable for all communities.
3. Improve and amend the Vermont Student Loan Act to provide for all qualified students and comply with recent changes in the federal law.
4. Improve and modernize our teachers retirement system.
5. Provision of facilities and a better program for vocational education and technical training for all qualified young Vermont people. This responds to human needs as well as supporting more rapid economic development.
6. Coordination of effort and increased activity in the field of vocational rehabilitation, alcoholic rehabilitation and rehabilitation of criminal offenders.
7. Completion of the program for elimination of stream pollution.
8. Some tax assistance to farmers by a more realistic plan for valuation of farm lands in order to preserve open lands for the benefit of the state.
9. Relief for the elderly from the excessive burden of real estate taxation on their homes.
10. Repeal of the personal property and business inventory taxes and the adoption of a new method for valuation of machinery and equipment.
11. We need action now to find a solution to providing low cost housing. A satisfactory answer to this problem would also help towards more industrial growth.
12. Enact legislation to authorize a system of full-time district attorneys.
13. Better coordination of our various law enforcement activities to increase efficiency and provide a

better answer to rural police protection.

14. Improved coordination of efforts in the field of natural resources.
15. Step up our efforts to attract diversified light industry into areas of the state not now enjoying economic growth.
16. Provide adequate care and facilities for our elderly people by making plans now to provide adequate housing, nursing home and hospital facilities.

These are only a few of the matters that press for attention. But as we analyze the state's financial situation, we clearly recognize that we can't hope to accomplish all of these programs at once. Our first and overriding necessity is to put our financial house in order. Our commitments in state government have been growing faster than the pace of our economic growth and we have committed ourselves to programs the cost of which are skyrocketing beyond the most optimistic revenue projections.

The dimension of our present problems today may be seen at a glance. In our present biennium, state appropriations for the general fund were 141.6 million and this compares with departmental budget requests for the next biennium of 243.2 million—an increase, from one biennium to the next, of 72 per cent.

In the recent six weeks of budget hearings, we have cut more than 50 million dollars from these requests. We have eliminated every nonessential item we could find. We have drawn the line on further expansion of our employee work force and we have not included a single one of the 877 new positions that were requested by department heads.

But despite all of this analysis and scrutiny, these basic facts present themselves:

1. If we want to relieve our towns and cities of some of the pressures on their local property taxes by raising state aid to the local school districts to 40 per cent of the actual costs, it will cost the state an additional 17.4 million dollars, for the biennium.
2. If we want to keep our commitment to care for those less fortunate than ourselves through our state welfare program, it will cost us 14.6 million more than the last biennium.
3. If we are going to keep our present commitments to the University of Vermont and state colleges, to our regional correction system, to our mental health program, to our vocational education program, and to our state employees, the need for increased spending is startling.

We added these costs for the next biennium and took into consideration that on the very day this Administration takes office, we are told we can expect a five to six million dollar deficit in this current biennium over which we have no control. We felt this situation was too complex, and too important to the future of the state to be treated in the usual routine fashion. It needs more than that.

The choices open are not pleasant. We could drastically cut education or welfare, the two major areas of spending, or we could impose an arbitrary percentage cut across the board. But these would not be valid alternatives and programs vital to our people would suffer.

Last summer, I thought we had a choice open to us. We could either have an austerity program or increased taxes. It is crystal clear now that no such choice is available. We need both an austerity program and new taxes.

With all these facts in mind, this Administration will break with tradition and present a program that we hope will solve our problem.

1. First of all, we will present a one-year, hold-the-line budget to cover the operations of state government for the next fiscal year.
2. During this first year, this Administration will undertake a thorough and painstaking review of our state government to see if we can improve administrative efficiency. Although we worked night and day during the budget hearings of the last six weeks, it is impossible in such a short time to cover every department with a fine tooth comb. We need and must take the time to look into every department to uncover overlapping programs, inefficient operations and even eliminating outdated programs that may no longer be necessary. Let me give you some examples of what I have in mind.

The Commissioner of Social Welfare and I have already worked out a plan for a top-to-bottom study of procedures, policies and practices in this ever-growing area of welfare. Many of you know, I think, that from last year to this year we have an increase of over one third in the number of applicants for welfare in that department. We both agree that we must take a hard look at our welfare program, reexamine our commitments, and be absolutely certain the state is on the right track.

The Highway Board and the Highway Commissioner have already started a thorough study of the money we are spending to administer the highway program as well as planning, designing and building highways. They have already found areas where money can be saved and this money is badly needed to keep our highway commitments in Southwestern Vermont.

With the state proposing to spend almost 67 million dollars on elementary and secondary education, including teacher retirement, during the next two years—which is more money than the entire general fund biennial budget presented to this Legislature eight years ago—I think it is time we found out if we are getting our money's worth for the dollars we are spending on Education. The Commissioner of Education fully agrees with this. Can we build adequate school buildings for less money? Can neighboring communities pool resources more effectively than they are now doing? I know this is a subject that some think has been studied to death in other years, but I am proposing a Task Force on the cost of school buildings to see if there isn't a better way to get the job done at lower levels of cost than presently being experienced. The projected increase in the money the state will be spending on education in future years is simply unbelievable. We must find ways to do more with less money.

We must take a hard look at the many programs which have been started with Federal funds but where the Federal Government has pulled out completely or partially and left the state to carry the load. Can we afford to carry on if Uncle Sam admits he doesn't have the resources to help us any longer?

These are samples of the things we want to do in this first year of the biennium. We can accomplish much of this with our own people. I am not asking for any special appropriation for this self-examination but I will be asking many Vermonters to volunteer their talents in this endeavor. I do hope to utilize the services of the Lieutenant Governor on a full-time basis in this appraisal.

After we have had this year of searching analysis and re-appraisal, I will come back before this Legislature next January with a new budget and a new program for the second year of this biennium. By that time we will know better what our problems are, what our priorities should be and where we can best allocate our resources. We will know where we are getting full value for our dollar and where we have to make changes. We will have the knowledge we need to move into the decade of the 1970's with the confidence that we have a much more efficient governmental machine and are making the best possible use of our resources.

Despite the fact that this year's budget is a hold-the-line budget, I regret to tell you that we still must have more revenue for the next fiscal year. The one-year budget I will present calls for expenditures of approximately 17 million dollars more than projected revenues. Reluctant as I have been to come to this conclusion, after exhausting all other possibilities and only as a last resort, I must ask you to face together with me the prospect of a tax program adequate to meet our needs and also remove some of the inequities in the present system.

The key elements for such a program are three: first, to provide adequate revenues to balance the state budget; second, to protect those who pay local property taxes from further cruel increases in that burden; and third, to remove inequities in the present tax structure so as to provide a solid and fair basis upon which to spread the increased cost of state government. To these ends, this is the program:

For revenue—

A general sales tax, with sales of food for home consumption exempt. This is what we have been calling a Maine-type sales tax. I would propose that we improve upon the Maine law by channeling the benefits of the food exemption more effectively to the lower income families, so as to remove the regressive tendency of a sales tax on these families.

This can be achieved by picking up the tax on all retail sales, food included, at the point of sale and then instituting a tax refund system ranging from \$20 per person in the family of each taxpayer who pays no

Federal income tax to \$0 for persons in the family of taxpayers with Federal income tax liabilities of \$1400 or more. This would mean that individuals with gross income of approximately \$11,000 or more would not receive any refund. This refund can be handled as a credit against the state income tax and in the case where the refund is more than the state tax liability, the refunds will be paid in cash.

Another advantage of the refund system is that the host of nonresident vacationists who enjoy Vermont would receive no rebate on their purchases, since they are not Vermont income tax payers, and would thus be paying a fairer share of the tax burden than they are now paying.

The annual revenue yield of such a general sales tax, levied at the rate of 4 per cent, is estimated at 25 million dollars. After deducting the amounts to be refunded to Vermont residents, the amounts Vermont is already receiving from existing sales taxes on rooms and meals, the cost of administration and tax relief to the elderly, the net receipts would be approximately 17 million dollars. A substantial part of this revenue would come from two sources not ordinarily appreciated. One of them is the purchases by industry of products which are not for resale, and the tax on such purchases would produce an estimated 20 per cent of the total yield. The other is the contribution to the revenue which will be made by tourists and other visitors to the State for recreational purposes, which has been estimated at about 15 per cent of the total new revenue after allowing for the existing contribution from these sources in the form of the meals and rooms tax. All of the states around us except one already have sales taxes, and in order to discourage border-hopping, Vermont could also back up the sales tax with a use tax, which would require any Vermont resident to report and pay tax on purchases in New Hampshire which were untaxed.

While the sales tax will provide the bulk of the revenue needed to balance the state budget, a fair apportionment of the burden also requires increases in business taxes. I am accordingly proposing a 20 per cent increase in the corporate income tax. This will produce an additional one million dollars annually from this source at current levels of the economy.

As I mentioned a few minutes before, the current projection of the amount of the present deficit by June 30, 1969, will be between 5 and 6 million dollars, but that will not be known with any degree of certainty until April. I recommend that this deficit be funded by imposition of temporary increases in beverage, liquor, cigarettes, and tobacco taxes and that the funds be earmarked exclusively for that purpose.

For tax equity—

A revision of the taxation of machinery and equipment and inventories of business known generally as the personal property tax has been discussed over the past two years, largely as the result of the reports of the Tax Study Committee of the Vermont Legislative Council. Those reports document beyond question that there are glaring inequities in the application of the personal property tax, both as among towns and as among industries within the same town. These inequities often result in various manipulations and harmful uncertainty in the determination of the tax burden of individual taxpayers. The same inequities also result often in business personal property failing to pay its fair share of the local property tax burden, as compared with other property owners.

After careful study of the various reports and of the various alternatives, it is my judgment that Vermont can no longer afford to put off the solution of this problem. Delay will only cause the problem to become worse as the amounts involved become larger, and readjustment thus becomes more difficult. I, therefore, recommend this comprehensive program, to place Vermont among those states which have had the courage and resourcefulness to deal with similar problems:

1. Elimination of the fair market value standard for evaluation of machinery and equipment used in business, and the substitution of 50 per cent of original cost to the taxpayer as shown by the taxpayer's books for purposes of local assessment.
2. Machinery and equipment, so valued, would be listed and taxed at the local tax rate as all other property.
3. Inventories of manufacturers, wholesalers and retailers should be completely exempted from the local property tax, and the revenue loss to the towns should be replaced by an activity tax payable by business.
4. The inventory replacement tax should be in the form of a levy of three mills (three-tenths of one per

cent) on the gross margin of all business which is relieved of the property tax on inventories. Gross margin would be defined as the difference between the annual shipments (or sales in the case of retailers) and the annual purchases by each business unit. At the rate of three mills, this inventories replacement tax should produce somewhat more than all of the towns together are now realizing from local assessment of business inventories. The entire proceeds, less costs of administration, would be returned by the state to the towns in which the inventories are located.

A second reform which is long overdue, in the interest of greater tax equity, is the revision of the real property tax which has been under consideration by the Legislature for several sessions.

For relief of real estate—

I recommend a five-point program including the following:

1. I suggest that we use part of the proceeds of the sales tax to provide substantial additional state aid to education. I recommend a sum sufficient to bring the aggregate amount of aid to education to approximately 40 per cent of cost. We have seen the local districts struggling to keep up with the rapidly mounting cost of education. In doing so, many towns have had to increase real estate taxes to unbearable levels. The time has long since passed when property taxes were an accurate or equitable measure of ability to pay. The inequities fall with the greatest severity upon those living on fixed incomes. This burden and attendant inequities will continue to increase unless measures are taken to alleviate it.

Public education is the major cause of accelerating real estate taxes and represents 65 to 70 per cent of town expenditures throughout the state. Hence, state aid to education furnishes an appropriate vehicle to accomplish the desired result. Substantial increase in state aid thus pursues the twin goals of tax equity and improvement in public education. It will assist the towns in providing a better level of pay for teachers. It will serve as one of the best incentives toward regionalization of school districts. It may not result in property taxes being lowered in many towns, but does make it possible to prevent taxes from being raised. It is estimated that the extra amount needed to reach this level will approximate for the biennium 17.4 million of which 6.2 million is for the first year.

2. To make it fully effective, we must improve the formula for distribution of state aid to education to more completely achieve equalization of the burden between school districts.

I recommend legislation to implement the cost sharing formula approved by the Legislative Council Tax Study Committee in its report of December 1967. This formula provides greater equity for the less wealthy districts and more closely approximates equalization among all districts.

3. Require business personal property to carry its fair share of local tax burden in towns where it has not done so in the past, through adoption of the replacement program I have already described.
4. Provide a rational system of property tax relief for our senior citizens who are attempting to live on fixed incomes which cannot absorb the increased tax bills produced by an expanding economy.
5. Implementation of a state policy to preserve open space by providing a tax valuation provision program for farms, forests and other open lands which would permit such lands to be taxed according to their value for open space uses, with a deferred tax obligation for the difference between their tax liability so valued and the tax liability that would have been imposed had such lands been valued according to their fair market value for other purposes.

The proposal to provide property tax relief for senior citizens requires some further explanation. At the outset I have rejected the idea of a homestead tax exemption which was once popular among the Southern states. Such an exemption disperses tax relief to young and old alike and to family units which do not need it, and also could cause havoc with many towns' tax basis.

To serve its purpose satisfactorily, property tax relief for senior citizens must be provided at state expense, and without burdening other local property taxpayers. It should be directed so as to benefit those senior citizens whose income is insufficient to bear a reasonable local property tax, and it should recognize the difference in situation between senior citizens who live in low tax rate towns as compared with those who live in high tax rate towns. Accordingly, I will submit for your consideration legislation which will

provide an average of \$100 per dwelling unit in tax relief for senior citizens, and will vary that amount depending upon the income level of the family unit and the comparative effective tax rate of the town in which the unit resides. To provide a reasonable measure of such tax relief the state must be prepared to spend approximately one million dollars annually from its non-property tax resources. This is little enough to discharge our obligation to our senior citizens who are living on fixed incomes and retirement pensions in a time of rapid inflation. This will be a top priority program for this administration.

Property tax relief for farms, forestry and open space generally is as much or more a benefit to the state at large as it is a concession to the individual property owners. The Legislature has had under consideration a variety of approaches to this problem in an effort to preserve open space as long as possible. I strongly recommend that we try the deferred tax system of the type similar to that used in the State of Connecticut. I believe it can be administered so as to avoid the possibility of abuse by land speculators. For the latter purpose, it will be necessary to define very carefully the qualifications of the open-space land owner for the proposed system of tax concessions. I would recommend that the following be a minimum set of qualifications:

1. That the land is actively devoted to agricultural uses;
2. That the land is occupied and operated as a farm by the owner, and is used as his place of residence;
3. That the land area consist of at least 50 acres and that conditions 1 and 2 above be met;
4. Whenever there is a sale of land for other than farm uses which has voluntarily been placed in the system, there shall be paid to the town the accumulated amount of tax which has been deferred for each of the five tax years next preceding the sale.

Forestry tax relief is becoming more important each year, if we are to reserve the forest economy as Vermont has known it. For the time being, I would recommend that forestry be included under the legislation proposed for the relief of farm lands. Ultimately, however, I am impressed with the reasoning of the Tax Study Committee Report which recommended a more fundamental improvement in our entire system of taxing forestry lands. I commend to the Legislature a further review of the details of this problem, as recommended in the Study Committee report, so that it will be right for definitive action at the 1970 Session.

This is what might be called "a tax package"; a program to provide adequate revenues, tax equity and real estate tax relief. It definitely is intended to shift a substantial part of the tax burden from property to non-property taxes. To achieve this goal will admittedly require significant adjustments in our present tax structure. This will not be easy, nor will it be any easier if we defer these problems longer.

I have devoted a large part of this message to the subject of money—why we need it and how we should raise it. But there are other problems that we must not ignore and even in a time of hold-the-line budgets, we can make significant progress in these areas without increased expenditures of funds.

I am concerned about the areas of economic development and housing and in many ways these subjects go hand in hand. Adequate housing is absolutely vital to the attraction of new industrial firms.

I want to single out economic development because it has become crystal clear to me as I sat through the budget hearings that if this state is to continue providing the services people demand, we must press on to expand our tax base with new industrial and recreational development. We must help our Vermonters make the best possible utilization of their talents and abilities in jobs that will produce the best possible economic return. We do have areas of the State that are desperate for new economic development. There is no reason why the 1970's can't be more productive to the development of Vermont than the 1960's have been if we make the necessary effort. These developments must conform to our overall planning for the state because we must avoid the mistake made by most of our sister states who have sacrificed their natural beauty and environment for industrial jobs. We can avoid this by having a close working relationship between planning and development.

The problem of housing for low and middle income Vermont families becomes worse by the day. The problem is further complicated by archaic building codes, lagging technology, and local resistance to increased school costs which are bound to accompany the influx of young families into our suburban communities where the need for housing is most acute. Our goal is safe, decent and adequate housing for all

Vermonters of low and middle income at a cost they can afford.

We have within our borders a strong and well diversified private financial system; we have the massive commitment of federal resources in the form of rent subsidies, interest subsidies, mortgage guarantees and insurance, and powerful support of public housing and urban renewal.

We have state commitments in the form of the Vermont Housing Authority to upgrade and increase private rental housing through federal rent subsidies to low income people who otherwise are driven by economic necessity to substandard shelter.

We have the Vermont Home Mortgage Credit Agency which can effectively supply credit for the purchase of homes by middle income people, by supplementing bank resources in times of stringency such as we are experiencing now. This program is ready to go into high gear just as soon as routine constitutional questions are settled. Hopefully this will be soon.

Appropriately, too, this state agency offers a helping hand to qualified young families who momentarily lack the normal down-payment to buy a home. This particular program is now in operation and it already has established a successful record in putting a respectable number of young families into safe and decent conventional homes.

I intend to assign responsibility in my office for the coordination of all these federal, state and private resources in order to get the most out of them.

If we start with coordination, and then proceed with determination, I have every reason to hope and expect that our record of solid accomplishment in the solution of this challenging problem will be a good one.

I have an abiding faith in the judgment and wisdom of Vermont's people. It seems to me that as we continue in the days ahead to define the problems facing our state, and to analyze the resources available to meet those problems, our citizens will largely support the measures taken by this Session of the General Assembly and by this Administration. I believe the people of Vermont want their house put in order and that they will approve of our actions taken for that purpose.

Vermont is a small state but a great one. It has a bright history and the future can be even brighter. The challenges we must meet will test us severely but I have every confidence that we can successfully meet those challenges.

I cannot at this time promise or prophesy the results but I can promise you my total commitment to carrying the work forward. Thank you.

Inaugural address

of

Deane C. Davis

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1971

Thursday, January 7, 1971
Inaugural Address

Lt. Governor Burgess, thank you for what I regard as one of the most gracious introductions I've ever had bestowed upon me, I thank you with all my heart, Sir. The other Constitutional Officers, whom we have already greeted, Speaker Kennedy, President Janeway, Bishop Joyce, Rabbi Wall, my own Pastor, Rev. Mr. Brockway, who has tried from time to time to keep me on the straight path, sometimes successful, Mr. Chief Justice, Holden, the other Justices of our Supreme Court, for which it's been my privilege to practice some years ago, Senator Aiken, and the other Distinguished former Governors or I think I should say the other former Distinguished Governors, Members of this Joint Assembly, Ladies and Gentlemen.

I feel quite sure that you will believe me when I say that the opportunity to speak to you today is deeply appreciated and in saying that that it is more than a formal statement. As a matter of tradition on this very great occasion, I would like to take this opportunity to thank the people of the State of Vermont for giving me this opportunity to serve them once again for two more years. As I look around the House, I can see many who served in the last two sessions of the Vermont Legislature, and I think all in the House served in the last Biennium with the exception of 51 new representatives, and I believe there are eight or nine Senators. In speaking to you this morning, I have sort of a feeling that I should speak to you as a group with whom I have served with for the past two years and in two sessions. I know that some of you thought the two sessions last Biennium were a little bit strenuous, if it is any comfort to you, I promise you another one that will be equally strenuous this time.

With your permission, I would like to deliver three short messages; one today in which I will speak to you in somewhat general terms; one next week in which I will make specific legislative recommendations; and then the following week the Budget message.

So today, I would like to offer a quick overview of what has been happening in Vermont as I see it, in the hope that it will help bring into focus our circumstances, our needs and to some extent, our resources. I'm sure that some of you people have read frequently Kenneth Crawford, whom I regard as a very perceptive observer of the American scene. As you know, he just retired and he wrote his Swan Song in Newsweek just two or three weeks ago, and I think he made some pertinent observations that might be considered pertinent here today. He said, "Anyone who has lived as an adult through the last half century has seen more history in the making than anyone who ever lived before him. There has been more change, more cataclysm, more invention, more progress and more deterioration than ever happened in any previous fifty years."

And I think he might have added: more controversy and disagreement concerning fundamental issues affecting the State and the Nation. Some of those fundamental issues are coming before you this session for resolution.

These issues are coming to a head because social and technological changes are occurring at an unprecedented rate. But the capacity of Government to respond to change we find is being eroded by inflation, rising unemployment... exhaustion of revenue sources. . . and to a great extent by changing public attitudes.

The outlook in many of our sister states is grim indeed . . . so grim that some Governors at the last meeting of Governors at Sun Valley expressed deep and sincere fears of an imminent breakdown of Governmental services and structures. Although Vermont has some difficult decisions to make . . . our prospects, at least by comparison, are generally good. That is so because you grasped the nettle and passed the sales tax and you, by that act, put Vermont in a position almost unique among the fifty States. All around us, States are staggering under virtually unmanageable deficits. Other Governors are calling for massive tax increases in their Legislative messages. I shall not do so because you, recognized the problem, passed the sales tax, and put the State of Vermont in a position of fiscal soundness.

However, fundamental issues do remain, and you must deal with them. The details will become more clear as this session moves on. Today, I should like to give you the broad outlines of the decisions I believe you must make.

But first ... let us look at our Vermont situation as we move on into the 1970's. Let's count our blessings.

We have an excellent system of elementary, secondary, and higher education.

We have a highway system which ranks among the best of all the fifty States.

We have one of the most generous welfare systems—one which is designed to permit truly deserving people to receive assistance without loss of dignity or self respect.

We have a penal and corrections system which many authorities outside the State of Vermont, say is a model that other States ought to adopt.

We have a modern, highly sophisticated system for treatment of mental illness in its many and diverse forms. It is manifestly more humane than the custodial system we had only a few years ago. It is much more effective in restoring increasing numbers to productive employment or if not that at least the capability to live in their own homes and in their own communities in comfort and safety.

We are paying an impressive price for all of this, and some of the bills are only now coming due. To finance this high standard of service, Vermont has undertaken the second highest tax load of any State in the Nation on an average income basis.

Our tax effort needs no apology from anyone, to anyone.

During the last two years, we have improved the level of services in many of these areas mentioned and we have added new directions and new emphases.

For example:

Last year, you provided bold new standards for the protection of our land, water, and air, the natural resources upon which life itself depends—The Clean Waters Act, the Development Regulations Act, and the Land Use Plan. All of these together with legislation setting up air standards are the solid foundation upon which aroused and determined citizens will move forward toward preserving and improving the quality of life in our State.

You have moved emphatically toward improvements of our outdated and fragmented administrative branch. One of the eight proposed cabinet groupings, the Environmental Conservation Agency, came into being, by your mandate, June 1, 1970. It has already shown its capacity for rapid and effective action. Within forty-eight hours after our mercury problem became known, this Agency had put together an able team of technicians and in collaboration with outside experts, embarked earlier than any other state upon a most searching examination of the problem.

The same Agency took over the handling of applications for permits under Development Regulations. By mere fact of being an Agency with its component elements has reduced the time frame for handling these applications from an average of four months to approximately thirty days. Opportunities abound for other demonstrations of flexibility and effectiveness.

The two other cabinet groupings which you authorized, the Agency of Human Resources and the Agency of Development and Community Affairs, become effective, by your mandate, in just three days. Planning for the Development and Community Affairs Agency is well along. Present indications are that we will be able to reduce the present number of staff positions, in this grouping, from 95 to 75 and still properly discharge all of the functions hitherto performed by the separate divisions of the Agency.

It is my hope that you will move forward during this session with the implementation of the other five cabinet systems where even greater opportunities exist.

You provided a new formula for distribution of State aid to Education and you increased the level of such aid from \$18.8 to \$27.2 millions of dollars per year, an increase of about 50%.

You provided long overdue real estate and rent relief for the elderly.

You improved hospitalization and insurance programs for State employees and substantially raised their wages.

You made improvements in the Student Assistance program and increased its funding.

You established the Municipal Bond Bank which has already enabled 48 communities to sell \$41.2 million dollars of bonds at a more favorable rate. This is the first bank of its kind in the nation.

These are just a few of the highlights of the many bills you enacted into law during the last two years.

Now let us turn to those areas of fundamental decisions I mentioned earlier.

The two largest demands upon the State's revenues are public education and Social Welfare. Public education costs grow at an annual rate of between 16% and 18%. At the same time, the annual rate of pupil increase is less than 4%.

Since 1967 welfare costs in State funds alone have grown by 400%, or at an average annual rate of 80%. The trend is still moving dangerously upward.

The State's revenues are growing at only 7%. We cannot fund both welfare and education at the level we would like ... and certainly not at the level some are convinced we should.

I am sure you share with me the belief that if we are to break the cycle of poverty and its resulting human and social costs ... we must address ourselves to the treatment of causes rather than symptoms. A high quality education for every Vermont child is part of the long-range solution. But the tragedy is that a long-term solution is of little help to a child who is hungry, sick, or cold this winter. He must have ... and we must give him ... short-term help.

So you must make the decision to balance the need for State assistance to the schools which educate 106 thousand Vermont children and the obligation of the State to feed, clothe, and house nearly 14,000 Vermont children for whom Social Welfare is the only source of support.

One of the most encouraging developments in our attempts to break the poverty cycle, has been the spectacular success of the child care center program you established, with an appropriation, last year of only \$125,000. That money has grown ten fold, to over one million dollars with the local and Federal contributions, which your appropriations generated.

With that, we have tripled the number of licensed child care centers to 91 since the last session adjourned. Those centers care for over sixteen hundred Vermont children ... seven hundred of whom are from families either on welfare or struggling to stay off the welfare rolls. Several hundred mothers have been freed to contribute to their family's support ... and the children themselves will benefit from increased emotional ... social ... and intellectual stimulation. It is my firm belief that these centers will lessen future welfare expenditures ... lower crime and delinquency rates ... and reduce the future population of the State's mental and correctional facilities.

In addition to day care, the work incentive program offers great hope for rehabilitation of welfare clients.

Here in Vermont the work incentive program has proved to be a successful forerunner to the Family Assistance plan. It has proved that a substantial number of welfare recipients can be encouraged ... with economic incentives and necessary supportive services ... to take training and accept jobs. And these jobs can be good jobs.

In two years, 838 welfare clients have been enrolled: of these 190 hold jobs at the present time. And there are 139 presently engaged in training.

I am convinced that the real solution to Welfare will come only with basic Welfare reform at the Federal level, I'd like to say that again, because this is something that we should all be aware of, that real Welfare reform can only come when there is a basic Welfare reform program in action at the Federal level, plus the institution of high level of revenue slashing. And thank heaven, both of these at the moment seem more imminent.

But however encouraging day care centers ... the family assistance program ... or revenue sharing may seem as long-term solutions to the welfare program ... we must keep in mind that the sick, the aged, the disabled and the poor and their children must be helped now.

Part and parcel of the funding crisis is the necessity to establish a goal for the economic growth of Vermont.

One of the questions we need to face is the extent to which we want to see Vermont developed. Many love Vermont the way it is. It is a haven of peace and quiet and represents the good life for many. They dread to see its essential character changed, yet these same people and many others are pressing for good schools, good roads, good police protection and a modern and up-to-date approach to our problems of ecology, health,

mental health and all the other basic services to our people.

It is just so fundamentally simple and elementary simple that we cannot have an increasingly high level of public services without an expanding economy and an expanding tax base. Growth means more industry—more industry means more jobs, more jobs mean more people earning money. The last thing we want is explosive development. It would certainly create more problems than it would solve and greatly alter the substance of life in our State. On the other hand, I do believe that Vermonters are entitled to a fair share of the economic benefits of a modern society.

There is a middle ground. It is a posture of balance. It is a program of gradualness. A program in which we fiercely seek the protection of our environment yet seek the goal of gradual, sound growth as essential to our needs a growth which does not damage our countryside but does increase our average income and does provide an increasing number of job opportunities for our people; a goal which would maintain the balance needed to preserve a healthy agriculture, a healthy recreation and a healthy industry. I do not think we need to develop ourselves out of living space, nor stand idly by and see the same result accomplished by frantic immigration. But, I think reasonable growth is essential to the kind of life that Vermonters desire, and ought to have.

The answer is in regulation ... regulation built upon choice ... regulation designed to use our land and water and air—wisely—reasonably—and fairly and consistent with the long term interests of all. Such regulation in and of itself will have some restraining effect upon growth. We must accept this. Indeed we must seek it. But in the long run it will build a sounder, stronger, and more enjoyable community.

This program means we must submit to more governmental direction and control than we will like. We have not yet begun to see or feel the conflicts that will arise as enforcement of our environmental legislation moves ahead. This regulation encroaches upon many areas hitherto considered safely and eternally within the sanctity of individual rights. This conflict will express itself in litigation and perhaps even in organized attempts to undo much of what you did in the last session.

I firmly believe the greatest contribution you can make to your State is to stand firm when this conflict arises. If correction is needed in minor respects, as it will be, make it. But our goal is far too important to be lost in the backlash of annoyance that will inevitably result.

What I am saying is that we must strive for balance in all things. I have outlined to you the balance I feel we must achieve in a number of critically important areas of the State's Government. So, there remains the structure upon which that Government rests . . . The State's Economy.

The economy is formed by a tripod of agriculture, recreation and industry. This is a simple fact that must be in the forefront of our thinking. It is the mix which these three occupations produce that determines the essential character of Vermont. The rural scene so characteristic of Vermont is diminishing. Farmers are fighting a difficult and often losing battle with high farm wages, high costs of machinery, equipment and supplies. The fact that farmers buy at retail and sell at wholesale compounds the problem. This erosion is principally in the area of the small farm which does not lend itself so readily to an economic operation in this age of technology.

The number of dairy farms with 50 or 60 cows has remained stable for the last seven years, in spite of our total loss, and farms with 60 or more cows have gradually increased during this same period. Total dairy farm income has substantially increased and is increasing still. I am convinced that dairy farming will be around in Vermont for quite a while, and it is in our selfish interest to make sure that it is.

But for many farmers, the straw that often breaks the camel's back is the spectacular upward push of open land values, based upon competition and speculation, which soon reflects itself in a level of real estate taxation which cannot be supported either by dairy farming or any other forms of agriculture indigenous to Vermont.

In many towns a much higher proportionate share of the costs of local government is being transferred from the built-up sections of the towns and villages to the farms, forests and open lands. This is being accomplished by the application of the market value concept of real estate appraisal which is the key factor in the distribution of the local tax burden.

This is a disturbing phenomenon. It presents the danger of dramatically changing the quality of life in

Vermont. The social values inherent in farm life, particularly in dairy farming, have, for a long time in the past, made a substantial and wholesome contribution to the moral values, the political philosophy, and the mores of our distinctive Vermont community.

Moreover, to the extent that we are concerned with development of our State, the open spaces devoted to active farming are a real asset. The pastoral scene has tremendous drawing power for vacationers, recreationists and people who come here to live in increasingly larger numbers are seeking escape from the physical and psychological disadvantages of big city living.

There is strength in the diversity of our economy. The long-term future of dairy farming in Vermont will be decided by economic forces beyond our control. But the sudden and violent upswing of real estate taxes caused by the sudden, violent and disproportionate rise of real estate values has had a devastating effect and impact on the small farmer. Only retired senior citizens have experienced anything quite like it. Insofar as it lies in our power ... I believe we must ensure that this temporary phenomenon does not permanently distort the patterns of land use ... the makeup of the state's economy ... or indeed the very character of Vermont. Only a land use tax can forestall that distortion.

In conclusion, I have tried in these few minutes this morning to summarize some of the more pressing problems facing us as we launch this new biennium. I will have more specific recommendations on these and other matters in my next message to you. The governmental process is a remarkable experience. Last Spring you left Montpelier after completing one of the most productive legislative sessions in Vermont history and I am sure many of you felt that most of the tough decisions had been made and the next session would have to be easier.

But, today, we meet again and the agenda facing you is equally as challenging and equally as important to our people and their future. While it is tempting to take some comfort from the fact that our lot here in Vermont may be easier than some of our neighboring states, we must also realize this has come about because Vermonters have tried to keep a step ahead of the problems and have acted before the crisis became acute. It is our duty to maintain that tradition again this year and face up to our responsibilities. There are still so many unmet needs in Vermont. We must conserve our strength and use it wisely to be able to meet those needs.

All of us here asked the voters last year for the privilege and the opportunity to serve. As we meet here this morning in this historic hall that has been so beautifully redecorated, the time has come for us to deliver. The eyes of the State are upon us. I am confident we can meet the challenge.

And I want to do my level best during this session and including session next year, to be as helpful as I can towards the legislative process, which is your major responsibility. My responsibility, under the Constitution and the statute, is to make recommendations, which I shall do according to my own belief. The Governor proposes, and the legislature disposes, and I ask that you keep that difference clearly in mind during your sessions, but I also ask for you to consider whether this is not a time in our History when perhaps we could do just a little better job in creating a two way communication, I've learned a little something in two years about communicating with legislature. I've great respect for our Vermont legislature. In Vermont it is one of our great strengths by which we do nothing to imperil it or permit it to deteriorate. There is a difference between using the two party system for the purpose of advancement because of the interest of the whole people of the State and using it solely for our own interest and the support of our own parties. The job of finding where this line is, it isn't the easiest thing in the world, nevertheless, the principle, I think is sound. As far as I'm concerned, I would like to help create indication. We will have an exercise in unity as good as ever has existed in the history of the state.

REMARKS FROM THE CHAIR

Thank you governor, for giving us that calm and thoughtful appraisal of our position in the beginning of the eighth decade of this Century. I think you have helped us all a lot.

We are gathered here today Governor Davis, to do honor to you at your Inaugural, as others in this building and this State are doing and you might be surprised to know by some without the State. I would like to read to this Joint Assembly at this time a telegram which was addressed to you Governor Davis, here at the State House. "Inauguration Day is a time of beginning and hope. Your past efforts have truly earned the support, the confidence and good will of the people of Vermont, as you begin this new term as Governor, Pat

and I join in sending you hearty congratulations and warm wishes that the future will bring you continued success. With best personal regards, Richard Nixon.”

Inaugural address

of

Howard B. Dean

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1993

Thursday, January 7, 1993.
Inaugural Address

“Madame President, Mr. Speaker, Mr. Chief Justice, members of the General Assembly, and honored guests and friends:

“I am pleased to recognize so many familiar faces here today, and to welcome the large number of new legislators.

“A year ago when I came before you, Vermont’s unemployment rate was 7.1%.

Sixty-three thousand Vermonters, many of them children, had no health insurance. The state was carrying a budget deficit of \$57 million, and we were in the second year of the worst recession since 1929.

“Yet last January, the Legislature, Democrats and Republicans alike, put aside partisan differences and went to work for the good of all Vermonters.

“Today, despite another year of grim recession in Vermont and around the nation, the unemployment rate is 5.8%. We have moved to reduce the number of uninsured Vermonters, with coverage available to virtually every child in the state. We will pay off the deficit this year. We have been persistent in our hard work, and we have worked together.

“The 1992 Legislature passed a health-care reform bill, one of the most far-reaching in the nation. This year, most action on universal health care will take place at the federal level, but in Vermont, the Health Care Authority and others continue to develop the two proposals for a practical universal health care plan to present to you next year.

“I will do all I can to maintain the relationship between providers, patients, the business community and others with such a huge stake in our success.

“We must set an example for the federal government, and show that a state can provide health care for all its citizens with tough controls on costs without relying on the kind of bureaucratic approaches used in Washington.

“I hope that every legislator will keep the reform goal prominently in mind as we prepare for the second half of this biennium.

“Last year’s General Assembly also passed sweeping civil rights legislation that protects all Vermonters against discrimination. You passed a family leave bill that will serve as the nation’s model when Congress enacts a federal bill under the leadership of President-elect Clinton.

“And the Legislature approved a level-funded budget, Vermont’s first in 20 years, proving that it is possible to balance the budget while maintaining Vermont historic commitment to a social agenda that is the hallmark of an activist government.

“On top of all that, the Legislature performed like no other in the country. Your first act, recognizing Vermont’s financial situation, was to cut legislative pay. You adjourned in April for the first time in eight years, and you worked a week at the end of the session without pay.

“We are now in the third year of the worst national recession since 1929. Next week I am going to propose to you another level-funded budget. When it is passed, Vermont will have adopted three consecutive budgets with the same basic appropriation.

“This will allow us to sunset on schedule the tax increases approved in 1991.

“I ask this Legislature to continue the process that we began last year. If you do, by the end of April we will have made almost \$70 million in spending cuts from the deficit repayment plan I inherited when I became governor.

“But I also ask you to be as aggressive and as successful as the 1992 Legislature in addressing the needs of children and in looking at investments in prevention programs. We cannot abandon our responsibility to be leaders simply because we have a level-funded budget.

“The first assignment is the economy—and jobs. We must get Vermont moving again, to retain jobs and restore jobs to those who lost them over the past three years.

Economists and the business community know that the number of jobs in Vermont’s manufacturing sector has been declining since 1985, as it has been all over the United States.

“I have always believed that in a small state of 560,000 people, the best way to combat the recession is to encourage businesses that are already here to expand.

“The Economic Progress Act, which I bring before you, responds to Vermonters who need jobs.

“The proposal is part of a long-range strategy, built on the leadership of legislators who have worked with my administration and others to redirect Vermont’s economic future.

“The Economic Progress Act includes two types of tax credits: one for creating new jobs, and the other for capital investment in machinery, buildings or other fixed assets. There are minimum activity levels for each.

“Broad-based tax credits in other states have produced mixed results. The bold approach we propose—targeted, time-specific credits—has not been tried elsewhere. I believe it’s time to get serious about supporting manufacturing in Vermont, and it’s time for a new approach.

“I also propose to eliminate tax credits to the Vermont Venture Capital Fund. We must not be afraid to eliminate programs that have failed to result in investment and job growth in Vermont.

“The Economic Progress Act also targets start-ups or expansions of smaller businesses. The Vermont Financial Assistance Program will provide partial guarantees of bank business loans judged too risky in a recessionary economy.

“Any business located in Vermont with annual sales of less than \$5 million would qualify for consideration of loan guarantees.

“We anticipate that more flexible eligibility requirements will open the door to many solid business ideas that never materialized for lack of start-up money.

“In addition, the act will:

—Increase marketing efforts for Vermont goods, including wood products, by the departments of Agriculture and Economic Development.

—Coordinate transportation expenditures in areas targeted for economic investments.

—Expand the Vermont Industrial Development Authority’s loan portfolio to include financial services in addition to manufacturing, agricultural and tourist/recreational projects. To reflect this broader jurisdiction, we propose renaming it the Vermont Economic Development Authority.

—Launch a pilot program to help business buy and install advanced pollution control equipment.

—Provide a sales tax exemption on fuel used in manufacturing to companies that meet energy conservation goals.

—Create an ombudsman position to work on development permit issues for specific projects.

“We will strengthen job training programs, propose tax changes to reinforce Vermont’s position in the captive insurance industry, increase support to regional development corporations, and continue to upgrade interstate rest areas.

“In addition, I am appointing an advisory council on workers compensation issues, to tackle a problem that has been a growing threat to businesses and employees here and across the nation. In some states, the issue has polarized executive and legislative branches.

“We began with an *ad hoc* panel that met over the autumn months. I learned from that effort that we need to work even harder to unsnarl the knotty problems of paying for the program and for protecting worker’s rights.

“And I intend, as I promised several months ago, to seek legislation clarifying the liability of banks and other lenders for environmental damage or contamination to properties on which they hold mortgages.

“Without this clarification, Vermont businesses and individuals could find lenders reluctant to loan money for fear that property loans could make them liable for the cost of cleaning up yet-undiscovered pollution.

Over the next two years, as companies make decisions on investing and reinvesting in Vermont, I believe the Economic Progress Act can begin to turn our manufacturing sector around. If successful, we will once again be a national leader, this time in attracting jobs.

“Unless we balance the budget and make new jobs possible, we cannot pay for the programs so many of us care about so deeply in education, human services and environmental protection.

“It is time that we move beyond the notion that the concerns for environment and business are opposites. We must learn to talk about jobs and the environment, not jobs *or* the environment.

“In a real sense, I have done that. For years, Vermont’s governors have had a Council of Economic Advisors. I do, too. I also, however, have a Council of Environmental Advisors, which I created last year.

“In the autumn, representatives of both panels began meeting together, to discuss how to bridge the gap between business and environmental groups. We think we have made progress. It is the work of these combined groups that I recommend to you and which has resulted in our proposed changes in the Act 250 permit process.

“Vermont is making the difficult transition from cutting-edge environmentalism to building the capacity to enforce and implement the environmental legacy of the ‘80s.

“There are steps we can and must take to make Vermont more attractive for business.

“Twenty-three years ago, a governor stood where I do this afternoon, and challenged that new Legislature. He said, and I quote:

“Ask the average Vermonter what kind of Vermont he wants in 1980 or 1990. I believe he will tell you that while he wants good economic opportunities for his children, good schools, good highways and an opportunity to live his own life he will then tell you that the things he cherishes more than anything else are those sights which we see almost daily here in our Green Mountains—the deer playing in the field, the beautiful countryside we see as we ride the interstate between Montpelier and Burlington, the beautiful ride down the West River from Jamaica to Brattleboro, the view of the Green Mountain skyline from Morrisville or Johnson or the view of Lake Memphremagog when the sun comes up in the morning and Lake Champlain when it sets again in the evening.

“These are the things that bring Vermonters back home after they have seen other parts of the world ... The question is, my friends, can we preserve it? Do we have the will to go about preserving it? Can we have economic growth without destroying the other part of our dream—the pastoral scene?”

These words were spoken by Governor Deane C. Davis in January of 1970. The 1970 Legislature answered his questions by approving Act 250. I have no intention of being the governor who allowed the dismantling of Act 250 and the destruction of our natural heritage.

The governor’s responsibility goes beyond jobs or health care or even children’s issues. The most important obligation is to preserve the quality of life that makes the Vermont community so different than that in any other state, and serves as a model and a dream for the rest of America.

“We wrote the pioneering environmental laws in the ‘70s and ‘80s. In the ‘90s, we must make them work.

“Let me give you an example: In the past year, we shut down more than 40 unlined landfills, as I promised in 1991 that we would. These closures were accomplished without bankrupting Vermonters and without wholesale disruptions of services.

“There are delays in environmental permitting, but most are due not to the laws but to how they are interpreted and administered. The Agency of Natural Resources is working with the Environmental Board and the Water Resources Board to review all permit processes within their jurisdiction. I intend to work with the Legislature this year and the next to improve the permit process.

“I will continue to work very hard for conservation. I again challenge this body to support the Housing and Conservation Trust Fund, which makes housing available to working Vermonters shut out of the market by the tremendous increases in real estate prices of the ‘80s, and which will preserve our beautiful surroundings.

“There will be other pieces of legislation I will ask you to pass this year. They include an omnibus crime bill with anti-stalking legislation as a centerpiece.

“We will be proposing agricultural legislation based upon the work of the Vermont Maple Task Force, and seeking to expand marketing of Vermont products by the Department of Agriculture.

“The experience of a large convenience store chain has shown us that it is time to revise dairy bonding laws to allow our farmers to get paid what they’re owed.

“We will finance another round of the very successful bicycle path and greenway program run by the Agency of Transportation.

“Why do Vermonters pay so much attention to their environment? And why are we so determined to improve our economy? The common denominator in both cases, I believe, is our sense of obligation to our children.

Perhaps the most vital part of my legislative package relates to children.

After adjustment for inflation, the median income for families with children has actually declined over the last decade by 5% nationally and by about 10% in Vermont. This is partly a consequence of lower real incomes and partly due to divorces and births to unmarried women.

“Children are the poorest age group in America. In 1991, nearly 22% of all of America’s children lived in poverty. That percentage is nearly twice as high as that of any other age group.

“While national statistics suggest that Vermont does better than the rest of the United States in taking care of its children, the way we treat children in America is an embarrassment.

“We can and we will do better. Investment in children and their families is the only way I know to break the cycle of dependency on government spending that is aimed almost exclusively at fixing problems, not preventing them.

“We have made tremendous progress with *Success by Six*, the early intervention program for kids we introduced last year.

“The progress came about through cooperation between the Agency of Human Services, the Department of Education, local school officials, teachers, parents and child-care centers.

“In Morrisville, this combination produced a pilot program to support families from prenatal care through birth and early childhood so that their children are ready to learn when they enter school, and are supported after they get to school.

“In my budget address I will talk further about education and the need to support kids once they get to school

“Other communities are initiating programs to help prepare children for school. I will ask you to fund our *Healthy Babies* program, which will allow doctors and nurses to identify families at risk before their children are even born. That will mean we can adapt the Morrisville approach to other communities.

“In addition, we will be developing a proposal we call *Success Beyond Six* that will help school districts hire human services providers to deal in school with children whose special needs now are taxing the capabilities of teachers and principals.

“It is no coincidence that so many people who need help as adults had troubled or difficult childhoods. That is why welfare reform is so important to me. My commitment to welfare reform is based upon the belief that strengthening the family—helping parents break out of welfare dependency—will provide new hope and new expectations for their children and for themselves.

“The education and skills, transportation, day care and other social support services included in our welfare reform package are aimed at providing families with the tools to work, to add to their incomes, and to build themselves a better future.

“Over the past half-century, we have created, despite best intentions, a paternalistic system that singles out some families in society and treats them differently than most others. Society requires most Americans to work, but we have discouraged welfare recipients from doing that.

“We can eliminate the discrimination that occurs against low-income people by accepting that work is more than a way of bringing home dollars. It enhances self-esteem, reinforcing a sense of self that is passed on to our children. Welfare reform is pro-family and, most importantly, pro-children.

“I believe in general that government spends too much money trying to fix problems after they have occurred and not nearly enough trying to prevent those problems.

“This state, in fact the entire country, must shift its focus to long-range investments in children, intended to prevent damage from occurring in the first place.

“If we fail to do this, in 20 years, another governor will stand before this assembly explaining, as I must next week, why corrections spending has to go up 17 percent in a level-funded budget, causing us to cut other areas in human services and education during a deep recession.

“In our Cabinet meeting on Monday, one of the agency secretaries asked me what I hoped we would accomplish, and what my worst fears for the legislative session were.

“I told him that my worst fear was that the Legislature would not fund the children’s programs that I have asked you to fund. We have an opportunity here that is unique in the United States of America. The politicians of this country traditionally try to solve long-term problems with short-term solutions.

“I am asking you today, and I will be asking you again next week when I present the new budget, to take a small percentage of the money that we spend on human services and education and invest it in prevention programs for our children now.

“I am asking you, in a year of great cuts, and wholesale elimination of programs, for adequate funding of a new program. If you fail to do this, we will never break the cycle of supplying short-term solutions for long-term problems.

“Your success will be measured 15 to 20 years from now, with less out-of-state placements for emotionally-disturbed children, fewer children going through SRS and foster care, with a much higher school completion rate, and a much lower incarceration rate.

“We have a remarkable opportunity and we have a remarkable obligation. Your opportunity is to show that in Vermont, we can do things differently.

“Your obligation is to deliver for the 8,000 children who will be born in Vermont this year, so that those children who need services and who are born into families that need help will have a better chance of fully participating in tomorrow’s life.

“I welcome the opportunity to work with you. I consider these proposals to be a beginning, and not an ending. I look forward to what I know are going to be excellent suggestions for improvements that you will make as you go to work on them.

“This is important work for us—but it will be far more important for those who are children now, and who in one more generation will be sitting in the seats we now occupy.

“You have my gratitude for helping to continue our partnership.

Inaugural address

of

Howard B. Dean

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1995

Thursday, January 5, 1995.

Inaugural Address

“Thank you. Thank you very much. Thank you very much. Madame President, Mr. Speaker, Mr. Chief Justice, Members of the General Assembly, honored guests and fellow Vermonters:

“First, I want to welcome you back here to another legislative session and thank you for the commitment that you’ve made to serve Vermont.

“I think we’ve all heard very clearly the message from the 1994 election campaigns. We need to do our work in a nonpartisan way and then go home. Education reform is at the top of the agenda. Our property tax system is unfair. There is tremendous disparity between town tax rates. In Barre City, for example, education taxes on a house worth \$150,000 are \$2,235 a year. A resident in Stratton will pay \$30 a year for the same house.

“Three Vermont school districts still have not been able to pass a budget: Benson, West Rutland and Winooski. The high cost of education and property taxes hurts retired people and everyone else on a fixed income.

“Quality of education is also an issue. The people of Vermont don’t believe that they’re getting their money’s worth from *our* schools. We are 6th in the nation in per-pupil spending. We spend more on education than 44 other states.

“The SAT score is the only measure we have to compare ourselves to other states because we don’t participate in the National Assessment of Education Progress. While a very high percentage of Vermont students do take the SAT, which tends to lower our scores, we are nonetheless 38th in the nation in math scores and 35th in the nation in verbal scores. Again, we are **6th in the nation in per-pupil spending**.

“About one in five Vermonters who enter high school drop out before graduation. We teach to mediocrity in our schools. One night last year as I was putting my daughter to bed -- she was in the fourth grade at the time -- she began to cry. I asked her what was wrong. She was crying quite a lot. I thought she was having some significant problems, maybe in school, that I didn’t know about. I said, what is it that’s wrong, Sweetie? She looked at me and said, “It is school. I’m bored. I’m bored in school.”

“We must reform our education system. She had a good teacher in school. It was a good public school that we like in Burlington. We must reform our education system now.

“We will have differences in details, and they must be resolved now. They must be resolved before we go home in May.

“This is my plan which I’m very proud to say is going to be sponsored by respected members of both parties in this House. We will keep the sales tax at its current rate, use the fifth cent for education funding and in the second year this will add an additional \$37 million to the state aid formula. We will adjust this by increasing the income factor sensitivity so that towns will get a better deal out of the formula. We are proposing a minimum education tax to deal with the incredible discrepancies of paying \$2,200 a year in Barre and \$30 in Stratton for the same house.

“This is not a statewide property tax. 228 towns in Vermont will continue to collect taxes as they do today and distribute them in their own towns, but 23 Vermont towns with extraordinarily low taxes will be asked to share about \$10 million of that revenue with the other communities.

“Current Use and teachers’ retirement programs will be sent back to the local levels but the state’s contribution to these programs, \$26 million, will be distributed to the school districts through the formula. This is also an equalizing piece of this formula. A total of over \$70 million

in additional funding will go into the State aid formula.

“In addition, we are proposing in conjunction with the Department of Education to fix the wards of the state problem which will minimize bureaucracy at the local level.

“The bill will increase payment in lieu of taxes dramatically, our so-called PILOT funding, for towns that host state offices and other state property which does not contribute to local property taxes.

“We must - and this is one of the most critical pieces of this bill - we must cap increases in local spending on education based on the consumer price index. Education costs for the last 20 years have risen at at least twice the rate of inflation. We are 6th in the nation in what we spend on education. I didn't hear myself or any of you campaigning that we were going to be 3rd in the nation by the time we get finished with this session. I heard us all talk about lowering property taxes. And in the 1980's I and many of you supported doubling state aid to education in a three-year period, and today we have a worse problem with our property taxes than we did seven years ago when that doubling was finished.

“If we are to fix the property tax system, if we are to change the amount of money the state puts into property taxes, we must make sure this is a permanent fix, not a temporary fix. We must control not just state spending, we must control local spending. I will work with you to find a mechanism that you might like if you don't like our mechanism. This is an essential part of the bill, and this will not be property tax reform unless caps on local spending are included in the bill.

“We also propose cutting the state income tax from 25% to 24%. I will show you how this can be done and talk more about that in my Budget Address next week. That is in there principally because we believe it will lead to better economy and more jobs in Vermont. It's a straightforward plan, it's predictable, it's affordable and I think it can pass the House and the Senate in 1995.

“But that's not enough because educational quality is also a very important piece of this.

“We must convince Vermonters that if we're going to remain one of the most expensive states in the nation in terms of education, that Vermonters are getting their money's worth. I will call for more than \$1 million in the Capital Bill appropriation to provide Vermont's 76 high schools, 5 regional libraries and every elementary school in the state access to all the same computer services that the state has through its own electronic network, GovNet. This includes access to a worldwide information system known as the Internet. An unlimited number of Vermont students will be able to be logged onto the Internet simultaneously at the cost of a local telephone call.

“In addition, we will provide money in the Capital Bill to provide satellite downlinks to 20 of Vermont's most rural high schools so that they may receive advanced placement courses from the University of Vermont which has agreed to offer these courses for free. We are pleased that a local private sector company has agreed to link Montpelier, Burlington, Rutland and Winooski schools with Interactive Television. This includes high schools, middle schools and elementary schools.

“All kids need to be allowed to learn on their own as well as in the classroom setting because the best education ought to be available to all kids, urban or rural, low abilities or high abilities. No child should be bored in school. Let me repeat: No child should be bored in school.

“It is not enough to restructure schools. We also have to restructure the way the state works with schools. We must continue to support the Department of Education innovations, like the Green Mountain Challenge, and particularly the Portfolio Assessment program that has been developed over the last seven years.

“They also have developed a public report card system comparing the success and failures of every school district in the state and I’m urging that to be public as soon as possible so that Vermonters can see district by district who they believe is getting their money’s worth and who is not.

“But we must also reorganize the administration and delivery of education.

“Vermont employers report that far too many high school graduates are not prepared to join today’s competitive job market. Three-and-a-half years ago Commissioner Richard Mills and I went to visit the Secretary of Education. We knew the federal government didn’t have any money, so we agreed in advance that we wouldn’t ask him for any. At that time every special education teacher in the state had to fill out 40 forms, 40 pieces of paper from each child in special education every year, 40. So we said, “Mr. Secretary, we know you can’t give us any money. Could you reduce the number of forms that our teachers have to fill out?”

“He said, “Oh, yes, yes, yes, we’ll be sure to do that. Send me a proposal.”

“We sent a proposal and nothing ever happened. I said to the Commissioner, look, we ought to clean up our own house. Twenty forms are the federal government’s and 20 are ours. I asked him to do that. They said, “Oh, yes, yes.” Two-and-a-half years later, two-and-a-half years later, the state board finally came to me with a four-page form. I think that’s a problem, and I think we need to have accountability, direct accountability of the Department of Education to the Governor and to the Legislature so it doesn’t take two-and-a-half years. It should be two-and-a-half months.

“Vocational education. I started out on the Education Committee in this very body 12 years ago. Vocational education was treated as a second-class citizen then and it continues to be now although there have been significant and important improvements - particularly the notion of Certificate of Mastery.

“I believe that we ought to merge the Departments of Education and Employment and Training under one Secretary of Education and Workforce Training appointed by the Governor. I believe education will then be accountable both to the Legislature and the Governor, but we must also make sure that we preserve education’s insulation from politics.

“Workforce training programs have to be integrated between vocational education, high school, adult basic education and workforce training through the Department of Employment and Training.

“Job training and education are going to be the way that states build strong economies in the future. We are now competing in a world economy. We are competing with Taiwan and Singapore in the same way that we used to compete with New Hampshire and North Carolina. Smaller companies cannot afford extensive job training programs, yet most of our job growth comes from existing smaller businesses. 80% of Vermont’s businesses employ 20 or fewer people.

“The Agency of Development and Community Affairs is reorganizing itself to work more like an Agency of Commerce. We particularly need to focus on making capital available for small businesses and on controlling energy costs. I continue to believe in downtown development with a strong component of local planning as the best way to have good jobs and preserve Vermont’s quality of life. Let me make this very clear, it is not necessary to lower our environmental standards in order to produce better jobs. I believe our quality of life in Vermont is responsible for the fact that Vermont did better than any other Northeastern state in the recent recession. Our quality of life, our environmental standards attract jobs.

“I’ll talk further about environmental issues and land conservation issues in the Budget Address next week, but I will not be advancing major environmental legislation this year for two

reasons. First, the Environmental Board, under the direction of the new chairman, John Ewing, is pursuing rule changes that should significantly, and I might add at long last, streamline the Act 250 permit process.

“The Agency of Natural Resources has efforts underway to simplify the permit process by computerizing aspects of permitting and assigning case managers to all significant projects. And I think we should wait for a year to give these changes an opportunity to make the process more efficient.

“Infrastructure in the transportation area as well as the telecommunications area is extremely important to job creation. This year we will have a record 70 bridges under construction at the cost of \$18 million. A record \$30 million will be spent paving 200 miles of roadway throughout Vermont.

“The most significant opportunities and the most serious threats to our economy and to our people come this year not from inside Vermont but from Washington, D.C. Let me talk to you about some of these proposals that will have a tremendous impact on Vermonters.

“In the next few months I intend to use my position as the chair of the National Governors’ Association to help mold major changes coming out of Congress so they benefit Vermont or at least do not harm us.

“The first proposal that will be acted on very quickly is a balanced budget amendment. While this is a tool for controlling the federal deficit, and there’s no question that at the national level the national deficit probably in the long range is the most significant problem we have, the fact is unless there is language in the budget amendment that protects the states from unfunded mandates, we are simply in Vermont and every other state in this country being passed a very large tax increase and very significant cuts for all the programs for the people that we believe we have an obligation to be the safety net for.

“No state legislature in their right mind will vote to ratify a federal balanced budget amendment unless inside that amendment is contained language protecting us against further federal unfunded mandates.

“A plan for the federal government to switch responsibilities with the states is also in the works. One plan, for example, is to let the states run their own welfare programs while the federal government runs Medicaid. This would give Vermont the opportunity to deal with the welfare system, but that is a task that was largely taken care of by this General Assembly in 1994. This program swap would also create an enormous federal bureaucracy responsible for the health care of 40% of our citizens.

“One option that I think should be explored is letting the federal government take care of long-term care while states take responsibility for the medical care of the rest of the Medicaid program.

“There’s a plan to institute block grants to states, and this will almost certainly be in legislation. Vermont and the rest of the 49 states would get a certain amount of money with very few rules. There are more than 600 categorical programs that could fall under this setup. This would help Vermont be more creative and efficient in terms of helping people but is also likely to mean significant reductions in the amount of funding that we get for these programs. For example, there is a proposal to block grant nutrition programs and like the other proposals, there is both good and bad in this. Food Stamps is a program which needs overhaul. There is waste, there’s fraud in other states, there are significant administrative problems. But school breakfast and school lunches are one of the most successful nutrition programs we have. We put tremendous effort in this state into making sure that every child who cannot eat properly at home can get significant nutrition in school, and we ought to fight to the death to make sure that there are no cuts in that program and that this program stays exactly the way it is today.

“There are also proposals to block grant heating assistance funding. I don’t have to tell those of you who are veteran legislators how difficult that is because that will almost certainly result in huge reductions for Vermont and other northern states. I think, again, we must fight vigorously in Washington to make sure the poor and elderly people do not freeze because of cuts in the block grants.

“Last year my State-of-the-State message focused on children’s issues. As chairman of the National Governors’ Association, I’ve created a national Governor’s Campaign for Children to last for one year. This is why.

“Yesterday I spoke with Erin Watkins, a 26-year-old mother of three who lives in Springfield. Erin, who is dealing with raising her infant and two young children alone, told me that Success-by-Six was her lifeline. She took parenting classes at the Springfield Parent Child Center when she was feeling alone and feeling bad about herself. Success-by-Six gave her the needed support and she told me the tools she needs to raise her kids. She talked about the lending library that gives her kids a chance to play with educational toys that she could never afford.

“This is a program that was funded by this Legislature two years ago, and Erin Watkins is a better parent because she chose to seek education and support services which were available in her community. Erin and thousands of Vermonters like her are the reason we created Success-by-Six. Communities and state governments can work together to help families raise children in healthy environments.

“Vermont is a national model for what we’re trying to accomplish through the National Governors’ Association. Our goals for America as a whole are to increase public awareness of the needs of young children and families and once again focus the attention of the nation on the needs of children and their families rather than on the needs of government agencies and programs. In December I convened a national hearing at which we heard from several children’s programs in Vermont and five other states. We heard about the Addison and Franklin County Head Start models that combine children’s health and education services to take better care of kids. The programs up and running in those communities reflect the communities’ needs.

“Collaboration between state and local programs is the best way to reach parents like Erin Watkins. Now I’m going to make sure there is financial support available in Congress and among private foundations to help these programs all over America grow, particularly those started not by government but by community activists in neighborhoods where families need the most support of all. If we really believe that many of Americans’ problems are due to the crumbling of America’s families, then we had better be prepared to change the way that we support families.

“We will hold a national summit on children in Annapolis, Maryland, on June 6th and 7th, with governors, the Congress and the President. Finally, we will conclude the Governor’s Campaign for Children at the 86th meeting of the National Governors’ Association meeting in Burlington in July.

“Despite last year’s failure to adopt comprehensive health care reform, I think we all understand from our time on the campaign trail that Vermonters very much want that system to change. We still have 62,000 uninsured working people. We have health care costs that continue to rise at twice the rate of inflation. We have families who can’t afford coverage. We have businesses choosing between offering health care benefits or wage increases.

“My long-term goal continues to be universal access for every Vermonter. We cannot get there in one year, particularly in a year where I’ve asked you to redefine education and the way we finance it, but we cannot do nothing.

“I will ask you to pass a 20-cent increase in the cigarette tax to provide health insurance to about 15,000 working Vermonters who have none. These are people who work for businesses that do not offer health insurance benefits.

“We’ve been working with interested legislators to help us design the necessary Medicaid waiver that will be submitted very shortly to the federal government. I deeply appreciate your support, and I deeply want to tell you that we are going to continue to keep you involved and we want your help in getting this done. Our proposed waiver will allow us to expand coverage to all Vermonters up to 100% of the federal poverty level for the first year. That’s an annual income of \$14,800 for a family of four, and we hope and intend to do more in the second year.

“This is for the family wondering how to pay for their father’s emergency appendectomy. This is for the office worker who goes to bed hoping that her cough and fever will disappear in the morning because a visit to the doctor does not fit into her budget.

“Raising the cigarette tax to pay for health care makes sense. No single factor in this country costs the country more in health care dollars than cigarette smoking, and Vermont’s cigarette tax is substantially lower than every other cigarette tax in New England or the northeast. We are 36 cents a pack lower than New York.

“The Health Care Authority has made great strides in bridging relationships between hospitals, consumer groups and insurance companies. The new chair, Theresa Alberghini, and her staff have a great deal of important work ahead of them because we also have to control spending on health care. The Health Care Authority will continue to gather data and implement an information-sharing agreement between the state Medicaid program, Blue Cross/Blue Shield of Vermont and the Community Health Plan, and this will allow us to track 90% of Vermont’s health care expenditures. This will be the first time in the nation a public/private agreement like this has been reached, and it will finally allow us to find out what the expenditures are so that we can adequately control them.

“This agenda is about children and it’s about families. It’s about an educational system that’s funded more fairly and that challenges every Vermont child.

“This agenda is about jobs to support those families. Our agenda is about the environment and a quality of life that builds our economy.

“Our agenda is about making sure working people have the same opportunity to see a doctor no matter where they work.

“Our agenda is about your families. Our agenda is about my family. Our agenda is about Vermont’s families. Our agenda is about America’s families.

“Let’s get to work.”

Inaugural address

of

Howard Dean, M.D.

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1997

Thursday, January 9, 1997
Inaugural Address

"Mr. President, Mr. Speaker, Members of the Court, Members of the General Assembly, honored guests, and fellow Vermonters:

"I would like to begin by reading from a poem by Ina J. Hughes:

"We pray for children --

"who sneak popsicles before supper,

"who erase holes in math workbooks,

"who can never find their shoes.

"And we pray for those --

"who stare at photographers from behind barbed wire,

"who can't bound down the street in a new pair of sneakers,

"who are born in places we wouldn't be caught dead,

"who never go to the circus,

"who live in an X-rated world.

"We pray for children --

"who bring us sticky kisses and fistfuls of dandelions,

"who hug us in a hurry and forget their lunch money."

"I come before you for the *sixth* time to report that the state of our State -- and the future of our children -- continue to improve.

"We have weathered the economic storms of the first half of this decade. Our economy is stronger, with 27,000 new jobs created since I took office.

"We have increased the take-home pay of working Vermonters by increasing the minimum wage. We have made significant investments in the health and safety of our children. And we have reformed our welfare system with a compassionate, Vermont solution that protects children.

"We have established a *rainy day* fund which will cushion Vermonters against the blows of the inevitable recession of the future. We have cut the income tax to better compete with other states for the jobs of the future.

"And we have set aside 51,000 acres of farmland, shorefront, and forest land --free forever from development -- to preserve what we know to be the essence of Vermont.

"Together, we have done this for our children and for their futures.

"And how are our children doing?"

"Vermont is first in the nation in childhood immunizations and second in the percentage of children under the age of 18 with health care coverage. We have cut child abuse by a staggering 30 percent over the last four years. The teen pregnancy rate is down 20 percent. And, Vermont is fourth in the nation in establishing paternity in child support collection efforts.

"Dr. Dynasaur, our health care program for children, is receiving national recognition. This is a program that needs to be embraced by the President and the Congress. Providing health care to children is dirt cheap -- and it's the right thing to do. I intend to work with the President and our Congressional delegation to spread the word about Dr. Dynasaur and give children in other states the same opportunities available to Vermont's kids.

"We continue to make progress in providing low-income, working Vermonters with access to health care. With your support, we recently expanded the Vermont Health Access Plan so that thousands more loggers, convenience store clerks, farmers and other Vermonters can have the peace of mind that comes with health care coverage.

"And I'm pleased to report that the free clinic in Randolph has gone out of business. The good work of this clinic is no longer needed because so many community members who depended on free care now have health insurance through Dr. Dynasaur and the Vermont Health Access Plan.

"I remain committed to universal health care -- for all Vermonters -- and for all Americans.

"Health care reform, Vermont style, is making health care more accessible.

"Welfare reform, Vermont style, is helping families gain independence.

"We are a national model for moving people from welfare to work. Our welfare costs are down dramatically and our caseload has dropped by 14 percent. We require welfare recipients to work and families are now earning more and relying less on public assistance.

"We have reformed welfare over the past two-and-a-half years with Vermont values in mind. We've made the up-front investments in child care, education, transportation and job training necessary for a successful -- and permanent -- transition to self sufficiency.

"Our ground work in health care and children's services will spare Vermont families and children from the painful excesses of the new federal welfare law.

"Over the next several months we will work together on a number of important issues that will affect the futures of our children and our grandchildren:

·2010·We will continue to improve our fiscal health; ·2010

·2010·We will improve the quality of education; ·2010

·2010·We will reduce property taxes; ·2010

·2010·We will help our businesses create jobs; ·2010

·2010·We will change the way we pay for political campaigns; ·2010

·2010·We will improve the way we deal with teen drug abuse; ·2010

·2010·And we will get drunk drivers off our roads. ·2010

Let me be more specific.

"I. The Budget

"I applaud the General Assembly for your leadership last year in controlling spending. That restraint will pay dividends to our children over time and prepare us to better face the next recession. To improve our business climate and provide better job opportunities, we must do *four* things:

·2010·We must continue to restrain spending; ·2010

·2010·We must continue to restrain taxation; ·2010

·2010·We must continue to build our *rainy day* fund to a total of 5 percent of the General Fund;·2010

·2010·And we must maintain the 5 percent reserve in the Transportation Fund.·2010

"Next week I will unveil a budget that will increase state spending by less than the rate of inflation. This will be the fifth budget in six years to grow by less than the rate of inflation. Yet, again we will prove that we can make social progress and build healthy families while continuing our efforts to improve our financial condition.

"II. Economic Development and Jobs

"The best way to have strong families is to help businesses create good jobs.

"Small businesses provide a vast majority of employment opportunities in Vermont. In fact, 85 percent of our businesses have fewer than 10 employees.

"Over the past few years we have established a Small Business Development Center, in which we have invested \$200,000 annually to be matched by federal and local dollars. This investment has helped business owners create 1,750 new jobs and return an additional \$1.2 million to the state in income and sales taxes in a single year. I urge you to continue supporting economic development initiatives that assist small business owners in their efforts to grow and create jobs.

"To help our businesses compete and to support our communities, we propose a legislative package that encourages development in Vermont's downtown business districts.

"Responsible growth means avoiding sprawl.

"Responsible growth means helping communities in their efforts to maintain vital downtowns.

"Incentives in our legislation include sales tax exemptions for materials used in construction, and an income tax credit of 5 percent for rehabilitation of buildings on the National Register of Historic Places. We include income tax credits of 25 percent for rehabilitation of older buildings to comply with the Americans with Disabilities Act and to address site contaminations, such as lead paint. The plan would offer a myriad of technical assistance and planning grants for downtown development projects, and lower many permit fees for existing buildings in a downtown district.

"One of the most important small business groups in our state is dairy farmers. Belinda Blass is a dairy farmer in Newport. Like all dairy farmers she struggles to make ends meet. She can't afford to pay her electric bills. She owes \$250 in electric bills for her house and another \$1,300 in electric bills for her barn.

"We need to help people like Belinda Blass by lowering electric rates. I am proposing we accomplish this goal by introducing competition in the electric utility industry.

"Rhode Island, Pennsylvania, and New Hampshire have already passed legislation and a bill is pending in Massachusetts. We must be with them -- not ahead of them and not behind them.

"In order to help our businesses provide better jobs to support families we must lower electric bills in Vermont.

"I urge you to send me a bill that will reduce electric rates for residential and business customers, and improve consumer and environmental protections. The Department of Public Service and the Public Service Board, as well as members of the General Assembly, have been working on this for two years.

"We have met with residential and business consumers, as well as utilities and the low-income community to develop consensus on the best approach to restructuring this industry.

"I believe we can complete work on this issue during this session. This is our best hope for creating more jobs and helping Belinda Blass and small businesses and consumers like her all over Vermont.

"III. The Environment

"We will continue to conserve and protect farm, forest and recreation land so that our children and grandchildren will know and enjoy the same land that we know.

"This year alone we have opened one new state park and added significantly to another. The Alburg Dunes State Park in Grand Isle includes more than a half-mile of frontage on Lake Champlain and the largest deer wintering yard in northwestern Vermont. We expanded Lowell Lake State Park in Londonderry by acquiring land around one of the last unspoiled lakes in southern Vermont.

"In addition, this fall we completed a conservation project to set aside 31,000 acres in the Northeast Kingdom as working forests with public access to recreation trails.

"We are currently in the process of negotiating land swaps at two ski areas that will result in the permanent protection of important bear habitat and help to unify the northern and southern portions of the Green Mountain Forest.

"Protection of mountain tops will be a primary focus of our efforts to set a state policy on the siting of communications towers in Vermont. Members of my administration and the Environmental Board will work with members of the House and Senate to ensure sound planning in the future siting of telecommunications towers.

"This year we will also set important forestry policy for the State of Vermont. We will support a bill based on recommendations of the Forest Resources Advisory Council. It is time for the Legislature to more closely regulate forestry practices, particularly clear-cutting and herbicide spraying.

"These actions will enable us to continue our commitment to good stewardship of Vermont's natural resources.

"IV. Campaign Finance Reform

"Campaign finance reform is another area in which we can make progress this session. We have an opportunity to reform a system that touches every voter in the State of Vermont.

"Look around this chamber. In order to serve in this building, we have all gone through the same process. Each one of us must raise money to run a political campaign. We spend that money in ways that we hope will convince our constituents to vote for us.

"Over the past eight years campaign spending in Vermont has increased dramatically. In 1988, the highest spending for a state Senate candidate was \$14,500. That figure more than doubled during the 1996 election when one state Senate candidate spent \$30,600.

"Undoubtedly, it will be impossible to return to the days when George Aiken ran his 1956 U.S. Senate campaign for \$1.08. However, I believe it is important that we remove any perception of impropriety in the way money is raised and spent in political campaigns.

"As I've said before, money does buy access and we're kidding ourselves and Vermonters if we deny it. Let us do away with the current system.

"In order to accomplish this goal, I believe we need partial public financing of campaigns. We cannot afford a reformed system that prevents all but the wealthiest of individuals from competing for public office.

"I have worked closely with Representative Karen Kitzmiller to craft what we believe is an excellent campaign finance bill. I am pleased that she and Representative Marion Milne have agreed to sponsor the 1997 campaign finance reform bill.

"Our plan limits the amount of money candidates can spend in both primary and general elections. Campaign contributions -- both in-state and out-of-state -- would be limited. Candidates who do not comply with specified limits are clearly identified for voters in both their campaign advertising and on the ballot.

"This bill levels the playing field without the problems of the current system. Our proposal is ready for your consideration.

"V. Education Reform

"We have talked about some significant issues. But there is one very important issue that I want to discuss today. My principle focus this biennium will be

education. We must continue to improve the quality of education for our children. And we must change the way we pay for education.

"Two-thirds of the fourth-graders in this country are not reading at a level required for success. It is my goal -- and Commissioner Marc Hull's goal -- that every child in Vermont be a competent reader by the end of grade three. We have put money into the budget to improve early reading habits.

"Our education quality plan also uses distance learning technology to expand learning opportunities in rural communities. Thanks to the University of Vermont and others, distance learning is providing 70 students advanced placement English courses and 20 students are receiving advanced placement calculus. And even an advanced course in Russian is being offered in 18 different Vermont schools through distance learning.

"Two-hundred sixty-six schools now have access to the Internet through the state's information network, GovNet; and other schools are on-line through other access providers. However, there are 84 schools that are still not connected to this world-wide learning tool.

"We will continue to support the expansion of these services and other technologies in Vermont schools with financial help from the state.

"With careful work by the House and Senate Education Committees, I expect to focus on restructuring vocational education in the second half of the biennium. We will work to improve the relationship between higher education, vocational education and K-12 education over the rest of this decade.

"I applaud the State Board of Education and Commissioner Hull for instituting statewide testing for every student in Vermont. For the first time, we will have an accurate method of comparing our schools with each other, and with schools around the country.

"I believe the school assessment tests will show two things. First, Vermont schools are better than we think they are. And, second, there are areas in which we can improve significantly.

"Our goal is to empower parents and increase their confidence in their child's school. The single most important predictor of a child's success in school is not how many computers the school has, not how good the teachers are, and not how many books are in the library. The single most important predictor of a child's success in school is the attitude of that child's parents in supporting education.

"We need to convince all parents that our public school system can deliver a good education. And we need to prove to parents that our public education system is worth the taxes that we pay to support our children's education.

"We must reform our property tax system and we must do it in this session.

"While our income tax remains too high, our property taxes are even higher. In order to reduce the property tax burden in Vermont, we will need to raise other taxes.

"It is our charge to raise revenue in a way that will not inhibit our ability to create jobs in Vermont.

"Any new taxes must reduce the property tax.

"And our reform package will not work unless education spending is controlled at both the state and local level.

"I have worked hard with a group of House and Senate leaders on property tax reform. We have used both Democratic and Republican ideas to reach our goal. Next week I will outline the property tax reform plan. I will ask for bipartisan support as this bill works its way through the legislative process.

"This bill must pass this year.

"VI. Teen Drug Abuse

"We have accomplished much in our efforts to improve the lives of children. We will make even more progress if we are able to improve education. But in one area of education, our progress has been completely unsatisfactory. We are failing in our efforts to prevent teen drug abuse.

"Our young people continue to abuse drugs, both legal and illegal, at an alarming rate.

"A 1995 Health Department survey shows a staggering 40 percent of Vermont 8th-graders use alcohol. These are 13- and 14-year-olds. The rate of alcohol use among eighth and tenth graders is on the increase. And after a three-year decline, we are seeing an increase in binge drinking among students in grades 8, 9 and 10.

"Marijuana use is up across all grades in Vermont. This is especially true among the lower grades, where marijuana use more than doubled from 1993 to 1995.

"Drug abuse is the single most reliable predictor of teen suicide. In Vermont, our rate of teen suicide has not shown improvement in 25 years.

"We cannot pretend that we are dedicated to improving the lives of our children if we cannot convince them that abuse of cigarettes, alcohol, and other drugs will destroy the quality of their lives.

"I have spent a significant amount of time discussing these issues with children and teenagers. In fact, children often provide the best advice on how we might help them avoid the perils of addiction and abuse.

"And here's what I have learned:

"First, and most importantly, as adults, we have no hope of changing our children's behavior unless we set personal examples. Children learn far more from what we do than from what we say.

"Second, the drug and alcohol abuse education programs which I supported as a member of the General Assembly are not as effective as they can be. We ought to improve drug prevention programs and expand them into high school.

"Teens respond to real life. We ought to bring more individuals who have experienced the pain of drug and alcohol abuse into the classrooms, and we ought to expand peer counseling. This means more support for institutions like the Green Mountain Teen Institute and other prevention programs that train teenagers to educate their peers.

"I will be working with the State Board of Education, the Department of Education, members of the Legislature, law enforcement officials and the Health Department to improve these programs. I welcome your advice and support.

"Third, our tobacco regulations are not sufficient. Today, the state regulates the sale of tobacco products and punishes store owners who sell them to minors. This does not go far enough. Our children are taking up smoking at an alarming rate, especially girls. This is the reason that lung cancer recently surpassed breast cancer as the leading cancer-related cause of death among women.

"We can learn from the residents of Woodridge, Illinois, who decided it was up to them to make a difference in kids' smoking habits. They decided to make children accountable for buying cigarettes in addition to punishing those who sold tobacco products to minors. A city ordinance imposed a \$25 fine for any minor caught purchasing cigarettes. Surveys demonstrated that the number of junior high school students who described themselves as regular smokers dropped from 16 percent to 5 percent in two years.

"This town's success was achieved through community leadership and involvement of dedicated local law enforcement officers. I am proposing that you

pass enabling legislation that would allow Vermont cities and towns to establish initiatives like the one that has been so successful in Woodridge, Illinois.

"VII. Drunk Driving

"Finally, we ought to make it plain that drunk drivers are not welcome on our roads.

"Vermont continues to average more than 40 highway deaths every year because of alcohol-impaired drivers of all ages. Vermont has the dubious distinction of ranking first in the Northeast in per-capita, alcohol-related highway deaths. That is not acceptable.

"During the 1980's, the General Assembly substantially increased the penalties for Driving Under the Influence. We are having some success with first-time offenders who care about the difference between right and wrong. However, we are failing miserably with repeat offenders.

"I've asked several victims of impaired drivers to join us today to underscore the human tragedies that result from our failure to address this problem. Please welcome them.

"Standing before us are -- the daughters and sons, fathers and mothers, wives and husbands, brothers and sisters -- of victims of drunk drivers. Their lives have been changed forever. Their losses cannot be recovered.

"David was one mile from home when the car he was riding in crashed into another car. The force of the crash killed him instantly. David was 17 years old.

"Andy, married and the father of two girls, was killed by an impaired driver on March 19, 1994.

"Eric, 17, was driving with twice the adult blood alcohol level when his car crashed, killing him and a passenger and critically injuring two others.

"Asa lost control of his car and left the highway. He was found dead the next morning. His blood alcohol level was more than twice the legal limit.

"On November 30, 1990, three children -- ages 13, 11 and 5 -- lost their father. And their mother lost her husband. The driver responsible for Spike's death had a blood alcohol content of .086.

"Timothy was killed when he was a passenger in a car driven by an impaired speeding driver.

"He was 20 years old.

"On April 23, 1990, Billy was struck by a drunk driver. It was the driver's 8th DWI conviction. Billy was 20 years old.

"Thank you [victims of impaired drivers] for being here today.

"I propose that we pass a new Driving Under the Influence law to add to the sanctions already in place.

"First offenders with a high blood alcohol content would have their car immobilized. Multiple offenders would face immobilization or confiscation of the car they were driving.

"Today in Vermont, refusing a breath test is often a clever legal maneuver to evade responsibility for drunk driving. Our proposal would make it a crime to refuse a breath test. You can go to jail and you can lose your car.

"There are individuals all over the state who are enabling terrible injuries on the highways by allowing people with chronic alcohol problems to use their vehicles. This is unacceptable. It must stop. And the only way to effectively stop it is by passing this bill.

"I am very grateful to the bipartisan sponsors of this bill. This is a must-pass bill for *this* Legislature *this* year. If we are not willing to support this law, then we are not willing to support these families who come here to share their private pain.

"These are the kinds of laws we need to pass -- and the kinds of policies we need to support -- to protect our children and to help them grow.

·2010·We will continue to improve our fiscal health without abandoning social progress; ·2010

·2010·We will create new jobs so our kids don't have to leave Vermont for a better life; ·2010

·2010·We will preserve and expand our open spaces so our grandchildren's children will know the Vermont that we know; ·2010

·2010·We will change education to help our kids compete for better job opportunities and help us parents pay for that education; ·2010

·2010·We will reduce teen drug abuse so children can reach their full potential; ·2010

·2010·And we will get drunk drivers off our roads to spare our families the pain these courageous families have shared with us today. ·2010

"And, when we leave this building in May, we will be able to say that these are the actions we took on behalf of our children.

"To conclude, I return to the poem by Ina Hughes.

"We pray for children

"who spend their allowance before Tuesday,

"who throw tantrums in the grocery store and pick at their food,

"who like ghost stories,

"who shove dirty clothes under the bed and never rinse out the tub,

"who get visits from the tooth fairy,

"who don't like to be kissed in front of the car pool,

"who squirm in church or temple,

"whose tears we sometimes laugh at and whose smiles can make us cry.

"We pray for those

"whose nightmares come in the daytime,

"who will eat anything,

"who have never seen a dentist,

"who aren't spoiled by anybody,

"who go to bed hungry and cry themselves to sleep,

"who live and move, but have no being.

"We pray for children

"who want to be carried . . . and for those who must,

"for those we never give up on, and

"for those who don't get a second chance,

"for those we smother, and

"for those who will grab the hand of anybody kind enough to offer."*

"Please offer your hands to them so that no child is left behind because we did not act.

"Thank you."

*Adapted from a poem by Ina J. Hughes printed in Marian Wright Edelman's *Prayers and Meditations on Loving and Working for Children*.

Inaugural address
of

Howard B. Dean

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1999

Thursday, January 7, 1999.
Inaugural and Budget Address

"Mr. President, Mr. Speaker, Members of the Court, Members of the General Assembly, honored guests, and fellow Vermonters:

"On July 29, 1900, my grandmother -- Maria Fahys Cook -- was born. At that time, her family traveled by horse and wagon, by steamboat or by rail. By the time she died 83 years later, she had lived through two world wars, the Great Depression, the Vietnam War and the Civil Rights movement. She won the right to vote, watched the automobile transform America for better and for worse. She lived when the Wright Brothers first flew, and 66 years later she watched men walk on the moon.

"The same year of Maria Cook's birth, outgoing Governor Edward Smith of St. Albans told the legislature:

"The past two years have been full of the spirit of progress and energy ... 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.

"The 20th century now draws to a close. You are the last General Assembly to be elected to serve in this century. I am the last Governor who will be elected to serve in the 20th Century. We have in the two years ahead of us an enormous privilege, a lasting opportunity, and a staggering responsibility to build on the things that Vermonters have done right for the last 100 years -- and to set the tone for the century that is to come.

"Every governor enjoys discussing the merits of their own state. In Vermont that is easy to do. We are a beacon of hope to the rest of the nation in so many areas. In this last century:

"We have shown that good jobs and the strongest possible protection of the environment need not be in conflict.

"We have proven that the best investments we can make are those that support small children and their families before trouble starts.

"We have taken pride in the notion that all of Vermont is one community and that our political disagreements need not take on the partisan tone of the debate in our nation's capital.

"We have shown an extraordinary record of investments in preservation of land as working landscapes; commitments well into the next millennium when none of us in this room will be alive.

"As we leave this century, we will set the stage for the year 2000 and beyond. But we also need to concentrate on the everyday needs of the Vermonters who sent us here and pay our salaries.

"As we lay the groundwork for the new century, I ask you to focus on **two issues**: *education and jobs*.

"A century ago this state relied heavily on farms to support its economy. Today the economy of Vermont, including agriculture, is increasingly knowledge-based. Low-paying jobs are migrating to other parts of the world. More than at any other time in our history, a successful economy which maintains and improves our standard of living will be based on the talents and skills of our workforce. In other words, the key to better jobs in Vermont is a better-educated workforce.

"Since last June, I have stressed four elements of improvement for K-12 education. The first is accountability. Through the New Standards Reference Exam and other assessments, which nearly every school child in Vermont takes, we are now able to compare our schools, and our children's classrooms. Now we can set extraordinarily high standards for our schools -- the highest of any American school system, in fact, the highest in the world.

"We know that Vermont's schools do very, very well on a national basis. But our competition is not New Hampshire or Texas; our competition is Taiwan, Singapore and Germany. The old way of doing business, simply comparing ourselves to other states and then patting ourselves on the back for being in the top ten, is completely inadequate.

"Now we know exactly which parts of our curriculum need to be improved and how to do it. We can even pinpoint classrooms over a period of time which are not meeting these standards, and we can use the New Standard Reference Exam and other assessments as professional development tools to help teachers find new ways of reaching kids. I commend the State Board and the Department of Education for their support and leadership during the institution of this new accountability in all of Vermont schools.

"At present, we have only one teacher in the state who is nationally board-certified, the highest level of certification that any primary or secondary teacher can obtain. Fortunately, we have an additional 21 teachers who are seeking this certification. As part of our efforts to improve standards and professional development in our schools, I ask the Legislature to appropriate \$80,000 for two purposes. First, to guarantee a stipend of \$1,000 per year for every public school teacher who is nationally board-certified, and additionally to pay for half of the \$2,000 test-taking fee for any teacher willing to undergo this rigorous certification.

"I have asked the state board of education to increase the entry requirements for new teachers, requiring that they pass a series of tests, common to all of our Vermont teacher-preparation institutions. I have asked them to complete this work by March so that the new standards are in place for this September's entering class of prospective teachers.

"There is a critical connection between better jobs and better technical education. I am asking this legislature to fund a \$9.9 million new technical education center for the Springfield region. This center will be unlike any other in the state. Students will take college courses offered by the University of Vermont. The Community College of Vermont will move into the center. These courses will also be available to the students. The center will be open nights, weekends and even over the summer, helping Vermonters of all ages improve their educational and job skills.

"In addition, there will be a new partnership leading this effort. Business people will be on the board of the new technical center, along with members of the higher education community and representatives from both sending and receiving school districts. This is a model I hope will spread all over Vermont.

"I call again for the Legislature to enact public school choice. If public schools are to survive and flourish, they must offer families more flexibility. They must reach out to all parents and students, home schoolers and others who feel that public education has not yet met their needs. Even within some families there are different needs. One child may thrive in a large school and enjoy the challenge of many different course offerings, while another in the same family may require a smaller school with more individualized attention. The parents and both students in that family need to have a choice of public schools. In Rutland County over the past two years educators have proven that public school choice works for families and works for schools. I applaud the Legislature for passing the initial school choice legislation last year, and ask you to support the bill this year that supplies the necessary details to implement public high school choice in 2001.

"I ask you to support distance learning. In Grand Isle County last October I discovered that eighth grade Algebra, which was previously not available to most of the elementary schools in that county, was being made

available through interactive television. Today the Algebra teacher at the Folsom Elementary School in South Hero simultaneously teaches the children at the Grand Isle Elementary School via interactive television. By February, this system will be available to all five elementary schools in Grand Isle County. That Algebra teacher, Mary Jane Stinson, is here and I ask Ms. Stinson to rise and be recognized for her commitment to expanding the use of distance learning in Vermont.

"We must make this technology available to all high schools in the state -- and we must do it rapidly. Last year I told you of my dismay in finding that approximately 50 percent of all Vermont high schools offer two, or fewer, advanced placement courses. Today the numbers are a little better, with about 65 percent of schools offering these courses. But we cannot claim that we are serious about improving the quality of our education if so many of our schools offer a bare minimum or, in many cases, no advanced placement courses whatsoever.

"This technology has broader application than advanced placement courses. It has been used successfully at Blue Mountain High School for languages, in Rutland High School and in Canaan for drivers education and will be used next year for other course offerings by Colchester, Milton, and Mississquoi.

"Act 60 may provide equal opportunity for every child financially, but equal opportunity will never be accomplished as long as we have high schools with 200 students being compared to schools with over 1000 students. The only way to equalize academic opportunity is to allow smaller high schools the same access to quality courses that larger high schools already enjoy.

"I have raised private money to help consortiums of high schools put interactive television studios into their schools so they can teach courses at multiple sites at the same time with a single teacher. But the General Assembly also needs to commit to equality of educational opportunity, not just by funding equalization, but by making equal academic opportunity a funding priority. Before the state makes a major investment, local education leaders must also show us that they are committed to using this technology by synchronizing their schedules so that inter-school courses can be successfully taught using this technology.

"Here is another lesson from this 20th Century: Never in our history has the value of a college degree been more apparent. The clear disparity between wages earned by those with a degree and without makes the point. Women with a college degree earn 120 percent more than women without a degree. For men the difference is 62 percent. It pays to go to college. Unfortunately, many Vermont parents and students are struggling under the financial reality of that demand. We can help.

"I am proposing a one-time appropriation from the 1999 surplus of \$10 million which will go into a self-sustaining trust fund to provide scholarships for Vermont students at the University of Vermont or in the Vermont state college system. This is money to benefit the hard-working parents and students who need a better opportunity to go to Vermont colleges, and this is money to benefit our in-state public institutions. We have sent a tremendous amount of Vermont taxpayer dollars out of state through the VSAC program -- I'm not asking you to change this. But I am asking you to generate more opportunities for our students to go to Vermont colleges and the university. This will help make up for the loss of students from other states which refuse to reciprocate with our portable system of college grants.

"I ask that we increase funding to the Vermont state institutions and VSAC by 5 percent instead of the 3.3 percent which this budget asks for state government overall. During the early '90s higher education was underfunded because of the tremendous pressures of the recession. Now is the time to try to make up some of that shortfall. It is also important for our institutions to continue their efforts to control costs so this extra money will benefit students by holding the line on tuition.

"Whatever the cost of K-16 education, I can tell you now that many of those dollars we put in will be wasted unless every child arrives at kindergarten ready to learn.

"My goal in the year 2000 is to make quality child care and early education available to every family who wishes to use it.

"Whether our kids are able to cope with life and accomplish their dreams as they get older, or whether they will become clients of our social service network, and even our prison system, is very heavily influenced by what happens to them between birth and the age of three. Despite the fact that we are envied as the most child-friendly state in the country, and despite our huge drops in teenage pregnancy and child abuse because of the Success By Six program and Dr. Dynasaur, we can work much harder for our children.

"Because of the outstanding leadership of the Agency of Human Services and the Department of Education, we have found a way to finance nearly \$6 million worth of improvements in early education and child care without additional general fund appropriations.

"I also ask this Legislature for \$50,000 to expand the school lunch and breakfast program by helping schools without kitchen facilities to build them. If this effort is successful, I will ask for an additional \$50,000 to finish this program next year.

"What will this money provide? A hot muffin and carton of milk for a child who otherwise would start the day hungry. Soup and a grilled-cheese sandwich for a child who otherwise would sit without lunch, watching other classmates eating theirs.

"Imagine a state in which every child can develop to his or her full potential. Imagine a state in which early child care and education teachers are fully respected and properly paid for their work with children. Imagine a state where no child goes hungry. And, imagine a state in which all parents can go to work in the morning secure in the knowledge that their child will receive loving care and attention.

"That state will soon be Vermont.

"I talk to parents all the time who give me the same message: They want their children to get a solid education, and then find a good job close to home.

"The day I took office I promised that my agenda would be jobs, jobs, jobs, and that has not changed in the seven-and-a-half years that I have been governor. We have seen a significant change in our economy. We have built a stronger manufacturing sector and Vermonters are earning better wages. The addition and expansion of Nastec in Bennington, Mack Molding in Arlington, ETSI in St. Johnsbury, IDX in South Burlington, and Husky in Milton -- to name only a few major industrial expansions in our state -- have provided better jobs and job opportunities for Vermonters.

"Times are good. There are more Vermonters working today than at any time in our history. We have reformed welfare and dramatically reduced workers' compensation costs. Last session we passed a ground-breaking set of tax incentives which have helped finance expansions, creating more than 3,000 new jobs in Bennington, Rutland, Orange and Chittenden Counties. These expansions will deliver almost \$10 million of additional revenue to the general and education funds over the next several years. This was a significant step in giving the business community the tools it needs to grow and prosper. But this is not enough, and we cannot wait until the next recession to make substantial investments in jobs, because at that time we may not have the money.

"I propose several expenditures now which will help the private sector create more jobs and better-paying jobs.

"First, I ask that \$7.6 million be used to re-capitalize the Vermont Economic Development Authority. This amount will last them for another decade before having to re-capitalize again. VEDA will lend money to manufacturers, tourism-oriented industries, and agriculture at reduced interest rates to allow these businesses to expand and prosper. So many small business owners depend on VEDA for this help, none more so than our

farmers. Nearly one out of four farms in this state depends on VEDA for all or part of its financing. This is a critical issue for Vermont's farm families and for jobs in other sectors of the economy.

"I propose \$2.5 million in tax credits for the so-called CAPCO bill. This will allow us to generate venture capital, a consistent shortcoming in Vermont, for the benefit of small business startups. Let us not forget that small businesses are responsible for 80 percent of the jobs in Vermont.

"I also ask this Legislature to update Article 9 of the Uniform Commercial Code and the Vermont Banking Code this year.

"In addition, I ask for the apprenticeship program funding to be increased from \$300,000 to \$500,000. I ask that job training funds in the Agency of Commerce also be increased by \$200,000 over last year's appropriation to ensure Vermont workers have the best skills for the 21st Century workplace.

"I call for an additional spending of \$2 million to fulfill our commitments made during the Act 60 debate to the tourism and travel sector of our economy. I believe that if we do this the return will be substantial. We have learned from Nova Scotia in particular that better regional marketing and use of the internet can cause tourism business to skyrocket. The Internet will finally provide us with the tool for making real marketing of small tourist businesses possible for the first time. For example, the Manchester Highlands Inn in Manchester Center is run by Robert and Patricia Eichorn. In the 1998 foliage season, the inn did nearly 49% of all its business over the Internet. Bob and Pat are here today and I ask them to stand to be recognized for their leadership in this effort.

"This is a worthwhile investment and this Legislature needs to put business up front, and make these kinds of commitments to show that we are serious about jobs.

"One thing that even a century cannot change is our need to be fiscally prudent. The foundation of having a strong business climate in Vermont is to control state spending. I appreciate your support over the last seven years and I ask that we continue on this course. I am presenting a General Fund budget that will grow by no more than 3.3 percent. Although we have additional revenues, we cannot build a base which is not sustainable. Higher education and jobs must come first during this legislature, but so must maintaining a strong commitment to fiscal responsibility.

"I am presenting today a capital budget of \$39 million. Over the past two years we have saved \$4.8 million in interest costs alone because we have no short-term debt. In addition, last year was the first year in memory where the amount of debt *per capita* in this state went down because we retired more debt than we issued. Any Vermont family with a credit card understands the benefits of reducing debt. For the first time in seven years we enjoy a double A bond rating from the Wall Street rating agencies. While we ought to congratulate ourselves for our hard work on this front, it is extraordinarily important again to maintain the fiscal climate the state now enjoys. By continuing to respect the limits recommended by the debt affordability committee, we will continue to reduce our debt, and finally reach the committee's *per capita* debt target by fiscal year 2002.

"In Vermont today, this government has more money than it can responsibly spend.

"I ask this General Assembly to send a strong message to those who create jobs in Vermont and to those who fill them by cutting the income taxes of all Vermonters.

"*First*, I propose to this Legislature that we reduce the income tax by 8 percent to a rate of 23 percent of our federal income tax. Working Vermonters helped out when times were harder; now they deserve a break in the good times. In addition, this sends a clear signal to employers across the nation that Vermont is serious about improving job opportunities.

"*Secondly*, special attention should be paid to those who struggle at the lower end of our salary range. I propose removing thousands of our lowest wage earners from the state income tax rolls entirely. These are Vermonters who are committed to working and supporting their families. Even a small tax break will help these workers pay the rent and keep food on the table. The total cost of these tax cut proposals is about \$35 million.

"We cannot talk about better jobs without talking about infrastructure. During the last campaign I made it clear that I would ask the Legislature to double the number of bridges that we will repair or replace this year. I have laid that transportation budget before the Legislature, and I ask you to pass that initiative. In addition, the amount of money I will ask the Legislature to spend on paving is \$59 million this year, which is 53 percent over what we requested last year. Our focus will be on repairing the bridges and repaving the roads we already have.

"There are large projects on the books, but clearly we cannot do them all at once. My highest priorities are the improvement of Route 7 between Middlebury and East Dorset, and the construction of the Bennington bypass. I said last year, and I have said previously, that the most crucial transportation needs that we have are in southwestern Vermont and we must honor the commitments made many decades ago to bring a first-class transportation system to Bennington and Rutland counties.

"To help support a better transportation system, I will ask to permanently transfer the 3-cent gas tax currently in the education fund to the transportation fund. Over the next three years this will amount to a \$19 million transfer.

"Utility restructuring and reduction of our electric rates are also critical. My ultimate goal is to try to reduce electric rates over a period of years. I have said repeatedly that our competition is not New England; it is other regions of the country and the world. To think that our electric rates are satisfactory because they are the lowest in our region, a region which happens to have the highest rates in the country, is not consistent with good economic development policy. I do not have at this time specific legislative proposals simply because there are extremely intense discussions taking place in the private sector between HydroQuebec, the independent power producers, and the state's utilities. We want to work closely with the Legislature on the issues of protecting our municipalities against ultimate liabilities for the HydroQuebec contract. In addition, there is very helpful legislation introduced in the Senate dealing with excessive revenues received by electric power suppliers at the expense of the Vermont ratepayers. We certainly will be supportive of that legislation as we continue to negotiate in the private sector. Should these negotiations break down, I will come back to the Legislature during the session to ask for additional help.

"Health care is a crucial issue for working people. Last year we passed the strongest bill in the nation designed to protect Vermonters against the abuses of HMO's. Now we need legislation to preserve the non-profit status of our hospitals and HMO's. Although I am a strong supporter of the private sector, there is a fundamental conflict between investor-owned HMO's and hospitals which have a fiduciary responsibility to their shareholders, and health care providers whose first duty is to do what's best for their patients.

"In Vermont we have insured nearly every child under the age of eighteen. But their working parents are not as fortunate. As you know, because of the leadership of Attorney General Sorrell, it is likely that at the end of the next fiscal year we will receive the first down payment on nearly \$800 million from the tobacco companies. Although money from the settlement will not come to Vermont until June 30, 2000, we can now set up the mechanism and properly appropriate that money. I propose that we set up a special trust fund and that the money be spent to educate Vermonters, particularly young Vermonters, about the extraordinary dangers of smoking. Tobacco is an addictive drug that claims the lives of nearly 1,000 of us in Vermont each year. We need to use this money to make it as difficult as possible, and as unattractive as possible, for Vermonters to get caught in this addiction.

"I also believe that substantial amounts of this money ought to be used to improve the health care of working Vermonters who cannot afford health insurance. I am proposing that we expand the Vermont Health Access

Program, which includes assistance for seniors in buying their expensive prescription drugs. I will resist, however, any program that does not have co-payments for those who can afford them.

"I want to turn now to other needs for the next century. We have an extraordinary opportunity to preserve what we value about Vermont's landscape and keep our sense of community. If you think these values are not at risk, look around you at other states: forest lands stripped, big-box stores turning downtowns into ghost towns; grazing fields now supporting condominiums. We in Vermont have a rare gift, a chance to encourage the best growth possible, while holding off the worst aspects of urbanization paving over too much of America.

"As you are aware, the Conservation Fund has purchased the Champion lands. The closing is scheduled for April 1. I view this as a critical development since it is likely that had this not occurred, these lands could have been divided into large estates, private hunting preserves, and other uses - which would have meant the end of a way of life in Essex and northern Caledonia counties. I am asking this Legislature to appropriate in the supplemental budget the sum of \$4.5 million to allow the state to guarantee that the former Champion lands will always remain available to the public for snowmobiling, hiking, hunting, and other forms of recreation. This land will continue to remain a working forest, available to the logging industry and a resource to help develop our value-added timber industry. We negotiated a similar deal with the Hancock Timber investors some years ago, and I think most people in the Northeast Kingdom would say that it has been successful.

"The late Governor Deane Davis said in 1970, 'We cannot make a national park out of the state, but neither do we need to create a commercial jungle. How can we have economic growth and help our people improve their economic situation without destroying the secret of our success, our environment?'

"The answers will not be provided by intensified regulation. The business community and development interests, state and local government, non-profits and local citizens working together will find solutions which respect Vermonters' values and desires for open space, a strong sense of community and economic opportunity. What an opportunity we have in the next few weeks to leave to 21st Century Vermonters the gift of 130,000 acres of natural habitat and decent job opportunities.

"There are other tasks ahead of us.

"I have appointed a governor's advisory group to see what changes we might make to Act 60 that will try to bring Vermonters together. This will require compromises on all sides. I will not back any changes to Act 60 unless they have support of both Republicans and Democrats in this Legislature, and unless those changes have general support of both sending and receiving towns. This is a time for healing divisions, not creating new ones. There are specific fixes for small businesses, for farmers, and for the sharing pool, that could be accomplished with compromise. But most importantly, I will not allow the fundamental principle of Act 60 -- that every Vermont student will have the same opportunity for education as any other Vermont student -- to be taken away. I encourage legislators of different parties and different beliefs to work together and find the compromise necessary to end the emotional debate over how to achieve equity in the fairest way.

"There is another issue requiring equity and fairness that is far more important than the way we fund our schools. By the year 2050 there will be more American citizens of non-European descent than there are those of European descent. Vermont has long been known as the least diverse state in the nation. That is rapidly changing. Today 11 percent of all the students in the Burlington school system are students of color. That is a ten-fold increase in the last 20 years. Because Vermont is only now becoming a diverse, multi-cultural state we have an opportunity to avoid mistakes made elsewhere. It is extraordinarily important that we begin now to set a tone which condemns racism and makes sure that all citizens are equal and accorded the respect they deserve. We must learn as Vermonters to respect each other for who we are, not what we are. Dr. H. Lawrence McCrorey of the University of Vermont has said, 'Multicultural education is not the best we can do for our students; it is the least we must do for them. Without it, we will be preparing a citizenry devoid of global understanding and ill-equipped to function in this rapidly changing, diverse society. . . . Of all the social forces,

education has the greatest chance of bringing about change, ridding our society of the 'isms', and moving us towards a real democracy where justice and fairness prevail.'

"Larry McCrorey is with us today, and I ask him to please stand and be honored for his lifetime of service to the state in promoting understanding among all Vermonters.

"I have evaluated many programs to attack bigotry and prejudice, and some are being used successfully in our Vermont schools today, but I am convinced that children of all colors need role models of all colors in order to humanize our differences. Therefore, I propose two appropriations. The first is \$100,000 to the Coming Home Foundation to be matched by them on a one-to-one basis. This program recruits Vermont high school students of color and supports their higher education aspirations in order to keep them in Vermont in secondary and elementary teaching positions. These Vermonters become role models for all young Vermonters and can serve as bridges between minority and majority communities.

"*Secondly*, I propose \$30,000 in pilot grants to three public schools that are willing to undertake year-long efforts to promote tolerance, diversity, and understanding among different ethnic groups in Vermont.

"The United States is the most diverse nation on earth. Our school system binds us together and gives us a forum for understanding who we are as Americans of many different backgrounds. In Vermont we have a greater opportunity for dispelling unwarranted, preconceived notions of each other, and I believe these programs will help us continue along that course. It is not an exaggeration to say that our survival as a country depends on our ability to respect each other and build upon our differences rather than allowing those differences to divide us.

"Governor George Aiken had this view from his window in 1938: 'I look off to the east and see Mount Monadnock rearing its peak through the clouds. Tonight the lights of the neighbors' houses twinkle in friendliness and neighborliness from a dozen locations. Some of these neighboring houses are better than mine, some of them not quite so good. None of us would willingly move away.'

"My hope is that 100 years from now, as the governor takes the podium to address the Legislature of 2099, the view from Governor Aiken's window -- indeed the view from the lives of every Vermonter -- remains the same.

"None of us would willingly move away.

"Thank you."

Inaugural address

of

Howard Dean, M.D.

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

2001

Thursday, January 4, 2001

Inaugural Address

“Mr. President, Mr. Speaker, members of the General Assembly, members of the Vermont Supreme Court and fellow Vermonters:

“Governor Robert Stafford -- in a Christmas speech made 40 years ago -- extolled our future:

‘We are justified in having great faith in Vermont. She will surely continue to grow economically and spiritually. She will continue to provide us with a place in which democracy can flourish, in which we can live with comfort and dignity, and in which our children can enjoy an abundant life.’

“Governor Stafford, it gives me great pride to stand before you today and say: Your faith in our Vermont is justified. Forty years later, Vermont continues to provide us with a place in which democracy flourishes, in which we live in relative comfort and dignity, in which our children enjoy a more abundant life.

“It is not the same state you governed 42 years ago. The population has nearly doubled; the General Fund budget has increased ten-fold. Interstates run border to border, turning the drive from New York, Boston and Montreal into an easy day trip. Our economy is dependent upon events far beyond our borders.

“In 1986, when I went to my first meeting of the Vermont Trappers’ Association in Tunbridge, we talked about anti-trapping bills and loss of habitat. This past summer, at the Trappers’ meeting in Barton, the discussion was about the price of pelts in Russia. Whether we approve or not, Vermont is integrated into a global economy.

“What we treasure most – our values and our self respect -- have been tested, but remain unchanged. Governor Stafford, we are the same Vermonters you spoke of 40 years ago when you said our challenges require great strength, inspired wisdom, fortitude, forbearance, and self discipline. We are the same Vermonters you spoke of this fall when you reminded us that ‘everyone in the country is better off living under a society based upon love of each other.’ These remain the guiding principles that continue to shape Vermont’s destiny.

“For a long and wonderful career as Vermont Attorney General, Lieutenant Governor, Governor, United States Representative, United States Senator, and now Senior Statesman, I ask Robert Stafford and his wife Helen to stand and be recognized.

“We walked into the Statehouse today after a difficult – at times contentious – election. We entered that election after a difficult – at times contentious – legislative session.

“But we need not walk into this Statehouse today a divided Legislature.

“We are teachers, farmers, social workers and business owners. We are employers and employees. We are old and young. We are liberal, conservative and everything in between. We are neighbors; and we are friends.

“I am a doctor who believes that *every* Vermonter deserves affordable health care. I am a father with two children in the public schools who is dedicated to a better public education for all Vermonters. I am a hiker determined to preserve our most beautiful landscapes and to improve our lakes, streams and rivers.

“At this moment we are not divided. We are Vermonters.

“At this moment we are united in one mission: To ensure that when we leave this Statehouse in April, this state remains a place where democracy flourishes, where we can live with comfort and dignity, and where our children can enjoy an abundant life.

“I have observed in this building – in one capacity or another since 1983 – that the most effective and most wonderful pieces of legislation happen when people disregard their party affiliation and work together so that great things may be accomplished. That is very hard work, and we will not always agree. But even our disagreements are part of this democratic process. Everyone will be heard; not everyone will get their way.

“I urge us all never to take our differences personally, and never to lose sight of the goal that each one of us share.

“Former Governor Phil Hoff said in 1965:

‘Ours is a time not of triumph but of dedication.
We meet here not as exponents of party but as stewards of hope.
We share a sacred trust, the future of our great state.
Let us draw that future in bold strokes with confidence in our mission.’

“Today *we* are the stewards of our future. Let’s work together in the best tradition of Vermont to chart a thoughtful, moderate course -- respectful of all, but as Abraham Lincoln urged, ‘with malice towards none.’

“Over the past 25 years, we have crafted extraordinary legislation which has brought us to the forefront in areas such as equality of opportunity in education, stringent environmental protection, nationally recognized health care programs for children, working Vermonters and seniors, as well as human rights. We cannot retreat from these principles.

“Next week I will give my annual budget address. Because policy and budget are so closely tied, you will hear my thoughts on where much of the state’s policy regarding education, economic development and environmental protection should go. We will spend a lot of our energy in this session on reforming these achievements, such as Act 250 and Act 60, and preparing to move them into the 21st Century.

“But just as Bob Dylan said, ‘Those who are not busy being born are busy dying.’ It is not enough for us to spend this legislative session rehabilitating and retooling past legislative achievements. We must have an achievement to call our own.

“I propose that our achievement – the achievement of this biennium – is to design and implement a better system of health care in Vermont.

“Health care presents us with three problems. The first is that costs are going up at two or three times the rate of inflation. This makes it difficult for Vermonters to buy health insurance, particularly those who either own or work for small businesses. The second is availability. Even those 210,000 Vermonters with publicly financed insurance – 120,000 on Medicaid and 90,000 on Medicare – have an access problem. This comes in part because the state underpays providers for their services and because in some areas of the state there are simply not enough providers.

“Finally, we have one of the lowest number of uninsured citizens in the country. But if you are one of those 6 percent working hard to support your family, working for an employer who cannot afford health insurance, the fact that you are one of only 6 percent does not pay the doctor’s bill.

“This biennium our goals for health care are finding ways to control costs, helping small businesses afford private coverage for their workers, and making government-guaranteed insurance for children, seniors and working Vermonters sustainable. This also means assuring access to health care for every Vermont citizen.

“We will never control costs without universal access. Vermont deserves a health care system where small business men and women are not bankrupted by trying to treat their employees responsibly, and Vermont deserves a system where *all* Vermonters have access to health insurance and to health care.

“First and most importantly, this is what Vermonters are asking for -- like the 141 employees at the firm Tivoly in Derby Line, who wrote me recently saying:

‘The rising cost of our health care has gotten to the point we are forced to make a decision whether to pay these exorbitant premiums or gamble our families will remain healthy. People are scared and rightly so. The working class people should never be put in this position of choosing between food and medicine. ... We at Tivoly are looking at an uncertain future at the moment. What must we sacrifice: food, fuel for heating our homes, gambling with no health insurance, or just maybe losing everything we’ve worked all our lives for.’

“This the cost of doing nothing: Uncertainty, insecurity and sacrifice.

“Secondly, this is a balanced Legislature, a blend of the political spectrum that working together can craft a balanced and thoughtful plan for ending the uncertainty, insecurity and sacrifice voiced by those Tivoly employees.

“This need not be a partisan issue. On every legislator’s desk I’ve distributed an article from the October issue of the Atlantic Monthly which talks of an extraordinary meeting between Rep. Jim McCrery, a conservative Republican from Shreveport, Louisiana, and Rep. Jim McDermott, a liberal Democrat from Seattle, Washington. After listening to these two political opposites voice a commitment to health care reform, author Matthew Miller wrote:

‘The story of the coming ‘grand bargain’ on health care is one of Democrats accepting the existence of a private insurance industry and Republicans accepting the need to help make sure that everyone can buy a decent policy. It is a story of liberals agreeing that innovation shouldn’t be regulated out of U.S. health care and conservatives agreeing that justice has to be regulated into it. It is possible,’ Miller continued, ‘because an old-time single-payer liberal and a conservative Republican sat down with me and proved that the thing can be done.’

‘We are fortunate in Vermont. We have a strong health care system. The quality of our care is ranked second in the nation. Although our insurance premiums have gone up, they still remain among the lowest in New England.

‘Nonetheless, in Vermont and in America as a whole, we have continued to postpone making the kind of changes we need to make. We need to address cost shift. We need to address cost control. We need to address access for all Vermonters.

‘This is a particularly important time to tackle these issues. We are beginning a period of decrease in our economic vitality, when the growing challenge will be to consolidate our current gains in health care and help strengthen access for businesses and individuals to viable and affordable health insurance.

‘As I look back over the decade I have served you as governor, some of the best social legislation has been signed into law because the frugality of the early 1990s required us to focus on prevention and forward-thinking policy. Success by Six, the expansion of Dr. Dynasaur, and welfare reform were all careful products of a Legislature which knew that it could not solve problems by creating big-spending programs. The results of these efforts are extraordinary: a nearly 50 percent decrease in child abuse, a 43 percent decrease in teen pregnancy, and a 47 percent decrease in the number of Vermonters receiving welfare benefits.

‘All of these were done when we knew we could not spend a lot more to meet our objectives. This is a Legislature which will not have great recurring surpluses to spend on new programs. But this is another opportunity to make social progress in a fiscally responsible and sustainable way.

‘Let me talk for a moment about what will *not* work. Vermont has a system of community rating where all age groups are charged the same for their coverage, despite the fact that older people use more health care than younger people. Some insurance companies left the state because they wanted to avoid insuring older people so they could make plenty of money by only covering low-risk Vermonters. Eliminating community rating will not make health insurance more affordable or more accessible. It will simply add on another cost shift, causing those employees over 50 and their employers to pay even more money so that costs can be reduced for those under 35. I don’t believe Vermonters want this solution.

‘Our challenge is to find solutions that *will* work. Thanks to the hard work of our Congressional delegation, and because we are one of the states which is closest to achieving universal access to health insurance, Vermont has received a \$1.3 million grant which will help us chart a course toward universal health insurance in our state. That report will be due next October, but we cannot wait until next fall to deal with this issue. Small businesses and Vermont ratepayers cannot afford another 20 percent increase; 6 percent of Vermonters cannot afford to live with the uncertainty of no health coverage.

‘I have deliberately avoided laying out the specifics of how I believe our three goals of cost control, reducing the cost shift and universal access should be achieved. I want this to be *our* plan, not *my* plan.

‘I can promise you my support, my hard work and my leadership in achieving these goals. But I cannot do this without your support, your hard work and your leadership.

“Today I will ask the chairs and vice chairs of the House and Senate Health and Welfare Committees to join two of my appointees on the Governor’s Special Commission on Health Care, which will be chaired by former Human Services Secretary Cornelius Hogan. This bipartisan group will analyze data and travel the state talking to employers and others concerned with rising health care costs to find ways we can achieve the dual goals of controlling costs and guaranteeing universal access.

“We have this unique opportunity today precisely because the recent elections have empowered both Republicans and Democrats to sit at the table. Everybody has a voice in this process. No one party can dictate the outcome.

“In addition, on February 12 I will co-convene a small business meeting with the Vermont Chamber of Commerce and employers from across the state to discuss health care costs. I invite the Speaker and the Committee on Committees to send representatives to that meeting, or to attend themselves.

“In the budget address you will see an additional \$8 million set aside from our recurrent surplus simply to cover the state’s health care obligations. This has nothing to do with how many health insurance companies are in Vermont. For example, our own state employees’ rates went up an average of 33 percent last year and are expected to rise an average of 20 percent this year. We are self-insured. The insurance market plays no role in setting our rates. We are simply state employees – and like most Vermonters – are using more health care.

“We have increased reimbursement for doctors in recent years because of the enormous inflation in health care costs, but we cannot afford to continue that unless physicians and hospitals agree to lower the growth rate in their budgets. Addressing the cost shift could slow insurance premium growth, but without fiscal restraint on the part of providers and drug companies we will simply be adding new revenues to a system which already consumes nearly 15 percent of our gross national product. In Vermont, that means increases of three or four times the rate of inflation.

“I am willing to make a good faith effort to address the cost shift. But in return, we must have a guarantee of lower budget growth and better efficiency in our medical system.

“The reduction of the cost shift, however, is simply a first step. The real goals must be better cost controls so that small business can continue to offer health insurance as a benefit, and universal insurance for all Vermonters.

“As Rep. McCrery and Rep. McDermott discovered when they sat down together in Washington, only by casting aside ideologically driven visions can we accomplish what our people deserve. This is not a conservative or a liberal issue. This is a Vermont issue.

“In 1974, Governor Tom Salmon told the Legislature:

‘Let us never forget that Vermont is more than the Governorship and the General Assembly. It is the sum total of the toil and the hopes and aspirations of every human being who resides within our borders. It is the farmer who gets up long before sunrise to tend to his herd; the housewife in the kitchen canning the fruits of the harvest; the lineman who climbs poles covered with ice to fix wires during the storm; the truck driver who drives while we sleep so that we may have food on our table; the teacher and the clergyman who tend to the young and comfort the afflicted.

‘All of these and a thousand more are the sum total of what Vermont is, and with God helping, what Vermont will always be.’

“Let us sit down, Republican and Democrat, independent and Progressive, conservative and liberal, and think of those people we were sent here to serve.

“We are the stewards. This is *our* future to paint in bold strokes ... and with confidence.

“Thank you.”

Inaugural address
of
Paul Dillingham
As it appears in the
Journal
of the
House of Representatives
Annual Session,
1865

Friday, October 13, 18654
Inaugural Address

Gentlemen of the Senate
and House of Representatives:

After the anxiety and agitation of four years of bloody war waged by the Union for the preservation of national existence, we are permitted again to meet, in the calm of peace, to discharge those duties imposed upon us by the Constitution, and demanded by the best interests of the people we represent.

During the past year it has pleased Almighty God to grant us great and signal mercies; for this let us join in rendering Him our humble thanksgivings, while we sincerely implore His aid and guidance in the discharge of all our official and personal duties.

FINANCES

From the Treasurer's report, herewith submitted to you, it appears that the balance of cash in the treasury, September 5, 1864, was	\$424,096 56
That the receipts into the treasury from all other sources during the year to September 5, 1865, were	\$1,585,172 95

Making in all the sum of	\$2,009,269 51
That during the year there has been paid out and disbursed the sum of	1,996,772 50

Leaving in the treasury, Sept. 5, 1865,	\$12,497 01
The funded liabilities of the State, Sept. 5, 1865, amounted to \$1,650,000 00, consisting of outstanding State bonds.	
The present current liabilities of the State are	\$207,575 56
The current resources, including the balance in the treasury, Sept. 5, 1865, are	\$23,411 60

Making an excess of current liabilities of	\$184,163 96
The estimated expenses for the current year, are:	
For interest on bonds and loans,	108,750 00
For all other State expenses,	175,000 00

Making to be provided for,	\$467,913 96

The grand list of the State is about one million of dollars, and a tax of fifty cents on the dollar will probably raise money sufficient to cover the current liabilities of the year.

We are not to forget, however, that we have a large funded debt which will be burthensome to meet, if none of it is provided for before it falls due. The close of the war, and the return of our soldiers, has very greatly diminished our current expenses, and at the same time our agricultural, and all the other industrial interests of the State, were never in a more prosperous and healthy condition; and I feel confident that any amount of taxation, demanded by the best interests of the State, will be met cheerfully by the people, and its payment will not be felt as burthensome.

The Treasurer estimates that a State tax of sixty-five cents, on the grand list of this year, would raise \$150,000 above the current expenditures, to be applied in purchasing in outstanding State Bonds; and that for the next six years a tax of forty cents on the dollar of the grand list, yearly, will raise a sum sufficient to meet

the current expenses of the State, and leave a yearly surplus of \$150,000, to be used in buying the State Bonds as they come into market. Should this be done to that extent, in 1871 but \$750,000 of our funded debt will remain unpaid; a sum that can easily be provided for as the bonds fall due.

Our State Bonds are now selling at a discount of four or five per cent., and should gold continue to command a premium, as it will be likely to do for a considerable time yet to come, this, with the fact the general government and most of the states are paying a higher rate of interest than is paid on our bonds, will probably depress their market value to a still lower point. If the State is in funds to go into the market as a purchaser with others, it will be able to make a positive gain on its purchases, beside stopping the accruing interest.

Connected with this subject of raising money by taxation, we are to remember that all our property, no matter by what name called, except such as is expressly exempted by positive law, should bear its equal proportion in the burthen of taxation. If our laws produce that result now, then all is well on that score; but if they fail to accomplish that end, your scrutiny should lead you to their proper amendment.

SALARIES AND FEES

By our present law, the state's attorneys of the several counties are salaried officers. Compensation in this mode is made more to depend upon the population of the several counties, than on the labor done and service rendered to the State; and I submit to your judgment whether this mode has not a natural tendency to diminish watchfulness over the public interest by those officers. As far as my own personal observation extends, I am induced to believe that crime, now, is not so thoroughly ferreted out, and the criminal so certainly brought to trial, conviction and punishment, as when these officers were paid for what they did, and for nothing more. If this be the fact, our present law is defective and unwise.

JUVENILE OFFENDERS

Permit me, gentlemen, to call your attention to that class of the rising generation denominated juvenile offenders. This class embraces children of both sexes, and their number is very sensibly on the increase. To reform such, while they are undergoing restraint as a punishment, should be our unceasing endeavor. Very few crimes committed by this class are punished by confinement in the State Prison, and though confinement there is somewhat reformatory, yet the stigma of having been in State Prison is almost forever ineffaceable. Far the greater number of juvenile offenders are, of necessity, punished by confinement in the county jails, where they are most generally associated with old and hardened criminals, who at once devote themselves to teaching these children the art and mysteries of crime; so that, when discharged, instead of being reformed, they are more likely to be thoroughly corrupted.

Would it not be for the true interests of the State to establish a home, or house of refuge, where this class could be confined, under such regulations as would be likely to minister both instruction and reform, in connection with a just and merciful punishment?

COMMON SCHOOLS.

The report of the Secretary of the Board of Education shows, upon the whole, an encouraging state of our common schools. The efficiency and success of these schools, which are the nurseries of our coming men and women, cannot be over-estimated.

It seems that teaching in these schools is gradually passing from male to female hands, with an apparent proportional improvement in the schools. This is flattering to female teachers, but speaks poorly of the other class. I fear that the better class of male teachers leave the State for other localities, where their services command a better remuneration, - leaving the less competent and accomplished teachers to polish our home jewels.

Should not the character, learning and aptness to teach, on the part of those offering themselves for examination, be more thoroughly ascertained before they receive a certificate; or, if this is not practicable, could not something be done, by requiring graded certificates, distinguishing between the candidate of a low class of qualifications, and the one who is a thorough scholar and apt to teach. This might serve to stimulate those

proposing to teach to greater improvement, and also aid the school committee more easily to ascertain the fitness of those offering to teach.

DEAF, DUMB AND BLIND.

The expense of our State pupils, deaf, dumb and blind, who are now receiving instruction at the institutions designated by law, has very much increased, so that an increase of the standing yearly appropriations for these unfortunate classes of our citizens should be made. There are now twenty-one deaf and dumb pupils at the Asylum at Hartford, Connecticut. Until the past year, the expense of each pupil yearly was \$125; but last year the price was raised to \$200, of which notice was given to the Governor of the State. He, however, believing that it would not be in accordance with the humanity of our people to withdraw any of our pupils for this cause, permitted them to remain. Their expense will exceed present appropriations for the year. I therefore recommend an appropriation to meet the deficiency, of a sum not exceeding \$1000. The New England institution for the instruction of the blind also raised their charges from \$200 to \$250 per year. I therefore submit to you the propriety of increasing the annual appropriation for the deaf and dumb to a sum not exceeding six thousand dollars; and that for the benefit of the blind to a sum not exceeding thirty-five hundred dollars.

SOLDIERS' NATIONAL CEMETERY AT GETTYSBURG.

In December, 1863, the committee having that matter in charge, estimated the whole expense of that cemetery, including a monument, at the sum of \$63,500, and \$25,000 of this was designed for the monument. On that estimate, the proportion of Vermont was \$1,260, which, under the appropriation of the last session, has been paid; but, immediately after those estimates were made, a great rise in the price of labor, and materials of all descriptions, took place, so that the estimate falls short of the actual expenses, by about fifty per cent. Everything connected with the cemetery is completed, except the monument. The corner stone of that was laid July 4, 1865, and the work is in an advanced state of completion. The balance of our State proportion of the whole cost is \$630, which has already been drawn for on the Executive, but its payment awaits an appropriation by the Legislature. I hope it may be promptly made, as the faith of the State is pledged for our proportion.

MILITARY

War has ceased; the great rebellion, conceived in sin and brought forth in iniquity, which purposed no less than the destruction of our nationality and the death of our Union, while it made permanent and forever perpetuated the abominable institution of negro slavery as an American institution, has been overcome, conquered and beaten down; and, in the merciful providence of an overruling God, slavery and the rebellion came to an end together. They both died at the same time, and we may well hope that neither will ever have a resurrection. In their place, Freedom and Peace are assuming their benign and rightful sway. Our prayers may well be, that of their dominion there shall be no end.

The Adjutant and Inspector General's very valuable report will fully advise you as to the number of men furnished by the State for the late war, and to what extent they have been discharged and mustered out. It also gives you the needed information as to what has been done in arming, uniforming and organizing the militia of the State, during the past year.

During the war since 1861, it appears that Vermont has furnished thirty-four thousand five hundred and fifty-five men; thirty thousand seven hundred and fifty-five of these were volunteers, and three thousand eight hundred were drafted men, and substitutes furnished. From this it will be seen that, during the war, about one-ninth of our entire population served as soldiers. This is a bright and glorious record for Vermont. And such soldiers, too! bravest among the brave; none better ever adorned the history of any state or nation. We owe to these noble men, living or dead, an imperishable debt of gratitude, love and honor. This debt should be recognized by such marks of respect and justice as legislation only can furnish.

Since the war closed, our troops have been mustered out from time to time, till, on the first of October, 1865, we had in service only the Seventh Regiment, numbering five hundred and eighty-two men; and four companies of the Ninth Regiment, numbering three hundred and eighty-eight men; total, nine hundred and seventy.

Since that date an order has been issued for mustering out the four companies of the Ninth Regiment, and I am informed, that it is the purpose War Department to muster out the Seventh Regiment during the present fall or coming winter. When this is done, our State expenses for pay to soldiers and aid to their families will entirely cease.

If other subjects come to my notice during the session, demanding your action, I shall communicate them to you without delay. I am not unaware, gentlemen, that the whole field of legislation is open to you, and that your own experience and vigilance will doubtless lead you to all proper legislation, while your prudence will prevent all that is unnecessary.

OUR STATE

The fundamental law of our State declares, “that all men are born equally free and independent, and have certain natural, inherent and inalienable rights, among which are the enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining happiness and safety.” Our motto is “FREEDOM AND UNITY.” Our laws and institutions are all based on the principles so early avowed. In the face of the law, we are all equal; at the ballot box, in our courts of justice, and in all our institutions of learning, our rights are the same, no matter what is our color, or what our race. On this basis of equality we have lived and prospered. From its effects we have not felt or feared social degradation. Our people are intelligent, frugal, industrious, enterprising, prosperous and happy; and we cannot but hope that the equality, which has so blessed us, may yet, and speedily, become the primary law of every state in our Union.

I close this communication by the expression of an earnest hope, that you, gentlemen, in all your deliberations, may be guided by an earnest desire so to legislate that your labors shall tend to increase the material interests of the people, and add lustre and honor to our beloved State. May the blessing God rest upon your labors, and crown them with happy results.

PAUL DILLINGHAM.

EXECUTIVE CHAMBER, }
Montpelier, Oct. 13, 1865. }

Inaugural address
of
Paul Dillingham
As it appears in the
Journal
of the
House of Representatives
Annual Session,
1866

Friday, October 12, 1862
Inaugural Address

Gentlemen of the Senate

and House of Representatives:

Having assembled, in accordance with the requirements of the Constitution, for the discharge of the duties, and the fulfillment of the trusts imposed upon us by that instrument, I avail myself of the earliest opportunity to communicate to you such information respecting the prominent public interests of the state, as will enable you the more readily to enter on the business of the session.

FINANCES.

From the Treasurer's report, herewith submitted to you, it appears that the balance of cash in the treasury, Sept. 5, 1865, was

\$12,497 01

The receipts of the treasury from all other sources, to Sept. 10, 1866, have been

984,061 48

Total,

\$996,558 49

During the year to Sept. 10, 1866, there has been paid out by the Treasurer, in all,

\$967,981 82

Balance of cash in the treasury, Sept. 10, 1866,

28,576 67

Total,

\$996,558 49

For a detailed statement of receipts and disbursements, reference is made to the Treasurer's report.

The Treasurer's classified statement of receipts and disbursements, for the year proper is as follows:

RECEIPTS.

Taxes,	\$599,372 06
Agricultural College fund	8,072 00
Sale of real estate by the Auditor,	1,324 75
License for circus,	3,000 00
Safety fund notes, collected in part,	400 00
Loans of 1864 and 1865,	284,000 00
Soldiers' allotments,	1,328 30
Balance, Sept. 5, 1865,	12,497 01

	\$909,994 12

DISBURSEMENTS.

Ordinary and war expenses, balance,	\$291,083 19
Pay rolls, militia – less fines,	29,948 94
Soldiers' allotments,	18,100 43
Agricultural College fund – invested in bonds,	4,000 00
Safety fund repaid,	5,625 00
Loan of 1859 – balance paid,	25,000 00
Loans of 1864 and 1865 – paid,	284,000 00
Balance of interest account,	123,659 89
Credit sinking fund,	75,500 00

Bonds of 1871 – paid,	\$24,500 00
Balance in treasury, Sept. 10, 1866,	28,576 67

	\$909,994 12

The liabilities and resources of the State at date of Treasurer's report are as follows:

State bonds outstanding – viz:

Due June, 1, 1871,	\$875,500 00
Due December 1, 1874,	250,000 00
Due December 1, 1876,	250,000 00
Due December 1, 1878,	250,000 00

	\$1,625,500 00

The \$75,500 00 credited to the sinking fund, and \$50,000 00 which the Auditor expects to receive soon from the General Government, are intended for applications on these bonds.

CURRENT LIABILITIES.

Due allotments,	\$21,276 91
Due Receiver of Danby Bank – safety fund,	6,750 00
Due towns – U.S. Surplus fund,	11,176 18
Due Agricultural College fund,	4,137 10
Due extra State pay – estimated,	20,000 00

	\$63,340 19

CURRENT RESOURCES

Balance in the treasury,	\$28,576 67
Due on tax of 1865,	5,877 56
Surplus fund notes unpaid,	1,100 00

	\$35,554 23

Excess of current liabilities,	\$27,785 96

ESTIMATED CURRENT EXPENSES.

Interest on bonds and loans,	\$96,000 00
Other State expenses,	170,000 00
For sinking fund – installment on bonds,	\$150,000 00

	\$416,000 00

Total current liabilities for the year,	\$443,785 96

To meet this sum a tax of forty-five cents on the dollar on the grand list will be required; and as our people in every department of business are prosperous, and have ample means to meet this amount of taxation, it will almost certainly be consonant with their wishes to pursue the policy of applying yearly \$150,000 00 as a sinking fund, to lessen the funded debt in advance of its falling due.

Orders were drawn by me on the State Treasurer from October 24th, 1865, to January 1st, 1866, amounting to \$7,669 51, which may be classified as follows:

Services and expenses of recruiting officers,	\$128 45
Services and expenses of arresting deserters,	6 25
Defense of the frontier,	372 03
State pay prior to muster, and pay of officers,	114 60

Expenses organizing State militia,	102 84
Expenses of State military commission at Washington,	129 60
Expenses of Adjutant and Inspector General's office,	300 00
Transportation of Vermont officers, soldiers, &c.,	890 14
Expenses of State Treasurer's office, December 1, 1864, to December 1, 1865,	5,625 60

Since January 1, 1866, all orders on the treasury have been drawn by the Auditor of Accounts, in accordance with the provisions of the act approved November 9, 1865, entitled "An act defining the duties of certain State officers, and for the protection and benefit of the treasury."

By the provision of the same act, the governor of the State was relieved of all care and responsibility relating to the settlement of the claims of this State against the United States, and the entire duty of their adjustment and final settlement was transferred to the Auditor of Accounts, to whose report I refer you for information on the subject of those claims, as well as for details of claims allowed by him against the State.

On the 31st of October, 1865, the Quartermaster General submitted to me the following schedule of military property belonging to the State, which he recommended should be sold, to wit:

One telescope rifle, 1 target rifle, 1 coil lead pipe, 20 small tables, 87 chairs, 61 straw hats, 139 pairs cotton trowsers, 180 pairs overalls, 187 denim frocks, 28 grey coats, 243 bed sacks.

I appointed a board of survey to examine this property and on their report and recommendation, on the 14th day of November, 1865, ordered the Quartermaster General to sell the same at auction, which he afterwards did. This property was old and had been more or less used.

On the 5th day of December, 1865, the Quartermaster General had the following new property in his hands belonging to the State, to wit:

Thirty-seven hundred wool blankets, 2500 rubber blankets, 1200 rubber ponchos, 7776 canteens, 7776 haversacks, 1118 table knives, 1156 table forks, 575 tablespoons, 636 tin plates, 709 tin cups, 175 candle-sticks, 112 pepper-boxes, which he recommended to have sold, for the reason, that it was almost impossible to preserve the most of it from injury, if not destruction, through a succession of summer, that it would be useless till wanted for the militia when called into active service, and that when, if ever, such an event should happen, similar property could probably be purchased in market for less than this would now sell for.

On this application, a board of survey was appointed, composed of C.C. Wilson, Colonel 4th Regiment Vt. State Militia, W.H. Ballou, Captain 4th Regiment Vt. State Militia, C.C. Putnam Jr., Captain 4th Regiment Vt. State Militia, who, on examining said property, recommended its sale. Their report was confirmed, and the Quartermaster General authorized to sell the same, at such time or times as he saw fit, with directions to stop or suspend the sales when, in his opinion, it was not selling at remunerative prices. Under these orders he sold property to the amount of \$6,235 64, when, finding that the United States were selling like property, in very large quantities, all over the country, thereby depressing prices, he suspended further sales; but said order is still in force, and the residue of that property will be sold under it, during the present fall and coming winter, unless the Legislature direct otherwise.

STATE AID

Hon. John Howe, Jr., agent for the distribution of State aid to soldiers' families, has made his final report, showing that, from September 1, 1865, to April 15, 1866, he disbursed, under the acts of April 26, 1861, and November 14, 1862, the sum, in all, of \$582 18. The agent states that there is now no outstanding claim under either of those acts. I herewith transmit said report.

VOLUNTEER TROOPS.

Since the last session of the Legislature, the four companies of the 9th Regiment and the entire 7th Regiment of Vermont Volunteers have been mustered out in the state of Virginia, December 1, 1865, and the 7th Regiment at Brownsville, Texas, March 14, 1866. From these points they returned to Vermont, where they were paid and

discharged. Thus all the obligations of Vermont, in connection with the active prosecution of the war for the preservation of the Union, have been performed, and all the organizations sent from the State, and which have contributed so largely to its reputation and honor, and to the final success of the national arms have ceased to exist as such, and the officers and men composing them have laid aside their arms, assumed the garb of the citizen, and have quietly mingled with the mass of the community. All honor to these noble men that yet live; all respect, undying respect, to the memories of the fallen, who so cheerfully gave their own lives that their country might continue to live!

The original numbers that composed the different Vermont organizations for the war, were:

Officers,		702	
Enlisted men,		17,828	

			18,530
<i>Gain.</i>			
Appointed commissioned officers,	58		
Enlisted men,	10,379		

			10,437

Aggregate number,			28,967
<i>Loss.</i>			
By promotions to U.S. A.,	143		
Transfers to other organizations,	1,136		
Total by death	5,128		
Total by discharge,	5,022		
Deserted,	2,219		
Dropped from rolls,	5		
Not finally accounted for,	75		

			13,728
Total of loss (brought from preceding page),			13,728
Mustered out of service, in all,			15,239

Aggregate,			28,967
Veterans re-enlisted,			1,961
Enlisted in the U.S. Navy, Army and Marine Corps,			1,339
Drafted men, paid commutation,			1,971

Total number of men furnished by this State,			34,238

NORMAL AND COMMON SCHOOLS.

For many years there has been an increasing strength of public sentiment in this State favorable to the adoption of some adequate means of supplying a more specific course of instruction for the teachers of our common schools. This sentiment has increased very rapidly, and has become more and more defined within the past few years, until the great majority of thoughtful friends of popular education seems thoroughly united in desiring the establishment of some system of State normal instruction.

The national troubles, and the very large expenditures induced thereby, have hitherto delayed any attempt to inaugurate such system as would respond to the general demand; for, while all have been united in opinion that we were in duty bound to lose nothing of the ground already gained in the field of educational labor, all have equally agreed that the heavy burden of our taxes rendered it unadvisable to undertake any new enterprises,

however laudable, which must necessarily increase so largely the State burdens, as would be done by the attempt to establish a system of State normal schools similar to those of some of our sister states.

Within the last year, the way seems to have been opened by which a beginning may be made in the accomplishment of this important work, and at very slight expense to the State. The trustees of Orange County Grammar School – an institution of established character – have proposed to the Board of Education to surrender up the use of their school property for a term of years, for the purpose of converting their school into a State Normal School; the Board of Education to establish courses of study, the first to include all the branches required by law to be taught in the common schools, and the second to be more rigid, and to require in its mastery a year's longer time; the board to determine the qualifications for admission to and graduation from the school, and to attend, by its agents, upon all examinations, and decide who shall be allowed to enter and to graduate; the board to nominate the principal, and the trustees to engage as principal no other than some person so nominated by the board; the trustees to keep the school property in good repair, and to determine the rates of tuition and receive the same for their own benefit; graduates from the first course to receive certificates which shall inure to their benefit, as qualifying them to teach in any common school in the State for five years; and graduates from the higher course to receive credentials which shall avail them as perpetual certificates. This proposition has been approved by the Board of Education, and will appear at length in the report of their Secretary, and, at their request, I commend the subject to your careful consideration.

I recommend the enactment of a law by which the Board of Education may be empowered to accept the proposition referred to, and also to accept, in their discretion, similar propositions from other schools in different parts of the State, and to carry out the compacts that will result from such acceptances, by attending, in person or by agents, the examinations for admission to and graduation from any schools thus adopted, and granting to graduates the appropriate certificates.

I desire also to commend to your attention the matter of the authorized list of school text-books, a somewhat extended discussion of which will be found in the report of the Board of Education to your honorable body. The original selection of school books was made in 1859, to expire in 1864; but the time originally appointed for its duration was afterwards extended to 1867, and will now soon expire. This plan of an authoritative selection of school books, although strongly opposed at first, seems to have won its way to very general approval.

Some legislation at your present session will be necessary to prevent a return to an unlimited diversity of books, that cannot but injure the schools; and I recommend that the Board of Education be empowered to revise the authorized list of school books, and publish the same as soon as maybe practicable, and that the authority of the present list be continued until such revision be made public.

REFORM SCHOOL.

Under the act approved November 9, 1865, entitled "An act to establish the Vermont Reform School," I appointed, by and with the advice of the Senate, Aaron G. Pease as acting commissioner, and Lewis A. Dunn and Lewis Pratt advisory commissioners, who soon afterwards located said school at Waterbury, Vt.; and in connection with said location, the commissioners purchased about sixty-seven acres of land, part of the old Governor Butler farm, so called, taking a deed of the same to the State, at the price of six thousand two hundred dollars. This purchase exceeded by two hundred dollars the sum they were authorized by said act to pay for land. They paid toward it six thousand dollars, and gave a guarantee to deed back one acre out of the south-east corner of the land purchased, in case the Legislature at its present session should fail to make a further appropriation of the two hundred dollars. The land purchased had large and valuable buildings on it, suited to the wants of the school, and though the commissioners were unrestricted in the amount of expense in erecting all suitable buildings for the accommodation of said school, yet as these buildings came with the land, the restriction as to the sum to be paid for the land, applied to the whole purchase. I most heartily recommend the appropriation of the remaining two hundred dollars, as the acre to be conveyed back is worth much more than that sum.

Russell Butler is the owner of about sixty-five acres of land, which adjoins that purchased and is a part of the old Governor Butler farm. This he proposed to sell to the State as a part of the Reform School farm, at the

price of four thousand two hundred dollars, and he gave a bond to convey it at that price, should the Legislature at the present session appropriate money for its purchase. This land is richly worth the price asked, and would, in my opinion, be a very judicious purchase for the State, as it seems really necessary in order to constitute such a farm as the school needs; and should be present opportunity to purchase it be neglected, I do not think it could ever again be obtained at anything like the price now asked. I therefore recommend an appropriation for its purchase at the price named.

The buildings purchased have been repaired and enlarged so as to accommodate from twenty-five to thirty scholars and the school is now open for the reception of juvenile offenders, quite a number having already been received; and I think it gives good promise of accomplishing all that the State expects from such an institution.

The first report of the commissioners has been made to me, and I have caused the same to be printed, ready for immediate distribution. I commend its suggestions and recommendations to your careful consideration.

FISHING REGULATIONS IN LAKE CHAMPLAIN.

Pursuant to the act of the General Assembly, entitled "An act to prevent taking shad or white-fish in Lake Champlain or its tributaries," approved November 6, 1865, I caused copies thereof to be forwarded to the governor-general of Canada, and the governor of New York, with the request that "their respective governments adopt like measures prohibiting the taking, killing, or destroying of shad or white-fish in the parts of said lake within their respective jurisdiction." The subject was taken into consideration with promptness and courtesy by the government of Canada, and on the 13th day of April, 1866, the following regulation was approved by the governor-general in council, under the Canadian fishery act, viz: "No person shall, during the months of September, October and November, take, kill, or destroy any shad or white-fish in the waters of that part of Lake Champlain situated within the Province of Canada." A communication from the governor of New York, of May 19th, 1866, informed me that early in the session of the legislature of that state, he sent a copy of said act to that body, and by special message called their attention to the law passed by the General Assembly of Vermont, and urged upon them the importance of a similar enactment on their part, but that, owing to a press of other business, the legislature adjourned without final action thereon. The act of this State, is, therefore, by its terms, still inoperative.

RESTORATION OF SEA-FISH TO THE CONNECTICUT RIVER.

Under the joint resolution of the last session of the Legislature, relative to the restoration of sea-fish to the Connecticut river and its tributaries, I appointed Albert D. Hager, State Geologist, and Hon. Charles Barrett, Commissioners. I also communicated copies of said joint resolution to the governors of Massachusetts, New Hampshire and Connecticut. The Commissioners' report may be expected during your present session.

Under another joint resolution of the last session, relating to the improvident destruction of shad in the Connecticut river, I addressed a communication to the governor of Connecticut, requesting him to call the attention of the legislature of that state, then in session, to the subject and to the resolution of our State, a verified copy of which I transmitted to him. I also transmitted copies of the same to the governors of Massachusetts and New Hampshire. In response to the application made to the state of Connecticut, I herewith transmit to you the certified copy of a joint resolution, passed by the legislature of that state at its last session, showing their willingness to co-operate with the other states in interest in the restoration of shad to the waters of the Connecticut.

NATIONAL STATUARY HALL.

Under the joint resolution of the Legislature relating to the National Statuary Hall, adopted at its last session, I at an early day appointed Hon. Solomon Foot and Hon. Justin S. Morrill, Commissioners to examine the subject, so far as it relates to this State, and to make report to the present session, with such facts and suggestions as would enable you to take definite action in the matter. After the death of Senator Foot, I appointed the Hon. George F. Edmunds, Commissioner to act with Mr. Morrill in the premises. A report may be expected from these gentlemen soon.

PARIS EXHIBITION.

I am advised that our state Geologist, Albert D. Hager, intends going to Europe next season, mainly for the purpose of learning more of the coal mines of Newcastle, the copper mines of Cornwall, the slate quarries of Wales, the silver mines of Germany, and the marble quarries of Italy. Should the Legislature authorize the Governor, without expense to the State, to commission Mr. Hager as State Agent to the Paris Exhibition in 1867, it would give him the benefit in his travels in the rest of Europe, of those courtesies and facilities for obtaining all desirable information, which are sure to be extended to one being a commissioner from the United State, or from a state of the Union. The information gathered by Mr. Hager would undoubtedly be of value in the development of the mineral wealth of this State.

UNITED STATES SENATORS.

The last Legislature adjourned on the 10th day of November, 1865, at 8 o'clock A.M. Within an hour afterwards intelligence was received that Hon. Jacob Collamer, Senator from this State in the Congress of the United States, died at his residence in Woodstock during the preceding night. Was the vacancy thus created one which it was the duty of the Governor of the State to fill? I at once submitted the question to the Judges of the Supreme Court, who, after consideration, gave me their opinion in writing, holding that the facts, as above stated, constituted such a vacancy as the Constitution made it the duty of the Governor to fill. Subsequently, on the 21st day of November, 1865, I appointed Hon. Luke P. Poland, of St. Johnsbury, a Senator from this State in the Congress of the United States, to fill the aforesaid vacancy until the next meeting of the General assembly of this State.

On the 28th day of March last, Hon. Solomon Foot, Senator from this State in the Congress of the United States died at Washington, in the District of Columbia. On the 3d day of April, 1866, I filled the vacancy thus occasioned by appointing Hon. George F. Edmunds, of Burlington Senator from this State in the Congress of the United States until the meeting of the General Assembly of this State.

The loss of both her Senators within so brief a period was a calamity unprecedented in the history of Vermont – unprecedented in the history of any of her sister states. Their long experience distinguished services, their rare ability and ripe wisdom, their tried and unfailing constancy to duty and fidelity to state and country, their Christian purity and nobility of character, had won for them the foremost rank in the councils of the nation. In the fullness of their great usefulness and influence, at a time when the need of the nation cried out for their continuance among us, they were, by the decrees of an inscrutable but just Providence called hence. Their loss seems irreparable. Vermont doubly honored by their lives, weeps over their fresh graves and the nation mourns with her. The never-fading record of their lives remain a rich legacy to their State, a guiding light upon the pathway of their successors, an inspiration to all.

JUDGES OF THE SUPREME COURT.

Hon. Luke P. Poland, having on the 21st day of November, 1865, received the appointment of United States Senator from this State, resigned the office of Chief Justice of the Supreme Court of Vermont, to which he had then recently been elected. The vacancy occasioned by this resignation, I on the 30th day of November, 1865, filled by appointing Hon. John Pierpoint, of Vergennes, to be Chief Justice of said Court until the then next meeting of the General Assembly. On the same day I also appointed, for the same period of time, Hon. James Barrett, of Woodstock to be first Assistant Justice, Hon. Loyal C. Kellogg, of Rutland, to be second Assistant Justice, Hon. Asahel Peck, of Burlington, to be Third Assistant Justice, and Hon. William C. Wilson, of Bakersfield, to be Fourth Assistant Justice of Said Court; thus leaving a vacancy in the office of Fifth Assistant Justice: and on the same day I appointed Hon. Benjamin H. Steele, of Derby, Fifth Assistant Justice of said Court, to fill said vacancy until the meeting of the General Assembly.

STATE OF THE COUNTRY.

Since my last annual communication to the Legislature, the work of reconstructing and reorganizing the state and local governments, which, for more than four years, had been in rebellion against the federal authority, has largely engaged the attention of the executive and legislative departments of the General Government; and, as is both necessary and wise in a republic in which the citizens are sovereign and the source of all power, this

work has commanded the interested and intelligent observation and criticism of the whole people of the country.

Unhappily for the best solution of this problem of reorganization, the national executive and the national legislature have not been in accord in their views of the best method of restoring these insurgent communities to their true relations to the federal Government; and the work has thereby been much delayed, the difficulties which environ it have been much increased, and the southern communities have become much more hostile than at first to the demands of that wise policy which would render "treason odious," obtain ample security for the future, and enable the Government to redeem every pledge it has made to its creditors, to its friends, and to the race which it has emancipated.

The executive branch of the Government, having inaugurated the work of reorganizing the rebellious states without seeking the advice or co-operation of Congress, has continued to insist upon its exclusive control of the work, and has denied to the legislative branch of the Government any share in the determination of the *status* of the insurgent communities, or the conditions of their restoration; and while denying to Congress all right to judge of the completeness of this work of reorganization, it has conceded only the right of each House to judge of the elections, returns and qualifications of its own members. This policy assumes that the Executive has the sole right to reconstruct, reorganize and restore to their former condition in the Government, the people communities and states which have waged a gigantic war against that government; and it insists, with emphatic iteration, that Congress, by refusing to recognize the executive reconstruction as just, safe, complete and constitutional, and at once admitting to seats in the Senate and House of Representatives persons claiming to be elected by states thus reorganized, is assuming functions which do not belong to it infracting the Constitution, and attempting, with a guilt equal to that of the rebellion, to dismember the Union.

On the assembling of Congress in December last, and throughout its last session, that body claimed for itself the constitutional right to examine this work of reconstruction, and judge both of its conditions and completeness. After a careful and prolonged investigation, through its joint committee on the construction, of the condition of the states lately in rebellion, the disposition of their inhabitants, and the workings and results of the executive method of reorganization, it was fully satisfied that the political and civil power in those states was, in almost every instance, placed in the hands of those who, during the rebellion, were either active in their hostility to the national Government, or gave aid and comfort to its enemies; while it was apparent that, without further conditions that the executive plan proposed, those who had been during the rebellion the bitterest enemies of the national authority, would have the unchecked and entire political control of those states in the future, and would use that control to oppress and put under ban those who have never swerved from their fidelity to the Union.

Congress, therefore, wisely in my judgment, declined to treat the states which had confederated in their treason against the Government, as rightfully entitled to immediate representation in the national legislature, or to be released from the control of the federal authority; and this decision was evidently in agreement with the opinions of a large majority of the people who had heartily sustained the Government in its contest with the rebellion.

To the reading and thinking people of the nation, who judge by facts and results rather than by the refinements of argument, the riots at Memphis and New Orleans have furnished the most complete and startling evidence of the inherent error of the executive scheme, and have written its condemnation in characters of blood. In those riots peaceable citizens, with circumstances of savage atrocity, were cruelly murdered by a mob, incited and led by local officials, and inspired by an illiberal and intense prejudice against an inoffensive race, and by a vengeful hatred of those who dared to claim equal political and civil rights for all men; and these outbreaks have furnished melancholy proof of the danger of committing unrestrained political and civil power to men recently rebels, and are significant commentaries upon that reorganization of which they were the legitimate fruits.

Congress, however, did not insist upon its constitutional right to inaugurate the work of reorganizing the governments of the states which had confederated in rebellion, nor did it surrender that right, but in its legislative action it manifested a willingness to suffer the work of the Executive to remain undisturbed, so far as

it could do so with due respect to the dignity and safety of the republic, and with a proper regard to the security and protection of the property, liberty and lives of all the people of the United States.

After a laborious and extended session and a patient comparison of views, both Houses of Congress agreed, by the necessary two-thirds vote, to propose to the legislatures of the several states the following amendment to the federal Constitution:

A M E N D M E N T .

ARTICLE XIV.

SEC. 1. All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws

SEC. 2. Representative shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a state, or the members of the legislature thereof, is denied to any of the male inhabitants of such state, being twenty-one years of age and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state.

SEC. 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath as member of Congress, or as an officer of the United States or as a member of any state legislature, or as an executive or judicial officer of any state, to support the Constitution of the United State, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each house, remove such disability.

SEC. 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any state shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations, and claims shall be held illegal and void.

SEC. 5. The Congress shall have power to enforce by appropriate legislation, the provisions of this article.

Soon after this proposed amendment was adopted, it was ratified by the legislature of Tennessee, and immediately thereupon the senators and representative previously chosen by that state, upon taking the oaths prescribed by law, were admitted to seats in the respective Houses of Congress.

Texas is the only other state confederated in the rebellion, that has acted upon this amendment. There it was rejected, the legislature directing the committee having it in charge to return it to the Secretary of State.

Every other state – except Oregon, whose legislature first ratified and then rejected it – which stood by the Government during the rebellion, whose legislature has been in session since the amendment was proposed, has ratified it; and there is good reason to confidently anticipate that it will be ratified by the number of states necessary to make it a part of the federal Constitution.

While this amendment does not contain a single proposition which the Executive has not, either in his speeches or official communications, approved, its only danger of defeat – a danger now happily small – arises from his hostility to its ratification.

The issue presented to the people this fall has been and will be this policy of Congress, as contrasted with that of the Executive Department of the Government. The former puts such safeguards about the restoration of the states lately confederated in rebellion to an equal participation in the Government with the state which always remained true to the flag, as shall secure to the original Union men of the south equal rights and impartial liberty, while it stamps upon treason the indelible mark of the people's condemnation. The latter restores to civil and political power the men who plotted the rebellion and fought it through to its bitter end, leaving to their unappeased and unrelenting hate a minority of whites so small as to be helpless, and the entire colored race, to whom liberty has been given, and its peaceable and full enjoyment guaranteed.

The elections already held have resulted in the triumphant approval of the Congressional policy; and there is no reasonable doubt that the elections yet to be held will pronounce as unmistakably in favor of the constitutional amendment.

Vermont, as is her wont when called to any good work, led the way with a grand emphasis in the popular approval of Congress. Yet, decisive as her declaration was at the polls, the State would have welcomed, with still greater enthusiasm and with a more triumphant majority, such a reorganization of the rebellious communities, as would have given to the people, white and black, the equal civil and political rights secured to the people of this state by our Bill of Rights and Constitution, and under which peace, order, civilization, education, contentment, Christianity and liberty have shed their benign and blessed influence alike upon ever home and household in our beloved Commonwealth.

I invoke upon you, and your labors, the blessing of that God who has hitherto so graciously led an upheld us as a State and people.

PAUL DILLINGHAM.

EXECUTIVE CHAMBER,
Montpelier, Oct. 12, 1866

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Inaugural address
of
William P. Dillingham
As it appears in the
Journal
of the
JOINT ASSEMBLY
BIENNIAL SESSION
1888

Thursday, October 4, 1888
Inaugural Address

TO THE GENERAL ASSEMBLY OF THE STATE OF VERMONT:

In the preparation of such business as appears to me necessary, in conformity with the constitutional provisions in that regard, to lay before the general assembly, I have been profoundly impressed with a sense of the great wisdom exercised by the founders of our state, and of the patriotism, purity of purpose and intelligence of those who, since the adoption of the constitution, have enacted, interpreted and administered the laws.

There appears to have been, at all times, a firm purpose to adhere strictly to the principles embodied in the declaration of rights and to such a degree have the privileges and immunities of the individual been protected that present legislation is necessarily limited, for the most part, to those matters that relate more particularly to the welfare of the people as a body. And in this direction such progress has been made that the law-maker is more concerned in perfecting what has already been established than in the inauguration of new lines of legislation.

REPORTS OF STATE OFFICERS.

Before alluding to a few of the many matters that may occupy your attention during the present session, I wish to refer to the very serious embarrassment suffered by the incoming Governor in his inability to find access to the biennial reports of the several state officers in season to become familiar with the condition of public business and the requirements of the different departments prior to the time when he must prepare his inaugural address. Some of the most important of these reports have not yet come under my eye; others were received too late to be of any substantial service; while only a few were obtained in season to be properly considered. The fault does not rest on the state officers, but lies in the provisions of the law, and I recommend such amendments thereto as will make the fiscal year in this state correspond with that of the general Government and end with the last day of June, and that all laws relating to the preparation and printing of reports of state officers be so amended as to make such reports forthcoming one month earlier than at present.

FINANCES.

The following statement prepared by the state treasurer shows the liabilities and resources of the state at the close of the last fiscal year.

LIABILITIES.

Due towns, U.S. surplus fund	\$12,916 37
Due soldiers, unpaid balances	8,359 97
Due Agricultural college fund (represented by state bonds, falling due June 1, 1890, interest payable to the college semi-annually)	135,500 00
Due on appropriation for Gettysburg monument and grounds	6,880 00

	\$163,656 34

RESOURCES.

Cash on hand and in banks.....	\$88,062 30
Estimated amount of tax from corporations for 1888.....	230,000 00
Estimated proceeds from balance of Huntington fund securities	13,000 00

	\$331,062 30

It will be noticed that the resources now provided for exceed present liabilities in the sum of \$167,405.96. This result is more satisfactory when considered in connection with the other fact, that during the last biennial term the amount of state expenses has been greater by \$166,350.70 than that of the last preceding term.

As to the causes contributing to this increase of expense you are referred to the report of the auditor of accounts, in which you will find a full statement of the same.

In this connection I desire to call your attention specially to that portion of the auditor's report in which he discusses court expenses and the great saving to the state since 1880 in the enforcement of a rule requiring justices of the peace and other persons holding, or responsible for, fines and costs, or other funds belonging to the state, to account for the same before having their bills of costs or counter claims allowed. He informs you that his right to enforce such rule has been stoutly denied, and asks for legislative provision in that behalf. Inasmuch as the amount of fines and costs paid in to the treasury under the operation of this rule is nearly double that paid in during a corresponding term previous to its adoption, his recommendations deserve careful consideration and such legislation as will result in the collection of every dollar due the state, and the payment of the same into the treasury.

PENAL AND REFORMATORY INSTITUTIONS.

I am not aware that the state prison, house of correction or Vermont reform school has any special need to be provided for. The reports of the directors and trustees indicate a commendable state of affairs at each of these institutions.

It appears, however, that the house of correction has at times been overcrowded with inmates, while the state prison has not been full. This has been caused by sending those convicted of high crimes and sentenced to long terms of imprisonment to the house of correction rather than to the prison, where they more properly belong. Two years ago the directors called attention to the matter and urged legislation that would prevent such commitments; this year they again speak of it, and urge that provision be made that will send this class of prisoners to the state prison, where they can be more safely guarded, more profitably employed, and where they will be in all respects as well treated.

INSANE ASYLUM.

An examination of the report of the trustees of the Vermont asylum discloses the fact that for many years past it has been filled to its greatest capacity and has in fact, been overcrowded. The institution is not capable of properly accommodating more than four hundred patients, and yet the average number of inmates during the last ten years has been four hundred and forty-five. To add to the embarrassment caused by this excess in numbers, the discharges since 1878, under the direction of the state board of supervisors, have been from among that class of patients whose insanity had become chronic and were considered harmless, and the places vacated by these quiet and easily managed persons have been taken by a like number of noisy, destructive and violent patients. "Where the former class could be safely associated and provided for in dormitories, the latter requires for the most part single apartments," so that in the shifting of patients from one location to another it frequently happens that inmates are brought in contact with each other who would not be for any other reason; hence as the trustees state, "the overcrowding subverts a proper classification, as well as interferes with the feeling of contentment which depends so largely upon the surroundings of the patient." Added to the troubles already enumerated is the further fact that during the two past years the average number of inmates has been four hundred and sixty-one, or sixty-one more than the asylum can properly accommodate. This increase has, to a large extent, been caused by the operation of the so called Poland pauper law, under which, as the superintendent states, about twenty have been committed to the asylum, chiefly to relieve the towns from which they came of the burden of supporting them.

It is claimed by the trustees, considering the relation of the institution to the state, that they "are not legally holden to care for the transient, nor under obligation to receive the convict and criminal insane," and that at the rate of increase of admissions which has been going on, some process of exclusion may be forced upon them before another biennial period has elapsed. The trustees make no suggestions as to the course the state should adopt, nor as to what they, as trustees, desire in the matter.

It appears that of the class known as the convict insane there are less than twenty in this institution, so that if other provision should be made for them the asylum would not be sensibly relieved. It also appears from other sources that there are over nine hundred cases of insanity in the state, and that they are constantly increasing in

number, which, taken in connection with the present over crowded condition of the asylum, and the increasing demand for admission to it, leads irresistibly to the conclusion that immediate steps must be taken by the state to further provide for this unfortunate class.

Whether it shall be by the erection of a state asylum at some convenient point, capable of accommodating a part or all of the insane poor and such private patients as may be desired, and upon a plan which will permit, of additions or extensions as the needs of the state may require, or whether the state will contract with the Vermont asylum for the erection of other buildings in connection with that institution and make provisions for the care of all its insane poor at that place, or whether some other or different plan shall be adopted, is a question for you to determine. I lean to the opinion that the first named plan is the best, but, without urging my own views in that regard, I do most earnestly recommend to your attention the absolute necessity of immediate action of some kind for the relief of this class of unfortunates whose capacity to suffer seems all that is left them.

UNIVERSITY OF VERMONT AND STATE AGRICULTURAL COLLEGE.

The university of Vermont comes to you this year with an earnest appeal for that substantial aid and support which, it is claimed, the founders of the state contemplated when the institution was founded.

The trustees in their exhaustive and comprehensive report call attention to the advantages that have resulted from the gifts of Mr. Howard and Mr. Billings, “the increase in the members of the faculty, the doubling of the attendance of students within a few years, the gradual advancement of the standard of scholarship, the enrichment of the curriculum by the introduction of scientific and elective courses, the manifestations of confidence and interest through gifts and legacies, the flourishing condition and high character of the medical department, and the universal impression throughout the state and abroad that the university is in a prosperous and progressive condition,” and urge these circumstances as an indication that the present is a favorable time for a strenuous effort on the part of all interested to secure for the university increased power and a broader field of usefulness in the future.

They call attention to the fact that a grant of state aid was “contemplated in the original plan of the university as conceived by the founders of the state, and was carried forward in the best way which the poverty of those early times admitted, by the reservation of town lots for the benefit of the university;” also that the state has recognized its interest in and relation to the institution in making its state officers ex-officio members of the corporation, in the reservation of the “right to appoint one half of its board of control, and to exercise visitorial power over all its affairs and proceedings.” They also claim that by the charter of 1865 the state assumed new relations to the university and imposed upon it obligations far in excess of the benefit derived from the fund donated by the general government, and that in entering into the great and difficult work of adding to the ancient curriculum “the large array of new sciences, with their applications, with which modern invention has enhanced human knowledge,” the university did it with the certainly reasonable presumption that the state would, in addition to the wholly inadequate congressional aid, make liberal grants from time to time in furtherance of the objects contemplated in the charter.” And the trustees referring to the relation borne by the state to the university, make use of the following language: “She has not only a duty to perform, such a duty as rests on all enlightened states toward the institution with which she entered into partnership by the charter of 1865.”

I have thus called special attention to the report of the trustees because of the great importance of its subject matter, and because of the intelligence, learning and character of its authors. I bespeak for this report the examination and consideration it deserves, and if its arguments commend themselves to your judgment as well founded, and its demands seem to you just and reasonable, it is to be hoped that such action may be taken as will place the university upon a plane of usefulness befitting an institution of its character.

Your attention is called to an act of congress entitled “An act to establish agricultural experiment stations in connection with the colleges established in the several states, under provisions of an act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto,” under which an appropriation of fifteen thousand dollars annually is made to each state for the purpose of paying the expenses of conducting such stations. Section nine of this act provides “that the grants of moneys authorized by this act are made subject to

the legislative assent of the several states and territories to the purposes of said grant.” This calls for action on your part.

It will also be incumbent upon you to elect three members of the board of trustees on the part of the state, to serve six years, beginning November, 1889.

SAVINGS BANKS AND TRUST COMPANIES.

The report of the inspector of finance is a document so full of valuable information in regard to the management and present condition of the savings banks and trust companies of the state that I cannot consent to mar its completeness, either in making extracts or in attempting to state its substance. It should be carefully read by every legislator and the recommendations therein contained considered in connections with the reasons upon which they are founded. Most of these institutions are, in most respects, models of financial management but if disaster should befall any of them by reason of too extensive investments in western mortgages, or because of dividends to depositors larger than prudent management would dictate, the inspector would not be in fault. He has repeatedly called attention to what he conceives to be a danger and has laid the responsibility for action upon the general assembly. In view of the fact that these institutions now hold up on deposit nearly seventeen millions of dollars of the people’s money, no degree of care in the enactment of laws regulating its investment can be too great.

In this connection permit me to refer to the fact that the aggregate amount of deposits, less than fifteen hundred dollars each, held by the savings banks and trust companies of this state are taxed at the rate of six-tenths of one per cent per annum, which is about one-half the average rate of taxation imposed by law on those classes of property embraced in the grand list. It is probably true that the grand list does not represent all of the taxable property in the state, and some of it may not be listed at its full value, but whether on this account there should be such a wide difference in the rate of taxation of the two classes of property, is a question for you to determine.

BOARD OF AGRICULTURE.

I have not been able to examine the report of the board of agriculture, nor have I any information as to its contents or recommendations. I am, therefore, able only to refer to the fact that ours is distinctively an agricultural state, and that the general course of legislation should be such as to encourage the best possible work in developing this industry. In a general assembly, such a large proportion of which is made up of farmers, no recommendations of mine can be necessary to inspire legislation in this direction. Permit me to suggest, however, that as large manufactories operate to produce a home market for farm products, a policy should be adopted that will encourage their establishment. We have great natural advantages which as yet are undeveloped and in which the investments of capital stock should be encouraged by all legitimate means.

RAILROADS.

Since the close of the last session of the legislature, the so-called inter-state commerce law of the United States has been enacted and put in operation. The action of this law has attracted general attention and excited great public interest, and it is thought by those most conversant with its operation that its principles have found permanent lodgment in the legislation of the general government. There is also a widespread feeling in our state that the provisions of that law concerning the duties and obligations of common carriers in their relations to individuals and to the public should be, so far as is practicable, incorporated into the statute laws of this state, with proper penalties for the enforcement of the same, and that enlarged power should be given to the board of railroad commissioners in connection therewith. If, as is claimed, the adoption of such provisions will place all patrons of railroads upon a common footing, remove unjust discriminations wherever they exist, and serve to allay any feeling of distrust, founded or unfounded, now entertained toward this class of corporations, and, on the other hand, work no injustice to the classes to which they are made to apply, nothing better could be desired in legislation. The proposition meets my approval.

THE BOARD OF RAILROAD COMMISSIONERS.

The board of railroad commissioners has prepared an elaborate report concerning its work during the first twenty months of its existence, the perusal of which cannot fail to be both interesting and instructive. The board easily realized that the law laid upon it "a broader and more varied field of service than could be fully explored in any one term or touched upon in all its details in any one report," and wisely decided not to undertake more than it could successfully accomplish. Much that it has done has been, necessarily, some preliminary in its character, and has not yet yielded the results that may be expected at a later time but in the system of returns adopted and in the supervision it has established, the board has laid a foundation upon which, in the future, great results must necessarily rest. On the other hand, much has been accomplished that could not have been done in the absence of the board. The report shows that in every instance in which any individual feeling aggrieved has applied for assistance, a speedy hearing has been granted, a determination reached, and the railroads have uniformly yielded a ready acquiescence in the recommendations of the board.

The recommendations that all railroad companies be required by law to heat their passenger coaches by other means than the use of stoves or furnaces, and that the extension of guard rails, or some other safety appliance, upon the approach of all bridges be made compulsory, are based upon facts and conclusions elicited by the most painstaking investigations, the report of which will be read with lively interest and satisfaction. All other recommendations contained in the report seemed to be based upon well considered and well founded reasons, and should not be overlooked.

The record of the past indicates a bright future of usefulness to this board.

THE MILITIA.

For information concerning the character, condition and needs of the national guard of Vermont, you are referred to the very interesting report of the adjutant and inspector-general, whose love for the military branch of the state government is only equaled by his efforts to advance its efficiency. You will carefully note his suggestions and recommendations, and take such action as shall appear to you to be demanded.

GETTYSBURG MONUMENTS.

It has not been my fortune thus far to participate in the work of patriotism and gratitude for commemorating Vermont valor at Gettysburg, but, having a deep interest in it, I desire to speak approvingly of the recommendations of the retiring executive.

Vermont has never been wanting in devotion to her soldiers, and I believe it is the desire of all her people that this work shall go on to completion in such a manner as to reflect the most credit on the state. This is one of the subjects upon which expense, within reasonable limits, is of comparatively little importance, and I am confident the Commission has exercised economy as well as judgment in what it has done or undertaken. I recommend that such appropriation be made and such legislation had as will carry out its work and wishes; and, inasmuch as my distinguished predecessor was, by virtue of his office, a member of the commission, and as such has taken the liveliest interest in all the details of the work, I suggest such legislation as will permit his retention in the commission.

VERMONT HISTORICAL SOCIETY.

The Vermont Historical Society in its new quarters has a safe and convenient place in which to keep its valuable collection. It has books and papers that should be bound, also many valuable documents and articles that should be framed or mounted so that they can be seen. A collection of this character draws increase to itself by being properly displayed, and it would seem to be wise for the state to grant such an appropriation as will enable the society to do the work above indicated. The expenditure required is not large and is directly in the line of the preservation, proper use and increase of property of great historical value, and in which the state now has a proprietary interest.

PROHIBITORY LIQUOR LAW.

During all the time the prohibitory liquor law has been upon our statute books, there have been constant and persistent efforts on the part of its opponents to discover defects in its provisions and to prevent its proper enforcement. The representatives of the people have on the other hand, sought to remedy its defects, strengthen

its character, and improve its effectiveness. As the law now stands it is an exceedingly strong one. Its weakness lies, to a considerable extent, in the difficulty attending its enforcement. The person injured does not, as in other cases, enter complaint, look up evidence, and by his suggestions aid the prosecutor in his work, but by all means in his power, not infrequently committing the crime of perjury so to do, shields the man who has ministered to his ruin. Its ineffectiveness has also been increased by a want of support on the part of the public at large. There have been too many who, though at heart friendly to the law, lacked the moral courage to publicly support those who have had to do with its enforcement. This class has added weakness to weakness in its unjust criticisms of those who, deserted by friends and surrounded by foes, have in most cases performed their duty as well as the existing circumstances permitted. Gradually, however, a better public sentiment has been developed; prosecuting officers feel the moral support given jurors are strengthened in a spirit of independence, and witnesses begin to comprehend that in evasion and untruth they are no longer excused, much less commended. A corresponding weakness is noted on the part of the offenders; in some counties where, a few years ago, almost all charged with offences under this law took trial, the offender who now dares to face a jury is the exception. The main difficulties are encountered in the more populous villages where greater secrecy can be observed and where, when one conviction has been had and a fine has been imposed, the offender finds it easy to place his business in the hands of another as the ostensible owner, and so evades imprisonment in case of a second or third prosecution.

Has not the time come when a sentence of imprisonment should follow the first conviction under this law, and when a provision of that character would do more to stop sales in the larger villages than any other measure yet proposed? I am strongly of the opinion that it has; but the subject is one which by its importance so addresses itself to your patient scrutiny that suggestions are unnecessary.

EDUCATION.

The form and nature of our government are such that virtue and intelligence are not only its foundation stones but its walls of defence. It is conceded by all that a high development of these qualities can only come with superior educational facilities. The framers of the constitution recognized this fact in the provision that "laws for the encouragement of virtue and prevention of vice and immorality, ought to be constantly kept in force, and duly executed and a competent number of schools ought to be maintained in each town for the convenient instruction of youth; and one or more grammar schools be incorporated and properly supported, in each county in the state."

The people and their representatives have, at all times, sought to carry these provisions into effect; the only differences arising having been those relating to methods and systems rather than to the ends sought to be accomplished.

That the present district system contains serious defects, can not be doubted that the common schools have failed in the character of their work to keep abreast with the progress of the times, is admitted by all observant people.

New methods have been proposed and discussed; the town system has been perfected and offered to the people, only to be rejected, and to-day we stand in the position occupied ten years ago, with the district system in force in nearly all the towns of the state, unimproved and full of glaring faults.

In the proposed adoption of the town system, some of our best educators hoped for success, believing that under its provisions a better system of supervision could be obtained, and that an efficient supervision was the prime necessity of the hour. That this system has worked admirably in certain places can not be doubted; that it has failed in others, can not be denied; that the great majority of the people prefer the district system and are averse to any other, is as plain to my mind as any fact in history can be made.

Recognizing the necessity of solving this problem intelligently, the general assembly of 1886 enacted a law entitled "An act appointing a committee of three to draft a new educational bill, so as to increase the efficiency and improve the public schools of the state," under which a committee, consisting of Hon. Loveland Munson of Manchester, President Ezra Brainerd of Middlebury college and principal S. W. Landon of the Burlington high school, was appointed. These gentlemen entered the work with enthusiasm, and have devoted much time and

energy to the study of the question, and in devising a remedy for the evils found to exist. The results of their work will be laid before you at an early day; space will not permit a discussion of it in this address, but you will pardon me in remarking that the plan they propose commends itself to my judgment and meets with my warm approval.

Upon the general assembly rests great responsibility; with it there has come a great opportunity; parents throughout the state are looking to you for action, and public interest demands it; expense is not to be considered in a question of this importance, unless the amount required is greatly disproportionate to the end sought. I am sure I need not urge you to lay aside all prejudices in favor of or against any particular system, or to rise above any persona or selfish interest in the matter. Your purity of purpose, your loyal love for the best interests of our state, and your appreciation of the absolute need there is for reform in school methods, will surely lead you to vigorous and intelligent action.

In conclusion permit me to wish you a pleasant and harmonious session, the results of which shall be marked by evidence of wise counsels, mature consideration, and courage equal to all the demands of public interests.

WILLIAM P. DILLINGHAM.

EXECUTIVE CHAMBER, }
Montpelier, Vt., October 4, 1888. }

Inaugural address
of

James H. Douglas

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

2003

Thursday, January 9, 2003

Inaugural Address

Governor Douglas then presented the following remarks.

“Mr. President, Mr. Speaker, Mr. Chief Justice, Members of the General Assembly, distinguished guests, fellow Vermonters:

“Today we begin anew as we celebrate our past and look forward to the future.

“Nearly 11 and a half years ago, a young physician received a phone call informing him of the untimely death of a governor who had come to personify Vermont. He finished the examination, put down his stethoscope, removed his lab coat and traveled to Montpelier to take the oath that would transform him from an untested part-time lieutenant, into captain of the ship of state.

“Today, like his predecessor, that doctor-Governor has come to exemplify Vermont. He will be remembered as a competent, compassionate and forthright leader who always sought to do right by the people. On behalf of a grateful state, thank you, Howard Dean, for your two decades of service to Vermont.

“No one could be standing here today without the support of a loving family. Thank you, Mom and Dad, my two sons, Matt and Andrew, and thank you especially to Dorothy for your steadfast support and for all of your sacrifices.

“We have traveled a great distance since the first Vermont government met in March 1778. At that time, there were no laws, no taxes, no agencies or departments, just a people determined to live free and by their own values.

“Our very right to exist was challenged not only by the British, but by Revolutionary America itself. Within a few short years, however, the people of Vermont had not only secured our right to exist, but we were being welcomed as the fourteenth star on the flag of a nation that would come to be known as the greatest beacon of liberty in human history.

“In the 225 years since that first government met we have faced many challenges. War has visited the Green Mountains on two occasions. National recessions periodically depleted our resources and, temporarily, our aspirations. Natural disasters, like the 1927 flood, devastated the state, but reinforced our commitment to each other.

“We have responded to our greatest challenges, not by putting aside our differences, but by building on our common understandings. Seeking that common understanding was what Vermont’s founders called civic virtue.

“I am a graduate of this House. Thirty years ago this week I took my seat as a representative from Middlebury. America was in the midst of a long and divisive war, and a presidency was crumbling under the weight of scandal inspired by politics run awry. But here, tucked among the rolling hills of Vermont, under this dome, men and women of good will met, and progress triumphed over partisanship.

“I pledge to you that I will carry on the Vermont tradition of civic virtue. I will be a willing listener and a reasonable partner. My intentions will be sincere, my word will be my bond, and while we may not always agree on approach, our goals are shared.

“We are confronted today with challenges of great proportions.

“The people have tasked us with bridging our differences to meet common ideals. Chief among those ideals is restoring the hope, opportunity, and dignity that come with a good and secure job.

“An extended economic slowdown has indiscriminately cast thousands of Vermonters into unemployment, and a cloud of uncertainty lingers on the horizon as our economy teeters precariously between recession and recovery. For too many of our neighbors, high hopes have turned to deep concerns, and the bright promise of a new century has been dimmed by anxiety about the future.

“Making recovery more difficult is the reputation Vermont has earned as a particularly challenging place to do business and create jobs. This is a burden not borne for long by large employers. They can always find someplace else eager to accommodate them.

“But the burden that large businesses can escape falls hard on small businesses, and especially on the working men and women of this state who have few options. They can uproot their families and follow the jobs – and many have – or they can wait for a change – and many do.

“And so my message to the people of Vermont is, change begins today – not change for the sake of change, but change for the sake of progress.

“The change I have called for, and which the people have affirmed, will not come overnight. My vision for Vermont’s economic future is not one of quick fixes or government gimmicks. It is one of careful consideration, common sense planning and prioritizing, and a new role for government that puts power back in the hands of people.

“After all, government does not create jobs; people do. But government can encourage economic growth by fostering an environment that welcomes job creation, bolsters business, promotes commerce and serves people.

“Conditions such as the ones we face today require that we take a close look at what we can do to improve not only the economy, but also the government. Tough times like these reveal where government’s good intentions can fall short of sound and sustainable budgeting.

“Fiscal responsibility means not only planning for today, but also planning for an uncertain tomorrow. And so we are rightly charged not only with addressing today’s afflictions, but we are morally obligated to address impending deficits that will burden our children if we do nothing. We must begin to act now.

“In two weeks I will propose a budget that will avert a deficit that would delay recovery and threaten future prosperity. It will also begin to slow the planned growth of government in future years which, left unrestrained, would endanger programs critical to the most vulnerable among us.

“The greatest threat to these important programs is not from those who would restrain them, but from those who would allow them to grow so big that they collapse under the burden of their own weight.

“I reserve the bulk of my remarks on the budget and other subjects until later this month, but let me be clear: the choices ahead will not be easy.

“I would also remind you that state government is not alone in facing tough times. Thousands of Vermont’s families have to balance their budgets despite less income, and they expect us to as well; we must not bend to the temptation of dipping even further into their pocketbooks to do it.

“As we begin the task of putting Vermonters back to work, let us take stock of our assets. We have two great economic advantages – our natural environment and Vermonters themselves.

“Generations of Vermonters have been blessed by a landscape that nourishes the soul. We are a leader among states and nations in protecting the quality of our water and air, and we will continue in that role.

“There are some, sincere but misguided, who would have us believe that jobs exist at the expense of the environment. There are others, equally sincere and equally misguided, who believe that environmental protection comes at the expense of economic progress.

“However, the choice we face today is not a choice between jobs or the environment. It is a choice between both or neither.

“I believe in a third way -- The Vermont Way -- that recognizes the codependence of our economy and our environment. My administration will work on behalf of each so that we may improve on both.

“President Coolidge spoke of the Vermont appeal when at Bennington he made these memorable remarks: “I love Vermont because of her hills and valleys, her scenery and invigorating climate, but most of all, because of her indomitable people.”

“It is the people of Vermont who represent our greatest hope and best opportunity for a brighter tomorrow.

“It is the construction worker, the nurse, the firefighter and the farmer, the teacher and the student on whose foundation we prepare to build a future of prosperity. Our people are blessed with creative minds, industrious hands, common sense and a determined spirit.

“I will seek their guidance, rely on their wisdom and trust in their judgment. I will listen to them, and in order to get our state back on track, I will invest in them -- in their education, in their skills and in their entrepreneurial spirit.

“The moment is fitting to remind ourselves that as officers of government we are servants of the people, one and all; that our authority is derived from them, and therefore, as our Constitution demands, we are “at all times...accountable to them.”

“I shall instruct all who serve in my administration of the same as we endeavor toward government that works with you, not against you; a government that serves as an ally, not an adversary.

“I will seek to change the culture of government from one that is so attached to the status quo it resists even those changes that will move us forward, to one that embraces positive change.

“We are in the infancy of an era of technological progress that has changed the way the world does business. Government, too, must change the way it does business. We must better utilize technology to improve the convenience and accessibility of government services. Across the government, we can do more so Vermonters can save time by being online rather than in line.

“Vermont’s economy has been slow to make the transition to the 21st Century. We have not fully embraced advances that make it possible for Vermonters to operate in a diverse, high-wage economy, even while working from the most remote corner of the Northeast Kingdom.

“Cutting-edge clean technologies have sprouted businesses that do not compete with the environment, but rather compete with each other to achieve a cleaner environment. Welcoming these businesses to Vermont, and encouraging their innovation and growth will allow us to promote Vermont values around the nation, and indeed around the world.

“We must embrace innovation all around us. Creative ideas can expand access to affordable health care to every Vermonter; improve quality, comfort, and convenience, while giving patients and doctors more control over health care decisions.

“New approaches can improve our schools while increasing the role of parents in their children’s education. Working families need to know that their young children will have the early care and education they need to thrive. And they need to know that their kids are getting a truly equal opportunity at success.

“Act 60 promised equal educational opportunity for every child while reducing property taxes. Instead, many of our children are still not receiving the education their parents are paying for, even as property taxes continue to skyrocket.

“We need to work together to find a better solution – a solution that recognizes the importance of money, but also recognizes that our commitment to equal educational opportunity is not fulfilled by funding formulas, sharing pools and block grants.

“If we are serious about every child attending a safe and drug-free school; every child having access to the best teachers and the best curriculum; if we are serious about accountability; if we are serious about every child having an equal chance, shouldn’t every parent have an equal choice?

“My administration will seek to unleash the pent up creative energies of a people frustrated by unnecessary barriers to opportunity. We will start by fixing a broken permitting system that has become too costly, duplicative, unpredictable and often times contradictory, not by weakening our commitment to the environment, but by strengthening our commitment to common sense.

“When we speak of economic progress let us not forget the industry upon which Vermont was built and which, in a changing economy, we have too long neglected. Let us renew our commitment to the family farmers who have contributed so much to Vermont’s character and whose lives are dedicated to feeding others, but who now struggle to sustain themselves.

“I have spoken about ways to expand opportunity for Vermonters. But today hope and opportunity are being destroyed by the insidious effects of hard-core drugs. By now, we’ve all heard of families and lives torn apart by drugs. I am reminded of “Sarah,” a 19-year-old Vermonter who died of a heroin overdose. Sarah was a typical kid with big plans for the future. She was working two jobs with plans to go to college and eventually open a business of her own.

“But alcohol, then marijuana and cocaine clouded her horizons. Before long, heroin found Sarah, and the sun set on what was once a promising life.

“For a moment, I want you to think not just of Sarah, but of your own children and what could happen if they meet the wrong person on a particularly tough day. Sarah’s story isn’t the story of just one girl, but of a growing number of Vermont’s young people.

“We must do more to protect our children from the life-destroying effects of these drugs. Some of it is tough love, and some of it is just plain love. We will address addiction with a compassionate program of treatment and rehabilitation. And we will educate kids about the dangers of drug abuse so they will have the strength and courage to reject them.

“But we will also aggressively combat those who would seek to poison our children for profit. All drug dealers will know that they are unwelcome on our streets, in our neighborhoods, around our schools – anywhere in our state.

“With change comes great opportunity. But we must also fiercely defend the values that are woven deep into the fabric of our state.

“The best of Vermont is the product of those unchanging ideals of family, faith, freedom and unity.

“There is little government can do that can match the compassion of the family; nothing it can do to match the power of faith.

“For freedom, generations of Vermonters have fought heroically at home and abroad -- at home to gain independence and end slavery; abroad to defeat totalitarianism and fascism; and today, across the globe, to vanquish evil and terror. To the men and women who loyally guard our freedom, we thank you for your courage and sacrifice.

“While Ethan Allen and the Green Mountain Boys made famous Vermonters’ attachment to individual freedom and liberty, we are united in our common concern for the most vulnerable among us.

“Our rural nature has always instilled in Vermonters an independent spirit, but it has also encouraged a sense of obligation to neighbors in need. We are proud to do for ourselves all that we can, and eager to aid others where they cannot.

“Around our state, dedicated Vermonters work together to heal the sick, feed the hungry, and protect the weak.

“These times call for a renewed sense of service to the community, and there is plenty for everyone to do. I ask all Vermonters to dedicate more of their time and talent to worthy causes.

“Nor shall we in this chamber forget our obligations to do for others those necessary things they cannot do for themselves.

“Let our own examples here restore faith in government as a noble calling, and inspire other honest, wise and good citizens to public service.

“The challenges ahead are difficult. In some areas, progress will be slow, but it is certain.

“And so today we celebrate a new beginning and begin to implement the change for which the people have called. We will keep what has worked, discard what has failed, rein in our excesses and proceed forward with a bold agenda of renewal.

“When I arose today, it was cold and dark. The sun had not yet reached the eastern shores of New England, nor begun its climb over the Green Mountains.

“As I have for the past 30 years, I traveled through the morning darkness on the journey from my home in Middlebury over Appalachian Gap to Montpelier.

“As I began to wind along the mountain road the darkness slowly waned and pine boughs emerged from under a shroud of snow. Not even the frost of winter could dim the color of our hills or restrain the advancing dawn.

“So long as we serve, so long as we strive, so long as we have the courage to lead, the promise of Vermont will remain ever green. Our promise will be strengthened by the seasons – through the bitter winters and the brilliant mornings – and made eternal in the sacrifice we share.

“Together, and with God’s help, we shall meet the challenges ahead, as we have all others, so we may welcome a springtime of hope and a blossoming of opportunity to this “brave little state of Vermont.”

“Thank you.”

Inaugural address
of

James H. Douglas

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

2005

Thursday, January 6, 2005
Inaugural Address

Governor Douglas then presented the following remarks.

“Mr. President, Madame Speaker, Mr. Chief Justice, Members of the General Assembly, distinguished guests, fellow Vermonters:

“I am deeply honored to stand before you again and am humbled by the trust placed in me. I am proud to share this day with my family and especially my loving wife, Dorothy, and I thank them for their support throughout the years. I also want to thank Lt. Governor Dubie for his friendship, his leadership and his service to Vermont.

“No person ever stands here alone. Even as I rose in this chamber for the first time, thirty-two years ago, as a freshman legislator, and raised my hand to take the oath of office, I stood tall on the shoulders of our ancestors.

“Our forbears are the men and women of Vermont who battled to cut a living from her hills. From the tilled field and the ax swing came Vermonters’ reputation for rugged individualism, hard work and personal industry; from harvesting the autumn bounty, the easy generosity of having just enough and no more than you need; from the Sunday trips to town, the power of faith and the spirit of community.

“Our forbears worked hard this difficult land, and their reward was the freedom and independence of self-sufficiency. With this ethos, they charged their government to fill only the thin gaps left unfilled by community and family, recognizing, as they set forth in the Vermont Constitution, 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.”

“I am lifted by the many things we’ve done to make Vermont better and stronger, protecting the most vulnerable while enabling individual growth and preserving essential liberty. In the last two years, we’ve worked together to bring hope where there was fear and opportunity where there was loss.

“As I am encouraged with our progress, I know the many real challenges that face us and the steps we must take to meet them. Programs that were once intended to fill the thin gaps have expanded far beyond our means. We must take action to curb the unbridled growth of these programs and return them to their most vital purposes.

“This is a task that will affect the Vermont we want a generation from now. It will set a course for the Vermont we will leave our children and grandchildren.

“I see a Vermont where every individual is joined with opportunity; where every person who wants a job has a job; where dependence on government is not a way of life, but a temporary stop on the road to self-sufficiency.

“I see a Vermont where every family is joined by compassion; where parents and children are united by understanding and unconditional love.

“I see a Vermont where every community is joined by possibility; where caring hearts reach out to troubled souls; where every child enters school ready to learn and leaves school prepared to prosper; where the dream of

homeownership is within reach of every family; where the grandeur of green mountains is the backdrop for downtowns bustling with commerce.

“And I see a Vermont where our government is joined in a common purpose, bound by the shared values that make our state so special.

“Today, I ask you to join me in a common purpose.

“In my first inaugural message, I promised to initiate positive changes that would begin to address the challenges that faced Vermont, and I asked for the cooperation of a divided legislature. Together, we put progress over partisanship and accomplished much for the people of our state. I come before you again in the spirit of bipartisanship, asking you to join with me to advance our common goals and address our common challenges.

* * *

“Our future success will be built on the solid foundation we’ve laid over the past two years.

“We made job creation a priority and our focus is paying off: more Vermonters are working and we have the lowest unemployment rate in the nation.

“For the first time in many years, employers see that Vermont is “open for business” and ready to be a partner in creating jobs.

“We rejected the idea that job growth comes at the expense of our environment. Our permit reform measure brought the first meaningful changes to our regulatory system in thirty years and did so while affirming the environmental ethic Vermonters cherish. Our third way – the Vermont Way – is working and our economy is growing again.

“We’ve made state government a leader in energy conservation. Through better fleet management and efficiency measures in state buildings, we’ll stop hundreds of tons of pollutants from entering the atmosphere and save taxpayers millions. Our energy future is one of greater conservation and efficiency, and we will continue the robust dialogue on the diversity of alternative energy sources that best fit our state.

“In the last biennium, we made a historic commitment to accelerate the clean up of Vermont’s lakes and waterways. Key partners in our Clean and Clear initiative are the stewards of Vermont’s landscape – our farmers. Every sip of milk, drop of syrup, and ear of corn is a testament to their hard work and tenacity, to which we all owe gratitude and thanks.

“The General Assembly joined me in an unprecedented effort to give farmers emergency relief in a dark hour. The result is over one hundred family farms saved and many more lifted to financial security.

“Other unsung environmental stewards are Vermont’s hunters, anglers, and trappers who protect the values and traditions of outdoor sports in our state. Last year, we started to treat the plague of lamprey that are marring our fish. In the coming year, we must address the thinning deer herd to maintain the vitality of hunting in Vermont.

“In the last biennium, we reformed Act 60 and we will continue to bring property tax relief to working Vermonters. We reaffirmed our commitment to time-honored uses of the land and the industries that thrive on it.

“Two years ago, I challenged Vermont to confront the growing problem of illegal drug use among our youth. From all corners, the response was overwhelming and effects of our good work are being felt.

“Through my DETER anti-drug program, the General Assembly is directing more resources for education, treatment, enforcement and rehabilitation. With the help of additional troopers, the State Police, working with sheriffs and local departments, are aggressively targeting out-of-state drug dealers and sending a message to the street that dealers are unwelcome in Vermont.

“Our new high school drug counselors are reaching the at-risk population before it’s too late and our specialists are helping addicts stay clean and rebuild their lives through expanded recovery programs around the state.

“Several months ago, I had the opportunity to meet with three women at our new in-patient center in Bradford. They described their hard journey fighting addiction – the broken promises and bitter loneliness. But they spoke of the treatment center as someplace different, someplace where they could finally break free from the cycle of dependence. As I left, one of the women said to me, “For the first time in my life, I feel like someone cares about me.”

“But for all our progress, stories of grief remain. In recent months it has not been splashed across the headlines – but the addicted still face the quiet struggle – and their families still endure the quiet heartbreak. We must continue our fierce commitment to getting illegal drugs off our streets, away from our homes and out of our lives.

* * *

“I was proud to sign a true Megan’s Law for Vermont, a measure that established an online public registry of sex offenders so these violent criminals may no longer lurk anonymously in our neighborhoods.

“But there is more we must do to help protect women and children against sexual predators. Vermont needs to enact a “civil commitment” law that ensures untreatable sex offenders are not released into the community to victimize again.

* * *

“With all the challenges before us, let us pause to reflect on tragedy of an unthinkable magnitude half way around the world. Our thoughts and prayers go out to the victims and the families of the tsunami in South Asia.

“Last week, I had the solemn honor of joining more than a thousand firefighters at the funeral of their colleague, Ray Davison, a great man and a great innovator in the fire service. His passing reminds us of the men and women who are first on the scene to our everyday disasters – all of the firefighters, police officers, and emergency service workers – and the constant thanks we owe them.

“Right now, many of those first responders are answering a different call. They join their fellow Vermonters courageously serving our country and making our state proud in military operations around the world. We give our great respect and deep gratitude to all of these soldiers and their families for their sacrifice and service to our nation; and we remember those fallen and honor them for their courage and selflessness.

* * *

“As these brave men and women fulfill their duty at home and abroad, it is our duty here to work together in common purpose to make the Vermont of their return even better than the Vermont they left behind.

“As public servants, our chief responsibility is to build a government that is responsive to the needs of the people who elect us to serve. The statement of priority of these needs is the state budget, and while the details of my proposal will be explained later this month, the gravity of the problem – many years in the making – merits emphasis now.

“Vermont has always taken pride in its reputation for balanced budgets, stubbornly adhered to as a top priority. This insistence on fiscal responsibility – despite being the only state in the union without a legal requirement for balance – has helped Vermont weather difficult financial times without resorting to drastic measures required of other states.

“Only rarely, and always briefly throughout our history, has that insistence on financial integrity not prevailed. In those instances when it has not, the steps required to return the state to balance have always been less desirable than a steady allegiance to sustainability. Although our budget is not yet out of balance, it is clear that that allegiance to sustainability has been breached and must be restored immediately.

“There are many areas of the budget that are growing at unsustainable rates, chief among them the Medicaid program. Nearly one in four Vermonters – compared to the national average of one in seven – now fall under the umbrella of this social welfare program originally designed specifically for the poor, infirm and disabled.

“Today, we face at least a seventy million dollar deficit in Medicaid. Left unrestrained, the very next legislature, in the very next biennium, will confront a deficit of almost two hundred seventy million dollars – over a quarter of a billion dollars. That’s an amount equivalent to twenty-five percent of our entire general fund budget.

“This deficit would be the largest in Vermont history. It threatens our fiscal stability, basic economic and health protections, and the already over-taxed Vermonter.

“To eliminate a deficit of this magnitude, the legislature would have to impose draconian tax hikes on working people: raising personal income taxes by over fifty percent or nearly doubling the sales tax or almost quadrupling the gas tax.

“These tax hikes would destroy the foundation of our economy. The fact is plain: we cannot, should not and must not tax our way out of this problem.

“In the last biennium I proposed reforms that would have reduced this deficit and relieved its impact on other programs, but those reforms were rejected. Now, we do not have the luxury of time.

“It falls on us – all of us – to find a solution that will save Medicaid for future generations before it collapses under the burden of its own weight. Getting spending under control will require leadership, and I am prepared to provide it. A solution will require a commitment as well from you, the legislature, to make those tough decisions required to put a responsible bill on my desk.

“As you consider all of the other spending pressures you will surely face, including and especially additional health care spending, I ask you to tend to what we already have. I ask you to save Medicaid first.

* * *

“And as we seek a balanced budget, it is important to acknowledge that we did not get in this situation because Vermonters are taxed too little; we’re here because government has spent too much.

“Already, Vermont’s working families pay the 8th highest income tax rate in the nation and have the 12th highest burden of state and local taxes. And although we are making slow progress reducing the relative tax burden, it is still too high. Besides the heavy toll high taxes take on working families, a high tax environment also contributes to a business climate that makes job creation and economic prosperity more difficult.

“During the past two years, we took many steps to improve Vermont’s job environment. Our robust recovery has resulted in strong revenues that allowed us to replenish our rainy day funds and get Vermont on solid footing. This will make balancing the budget for the coming fiscal year easier than it would have been, but it would be a serious mistake to reverse this progress by raising taxes now.

“I challenge this legislature to deliver to me a fiscally responsible, balanced budget that does not raise the tax burden on the people of our state.

“The stakes are high, and the pressure exerted on us will be intense. As we work together for the benefit of all Vermont, special interests will fight fiercely. They will speak loudly, stage protests, and make dire predictions. But if we fail to stand firm, the eye of history will stare far more sternly on us than any special interest.

* * *

“Within the constraints of a balanced budget there is little room for new spending programs.

“That is why I have proposed affordable health care reforms that will move us toward universal health insurance coverage, bringing peace of mind and security to thousands of uninsured Vermonters, while reducing the cost of health insurance for those who already have it, and employers who want to offer it to their workers.

“Like saving Medicaid, health care reform is an issue that cannot tolerate delay. Vermonters’ insurance premiums are swelling, prescription drug costs are rising, and small businesses and working families are having trouble affording the care they need. My plan for health care reform provides concrete steps to address these concerns.

“The plan that I have offered is built around five fundamental principles to which any comprehensive plan must adhere.

“Real health care reform must lower the cost of care for those Vermonters who are struggling to keep up.

“Reform must be patient-centered and put decisions in the hands of patients and their doctors, not politicians and bureaucrats.

“Reform must increase choices and options of care.

“Reform must be affordable for Vermonters and sustainable for state government.

“And real reform must lower the cost of prescription drugs with initiatives at both the national and state levels.

“As we begin this new biennium, let us demonstrate our bipartisanship by crafting together a drug reimportation bill that will not undermine our first-in-the-nation lawsuit against the FDA.

“At the same time, we must be honest with the people of Vermont: drug reimportation is at best a short-term fix – perhaps short-lived – and will not be a viable option for many Vermonters. We must continue our fight for a national solution.

“We must also recognize that prescription drugs are only one part of the soaring cost of health care. To fundamentally lower costs, we need to take more responsibility for our own health. That’s why I will continue to push for innovative health care programs like the Chronic Care Initiative, Fit & Healthy Kids, and a Healthy Choices discount.

“My plan for real health care reform is a starting point for this General Assembly. I know there will be other designs for new systems of care. I look forward to an open and honest debate about their merits and their value. But the final product must meet the fundamental principles I’ve set forth and cover all aspects of reform.

“Vermonters cannot wait for another study, another year where premiums continue to rise and care moves out of reach. I ask this Legislature to act thoughtfully – but to act quickly – and deliver me a comprehensive and fiscally responsible health care reform package by adjournment this year.

* * *

“As the pace of our economy’s transition from a largely industrial base to a global information age quickens, we must continue our work to improve our infrastructure and empower Vermonters with the education and skills they need to excel in the next generation of jobs.

“To keep our economy moving forward, we must keep goods, people, and ideas moving forward. Repairing roads and bridges, building critical transportation arteries, and expanding broadband and cell coverage must remain central to our job creation strategy.

“We need to remain steadfast in our commitment to improve primary and secondary education, close the performance gaps, and encourage innovative approaches and technologies that improve student achievement.

“Participants in today’s – and more importantly, tomorrow’s – economy must have opportunities to continue learning and upgrade their skills. We need to sustain our efforts to make our colleges more affordable by improving our support of higher education.

“Everyone, young and old, must have access to the knowledge and skills to participate in the evolving economy. That is why I am proposing that we place an even greater emphasis on skills training so every working Vermonter can compete and succeed in the 21st Century.

“Working together, we can educate and inspire a workforce that is second to none, making our working families more secure and our communities more prosperous.

* * *

“Vermonters are known not for their wealth of riches, but for their richness of spirit. It is our strong-hearted independence and unforced kindness that defines us and our desire to make better that unites us.

“Our urge to refine – to smooth the roughhewn and find natural symmetry – is elemental to the soul of Vermont. We carry it to our government – into school boards, town halls, committee rooms, and into these chambers – with the noble ambition to make the bad good and the good better.

“It has brought us together today.

“As we consider the work before us, let us also consider how fortunate we are.

“If, at the beginning, the Almighty gave to humanity a sliver of globe on which to carve a heaven on earth, it would be filled with verdant hills and sparkling lakes, open fields and forests thick with all His majesty. The joy of changing seasons would bless a people with a cycle of life and instill in them the spirit of freedom and a sense of unity.

“And they would call it Vermont.

“With a commitment to cooperation and common sense, we’ve put Vermont back on the path to prosperity. But there is much more for us to do, and Vermonters expect, demand and deserve a government that will continue to work together.

“And so it has come down to us: two chambers solidly Democrat, and one man loyally Republican, to come together in the spirit of civic virtue.

“Guided by a common purpose, bound by a common history, with a genuine desire for cooperation, let us today begin the march toward our common destiny.

“Thank you.”

JAMES H. DOUGLAS
GOVERNOR



State of Vermont
OFFICE OF THE GOVERNOR
Inaugural Address of Governor James H. Douglas

The Vermont Way Forward

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

Fifty years ago, on this same Thursday, Robert Stafford presided, as Lieutenant Governor, over a joint assembly as Vermont's officers took their oaths and Governor Joseph Johnson delivered his inaugural address.

Two years later, Governor Stafford would deliver his own inaugural and note that, "There can be but one ultimate aim for all of us. It is to take the necessary action today to make Vermont a better place in which to live in every spiritual, social and economic sense for ourselves and our children."

This unadorned, ageless declaration explains succinctly the deep inspiration within him and reminds us today of our own responsibilities.

Ladies and gentlemen, please join me in honoring the extraordinary life of Robert T. Stafford.

I have had, on three occasions now, the privilege of placing my hand upon our family bible and pledging, on my sacred honor, to faithfully execute the responsibilities of governor.

Our oaths are taken, according to our customs and traditions, in public ceremony—symbolizing the covenant into which we have entered. We solemnize, through our words, a relationship that has at its core the noble virtue of trust.

Here today bearing witness to this convention are members of our National Guard. These extraordinary men and women represent all of those individuals, and their families, who protect and defend the world's most dignified expression of self-governance. They are here today to remind us of our proud past, the challenges of the present and our

obligations for the future. Please join me in thanking them and all of the men and women of our armed forces.

For a second biennium the people of Vermont elected the highest constitutional officers of one party, and a Legislature controlled by another. Appreciating the progress we made in the last session, they have no doubt concluded that such a balance serves Vermont well. Vermonters aren't interested in partisan intrigue—they are interested in results.

Over the last several years, we've taken major steps to ensure each new generation of Vermonters enjoys greater prosperity and peace of mind.

We began construction of this new, more secure, economic framework by first articulating our economic development ethics—values that guide all levels of our policymaking. We rejected the notion that jobs come at the expense of the environment, and that environmental protection must be compromised to have economic progress, stating without equivocation that we must have both. This third way—The Vermont Way—is committed to both our environment and our economy.

We then took aggressive action to address our immediate economic future, made major commitments to putting Vermonters back to work, and reversed Vermont's image as a place unfriendly to job creation by passing the state's largest jobs package and following the path outlined in my Plan for Prosperity.

We renewed our commitment to Vermont's hardworking taxpayers by passing only balanced budgets. Vermonters expect us to be fiscally responsible and live within our means. The budget I present to you for the coming fiscal year will once again be in full balance and reflect the priorities of the people of our state.

Finally, by focusing on affordability—on those issues most affecting working Vermonters—we've identified the means to address our changing population and make our state more affordable and its families more prosperous.

Moderating the cost of living is a prerequisite to achieving the prosperity and peace of mind within our reach. That is why full implementation of the Affordability Agenda remains an essential priority, and we should begin by following through on our commitment to making higher education more affordable.

Our system of higher education must be a centerpiece of our economy, producing the innovators whom we need to compete and succeed in the 21st Century.

We are a step closer to our goals thanks in large part to the Legislature's recognition of the problem and the hard work of our Next Generation Commission. The Commission has made some excellent recommendations and I thank them for their inclusive, diligent effort.

Our task now is to build on these recommendations and launch a comprehensive package of Next Generation initiatives this year.

We must fully implement Catamount Health, reforms already regarded as the most far-reaching of their kind anywhere in the country. This will require flexibility and a continued commitment to our common goals, but I'm confident that we can make these landmark health care reforms a resounding success.

Catamount Health will change the lives of thousands of Vermonters by insuring the uninsured and offering affordable premiums to those who otherwise couldn't purchase their own insurance. Together, we faced the health care challenge head on, we put Vermonters ahead of politics and delivered on our promise, and for that we can all be proud.

We must do more to put homeownership within reach of every Vermonter. That is why I propose the New Neighborhoods Initiative to facilitate home construction through a process that is predictable and less costly.

Young people entering the workforce need homes that are safe and affordable. Growing families ascending the economic ladder deserve the peace of mind and convenience of a welcoming neighborhood near where they work and where their children go to school. And the recruitment of skilled employees should not be impeded by the lack of affordable homes.

Vermonters take pride in the work that we do; from educators to excavators, we wake each morning with the same determination to do our best to provide for our families. In this biennium, we must send a strong message to Vermonters that hard work matters and that we will not take more than is necessary to run state government and fund our schools.

The oppressive property tax burden is the single greatest threat to Vermonters' renowned resolve. Property taxes continue to increase at more than double the rate of inflation—

and growth in the family checkbook—at a time when the number of students in our classrooms is declining. We must work together to ease the weight of property taxes on working Vermonters—without shifting it to another tax. To do that, we must cap property taxes.

Dorothy and I are proud to have sent our boys to public school where they received a quality education. I believe we can cap property taxes without compromising the quality and success of our public schools. We can continue to increase our investment in these important institutions—but at a rate that Vermonters can afford.

I have met with Speaker Symington and Senator Shumlin and, while our approaches may differ, we agree the real culprit is unsustainable increases in spending. Like our health care reform efforts, we need to work together, explore all options and focus on containing costs, not on raising taxes.

Vermont already has one of the highest income tax rates and per capita tax burdens in the country. Raising taxes to pay for education would intensify the problem, not solve it. Raising taxes would be unfair to working Vermonters, discourage innovation and threaten economic growth.

Making Vermont affordable is imperative. Keeping our families safe is equally important. Two weeks ago, I was proud to stand with Barre Mayor Thom Lauzon after the recent crackdown on drug activity in his city. Mayor Lauzon's determination to hold drug dealers accountable is a model we have seen work in other cities, like Rutland. Working through the Vermont Drug Task Force, we look forward to continuing our efforts in communities where the state can be a partner for change.

In Vermont, we are fortunate to have a strong community of law enforcement, firefighters, and emergency medical workers. Whether volunteer or career, they have committed their lives to public service and, in turn, let us continue our clear commitment to them. Please join me in thanking Vermont's first responders for their hard work and dedication.

Over the past four years, first with the Plan for Prosperity, now with the Affordability Agenda, we have made steady, substantive progress on the most difficult and complex issues facing Vermont families. While we must still address many pressing challenges swiftly and in this session, we are now ready to look forward – ahead of today's affairs – to shape a future for Vermont that ensures our prosperity for decades to come.

All of the steps we've taken are part of a larger vision that has brought us to the early edge of tomorrow, to the threshold of a renaissance that will – if we take care to see it through – produce the greatest economic advancements of our time.

Vermont has a legacy of leadership that stretches back to the state's founding. We will take that heritage forward and become a leader in a new economic frontier – a system of continual and substantial growth that harnesses our immeasurable intellectual wealth. To do so, we must bring together advancements in technology and education around the core of our shared environmental ethic. We must join the best of our past with a resurgence of Vermont's well-known resourcefulness and inventiveness.

Our future is the very definition of Yankee ingenuity and is rooted firmly in our traditions. A founding tenet of Vermont is creative adaptation – turning sap into syrup and selling it as gold – and our future will be built on that principle.

Our approach will combine Vermont's unparalleled environmental values with innovations in education and a telecommunications infrastructure superior to that found in the most modern cities. I call this approach "The Vermont Way Forward" and it will position Vermont squarely ahead of forces driving the global economy.

The Vermont Way Forward advances our traditional industries through pioneering approaches to rural development. It protects our forests and fields for time-honored uses and applies scientific innovation to speed the clean up of our lakes and streams. And it strengthens Vermont's agrarian roots with technology that allows farmers to grow locally but compete globally.

Our approach embraces our cherished natural environment beyond its bountiful material resources and focuses our industry on one of the greatest engineering challenges of this century: finding practical environmental solutions that balance growth and resources around the world.

We will weave into our economy companies that share our sensible approach to protecting the environment. We will cultivate innovators in environmental engineering and become the center for the solutions of tomorrow, building on Lieutenant Governor Dubie's vision of a Green Valley.

The Vermont Way Forward will be built by Vermonters and emerge from markets that demand it; but, as a state, we must assemble the foundation from which it will prosper.

Today, I present the primary elements of the Vermont Way Forward – a four-part strategy of environmental leadership, job creation, technological advancement and innovative education – a strategy that will allow Vermont the opportunity to complete an economic transformation that no state has achieved, but all will envy.

The Vermont Way Forward begins by reaffirming the importance of our natural environment and our commitment to a balanced approach.

Overall, Vermont's global environmental footprint is quite light. We have developed a responsible and growing portfolio of renewable energy sources. We currently capture more greenhouse gas than we produce. We were the first state to sign on to the Regional Greenhouse Gas Initiative, and my administration adopted tougher rules mandating California Emissions Standards for cars and trucks.

Vermont has joined the 25 x '25 alliance to advance renewable energy solutions with the goal to produce 25% of our energy from renewable sources by 2025. And state government is a leader in reducing greenhouse gases through my Comprehensive Environmental & Resource Management program.

We have made enormous progress, but motor vehicles still account for 45% of greenhouse gas emissions in Vermont. To reduce emissions, lead us toward energy independence and expand the market for environmentally preferable fuels, I offer four proposals:

First, I ask that you approve a percentage point reduction of the tax on fuel-efficient and hybrid vehicles and reward Vermonters for making environmentally friendly choices. I request that you support a tax rate reduction on bio-diesel for individuals and businesses that use it for transportation purposes, so we can cultivate the commercial market for bio-fuels. I seek your support for a tax incentive that will make bio-fuels as affordable as regular home heating oil. And lastly, I hope that you'll support the effort I am making to substantially increase the use of alternative fuels in state government—both in our vehicles and our buildings—so that we remain a leader in this important transition.

These are important steps, but our efforts to reduce the effects of greenhouse gases and other pollutants must now go far beyond the leadership we provide through our example.

By attacking the prime drivers of greenhouse gas emissions and redoubling our pledge to use renewable energy resources, Vermont will do even more to strengthen its position as a world leader in the environmental sciences.

If we are to have a truly meaningful impact on global environmental issues, we must lead the world in developing environmental solutions, and market those solutions to companies, states and countries who can only covet Vermont's deeply imbued environmental ethic.

The second part of the Vermont Way Forward is an aggressive job creation strategy that will retain existing employers, retrain current employees and work to recruit firms that

specialize in the growing field of environmental engineering, and the development of related products and services.

Environmental engineering is a discipline that identifies and implements solutions to problems such as air pollution, storm and wastewater management, hazardous materials and water supply contamination. The global demand for these services is large and growing, especially in emerging industrial nations. Many of these countries, such as China, are just now recognizing the effect of rampant growth and are beginning to develop and implement strategies to address prior and future impacts, and, in turn, are looking for environmental solutions.

Environmental engineering is Vermont's next captive industry and we have the foundation from which the sector can flourish.

The state will marshal public and private resources to grow this portion of our economy. To help guide this work, I will create through Executive Order an Environmental Engineering Advisory Council comprised of Vermonters with expertise in engineering, math, science and technology and appointed by both the administration and the Legislature.

This effort will leverage the innovation and knowledge of Vermonters to create a major new industry dedicated to resolving the most complex environmental challenges of our time. Our obligation now is to be sure the infrastructure exists to complete this economic transformation.

There is no doubt that a safe and reliable system of roads and bridges is essential for today's economy, but the critical infrastructure for the future of Vermont will not much look like a car, a culvert or a bend in the road. It will look like this.

In my hand there is wireless mobility, complete access and clear connections. In my hand is fairness and equity for all of Vermont. In my hand is both freedom and unity.

In three years, this phone will be capable of downloading email, images and video at speeds faster than most home broadband today. It will allow Vermonters to work from anywhere, anytime, unimpeded by spotty coverage, bad connections and the constant aggravation of dropped calls.

We've made great strides in improving cellular coverage along main corridors, but large areas of Vermont still have no signal. Although in the last three years we've helped over 45,000 more homes and offices get access to broadband internet – so nearly 90% of Vermont homes have access – the remaining 10% will take many more years to reach by traditional means.

While we take incremental steps to build a hard-wired network, the wireless world moves ahead. Homes that do not have broadband available are becoming increasingly difficult to sell. Entrepreneurs looking to start a new business will barely consider breaking ground in a community without good cellular coverage. Broadband internet and wireless cellular are no longer mere conveniences afforded to urbanites or the well-heeled; they are a fundamental part of modern life for all Vermonters, as essential as electricity and good roads. This is the technological foundation of the Vermont Way Forward.

Thanks to the work we've done, Vermont is well positioned to leap over existing technology and support both broadband and cellular communications for the entire state.

Wireless communications and broadband internet access are near the point of convergence – meaning the technologies that support each will be the same. More specifically, modern telecommunications will be based on Internet Protocol, or IP, a digital language that can support voice calls – like cell phones and standard telephones – as well as internet communications – such as email and web pages.

Building on these technological advances, I propose that by 2010, Vermont be the nation's first true “e-state” – the first state to provide universal cellular and broadband coverage everywhere and anywhere within its borders. When you turn on your laptop, you're connected. When you hit the send button on your cell phone, the call goes through. There would be no more endless downloads, no more hopeless hellos, and no more “can you hear me now.”

This goal is within our grasp if we move quickly and decisively during this legislative session.

To facilitate the creation of our “e-state,” I propose a Vermont Telecommunications Authority that will partner with private enterprise to build a next generation infrastructure that supports universal broadband and cellular coverage. The state will back \$40 million of bonding by the Authority, which will leverage more than \$200 million in private investment. The Authority will serve as a bridge between public sector efforts and private sector investments and will seek to complement – not replace – the role of service providers and infrastructure developers.

Unlike building more roads or bigger buildings to support growth, the commercial infrastructure of tomorrow will be almost invisible, but for a handful of towers and antennas.

To support the work of the Authority, we need to reduce the time it takes to build a truly modern infrastructure. I will be proposing a series of responsible modifications to Vermont's permitting laws that will balance our environmental values with the need to move rapidly. Those measures will include using state-owned structures and rights-of-way to speed required construction.

The benefits of an “e-state” are evident to current and prospective employers. It represents meaningful connections within Vermont and with the vast world outside. Whether it means a construction worker can receive a business call at a remote job site, a bed and breakfast can offer guests wireless cellular and broadband, a feed store can order new inventory online or a small mail-order business can cut calling costs, our “e-state” strategy establishes the platform for success across all sectors of the economy.

The advantages of a state-of-the-art telecommunications platform extend well beyond the economic value of the Vermont Way Forward. A true “e-state” enhances our public safety network, extends the reach of health care, and improves the education of young Vermonters.

Ever-present cellular coverage will give residents and visitors an extra measure of protection and provide a communications network where police officers of one town can talk to firefighters of another.

The emergence of telemedicine, made possible by our universal broadband network, will offer dramatically enhanced monitoring services to chronically ill patients and the elderly. Vermonters with chronic conditions will be able to transmit information instantly to their doctors who can respond to anomalies or alarming trends.

Vermont is fast becoming a leader in health care innovation, led by Catamount Health and the Blueprint for Health. While our best-in-the-nation broadband network can never replace the compassionate touch of our health care providers, it will make available to them the most modern tools to improve quality and reduce costs.

The education of our children is the single most important and lasting impact of our “e-state” initiative. Affordable broadband services provide every child with access to the educational resources of the best schools and libraries throughout the world, as well as offering continuing education opportunities for lifelong learners.

Teachers and students would have at their fingertips a world’s worth of educational resources. Whether it’s online classes, tutorials to supplement classroom learning or internet video links with other classrooms throughout the world, our network will firmly establish Vermont as the best place to live and raise a family.

Our strong commitment to education will not stop there. Vermonters have always prized a quality education, but global competition demands an even higher level of aptitude from graduating students. We cannot simply put more money into the same system and expect better results. We have to look at the system with fresh eyes and rethink how to provide all students a chance to reach their full potential.

Senator Stafford understood that to give students a chance at success was to open up the world to them. Among his many accomplishments is the college loan program that bears

his name. This unprecedented level of financial support has sent generations of kids to college.

We have now our own opportunity to help generations of young Vermonters obtain the skills they need to succeed in this century— and ensure they are learning math, science, technology and engineering as well as, or better, than their counterparts throughout the world. That is why I am proposing the creation of Robert T. Stafford Schools for Math, Science and Technology. These regional Stafford Schools for high school students will go beyond the scope of today’s technical education and emphasize the skills needed for the next wave of scientific advancements.

The education of our children is important to all of us and I want to work with the Legislature to raise the quality of our educational system in creative ways. To this end, I propose to continue the good work of the Next Generation Commission and ask you to extend its charter to study the creation of Stafford Schools and other means to bring math and science competency to new levels.

* * *

The Vermont Way Forward is a model that takes our economy in a bold new direction. It empowers our balanced, practical environmental values and leverages them into new, good-paying jobs. It directs our educational system to teach tomorrow’s leaders the skills they need to compete in the global economy. And it revolutionizes our telecommunications infrastructure by making Vermont the nation’s first “e-state” where quality cell coverage and broadband internet are available to every Vermonter anywhere, anytime.

We have available to us the resources to secure for the benefit of generations of young Vermonters the opportunities and prosperity ahead. We have the opportunity to build an economy that favors the development of intellectual resources; an economy that embraces our old ways, and encourages their advancement through new means; an economy that ensures the security of every family and provides all Vermonters with the chance to enjoy our unparalleled quality of life without worrying that the costs of living here will exceed what they receive in their next paycheck.

The Vermont Way Forward captures these aspirations and embodies the best of Vermont.

You see this promise in the hands and faces of every Vermonter. As I have traveled Vermont, these hands and faces have instilled in me a new sense of purpose for the future of our great state.

I have shaken the hard-calloused hand of a hill farmer and in his leather-faced smile seen the hope of spring.

I have warmed the thin hands of older Vermonters, their eyes still sparkling between deep gray granite lines of age.

I have touched the shoulder of a proud father hoisting his daughter heavenward; the warm blanket of a mother wrapped in the embrace of her newborn son.

And I have held the tender hands of young Vermonters, their shining eyes illuminating the path to tomorrow – blind to our differences, but bound to our promise to make this world better for them.

Now, in our hands, Vermonters have placed their optimism for this century. In our faces, they seek honesty, integrity and our commitment to a common purpose. And for them, we shall deliver.

When we clasp hands at the end of this biennium, let it be in celebration of our shared accomplishments for all Vermonters. Let our eyes be alight with progress. And let our actions speak boldly to the generations that lie before us.

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JAMES H. DOUGLAS
GOVERNOR



State of Vermont
OFFICE OF THE GOVERNOR
Inaugural Address of Governor James H. Douglas

A New Framework for Progress

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

One hundred seventy three years ago farmers, businessmen, and lawyers from across Vermont met here for the 1836 session of the General Assembly. Among them, a minister and headmaster of the Orleans County Grammar School took his seat as the member from Brownington.

Alexander Twilight was a pioneer. A native of Corinth, Twilight's life was devoted to public service as a preacher, educator and legislator. When he took his oath so many years ago, Twilight made quiet history as the first African-American to serve in a state legislature.

In less than two weeks we will observe the swearing in of our next president, opening a new chapter in America's history. We can all be proud of how far we have come to this momentous occasion – one that Alexander Twilight could barely have imagined when he served in this body over a century and a half ago. Let there be no doubt that our system of government, the institutions of our nation, and the American spirit endure stronger than ever.

Each time I climb the steps to this podium, I am reminded of the many great leaders whose footsteps I trace, and am humbled to share this honor with them. I am deeply grateful for the confidence Vermonters have placed in me and for God's grace that touches us all. I am blessed to have such a wonderful family, many of whom join me here today, including my wife, Dorothy, and my son, Matt.

As I look out across this chamber, I see old friends and new faces, all of us charged by the people to address the great challenges that face our state. I offer my sincere congratulations to new and returning members of our legislature, as well as Lieutenant Governor Dubie and other statewide elected officials. I also want to offer my congratulations to Speaker Smith.

Voters have again returned a legislature controlled by one party balanced by an executive of another and they expect us to work together. Whether you sit as a Democrat, Republican, Progressive or Independent, we are all Vermonters first; and to a person we have been entrusted with a monumental task – to steer our state through rocky shoals. Together, we shall not fail.

We gather today for the time-honored rite of inauguration, an important symbol of our vibrant democracy. An inauguration marks a gateway between past and future, an occasion of starting anew. Indeed, a time of transition is where we find our state.

On factory floors, in small businesses and around kitchen tables, and even in this very hall, we share the anxiety of a nation on edge. As moms and dads, friends and neighbors, we feel the painful effects of recession sweeping across our country and around the world.

Vermont has been pulled into this national downturn, the depth and breadth of which we have not seen for generations. The foundation of our economic security has been fractured. We have seen pyramids built on greed crumble and institutions thought indestructible disappear.

For too long, too many have held the mistaken belief that we could live beyond our means – that we could buy now and pay later – convinced that easy credit would allow us to have what we could not afford. Many thought revenues would always rise and difficult decisions could be deferred.

That misguided notion has brought us to this time of great collapse. If we ignore the modern parables of Wall Street and Washington, we risk their fate – and a future that spurns our Yankee forbearers who carved this state from the granite of “temperance, industry and frugality.”

Today, I present a plan for Vermont to direct its own future, free from the ties that bind us to the status quo. Rather than follow blindly, we will lead boldly.

The discussion about how to balance a lean state budget will consume the greater part of this biennium – and appropriately so.

Consider the realities we are facing: we have already trimmed \$43 million from our current year budget and, in the coming weeks, the legislature will consider an additional \$46 million in rescissions. When the state’s economists meet next week, we could again see revenues decline; further requiring cuts to balance our budget. And our challenges don’t stop there; in fiscal 2010 we expect to have a shortfall of more than \$150 million.

In the past, we have looked to four primary fixes to mend holes in our state balance sheet – spending down reserves, relying on federal aid, raising taxes, and deep spending cuts – but none of them, whether alone or taken together, are adequate to address the current economic crisis.

The most oft-cited approach is to use the state’s stabilization reserves – that is, the “rainy day funds” – as a quick patch to the problem. There is no doubt it’s raining, but no one knows just how long this storm will last. To use the rainy day funds now is to ignore the severity of this recession in hopes the danger passes. Once we use our reserves, they are gone and it will likely take us years to replenish them. There is a right time to use the rainy day funds – when we experience an unanticipated drop in state revenues – but now, when other choices remain, is not that time.

Following the recession of 1991 the state had no reserve funds and few alternatives but to cut programs deeply and raise taxes sharply. Eighteen years later, the economic conditions we face rival that downturn – but that’s where the similarities end. State government is much better suited to weather this storm with full reserves, years of balanced budgets, and the highest bond rating in New England – all variables absent from the 1991 equation.

Further, working Vermonters are exposed to the risk of volatile markets, more so than in previous downturns. Families have watched college savings dwindle and their modest investments falter. Folks who have worked their whole lives have seen retirement accounts lose half their value. The personal reserves of average Vermonters have suffered, leaving smaller and smaller nest eggs.

In addition to that, Vermonters have no capacity for higher taxes – another approach advanced to shore up state coffers. In previous recessions, the state has raised taxes calling the increases “temporary” or under the guise of a “tax shift.” But when our fortunes improved, some taxes remained and the revenues were spent. Economists across the political spectrum agree that to raise taxes now would only slow a recovery, especially in Vermont, where our total tax burden is among the very highest in the nation.

I have heard recent proposals that would raise the top marginal tax rate by 37%, placing Vermont at the top of the tax heap – 26% above the next highest state – a dubious distinction especially as we compete with our neighbors for jobs and industry. Our earned income tax rates would be 90% greater than New York, 145% greater than Massachusetts, and infinitely greater than New Hampshire, which has no such tax. How many employers – especially in difficult times – would willingly choose to curb returns in order to pay more taxes?

It is unfair and unacceptable for us to expect the people of Vermont – who are making difficult budget choices everyday in their homes and businesses – to pay for an unwillingness to make tough budget decisions.

While I look forward to working with President-elect Obama and his new administration in coming the years – waiting on Washington to pass an economic recovery package is not a responsible stand-alone option. Although we are preparing for an influx of federal money, we must remember that any help is only temporary. If we do not get our fiscal house in order today, we will find ourselves on a cliff’s edge when the money runs out – forced to make more drastic decisions tomorrow.

Given the magnitude of the growing budget gap, it would be shortsighted to only cut our way out of this problem. While economic contraction demands belt-tightening and we cannot avoid rescissions in nearly every area of government, this approach alone will not position us to emerge from this downturn ready to grow. If we nickel and dime services to keep the budget in balance, we will quickly reach a point where our programs are no longer able to serve their purposes.

Now is not the time to rest on old notions. Now is not the time to spare sacred cows. Now is the time we must summon the courage to forge lasting solutions and reject the patchworks of the past.

From great collapse, we must rise again with a new framework for progress – one that sets government on a sustainable path through the transformation of education, human services and economic development. Only by doing so can we rebuild our economy, create good paying jobs and protect the most vulnerable during these difficult times.

As Vermonters, our cause for optimism remains great – it is rooted in our shared history, our commitment to one another, and the promise of a better tomorrow.

It is found in an old farmer and a young family; in our lessons passed down from parent to child; in the hunters, anglers and trappers who give new life to old traditions; and in entrepreneurs creating new opportunities for our people. It is manifest in the pride we share for those who protect our communities – our police, firefighters and EMTs – and in the brave men and women of our armed forces who risk their lives far from the Green Mountains to preserve our most cherished values. I want to take a moment to recognize representatives of our National Guard who join us in the balcony today.

Our work in recent years has prepared us to meet today’s challenges. During our nation’s last recession in 2003, we passed the largest jobs package in state history. As we emerged from that downturn we streamlined government, and expanded access to health care. We strengthened our commitment to the next generation, increased bonding capacity and made new investments in our roads, bridges and culverts, and provided incentives for green businesses to succeed – while balancing the budget each year.

To keep Vermont competitive in a rapidly changing world economy we worked together to create the Vermont Telecommunications Authority – setting a course to achieve our goal of becoming the first true “e-state,” where everyone has access to the tools of the 21st century.

Last year we took immediate steps to spur economic activity and temper the effects of the looming downturn. The Economic Growth Initiative – which included a successful sales tax holiday to help working families and boost Vermont retailers – was a needed bridge in a time of turmoil. And the Fuel and Food Partnership is coordinating services among the state, private agencies and local communities to ensure that vulnerable Vermonters have the resources they need during this already harsh winter.

But to preserve these valuable gains, the time has come for our state to embrace this new framework – where the real needs of people intersect with the true capacity of government to serve.

Ingrained in some areas of government is an institutional momentum that demands more resources regardless of taxpayers’ ability to support their growth. The recent downgrades in our revenue forecasts and the bleak outlook for the coming fiscal year have shone a bright light on the imbalance we now find among different functions of government.

The best examples can be found in two areas – general education and Medicaid. Combined, in state dollars alone, they account for sixty-three cents of every tax dollar spent in Vermont. These areas of government continue to grow year after year without the same checks and constraints as other important services.

We must advance beyond these obsolete models and move to a modern approach – breaking down longstanding walls to achieve equilibrium among many important priorities and support lasting economic security.

As the parents of two boys who attended public school in Vermont, Dorothy and I know the value of a quality education. As the grandson, son and son-in-law, brother and brother-in-law, nephew and uncle of educators, I recognize the great inspiration teachers bring to the classroom every day.

Vermonters are rightly proud of the quality of our public education system and the tremendous caliber of our teachers. Pride, however, does not excuse us from the necessary and important changes to make education spending sustainable for the long term.

As we examine the current fiscal challenges, it is clear that our public education system is on a collision course with economic reality – threatening not only the dwindling capacity of taxpayers, but also our responsibility to fund essential services for vulnerable Vermonters.

In the last five years, Vermont has experienced an education spending expansion funded by property tax increases and general funds. Assuming the fiscal 2010 current law projections, spending from the education fund will have increased by nearly \$283 million since fiscal 2006, or a 23% increase. Over the same period, statewide school enrollment has dropped over 4,300 students, or a 4.4% decrease. This means that since 2006, for every student who left the rolls, schools added – not reduced – \$65,000 in costs.

While unfunded federal mandates and inflationary increases drive a portion of these costs, the biggest portion is attributed to increases in staff count. Since 1997, student enrollment has fallen by almost 10,000 children, or 10%, but school staffs have increased by 3,500 positions, or 22%. Put another way, for every three students who left the rolls, schools have added one staff position.

In contrast, we are looking at the jobless rate rising every month, with thousands of Vermonters added to the unemployment rolls since last summer. State government is trimming its workforce, some businesses are reducing hours, and others are closing their doors completely. Everyone is facing cutbacks during this difficult time. But still, education spending for 2010 is expected to grow 6.1% per pupil. Recent newspaper articles report proposed school budget increases of 5%, 8%, and even 11%. Property tax bills are expected to grow an average of 6%, even after income sensitivity payments. Expansion like this is unsustainable in any season, and especially when our economy is facing such severe retrenchment.

Our current education funding system is failing taxpayers and local voters. For over a decade, Vermonters, in every corner of the state, have borne the heavy burden of rising property taxes under Act 60. It is wrong for one third of all tax dollars to be spent on a system only a handful can explain. When enrollments decline but property tax bills increase – and when communities are forced to vote budgets without knowing the real consequence of those decisions, it is clear that our system does not work.

Act 60 and Act 68 are fundamentally broken and beyond repair. Piecemeal changes cannot mend a system that is so far out of balance. Only a wholesale transformation will return control to communities and put education funding on a sustainable course for the future.

There is no one size fits all approach to education. Each school district must determine what works best for its students. But maintaining the status quo is not in our kids' best interests. Building an education system for the future requires a willingness to recognize the realities of declining enrollments across the state.

Now is the time to build a new system – one that is fair and equitable, and respects the voice of voters, the pocketbooks of taxpayers and the potential of our students. Too often, politics has stood in the way of change. That is why, with a sincere commitment to progress, I ask the Legislature to work with me to establish a collaborative process for fresh ideas – bringing together thoughtful individuals with broad range of perspectives to design an education funding system that is simple, transparent and sustainable. We must also be prepared to examine school consolidation, governance, special education costs, and other opportunities to achieve efficiencies.

I will seek your suggestions on the best minds for this high priority. I understand the magnitude of this proposal, but with so much at stake and inaction threatening the economic security of countless Vermonters, we must work together to take this important step.

While launching this process is essential to rebuilding our education finance system, property taxpayers cannot wait another year for relief. In order to create a funding bridge until a new system is established, I propose a common-sense measure to freeze per-pupil spending for schools and categorical grants at current levels. When we consider what government, businesses and families are facing, level funding is a fair approach.

Further, we will strengthen local control by holding school districts directly responsible for tax increases. During this bridge year, if a school wants to raise additional money above level-funding, it can ask voters to fund the increase entirely through its residential tax rate, up to a level that respects the Brigham decision. I also propose we end property tax subsidies for Vermonters making over \$75,000 in order to lower tax rates even further for all payers.

By taking these steps, we'll be able to effectively reduce property tax rates by 4 cents for a total of \$44 million. The statewide rates can each be cut by at least 2 cents, that is \$24 million. Further, the spending freeze results in additional residential property tax reductions of another \$20 million as projected increases in per pupil spending are avoided. In fact, the state will collect no more from residential taxpayers next year than it has this year – a welcome change for struggling Vermonters.

All across our state dedicated volunteer school boards are working diligently to craft budgets in time for Town Meeting. I know they are facing difficult decisions – state government is struggling with the same real time adjustments. And I acknowledge that my plan represents a departure from usual practice – but we are in unusual times. That is why I am committed to working closely with school districts to give them the flexibility they need to consider budgets that are level-funded.

Property taxes are not the only source of revenue for education spending. The general fund of state government provides a substantial share of school funding.

Without changes to the current system, the state is expected to transfer \$298 million from the general fund – nearly a quarter of available resources – to the education fund in fiscal 2010. This transfer, which will have increased over \$38 million since 2006, has been held completely harmless during the recent rounds of rescissions.

Further, the State Teachers' Retirement System is directly supported with general fund money and has not been subject to reductions during recent cutbacks. In fiscal 2010, the general fund is expected to contribute at least \$40 million as the employer's share of contribution to support the system. This approach is a vestige of the past and effectively allows schools to set salaries detached from the true cost of the benefits.

In other words, the education fund has not shared any of the sacrifice seen by other areas of state government. If we continue to excuse education spending from equal treatment, we force health care and human services – the lion's share of the remaining general fund – to shoulder the burden of balancing a responsible budget. That is not a realistic, or compassionate, option.

To put these disparities between the general and education funds in context, we should step back and look at the big picture. According to current estimates for the next fiscal year, we need to reduce benefits and cut programs – primarily in human services – by at least \$150 million out of a general fund budget of less than \$1.2 billion. Meanwhile, funding for K-12 education is expected to increase \$63 million in the \$1.4 billion education fund.

In fact, with current projections, while the education fund will have grown 23% since 2006, the general fund will have actually decreased 2% – meaning that we will be spending less in state government in our fiscal 2010 budget than we did in fiscal 2006.

If we do not take action to restore the equilibrium between the general and education funds, we risk devastating spending cuts. I propose placing the obligation for funding the teachers' retirement system where it belongs – in the education fund. This \$40 million would leverage \$97 million in state and federal Global Commitment money and reduce the need to cut critical programs for vulnerable Vermonters. I also propose linking the general fund transfer to the education fund to changes in the level of general government spending. This is a reasonable approach that respects the capacity of taxpayers.

Further, a close examination of spending for public education reveals a startling imbalance among our funding levels for early education, K-12, and higher education. We spend relatively little on early education – are among the highest in the nation for primary and secondary education – and near the bottom for higher education. We must begin to reshape this skewed distribution of resources.

Access to affordable, quality early care and education provides a dual benefit: it lays the building blocks for a successful future, ensuring children arrive at kindergarten ready to

learn; and, it removes the single biggest barrier for parents in poverty to move into the workforce. At the other end of the spectrum, Vermont's colleges and state university are among the most expensive in the nation and for too many Vermonters, simply out of reach.

To move our system of education into the 21st Century we must strengthen our commitment to creating a continuum of learning that begins in early childhood and never ends, providing the necessary opportunities to Vermonters throughout their lives.

A real investment in lifelong learning is an investment in an individual's economic independence. Indeed, few things are more important to establishing a strong and growing economy than the education and training of our workforce. That's why, despite budget challenges, I propose a 20% increase in early and higher education as a first step to address spending disparities and prepare Vermonters, young and old, for future success.

I realize that there are some who have an interest in maintaining the current system. They will challenge any data and idea that calls into question the need to move our system of education out of the past and into the future. But we were not elected to safeguard the needs of one interest over another – we were elected to do our best for all Vermonters. I ask this assembly to join me in revitalizing our education system to better serve our children and make needed investments in the future of Vermont.

But the transformation we need requires a shift not only in thinking and spending, but in structure as well. The final step is to seek the benefits from an integration of the University of Vermont and the Vermont State Colleges into a single organization. We have real gems in our state university and colleges, and with a commitment to progress, we can establish a higher education system better positioned to meet the needs of the student bodies. This marriage of resources – from infrastructure to administration, programs to athletics – will allow each college the freedom and flexibility to better focus on targeted academics offering the very best to each student.

I will charge a working task force with the responsibility to find academic and administrative efficiencies that will be achieved through consolidation of our university and state college systems. I will ask the task force to report with recommendations by November 15th.

Underpinning everything we will do in the coming session is our obligation to the most at risk in our society. We must make certain that those with the greatest need – children and vulnerable elders, working poor Vermonters, those with developmental disabilities and

mental health challenges, and the indigent – are protected. But in order for government to ensure that the programs and benefits are secure, we must chart a course that is financially sustainable and outcome-based.

The prospect of belt-tightening in state government understandably draws concerns from community providers, advocates and consumers of state benefits. I share the concerns about the impact of budget decisions on individuals and the programs and services they need.

Make no mistake: these are tough conversations, made tougher with real heartache and real adversity. After all, in a state like Vermont, these stories are not statistics – but rather the family, friends and neighbors entwined in our daily lives. But while these conversations are difficult, they are the right conversations to have at a time like this.

The first element of protecting the most vulnerable is to ensure the near-term solvency of benefit programs, while working to create sustainability in the long-term. Our first of its kind Global Commitment to Health waiver was a major milestone in addressing our challenges in the Medicaid budget. But even with Global Commitment, caseload increases outpace resources with a bigger and bigger portion of the state budget needed to fill the gap.

Although our federal partner in Medicaid is expected to help with increased funds through the economic recovery package, that alone will not ameliorate increasing pressures on the human service budget. We must take immediate steps to set this vital network of programs on a sustainable path.

Right now 25% of Vermonters receive some form of Medicaid assistance, among the highest percentages in the nation. There are principally two ways to make Medicaid sustainable: either we can exclude populations above a certain income level and eliminate their services, or we can realign benefits and share costs to fit responsible budgets. To me, the option of eliminating health care coverage for many Vermonters in order to preserve a generous benefit for a few is unjust in such a challenging time. The philosophy of sharing the sacrifice broadly must be part of any proposal we advance.

We must also guarantee that each dollar is spent with a focus on quality of life and the goal of future independence.

Our efforts to provide a healthy lifestyle discount in the private health insurance market should be mirrored in our Medicaid program. Encouraging Vermonters to make better choices when it comes to their health and well-being is a critical component of our innovative health care reforms, and the Vermont Blueprint for Health is the cornerstone of these efforts. We should align Medicaid with these goals and work to reward beneficiaries who eat nutritiously, stay in shape and live a clean life, free from drugs and smoking. By offering lower premiums for healthy choices, we can provide a tangible incentive to empower Medicaid recipients to take responsibility for their own well-being and, at the same time, lower health care costs.

While the vast majority of beneficiaries and providers in our human services network are honest, we have all heard stories about some who exploit the system. Such unscrupulous acts threaten to shortchange those most in need. I have asked the Agency of Human Services to review the state's response to those who falsify information to obtain government benefits or payments, including consumers who abuse prescription drug benefits. At a time when we are forced to consider significant cuts to programs, we must look for ways to guarantee that the programs we have are serving only those Vermonters for whom they were intended.

It is reasonable for the state to ask beneficiaries to assist us in enhancing their individual health and welfare. We must focus our assistance, invest in Vermonters, and ensure we are building transformational bridges: from poverty to economic success; from chronic illness to health; from drug dependence to independence. That's the covenant: the state provides assistance and beneficiaries work to amplify the state's investment and improve their lives.

Although common-sense changes to our human service programs are vital, there is no substitute for a good-paying job to bring real renewal into an individual's life. While it's hard to think about creating jobs as businesses close and lay off employees, now is the time for us to redouble our efforts to support existing companies, encourage entrepreneurship and attract new employers by transforming our economy to meet the demands of the 21st century.

During the fall I introduced a series of proposals – an Economic Growth Plan – to make our state more competitive and position Vermont to be on the first wave of recovery. As the economy continues to soften, it is important that we act to enhance our economic development efforts and pass this practical plan in the first 100 days of the session.

Many of the principles that bind these proposals together are shared across the political spectrum. We understand the value of renewable, clean and affordable energy. We've seen the power of information and the potential of technology. And we know that in a rapidly changing economy, our ability to grow and attract innovative, emerging industries will be the difference between success and failure.

That is why I have called for the development of Green Growth Zones to join commercial, residential and renewable energy facilities together in an arrangement that benefits an energy producer with access to a ready market, and benefits businesses and individuals with reduced rates for clean power. And that is why it makes sense to provide greater regulatory certainty to assist in the creation of a Smart Grid for Vermont.

As part of last year's Economic Growth Initiative, we provided a higher level VEGI incentive to green industries. By expanding this successful program to technology-based

employers, such as software developers, we can encourage growth in this fast moving sector of our economy.

Whether it is a more fuel-efficient car or a breakthrough in biomedicine, Vermont must aspire to be the home of innovation and invention. By enticing entrepreneurs through the Vermont Innovation Challenge, we can help meet the needs and employment potential of our workforce.

As I travel Vermont and talk with employers, too often I hear the same stories about the time, expense and uncertainty of obtaining necessary permits and approvals to begin a project to grow their companies.

I believe that some in Vermont have lost sight of what a permit application really means. It is easy to characterize applications in the negative: this project will add that much traffic or require this much mitigation.

But to me, a permit application really says something very positive.

It says, "I'm hiring."

It says, "I'm prepared to make an investment in Vermont."

It says, "I'm ready to put down roots in this community and create jobs."

For many Vermonters what that permit application really means – above all else – is the difference between checking in for work and waiting for an unemployment check.

When an employer has made the commitment to grow responsibly in Vermont, we must make the commitment to speed the process from permit application to shovels in the ground.

Over the years, we have advanced reforms to parts and pieces of the process, sometimes with success – as we had five years ago in streamlining appeals – but most often without closure. The current system remains a labyrinth, fraught with unpredictability, which threatens job creation for years ahead – unless we are prepared to make substantive changes that will modernize the system.

As we strive to protect that which is so special about Vermont, we must recognize that a "working landscape" requires Vermonters to be actually working - not simply admiring the view.

We must preserve and strengthen our gold standard of environmental protection, but we can do so while making it easier for companies to invest in Vermont and grow with

certainty. We can build a better, more practical system based on clear guidelines, professional assistance, a good dose of trust and strong penalties for non-compliance.

I propose we broaden Act 250 so proposals are not only judged on impacts, but also on the positive economic, social, or cultural benefits that may flow from a project into a community or region.

We must bring greater predictability to all interested parties by ensuring that once you've obtained your permit from an agency of state government, that permit will not be challenged in an Act 250 proceeding.

Further, we must expedite the chilling and costly effect of our lengthy appeals process by instituting "on the record review" – one formal hearing, where all evidence is submitted and examined.

Finally, we must expand the use of the self-certifications, general permits and permits by rule that are now used in stormwater, air pollution control and other programs. Instead of complex front-end regulation, we can provide clear guidance to businesses and trust them to design appropriate systems with the help of a recognized professional, obtain a general permit, and move towards better and faster construction.

Businesses will not be let off the hook from environmental protection. Non-compliance will bring costly penalties, motivating developers to complete legally and environmentally sound projects. Furthermore, self-certification will allow agency staff to spend more time in the field ensuring compliance, rather than micro managing proposed permits upfront.

I have directed the Secretary of Natural Resources to examine every permitting program within the Agency, identify those for which self-certification and other strategies make sense, and design approaches for each.

By creating a more responsive regulatory process we will uphold our cherished environmental standards and at the same time allow our state to grow and thrive.

In the short term, however, the extraordinary realities of the current economic crisis demand immediate action. I have asked my administration to work with the legislature and others to create the Vermont Economic Response Team, which will marshal all available public and private resources to assist companies at risk. Similar to the Fuel and Food Partnership model, the Response Team will cut through red tape, expedite the deployment of resources and examine temporary measures to help a business that is in trouble. When Vermont companies are in distress, I want to be absolutely sure that we do everything possible to help them weather this storm.

Agriculture and forest products remain pillars of our rural communities and, like other industries, are struggling.

Unfortunately, we expect the price of milk to drop significantly this spring. Although there is little the state can do to insulate dairy farmers from the volatile national milk pricing system, especially during these lean fiscal times, the Agency of Agriculture has been working closely with counterparts in New York and Pennsylvania, and the northeast dairy cooperatives to offset falling milk prices.

We will continue to work diligently with our congressional delegation to explore all options to help our traditional industries survive a difficult economic climate in the coming year.

While education, social services and jobs are all vital to the future of Vermont, the safety of our children trumps all else. The tragic events of the last year are a sobering reminder that more must always be done to keep violent sexual predators off our streets and away from our children.

I am confident that we can work together to quickly pass a comprehensive package of laws that focus on prevention, strengthens investigations and prosecutions, requires stiffer sentencing – particularly a 25-year mandatory minimum sentence – and enhanced supervision for sexual offenders. We have no time to waste in ensuring that law enforcement, the courts, families and communities have the tools they need to keep the children of Vermont safe.

I would like to take a moment to address the more than 8,000 Vermonters who work in state government and make this \$4.3 billion enterprise run. State government remains the most far-reaching organization in the state. And now more than ever, our fellow Vermonters need us to lead by example – to find in every department, in every division, new ways to generate economic activity and ensure that those who most depend on our services receive them. I know you don't always receive the credit you deserve, but your work has a tangible impact on the lives of those you serve. And I am confident that at day's end the work we do will help our state emerge quickly and strongly from this downturn.

For the moment the clouds of recession have obscured our view of a more prosperous future. The task ahead is difficult and demanding, but Vermont will succeed. We will achieve our goals and realize the full potential of a people whose legacy is the diligence of its industry and the inspiration of its innovation.

Today, as our will commands, Vermont moves forward.

We will move together, past old ideas and embrace new solutions. We will address our challenges directly and completely. We will re-balance and strengthen our system of education, secure our social safety net and, most importantly, we will create a new, lasting framework for sustained growth.

Today, we inaugurate new ideas and real solutions to restore our economic security, awaken our optimism and produce new opportunities.

When this work is complete, and when the clouds of recession lift, we will look back at this session of the General Assembly as the moment we ushered in a new era of prosperity in our state's history.

God bless each you and the great state of Vermont.

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Inaugural address
of
Horace Eaton
As it appears in the
Journal
of the
House of Representatives
October Session
1846

Saturday, October 10, 1846
Inaugural Address

Fellow Citizens of the Senate and House of Representatives:

On assuming, as we now do, the guardianship of those civil interests of the State which have, for a short period, been entrusted to our care, it is proper that we should call distinctly to mind the nature and extent of the obligations and responsibilities which rest upon us. We are but "trustees and servants of the people." And, therefore, while we accept the trusts which they have conferred, with that unfeigned gratitude which the confidence thus reposed in us so justly demands, let us not be seduced to imagine that we are free, in the discharge of these trusts, to consult our own personal benefit, or to be guided altogether by our own personal views and predilections. On the contrary, we should keep it clearly and constantly in view, that the offices we hold are bestowed to be executed for the benefit of those who conferred them.

It is not, however, sufficient for us merely to recognize our responsibility to the people. We should also remember that the civil privileges which we enjoy, and of which the guardianship is temporarily committed to our hands, are the gifts of a gracious and beneficent Providence: and consequently, if we are unfaithful to our trusts, we are not only treacherous to those who have confided their interests to our care, but we incur the yet deeper guilt of ingratitude to Heaven.

Let us then habitually regard the offices with which we have been entrusted, not only as obligating us to those who have clothed us with a brief authority, but as involving a still higher responsibility to Him who gives the privileges and blessings which we are called to guard.

During the past year we have, as a State and people, received from the Great Author of all good, renewed tokens of his beneficence, in not only preserving to us our civil privileges, but in granting to us even more than the common blessings of His Providence, in the means of personal and social enjoyment. The earth has yielded her increase in more than ordinary abundance: and our citizens have generally prospered in their various pursuits, so that industry has every where received a large reward for her toils. No wasting sickness has visited us, but on the contrary, even more than wonted health has generally prevailed. And although the sound of war has been heard in the distance, yet it has not excited apprehensions for our own personal security; its desolations have not been felt within our own borders, nor have its sorrows, except in a few instances, entered our dwellings.

Perhaps no State in the confederacy has been characterized by greater simplicity in its legislation and government, than has the State of Vermont. The line of policy, which the State seems to have marked out, has been to govern as little as might be consistent with the proper protection of her citizens, and the advancement of their substantial interests. Never turning coldly away from the claim of the humblest to be protected in the enjoyment of "life, liberty and happiness," she has yet shunned the opposite error of legislating for the benefit of individuals to the injury of multitudes, and avoided all complicated and entangling connections with private or local interest. And while she has extended her favoring smiles and fostering care to all useful enterprises calculated to promote the general good, whenever their successful prosecution required it, she has yet never sought to assume the special and exclusive guardianship even of public and common interests, when they could be adequately sustained and promoted in any other way. And this general course is one which sound economy and a regard for the best interests of the people at large, would, for reasons sufficiently obvious, ever dictate. Let it be our purpose, then, to conform to so wise and prudent a system of policy, and aid in perpetuating it.

Aside from making the ordinary annual appointments, your duties for the session will probably be few. In the proper field of legislation, there is not, to my knowledge, any great and prominent measure of public interest, which will demand your attention. Modifications of existing laws may, in some cases, be required, to meet new features in our condition, or to remedy original defects in past enactments. Our habits of rapid legislation of course expose to the danger of passing laws not perfectly matured. Yet this expedition in the transaction of business can scarcely be regarded as a fault, unless carried to the extreme; and this ought doubtless to be guarded against. But imperfections and errors, whether the result of haste or of changing circumstances should of course be remedied as experience and practice bring them to light. And in the mean

time, the recognized principle that laws should be as stable as the changing condition and wants of society will permit, will doubtless be kept in view, and exercise its due influence in determining the extent of our legislation.

Among the subjects which may claim your attention will perhaps be that of our system of public accounting. A confidence does not seem to be universally felt that sufficient guards have as yet been thrown around it. If an apology could be found any where for any looseness of practice in the management of public funds, there surely can be none for it in Vermont. And it may be an appropriate subject for your inquiry, whether any further provisions are necessary for securing that punctuality and fidelity in this branch of the public service, which the interest of the State requires.

By existing laws, however, it is made the duty of the Auditor of Accounts to report annually “any modifications which experience shall prove to be necessary or expedient in order to procure a faithful accounting for all public funds;” and the report of this officer, which will in due time be laid before you, will give your inquiries, if in his opinion there should be occasion for any modifications, a more definite direction than is here attempted or deemed necessary.

The practice of taking excessive interest is a wrong against which no adequate remedy has been provided, although the attention of the legislature has been repeatedly invited and given to the subject. Measures have been proposed for remedying the evil, but none so satisfactory as to have received the legislative sanction. But I deem the subject one of sufficient importance renewedly to claim your attention, although I can suggest no better mode of guarding against the wrong or of obtaining redress under it, than that of a chancery process. In case, however, this remedy or any other should be fixed upon I would respectfully suggest the propriety of making it prospective only in its operation. It is true that a provision for a new and more effectual mode of recovering back usurious interest, inasmuch as law was violated in taking it, could not strictly be regarded as attaching any new penalty to an offence after it had been committed. But it is ever desirable to avoid disturbing past transactions entered into with due regard to the estimate which the law, either expressly or impliedly, has placed upon them. And as in this case the statute seems almost to sanction the taking of usurious interest by the utter inadequacy of its provisions for preventing the practice, contracts, made under the law as it is, might be regarded as having received a guarantee almost equivalent to a pledge of public faith, that they should never be called in question. Whether this view of the subject, however, be tenable or not, it is believed that a remedy looking only to the future would be more likely to be received with favor, because awakening no apprehension that transactions supposed to be completed were to be brought into controversy. If the wrongs of the past are not redressed under this plan, it will still be no small attainment to guard against like wrongs for the future.

It is a matter of just gratification to be able to say that the Geological Survey of the State has been progressing during the past season with a good degree of rapidity, and that it appears to be accomplishing all those useful results which were anticipated from it by the most ardent friends of the measure.

The ends proposed to be attained by this survey may justly be regarded as of no insignificant importance. The great object contemplated was to present to the people of the State as much practical and available information as possible, in regard to our rocks, soils, and mineral products, with a view to the immediate benefits which would flow to the great interests of agriculture and manufactures – more especially the former – by way of diverting labor from projects and enterprises that would end in disappointment and loss, and directing it into proper and profitable channels. The correction, too, of injudicious modes of cultivation, tending to gradual deterioration and ultimate exhaustion of the soil, and the substitution for them of practices and methods of management calculated steadily to fertilize and improve it, while it should, at the same time, be yielding to the laborer a present reward – was one of the modes in which it was believed the benefits of the survey would be realized. And these benefits will continue to diffuse themselves, and reach far beyond the period when the expenditure which secured them shall cease to be needed, because they rest upon the only sure foundation of all solid and permanent improvement – that of increased knowledge. They operate not merely by urging industry to more vigorous efforts, but by guiding it in such a direction as to make its efforts most availing, with the least expenditure of sweat and toil.

That agriculture is intrinsically an important interest and worthy of legislative encouragement, so far as this may be necessary to sustain it, can scarcely be questioned. It is the first step in the progress of society to civilizations, and as an employment, it must lie at the foundation of all others that go to form the fabric of national greatness and prosperity. Vitrally important then as the employment in question is to the welfare of humanity, and intimately blended as its interests are with all the great interests of an elevated and advanced civilization, we might hope that under the conjoined aid of theory and practice, it would in due time be enabled to partake of the certainty of the exact science, as well as be ranked among the most elevated and honorable of human pursuits.

And while this interest is confessedly one of such vast general importance, it certainly cannot be doubted that it is essential to the prosperity of Vermont. And perhaps in no State in the Union is it more pre-eminently important that the cultivation of the soil should be conducted in accordance with sound principles in agricultural science. The prairie and other alluvial soils which abound in many of the States, being richly charged with all those various mineral elements which enter into different vegetable products, may, even if no correct principles of science are applied in their cultivation, continue to yield abundant harvests for a long series of years – although doubtless liable to the ultimately exhausted. But the soils of Vermont, chiefly primitive in their character, less deep and less abounding in those ingredients essential to prolonged spontaneous fertility, require that correct practical principles be brought to bear upon their cultivation, if we would secure their increased productiveness or even save them from deterioration. What nature, however, has not done for our State, science can do. Let its light then be diffused, and its guidance be followed, and, under an adequate system of protection to this interest in connection with others, Vermont has nothing to fear for her continued and increasing prosperity. Her valleys and plains will teem with unsurpassed fertility, and sheep and cattle graze, in countless thousands, on her hillsides, while the busy hum of prosperous industry shall be heard from all her thriving villages. And if the survey, whose bearings and influence have, in view of their importance, been thus considered at length, shall aid, as it is confidently believed it will, in securing such results, no citizen can feel that it has been undertaken and prosecuted in vain.

The contributions made by the survey to the now rapidly unfolding science of geology, and the aid afforded by it in solving problems of deep interest to the scientific world, although ranking as secondary considerations, are yet in no danger of being overrated in our estimate of their importance.

I am not apprised that any further appropriation will be required in order to complete satisfactorily the field-labor of the survey, unless perchance, on making up the final report it should be found that some facts were wanting to complete the chain of evidence in regard to certain conclusions, so that some flying excursions should be deemed necessary to supply the deficiency. If so, a small sum might be needed for the purpose.

On the publication of the final report, such a form can be given it, and such provisions made for its distribution, as may at the time be deemed desirable and expedient.

The report of the State Superintendent of Common Schools will immediately be laid before you. In regard to that great interest of the State which forms the subject of this report, it is sufficient for me here to say, that all the beneficial purposes and results which it could reasonably have been expected should be accomplished at so early a stage of the common school enterprize, as connected with our recently adopted system of supervision, it is believed have been fully realized. A very laudable degree of interest for the improvement of their schools has been awakened among the people in many parts of the State; a deeper anxiety exists among teachers to secure a proper qualification for their work; and the general impulse has extended its quickening influence to the schools themselves, imparting to their pursuits a life and animation unknown and unfelt before. And I cannot forbear earnestly to express my deep and firm conviction, that the highest and best interest of the State demands the continued maintenance of measures calculated to elevate the character of our common schools, in view of the vast influence which these institutions must exert upon our unfolding and advancing destinies.

The reports of the Trustees and Superintendent of the Vermont Asylum for the Insane, which have been forwarded to me, exhibit a prosperous and flattering condition of that institution. Its buildings recently erected are now completed, so that ample accommodations are provided for three hundred patients, and it is giving, in

the results of its operations ample evidence that the benefactions of the State to it have not been unworthily bestowed.

During the year it appears that 197 have been admitted into the Asylum, and 169 have been discharged. Of those discharged, 94 had recovered and 34 were improved. There are now in the institution 291, of whom 123 are beneficiaries, sharing in the continued munificence of the State.

It cannot but be gratifying to the friends of humanity that the institution, free from debt, and with accommodations so complete as it now possesses, has entered upon a full and unembarrassed career of usefulness, and is now, from week to week, giving back to society, to usefulness and to happiness, those who had entered within its walls under the darkening of mind and soul, the propensity to mischief, and perchance the ferocity, which characterize the unhappy maniac. Or where the cloud of darkness has settled permanently down upon the soul of the unfortunate inmate, so that in the utterness of his mental ruin no such favorable result, as we have supposed, can be realized, our humanity may yet be consoled by the reflection that a refuge is afforded him the best adapted to his condition, and the best calculated to contribute to his comfort and happiness, that benevolence could provide or devise.

But Vermont, aside from the interests which her domestic policy can reach and guard, has others, growing out of her relations to the general government, of high importance. And these interests have been deeply affected by the prominent measures which, during the past year, have been consummated in the Congress of the United States.

Among those measures, and first in the train, is that by which the institution of Slavery has been so distinctly recognized as one of the elements of national policy, and adopted as one of the objects of the nation's care. By thus prostituting the nation's power, and applying its energies to the unconstitutional and unhallowed purpose of extending the limits and increasing the political influence of this institution, the government has encroached upon our own just rights, as well as committed an outrage upon the moral feelings of our citizens.

Against slavery itself, as a system wrong in practice and wrong in principle, Vermont has taken the ground of irreconcilable hostility; and she must and will continue to maintain it. Educated under a State constitution which breathes the spirit of freedom in every line, her people have deeply imbibed that spirit. In defending and maintaining her position, she would infringe on no constitutional rights; she would dissuade from all lawless violence. Her abhorrence of slavery will manifest itself neither in words of insolence, nor acts of outrage. It is embodied in a calm, though stern and settled purpose, earnestly to advocate the cause of human rights, and firmly and fearlessly to resist any encroachment upon her own. And this it is her fixed determination to do by what ever means she can rightfully and lawfully command.

It is true that the unjust measure alluded to has been consummated, and as one of its disastrous consequences already realized, we have been involved in an unhappy war with a neighboring Republic. But if the past is beyond retrieve, we still have duties to perform for the future.

We have yet to engage in fresh conflicts. The measure already consummated, we are reluctantly compelled to believe, is but one of a series of measures yet impending, designed to give to the slave system still greater influence in the general government, and to secure the perpetuity of its power. Encouraged by past success, slavery appears to be projecting schemes for the extension of her domains over yet wider space, and for an increase of the already disproportionate amount of political power conceded to the territory which has been recently acquired.

I submit then the inquiry whether the occasion does not demand some action on the part of the Legislature, at this time, by way of resisting the further progress of this dangerous and growing evil, which now threatens to absorb every other interest of the government, and to bind the nation's energies to the unworthy and odious task of ministering to its own unholy purposes and demands.

Should not the State proclaim to the country that she persists in the determination "to oppose the admission into the Union of any State whose constitution tolerates domestic slavery?" And should not such a declaration go forth accompanied with the intimation that Vermont begins to feel, in relation to this subject, that "there is a point beyond which forbearance ceases to be a virtue?" That this ground of unyielding opposition is the ground

which right and justice and the honor of the State require us to maintain, there can be no question. And we scarcely need stop to make the inquiry whether a public avowal of our position, or any other action on our part, will avail to resist the insatiable demands of slavery, and stay the part, will avail to resist the insatiable demands of slavery, and stay the present flood-tide of her power. It would stand recorded more to the honor of the descendants of patriotic and worthy sires, that they earnestly and unwaveringly struggled, though in vain, for the right, than that they aided, or even tamely submitted to, the wrong. And while we are reaping, as we have begun to do, the bitter fruits of the measure which has already been consummated in defiance of the wishes of Vermont, and in opposition to her earnest appeals to national justice and national magnanimity, it is to her no source of regret, but rather one of just and honest pride, that she remonstrated against the measure in advance, and exerted her best energies to prevent its consummation. And her regrets under the calamities which have followed the deed of wrong, may be alleviated by the reflection that they are not of her own procuring.

There is, however, no occasion to despair for future efforts. In the lessons of wisdom which the past may have impressed, and in the gradual progress of enlightened views and just sentiments in regard to the intrinsic wrong of slavery and its unworthiness of a rank among the interests of the nation, we may see fair presages, for the future, of more auspicious results.

Among the recent measures of the general government, Vermont cannot but deeply feel that of the overthrow of that system of protective policy under which she had been enjoying such unwonted prosperity. This must be regarded as one of the bitter results of that addition, already spoken of, which has been made to a political power in the government which we must expect will ever be hostile to the interests of free labor. But Vermont cannot see her interests crushed and her prosperity stayed without uttering her clear and deep-toned condemnation of the ruinous policy under which her prospects are thus blighted. She *has* insisted, and will *still* insist, upon protection, as a true and correct system of national policy. Her convictions both in regard to its utility, and the obligations of the government to yield to her its benefits, have been too clear to allow her to be shaken in her belief, or frightened into quiet submission by a distinct and open repudiation of the protective principle.

In regard to the advantages of the system, no proposition, it would seem, could be more clear and palpable than that the nation which protects the labor of its own population, which fosters and encourages its own industry in all its various pursuits, and aims in its whole policy to secure so far as practicable the production, within its own limits, of every article requisite for the supply of its own wants, will be likely to increase in wealth and its attendant means of enjoyment more rapidly than one which coldly turns away from its own industrial pursuits, withholding its fostering care, and pursuing a course of policy rather calculated to stimulate the industry of other countries, by opening to them a market in which all restrictions against a ruinous competition have been removed. No doubt could well be entertained in regard to the result. And in consideration of the large proportionate amount of the products of a nation's labor which is required for immediate consumption, the effect of adding, by such encouragement, but a fraction to the ordinary amount of that labor, is to add to its surplus products, and to increase a nation's wealth in the shape of permanent improvements and accumulated means of ministering to the higher wants, in a much greater proportion than, at a hasty glance, would be apparent.

But no argument or theory could be needed when we have such ample evidence upon the point in our experience under the protective tariff of 1842. A general prosperity, before unknown, here exhibits itself, and asserts, in unequivocal language, the wisdom and beneficence of the policy embodied in that measure. Under it, industry has been reaping, in every department of labor, a competent and sure reward for her toils; and an increase of the comforts of life among all classes has been so palpably and so universally apparent that the least observant could not fail to perceive it, nor could the hardest dare to deny its reality. And why has a blight been wantonly thrown over this cheerful and gratifying prospect?

To deny to the Congress of the United States the right, in levying duties upon imports, to discriminate, in the adjustment of those duties, for the specific and distinct purpose of protecting such useful branches of industry as may require this protection in order to ensure their prosperity, is not only to deny to it a right inherent in every government, but to repudiate one of the leading purposes and ends for which the confederacy was formed, and to discharge it from one of its highest and most sacred obligations. Vermont will denounce the doctrine

whenever she meets it, that any government in which she is concerned was instituted to provide for its own wants, while the interests of the people were to be regarded as beyond the scope of its purposes. Indeed, the heretical proposition bears upon its face the stamp of its own absurdity. Yet this regard for the industrial interests of the country, which we ask of the government, is in no practical shape incompatible with a provision for its own distinct wants. We are content that Congress should impose such an amount of duties, and such only, as will raise a sufficient revenue to meet the expenditures of the general government, while we insist that discriminations be made for the distinct and prominent purpose of granting protection wherever it is needed. Let the relative scale of duties be fixed in accordance with this principle, and the absolute rate we cheerfully leave to be determined by the necessities of the case.

The rejoicing in foreign lands, which has been elicited under the assumption that “henceforth the principle of duties for protection must be considered as abandoned in the United States,” is not without sufficient occasion, if this abandonment is, in truth, destined to be perpetual. Under it, we surrender to be shared with other nations, no small portion of the benefits justly accruing to us from the industrious and enterprising habits of our population – dividing the fruits of a toil which in the other wise favorable circumstances under which it is bestowed, ought to raise us above the common lot of humanity in the enjoyment of the comforts and blessings of life.

It cannot however be supposed, that those who advocate and sustain the free trade policy, contemplate this result as a primary and direct object of pursuit. But the important consideration that this policy benefits other lands at the expense of our own, is overlooked by the supporters of the system in their earnest desire to accomplish coincident purposes of their own, or purposes at best of local and limited utility, to the attainment of which they are ready to sacrifice the welfare of the country.

But whatever be the motive which prompts to this cold desertion of the interests of the country, or rather to the unnatural warfare which is waged against them, Vermont will raise her voice and exert her energies against such an unjust and heartless policy as has now gained the ascendancy, until she sees the restoration of that system of protection to American industry which the “Fathers of the Republic” adopted without misgivings, and pursued without wavering. Her confidence that success will finally crown her efforts is founded upon her strong conviction that the policy of which she demands the adoption, is not merely a *local* but *national* policy, and that hence she cannot want for aid in the re-establishment of a system so benign in its operations, and so vitally essential to her own and the general welfare.

Whether any specific action is requisite in regard to this important subject, or to others not adverted to, in which our interests are involved by our connection with the general government, is cheerfully confided to your decision, to be determined by your own judgment in regard to what the interest of the State may demand.

Permit me to assure you that I shall cordially cooperate in all your measures designed to promote the welfare and prosperity of our people. And in the discharge of all our official duties, may we be guided by such motives, and be enlightened with such wisdom, that, with the divine blessing to crown our efforts, none of the great interests of the State – her industry, education, morals, or religion – shall suffer at our hands.

HORACE EATON

EXECUTIVE CHAMBER,
Montpelier, October 10th, 1846

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Inaugural address
of
Horace Eaton
As it appears in the
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1847

Saturday, October 16, 1847
Inaugural Address

Fellow Citizens of the Senate and House of Representatives:

The annual assembling of our State Legislature ever presents an appropriate season for a passing survey of those prominent incidents pertaining to our common welfare, which have marked the previous year. And, upon such a survey on the present occasion, we find ourselves surrounded with abundant causes for gratitude to that Benificent Being from whom we receive every good. The year has been characterized by a cheering state of activity and prosperity in our business operations; and although our rejoicing in this respect should perhaps be somewhat tempered by the reflection which forces itself upon us that this favorable condition is to no small extent a result of the destitution and distress which have prevailed in other lands, yet such a remembrance may serve to impress upon us the more deeply a sense of obligation that we, too, have not been suffering the want of bread. So far from this, we have been enjoying an unstinted supply of the fruits of the earth during the year past, and another rich harvest has been freshly gathered in. Our people, too, have been preserved from any wide spread and desolating sickness; civil order has been maintained; and our distinguishing social and religious privileges, unimpaired, have been yielding, for our enjoyment, their rich and countless blessings.

As we enter upon the discharge of our legislative duties, let us not only bear in mind our obligations to those who have committed their interests to our care, but also recognize our responsibility to a Higher Power. Under the generally received and substantially correct doctrine, that laws are but the expression of the public mind and an index of public morals, there is danger of our overlooking a truth of great practical importance that lies beyond. Laws themselves, in turn, exert an influence in forming the character of a people. The estimate which those, who are assumed to be among the wisest and most virtuous of the State, impliedly place upon certain acts by their legislation, goes far to mould the public sentiment in regard to those acts. And, in view of the educational influence which the legislator in this way exerts, he should not regard it as his paramount and exclusive purpose to register the public will, but he should also aim to be guided in every act of legislation by the elevated principles of a sound Christian morality.

In attempting to comply with that provision of the constitution, which requires the Executive annually to lay before the legislature such business as he may think necessary, I do not deem it requisite for me to present every subject, even of public interest, which may properly claim your attention. I regard it as sufficient for me simply to advert to such matters of public concern as would more appropriately claim the notice of the Executive, from the fact, that information pertaining to them might be presumed to fall more especially into his possession. Members of the legislature, coming as they do from different quarters of the State, and acquainted as they are with the operation of existing laws upon the well being and prosperity of the several sections which they respectively represent, will, in regard to most matters relating to the public welfare, arrive for themselves at more just and correct conclusions than any to which the Executive could guide them.

Among those subjects to which I regard it as proper for me to call your attention, I would suggest an apparent defect existing in the statute relating to public accounts. There is no provision by which the Auditor is required to give bonds for the faithful discharge of his official duties. In an office which holds so great control over the treasury, without any effective and immediate check beyond the integrity of the officer, I cannot but regard the defect as one that ought to be remedied; and it is believed that no one holding the office would regard the requirement, that he should give bonds, as oppressive or unreasonable. The present Auditor of Accounts, it is proper for me to state, concurs in these views.

I would respectfully suggest to the Legislature the propriety of altering our laws respecting the rights of married women, so as to secure to them the sole control and benefit of all property which they may have at coverture, or receive during it, in their own right. The effect of such a provision would be to guard married women more effectually from the danger, which ever increases with the growth of a state and the consequent increase of business and its hazards, of being reduced to destitution and suffering by acts in which they have had no part, and in whose disastrous consequences, so far as it can be avoided, they should not share. Other States have turned their attention to this subject, and it would seem that our State should not be less ready to

give salutary and equitable protection to the wife – at least when it can be done without wrong to the husband or his creditors.

I deem it my duty to call your attention to an act passed at the last session of the Legislature, entitled “An act to prevent inposition and accidents in the sale of medicines.” The provision contained in the act, that it should not go into effect until the first day of November, 1847, would seem to imply that doubts were entertained as to the utility or expediency of the law by the legislature that passed it; as the provision appears to have been inserted for the purpose of affording an opportunity for a repeal of the act previous to its taking effect. Such doubts were certainly entertained by myself, and time but served to confirm them. It is strongly believed that an attempt to carry out the provisions of the law would not only be attended with great embarrassment and inconvenience, but would altogether fail of effecting the purposes sought to be accomplished. I would, therefore, respectfully recommend a repeal of the act in question – and should the legislature concur with me in the main opinion, there are obviously reasons why the subject should receive immediate attention.

It is a source of much gratification to me to be able to express my firm and decided convictions, that, under the regulations recently adopted for the supervision of our common schools, and the efforts made in connection with that supervision to improve these institutions and extend their influence, a palpable advancement has been made in many particulars, although much remains to be desired. But as the condition of this great interest of the State, and its present demands upon us, will be considered in the Report of the State Superintendent, which in due time will be laid before you, it is unnecessary for me to dwell upon this subject here.

I have received the third Annual Report of the State Geologist, and it is now in process of publication. It appears from the Report, that the survey has been progressing during the past year with a good degree of activity and success, and that the field labor has been mainly completed, only a small portion of the State remaining unexplored. The sum originally appropriated for the purposes of the survey will be exhausted on the first day of March next; and from the estimates of the Geologist, appended to the Report, it appears, that an additional appropriation of sixteen hundred dollars a year for two years will be required to complete the remaining systematic field labor; to make such re-examinations of certain localities as may be found necessary in making out the final Report; and to prepare the Report for publication.

I have heretofore so strongly expressed my convictions of the utility and importance of this great work, and of its credit to the State, that it is needless for me to say that I trust the appropriations will be readily made, so that no obstacle shall be presented to its successful and honorable completion.

In accordance with a resolution passed at the last session of the legislature, directing me to appoint some one to examine the documents collected by Henry Stevens, Esq., relative to the claims of this State upon the government of the United States, for expenses incurred during the revolutionary war, I appointed the Hon. Charles K. Williams, whose report I have reason to believe will be submitted to the legislature at its present session.

To carry into effect the resolution of the last session, directing me to appoint some suitable person or persons to correspond with the sculptor Powers, respecting proposed statues in marble of Ethan Allen and Thomas Chittenden for the vacant niches in the lobby of the Capitol, I appointed the Hon. Charles Paine and the Hon. George P. Marsh. Their report has not yet been received, nor am I apprised what progress has been made in the work assigned to them; but believe it will be faithfully accomplished at the earliest period practicable.

Under the resolution requesting me to examine or cause to be examined the Historical Collection of Henry Stevens, Esq., I appointed the Hon. Samuel C. Crafts, and A.G. Chadwick, Esq., to examine the collection, and report to me the number, character, and value of the books and documents which it embraced, and the price at which they could be obtained. Their report has been made to me; but not feeling myself authorized to make the purchase on the terms proposed, the subject is open for such action as the legislature may see fit to take in regard to it. The report of the Committee will be laid before you.

Under the series of resolutions, providing for the collection of the Surveyor General's papers, and other documents pertaining to the history of the State, some progress has been made towards accomplishing the purposes contemplated by the Legislature, but the business is not yet fully completed.

During the year, communications on sundry topics have been received from several of the States, which will at an early day be laid before you; as also will a communication from one of the Directors of the New York Institute for the Blind, suggesting the propriety of a provision being made by this State, by which a part of its unfortunate blind, who are educated at the expense of the State, may be placed in that institution. I deem it proper also to state that the resolutions passed at the last session of the Legislature, relating to Slavery, and the Mexican War, transmitted by me to the executive of Virginia, were reconveyed to me in accordance with an order of the Legislature of that State, directing the Executive to "return them forthwith." This is not announced to you because any action in regard to it is supposed to be necessary, but as Vermont can have no fears that her honor will be dimmed by the contrast in the respective positions of the two States, it is deemed due to her that a record of the transaction should be in her own safe keeping.

I believe that the position of Vermont is distinctly understood in regard to all those great questions of national policy, which are from time to time agitating our national councils, and in which Vermont in common with the other States of the Union has so deep an interest. It affords occasion for the most profound regret that the unhappy war with a neighboring Republic has not yet been terminated, but, on the contrary, is making still greater and greater demands upon the blood and treasure of the nation. It is believed that Vermont has seen nothing in the progress of the contests, to change her sentiment, either in regard to the insufficiency of the grounds on which the war was commenced, or the unworthiness of the purposes for which it has been waged. She cannot recognize the general government as committed to any career of conquest, nor will she regard any unaccomplished schemes of territorial aggrandizement as presenting an obstacle to the speedy adjustment of existing difficulties. Peace she unequivocally and earnestly desires, and asks for no territory, whether slave or free, as a condition of its establishment and security.

It remains for me to pledge you my cordial co-operation in all your efforts to promote the public welfare. And impressed with a grateful sense of our obligations to those who have generously committed their interests to our care – guided by firm convictions of truth and right, and aided by that Divine Favor which alone can insure success to the best devised plans, we may hope that our labors for the session will advance the substantial prosperity and happiness of the people of the State.

HORACE EATON.

Executive Chamber, }
October 16, 1847.

Inaugural address

of

Lee E. Emerson

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1951

Thursday, January 4, 1951 Inaugural Address

TO THE GENERAL ASSEMBLY AND PEOPLE OF VERMONT:

As we enter upon the deliberations of this Legislature, it is well to pause and take brief account of stock so that we may know and appreciate the job which lies ahead of us. The little segment of time with which we deal will be an important link in the chain of history of our nation and our state.

The times are ominous and uncertain. The world is in turmoil. It is peopled by a vast majority who have been taught not to like us and who are jealous of our democracy and what it has been able to accomplish. To many of these people, a crust of bread or a bowl of rice is a prize to be coveted. To many of these people, Communism is attractive because they have been falsely persuaded it offers a better way of life than the misery and degradation they have heretofore lived under. Communistic leadership is utterly ruthless. It seeks to destroy democracy as a way of life just the same as the Huns and Vandals of an earlier day sought to destroy the superior civilization created by the Roman Empire. The fate of the Roman Empire, gone soft, is one of the milestones of history known to us all. Let it be said of us we are determined that history shall not repeat itself. Those who do not know and take heed of history suffer by repeating its mistakes.

But the task which lies ahead is great. We have committed ourselves wholeheartedly to the cause of peace through the medium of the United Nations. In a world today that knows only force, we are the only nation with sufficient potentiality to oppose force with force. In Korea our force has not been sufficient to put into effect a United Nations edict. It must be made sufficient. In a world grown small because of the airplane and the atomic bomb, to think that we can carry on continually seeking the good things of life first and military and home front preparedness second is to court disaster.

Neither do we know the course of attack which an aggressor may pursue against us. Victory always whets the appetite of the victor for more victories. Our reverses in Korea may build up the confidence of aggressor nations to the point where they will believe that because the United States is not ready for all out war and because there is no present adequate military set-up in Europe, now is the opportune time to finish off the democracies. On the other hand, due primarily to the fear of the atomic bomb, the aggressor may decide to play a long waiting game by letting us build up without attack a great military machine at vast expense over a period of years in the hopes that its cost will wreck the free enterprise system of government and that the American taxpayer experiencing no actual war, will cry out for relief and seek to do away with military preparedness and the garrison state. Such a policy the aggressor likewise will reason will wear down the zeal of the citizen for adequate civilian defense preparations and cause him to become indifferent to the perils he might be up against. The history of our country has shown we have been impatient that wars be quickly fought and over with so that we could forget them and return to the pursuits of peace as rapidly as possible. We do not like crisis or emergency to linger. Today, in view of our commanding world position as the leader of the democracies and the chief supporter of the United Nations, we must remain strong and alert. As long as potential aggression exists which might destroy us, we must remain fully armed, and the temper of the people on the civilian front must be one of continuous willingness to plan for our protection and be willing to implement those plans whenever necessary.

I turn, therefore, to the consideration of some of the abnormal problems the times confront us with.

EXTRAORDINARY MEASURES

Communism: We here in Vermont, believe in democracy, and its most important attributes such as the right to free speech, freedom of religious worship, freedom of assemblage and a free press. However, we do not want to see this democracy imperiled by the advocacy, through the medium of any political party, of the overthrow of our government by force. Any party having such a principle as a part of its platform should be outlawed in Vermont. Furthermore, I call your attention to the fact that the United States is not technically in a state of war at the present time. Chapter 306 of the Vermont Statutes known as the Sabotage Prevention Act

comes into force and effect only when the United States is so engaged. I believe this chapter dealing with acts of sabotage in time of war should be so amended as to make it applicable under present day conditions.

Civil Defense. No. 251 of the Acts of 1949 sets up a civil defense agency within the Department of Public Safety. This Act provides for a council which is charged with the duty of adopting a plan contemplating the coordination to the maximum extent of all civil defense functions of the state with the comparable functions of the Federal government. The Council should be made answerable to the Governor. The Act should be clarified and enlarged to fully meet the conditions we are faced with. Plans for all kinds of disaster relief which may not have been contemplated at the time the Act was drawn, including the care of refugees who may come to our State from bombed metropolitan areas should be detailed therein. As a matter of patriotism it behooves the citizen for his own self-protection to give freely of his time and effort so that an adequate civil defense set up may cover the state. The work should be kept upon a volunteer rather than a paid basis as much as possible. We must all volunteer willingly for this work and be willing to do or perform whatever tasks may be assigned to us to accomplish. Many local civil defense set-ups are rapidly being put into effect and commendation is due for the spirit and leadership which has made this possible. An appropriation for this activity will be recommended in the budget.

War Powers Act. The Legislature of 1943 adopted a measure, No. 6 of the Acts of 1943, known as the "State Emergency War Powers Act of 1943." Such an act, with modifications to bring it up to present day situations, should in my opinion be re-adopted by this legislature, the act to be put into effect in the event of war between our country and any foreign nation or to be put into effect in the event of any surprise acts of aggression against our country by any foreign power before a formal declaration of war can be made. In this connection attention is called to the fact that during the last year there was a threatened strike of electric utility workers in the Newport area because of a failure of the workers and the employer utility to get together on the matter of pay. A strike by the workers of an electric utility might cause the crippling or shutting down of plant activities thereby resulting in possible grave injury to the people of the area serviced by it. The same situation might arise in connection with the operation of other utilities whose work is of a semi-public nature. It would appear as though, to meet any such possible conditions arising and disrupting our normal economy, that the governor should be implemented with power to seize and take over the property of the affected utility and provide for its temporary emergency operation until such time as the differences between management and labor could be ironed out. This grant of power could very well be useful not only in the unusual circumstances under which we live today, but as a permanent addition to our statutory law under normal conditions.

State Guard. In view of the fact that most of our National Guard has been activated into Federal service and other remaining National Guard units in the state have been alerted, the state will be in the position of not having adequate military forces available in the event of major disasters or emergencies confronting us. I, therefore, recommend the setting up of a State Guard substantially along the lines provided for by No. 180 of the Acts of 1941, which act first created a State Guard in this state.

Soldiers Bonus. Although there has been no formal declaration of war, we are at the present time engaged in armed conflict with the North Korean forces and the armies of Communist China. Vermont boys are giving their lives and their service to the cause of the United Nations on the battlefields of Korea. I recommend that members of the armed services during the period of armed conflict of war be paid a bonus the same as the veterans of World War I and World War II have been paid in this state. An appropriation to implement this recommendation is provided for in the budget.

Aviation. No one can gainsay the fact that aviation will play an important part in any emergency which war conditions may thrust upon us. Likewise its usefulness in aiding the development of recreational and business activity in the state has been slowly but steadily improving.

The money we have been appropriating for airport development is, under existing statutes, permitted to be used only for airport construction. Federal funds on a matching basis have been available for construction work, but not for maintenance. There is not as great a demand upon this fund for airport construction as there has been, and although the Federal government does not match money we spend for maintenance, still I feel that

the State should permit the use of some portion of this fund for such purpose because this is becoming an increasingly more pressing problem at the twenty-two airports in the state.

An equitable formula should be worked out whereby the state could render some assistance in the matter of snow removal and repairs to these airports so that they may be kept in a proper and usable state at all times.

In common with eleven other states, in 1923 Vermont adopted a statute holding the owner or pilot of an aircraft doing damage absolutely liable as the result of flight or accident. Most of the states which adopted this legislation are now doing away with it or modifying it to a considerable degree and are now providing that liability be predicated solely upon the basis of negligence, the same as in automobile accident cases. I recommend that Vermont do likewise.

Voting. I further recommend that the legislature give careful consideration to the amendment of our election laws to permit to the fullest extent possible voting by members of the armed services in local, state and national elections they might desire to participate in.

RECOMMENDED CHANGES IN DEPARTMENTS

The force of our state government activity and the distance it has taken us in the last few years has been great. The charge upon our earnings to support a vastly stepped up military machine will make the task more difficult at the state level to carry on our government. We must perfect economies where we can, improve the efficiency of the service to our people and curtail desirable but not absolutely essential activity where possible. With these thoughts in mind, I turn to the consideration of certain of our state departments where I feel economies and improvements can be made.

Vermont Development Commission. The Vermont Development Commission has proven too expensive a set up for the state in view of the results obtained by it. I submit for your consideration the following views relating to the Commission.

The magazine "Vermont Life" should be preserved intact and the set up on this continued substantially as is.

The Commission should be replaced with a new organization to be designated the Vermont Publicity Bureau consisting of a director and a board of three people representative of agriculture, industry and recreation and the new organization given an annual appropriation of \$50,000, this fund to be used mainly for publicity purposes and to support the State Geology program.

There is too much duplication of effort in the state on the work the Commission does by other agencies. The Vermont Industrial Agricultural Products Commission engages in some research and planning along the lines of promotion of agricultural products and industrial use of the same. Likewise the Department of Agriculture. Norwich University is given an annual appropriation under the provisions of Vermont Statute 4505 of \$35,000 annually and the statute reads in part, "The trustees of the University shall maintain a Bureau of Industrial Research for the benefit of the industries of the state and shall designate annually a part of such appropriation for its maintenance." Arts and Crafts also do similar work to that of the Commission. Likewise the Area Development Associations are now doing on an area basis much of the work covered by the activity of the Commission. If my recommendations are adopted by you, the new agency can very well be a clearing house of information on what we have on hand to offer and can cooperate with the Area Development Associations and local Chambers of Commerce in making available to these area and local agencies economic and recreational information sought by outsiders. The savings effected on the basis of these recommendations will be further outlined in the budget.

Motor Vehicle Department and State Police. The matter of law enforcement is becoming a very expensive proposition for the people of the state. Requests for appropriations by the Motor Vehicle Department and the State Police for the fiscal years of 1952 and 1953 are as follows:

	1952	1953
Motor Vehicle.....	\$237,461.00	\$246,711.00
State Police.....	562,745.17	613,207.95

\$800,206.17

\$859,918.95

Some have felt that the sheriff's system should be permitted to "wither on the vine" because it was an ineffectual body for accomplishing efficient general law enforcement. Others have felt that there have been glaring abuses of the fee system under the old sheriff set-up warranting its abolition. Under any system, abuses may creep in, but the best remedy for them is for the organization to divest itself of its shortcomings and honestly strive to accomplish the purposes for which it is created. The sheriff's system is no exception to this rule, and it still has the opportunity to show the public that sheriffs should not be reduced to the ranks of merely civil process servers. Sheriffs should always try to command the respect of the public in the matter of law enforcement. I believe the sheriffs in the four larger counties of the state are entitled to a paid deputy and in the other counties are entitled to a deputy sheriff on a part time basis.

In these trying times, sheriffs ought to call their deputies together and endeavor to school them in the duties of their office and the part they might play in disaster relief. The Sheriff's force in each county should include some young and vigorous deputies. Proper schooling in their duties should be provided for at least two members of the sheriff's force each year and sheriffs should be willing and desirous of coordinating their activities wherever possible with that of the State Police to accomplish the best kind of team work.

With these thoughts in mind, I would submit for your careful consideration the following observations with reference to economies to be effected and improvements in the matter of general law enforcement to be obtained.

I favor the merging of the Department of Motor Vehicles into the Department of Public Safety as now constituted as a division or bureau thereof and giving to the new consolidated department a new name such as Department of Law Enforcement. The general supervision and control of all the operations, including those of the Fire Marshal's Office, under this new department would be vested in a Director of General Law Enforcement.

The plan of law enforcement under the general supervision and control of such Director, contemplating a force of sixty men in the field variable as to the number of districts needed and the work load involved, would be roughly as follows:

The State would be divided into ten districts and six men would be assigned to each district. One, who would be an experienced trooper, would be assigned by the Director to the district, to deal with general law enforcement mainly, other than highway violations, would be a liaison man between the sheriff's department and the Department of Law Enforcement, would cooperate with the Sheriff's Department in the district in the investigation of crime and apprehension of criminals and would assist sheriffs in criminal work when called upon and his duties would permit to the end that the Sheriff's Department might relieve the Department of Law Enforcement of a substantial portion of its non-highway activity. This trooper would have authority to call on the Sheriff's Department for assistance at any time. The Sheriff's Department would have authority to call upon him at any time as above indicated, and under this set up the facilities of the Department of Law Enforcement would be fully available to the Sheriff's Department when requested.

One officer assigned to the district would do principally the work of inspector and examiner as that work is now carried on by inspectors and examiners in the present Motor Vehicle Department, although subject to call for assistance for general law enforcement activity and highway work when his principal duties would permit. He would also be trained to carry on all these various activities as would all other troopers assigned to a particular district. I believe also that in view of the fact that this officer's duties would take him into urban as well as rural areas that some plan ought to be worked out whereby he could perform the duties of liquor inspector as those duties are now performed by the inspectors of the Liquor Control Board and thereby save unnecessary salaries, travel and expense of two different sets of officers doing different work in the same locality. This would mean the removal from the Liquor Control Board of its inspection service and its placement under the jurisdiction and control of the Department of Law Enforcement. Billboard inspection could likewise be carried on by this officer and expense saved thereby.

The other four men would work in shifts of two, but not necessarily together, the duties of these four men to be confined principally to highway patrol and checking for overweight vehicles, but to assist in non-highway duties when called upon, their highway duties permitting, or when a trooper assigned to general law enforcement was not available.

All of these officers would cooperate, if their duties would permit, with the Fish and Game Department in the detection and apprehension of violators of the Fish and Game Laws.

It might be that fewer districts than ten should be set up in the state, namely, eight or less, but the over all scheme should be a districting that would permit an equitable and even distribution of work load for these men in the respective areas of the state they would be placed in to serve. Use would also be made of existing facilities wherever possible and practicable.

If the Department of Motor Vehicles is merged into a new Department of Law Enforcement, it could be very well moved to Redstone and the space now occupied by the Motor Vehicle Department in the State Office Building utilized by other state agencies using space we are now paying rent on. Savings in office personnel both in the field and at Montpelier could be accomplished by this consolidation. Furthermore, in the handling of motor vehicle accident reports, there is, in my opinion, duplication of effort which could be eliminated if the two departments were consolidated as recommended.

Other economies which could be effected would be the transfer of the collection of the gasoline tax from the Department of Motor Vehicles to the Tax Department.

Consideration should be given to the issuance of only one registration plate to be affixed to the rear of the car, this registration plate to go for at least two years and the second year a small metal clip only evidencing the year issued for the next year to be attached over the year on the registration plate.

A school for the training of recruits and sheriffs, deputy sheriffs and other police officers should be provided for, implemented with sufficient funds to provide at least one week's intensive training course, not only for the training of new men who might from time to time join the force of the Department of Law Enforcement, but also for the purpose of building up a trained reservoir of peace officers not on regular pay status, fit to cope with any emergency. A Certificate of Merit should be given for the successful completion of the course of training given by the school.

In the consolidation of the two departments as aforesaid, all personnel kept on should retain its classification and pay status as much as circumstances and readjustments will permit.

We should never lose sight of the fact that the State Police was set up primarily as a rural constabulary, one purpose of it being to supplement and assist in the work being done by existing law enforcement agencies. It should never be designed for the purpose of doing the work of a national or state guard.

It is felt that by this proposed consolidation, the new department could operate much more cheaply and economically than the two departments are at present. When you receive my budget message, you will realize the full impact of the task facing us to secure funds with which to carry on an adequate highway program and the need for savings where they can be made.

State Personnel Board. Some savings could be effected by doing away with the State Personnel Board. In my opinion the Governor should be authorized to appoint a Director of State Personnel. This director should be empowered to make rules and regulations governing the matter of personnel subject to the approval of the Governor. I do not favor the setting up of a separate departmental appropriation for the State Personnel Board at this time. However, if you decide that the State Personnel Board should be continued, its function should be that of a policy making rather than an administrative board.

PLANNING OUR ECONOMIC FUTURE

Power. In spite of the unsettled world conditions under which we live, we must continue to plan for our future economic well being and the subject of power, in my opinion, is one that merits very careful consideration by this Legislature. Demand for more power doubles itself very rapidly. If we are to give

anything more than lip service to the idea we should keep young Vermonters in the state, further power development must go hand in hand with economic development.

I have certain thoughts in connection with this subject which I pass on to you so that you may carefully weigh and consider the same.

I recommend:

A. Re-development of existing power projects and development of feasible power sites, where possible, without doing substantial injury to agriculture.

B. Flood control dams to be used for water storage for power purposes, where they can properly serve that purpose and state policy in the future that they be built for this dual purpose where practicable.

There is now being proposed to be built a flood control dam in the Town of Victory having as one phase of its development the storage of water for power purposes. The location is ideal for both purposes and also for recreation. The overall construction cost of such a multi-purpose dam would be around \$3,000,000 and to build it, very little critical war material would be needed. Three situations present themselves in connection with the possible erection of such a dam. (1) The Federal government might build it, pre-empt the income to be derived from the power phase of it, and leave the states to be affected by its flood control features to regulate that problem by interstate compact, or in the absence of an agreement on such a compact, deal with the flood control phase at the National level. (2) The dam might be built by interstate compact, subject to the approval of the Congress. (3) The state could build the dam and appropriate the income, which I understand might be considerable, towards the payment of costs and eventual lowering of electric rates for our people.

We here in Vermont are prone to be jealous of our sovereignty and to inveigh against Federal encroachments upon it. This is as it should be. However, as an overall thought, we should keep the Federal government from pre-empting the field. Flood control and incidental storage of water for power purposes I conceive to be legitimate state activity. The idea of a planned system of such storage dams to prolong stream flow I feel to be a meritorious one. You may wish to implement the Public Service Commission or some other established state agency with authority to look into and study these matters and take such action relating thereto as you may authorize it to take. You may feel that now is not the opportune time to take action thereon. The question is posed for you to give it careful and considered analysis and decision in the best interests of the people of our state.

C. Development of firm sources of power by the utility or tie-in with a firm source of power sufficient to cope with the conditions which heretofore have resulted in blackouts, dimouts and brown-outs in certain sections of the state.

D. Submission of data by the utility to the Public Service Commission of its anticipated growth for the next decade and its plans to meet that growth.

E. Authority to the Public Service Commission to determine and order where needed, high power transmission lines to be built or rebuilt, to integrate utility systems, for the purpose of insuring firm and reasonable cost sources of power; authority to allocate costs of construction or rebuilding according to the benefits received and if the affected utility or utilities claim they are unable to secure funds to finance the same and the Public Service Commission so determines, then there should be submitted to the Legislature the question of the state guaranteeing the cost to be paid out of utility revenues. In the event St. Lawrence seaway power ever becomes available to us, the importance of an integrated system in permitting the Public Service Commission to competently operate as the bargaining, receiving and distributing agency for and in behalf of the private, municipal and cooperative systems in Vermont, is self-apparent.

Natural Gas. I recommend that the Public Service Commission be authorized and instructed to make a study of the possibility of procuring natural gas by pipeline for Vermont and make a report to the Governor thereon as soon as it is possible so to do.

STATE SERVICES

There are certain of our traditional obligations and responsibilities of government which we as a state must carry out to the fullest extent possible even under the trying circumstances of the times. Certain phases of these responsibilities which I think should be particularly called to your attention are hereinafter set forth in this message. They will also be further specifically dealt with in my budget message and for that reason I do not elaborate upon them in detail at this time.

Education. Vermont Statutes Section 3563 provides in substance that when a town or town school district at the end of its fiscal year has a deficit, the selectmen shall assess a tax in multiples of five to provide sufficient revenue to liquidate the same. In the application of this statute, viewed in connection with the provisions of Vermont Statutes Section 3595 and Section 4221, some conflict arises as to when a town school district's fiscal year ends. The question is important because of the possible loss of state aid to the town school district if the deficit is not met as provided by Vermont Statutes Section 3563. These statutes should be clarified and harmonized.

We should have foreseen several years ago the effect that changes like better rural roads and better instruction to rural youth in bigger groups would have upon education and amended our Constitution accordingly to permit the meeting of these changing conditions. There seems to be no difficulty on the consolidation of towns in an area for high school purposes and this should be encouraged in all situations where feasible and larger taxing districts set up so that the necessary cost of building a consolidated high school could more easily be met. Plans should also be worked out for the levying of taxes on the larger unit in order to pay plant costs and to provide the best instruction and adequate transportation. However, there is doubt in my mind as to the legal right of two or more towns to consolidate their elementary schools and for that reason there should be an amendment to the Constitution if towns wish to attack the elementary school consolidation on an area rather than a town basis. However, I do not believe that consolidation should be forced upon a town because the determination of the number of schools therein is a matter of local self-government which should be preserved. Undoubtedly, the impact of the need for additional school buildings and the urge for better school instruction will help to push school consolidations along at the local level.

Because of higher school costs, this legislature should give consideration to the raising of tuition rates payable by towns sending elementary and high school students to other towns or school districts for instruction.

I favor the continuation of the present existing teachers colleges for the state and further recommend that legislation be adopted placing Lyndon Normal Teachers College on a permanent basis with Johnson and Castleton.

Welfare. I do not feel that we need a separate juvenile court for Vermont to deal with the case of dependent, neglected and delinquent children at this time. My studies and experiences lead me to believe that the present system of the municipal courts sitting as juvenile courts and having the advantage of reports made by experienced case workers to assist them is adequate under the conditions which exist in Vermont to handle the situation.

The governors of the three states of Maine, New Hampshire and Vermont met at Concord this last fall to discuss the feasibility of jointly building and constructing a plant for the care of defective delinquents. A survey has shown that there are no existing adequate facilities in any of the three states to deal with this class of unfortunates. A recent report by Austin M. MacCormick, executive director of the Osborne Association, Inc., indicates the plant would cost approximately \$2,000,000 to build today, a sum it is not practical for us in Vermont to contribute our proportionate share to at this time. However, I do feel that authority to make further study in cooperation with the other interested states, looking toward a possible ultimate solution of such a problem should be granted by this legislature to the Governor or some department designated by him.

It is my further belief that municipal judges should screen the cases of young delinquents who might be committed to Weeks School very carefully and that like case screening in these times of full employment ought to be made of applicants for aid to dependent children.

Health. In view of the growing shortage of trained nurses, I recommend that the legislature approve of the licensing of practical nurses. Again, because of the fact that more doctors and dentists are apt to be taken from our civilian life to meet the medical needs of the armed services, we should do some planning for their replacement. I recommend a modest plan to subsidize through scholarships a limited number of prospective young doctors and dentists who will agree to practice in a Vermont country district for five years after graduation, and I recommend further a recruitment and training program that will insure eventual district nurse coverage for all the communities of the state.

Unfortunate differences of opinion, apparently incapable of reconciliation, have prevented the construction of the state health laboratory authorized by the 1949 legislature. These differences should have been reconciled and the laboratory built long before now so it might be servicing the health needs of the state. I have examined the provisions of No. 184 of the Acts of 1949 creating a new and enlarged Department of Health and feel the Act created too elaborate a set up for our small state. Agencies such as the Vermont Sanatorium, the Washington County Sanatorium, the Brattleboro Retreat, the Vermont State Hospital and the Brandon State School have only an indirect connection with a Department of Health and powers and duties relating to them could better have been left under the Department of Institutions and Corrections. Likewise, Section 10, Subdivision III and Section 13 seem to authorize councils and divisions within the Department of Health whose number and extent are limited only by the size of the overall appropriation which the legislature grants. Such a situation calls for careful and discriminating analysis by you of the experience the Department of Health has had for the last two years with a view to keeping that which has proven good and discarding those councils or divisions we can do without.

If my recommendations above outlined are adopted, the Department of Health then resulting therefrom should be housed and maintained where the state laboratory is built. Trends the country over seem to be to have the executive and administrative office of a Department of Health at the place where the health laboratory is located. I can see no practical objection to this in our small state. Valuable time in matters affecting the public health and considerable expense in travel, lodging and telephoning could be saved if top command and laboratory worker were together. Many good arguments exist for having both located at the seat of government. However, my own feeling in the matter, which this Legislature may give such consideration to as it sees fit is to favor Burlington as an overall location for two reasons: (1) There will be readily available for use if needed the facilities of the Medical College; (2) In the Burlington area is located the greatest concentration of hospital service in the state.

Highways. Basically, we want to see our state and state aid highways properly maintained and kept in an adequate state of repair at all times. It is important, likewise, that the state go forward, if possible, on its plans to give to every farmer the advantage of at least a good gravel road from his home to the market place. However, existing statutory sources of revenue for the town roads should not be enlarged upon for town road purposes at this time. It has been and should continue to be the policy of the state to match all Federal funds available for highway construction. Of course, the extent of our highway program for the next two years will be contingent upon many factors that are uncertain at the present time. To implement a highway program of the above nature is going to take considerably more funds. This subject will be further dealt with in detail in the budget message to be delivered to you later.

OTHER PHASES OF STATE ACTIVITY

Some factors in the promotion of our well being which I feel are important to mention at this time are the following:

Labor. We must be ever mindful of those who become unemployed because of adverse economic conditions. Their welfare is an obligation which the state has assumed through the Unemployment Compensation Fund provided for by taxes paid by business. This fund should be kept in such a sound state that there will be no question of the protection of our people when and if they are thrown out of work because employment is not available in our industries.

It is recommended that the law be changed so that no employer's tax rate be affected by payment of a claimant's benefits unless such claimant has worked for the employer a certain period of time and has earned a given amount of money.

The number of hearings handled by the Unemployment Compensation Commission has increased considerably lately by reason of the activity of benefits. It is, therefore, recommended that the Commission, on appeals to it, act as a review body reviewing where proper the decision of the referee and that the referee act as hearing officer or trial examiner. By doing this, all rights of the parties would be amply protected, and this would give the Commission more time for its other duties. Likewise, the Legislature should explore the disqualification provision of the Unemployment Compensation Law in order to make these provisions more explicit and effective.

I recommend that this Legislature give consideration to the adoption of an occupational disease law, such law not to be a blanket one, but to cover known industrial hazards in the state and to be a law that would be fair to industry and fair to labor.

Agriculture. The Vermont farmer did a very good job in the production of food during World War II. He may be called upon again to repeat his performance of that time.

We should continue with our present Bang's disease program set up in the state for the benefit of the farmers and should also encourage better facilities and information on the control of mastitis.

Forest. The forests of our state are very important to our economy as everyone well knows. As one phase of getting more reforestation in Vermont, I recommend you give careful consideration to providing for the placing in every town meeting warning an article each year to see if the town will vote to set up a municipal forest until the article has been favorably acted upon or unless the town has a municipal forest.

We must also give careful consideration to our timber cutting practices with a view to the more general observance of the rules and regulations made by the Board of Forests and Forest Parks. I do not favor the inclusion of penalties into the existing law to compel observance of such rules and regulations of the Board at this time because it would seem that the education of timer owners in conservation and good timber cutting practices under the County Forester System is slowly beginning to bear fruit.

I recommend that this Legislature give careful consideration to the matter of our present tax policies relating to timber land and endeavor to work out a solution whereby the timber owner will not feel that he is forced to liquidate his holdings in order to avoid burdensome taxation. He should be given every encouragement in the reforesting of denuded timberlands.

Stream Pollution. It is important that we remain ever mindful of the fact that one of our long-range objectives must be the cleaning up of pollution in our lakes and streams. For this purpose, I believe there is engineering assistance available and it should be furnished the towns of the state in planning for the mastery of their sewage problem. We should further press forward with our classification of waters program, if possible.

OTHER MATTERS

I might say that there are other matters which will be more fully dealt with in my budget message which time will not permit me to deal with under this inaugural message. However, I mention two of importance, not treated therein.

Racial Discrimination. During the period of the Civil War the Vermonter was the most ardent advocate of the abolition of slavery. This was because of our abhorrence of the idea that man, whatever the color of his skin, should ever be the slave of man. We were imbued with the idea that America really meant a land of free opportunity where men of all races, colors and creeds would be on an equality with each other. In this true Vermont tradition we here in this state should look with disfavor upon any discrimination against any individual by reason of his race. I, therefore, recommend that the Governor be authorized to appoint a committee of three disinterested individuals to investigate the matter of racial discrimination in Vermont, and if the report of this committee indicates that such racial discrimination exists, that such discrimination be barred by statute.

Microfilming Of Records. Some of our Public Records are in poor shape and not adequately housed. Increase in the volume of Public Records must be expected as the years go by. Such growth is a problem confronting all states and some day will necessitate more building space being provided for storage unless there is some other solution to the problem. I recommend that the Public Records Commission be authorized and instructed to make careful study of the feasibility of microfilming our public records and report and make recommendations to the next Legislature for such action as it may see fit to take.

CONCLUSION

In conclusion, let me leave this thought with you. My recollections go back to a picture. It is one that left a vivid impression on me as a youth. The picture is that of a Puritan going to church. His wife accompanies him. In the crook of his right arm he carries a musket. His mission in that journey is to carry out his God-given duty and responsibility to worship the Deity according to the dictates of his own conscience. His musket is for protection if sudden onslaught by the savage arrests him in his course.

Like this Puritan and his wife of old, we want to journey onward in the performance of our duties and responsibilities to the people. But like the Puritan, we may be suddenly arrested in our course, or forced to proceed with cautious tread. We Vermonters have always been a hardy and self-reliant people, willing to lay aside the plans of the moment in order to perform other or more arduous duties which the exigencies of the times may thrust upon us. That may be the position we will find ourselves in once again. This thought must be continually kept in mind in the deliberations we are about to embark upon. Let us in the true Vermont tradition weigh well our responsibilities and duties during this session of the Legislature and endeavor as much as circumstances will permit to carry on good government for the benefit of the people of our state. At the same time let us promise ourselves that if ordinary pursuits and the orderly course of our governmental progress temporarily have to be sidetracked because of war conditions, we as true Vermonters willingly accept such difficulties as necessary to preserve the democratic way of life.

Inaugural address

of

Lee E. Emerson

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1953

Thursday, January 8, 1953 Inaugural Address

TO THE GENERAL ASSEMBLY AND PEOPLE OF VERMONT:

Two years ago when I addressed this body, we were engaged in undeclared war in Korea. That situation still continues today. Our nation is experiencing heavy casualties and presently there appears to exist a stalemate. We have not yet come to grips with the real enemy. A war of attrition still goes on, destructive of our manpower and highly damaging to our economy in the long run. A war economy is a false economy. The only sound economy for us is in the utilization of our great productive capacity to its limit in the production of peace-time consumer goods to satisfy our own domestic consumption needs and by the development of foreign markets where we can dispose of production not needed for ourselves.

Armistice negotiations have been fruitless and have presently broken down. Up to now the only feasible plan to end the war quickly has been discarded and the gallant soldier who proposed it summarily relieved of his command. We hope the future will hold out more promise than that of a stalemate, but if bolder and more aggressive action is to be taken, it must be understood the risk of all-out war may become greater and what we can do on the home front substantially affected thereby.

In effect, conditions today roughly parallel those of two years ago. Uncertainty still prevails. A new national administration will soon go into power. It has talked about substantial cuts in the military budget to give the people tax relief. If such cuts are made, this might mean a decision for a less aggressive policy in Korea, with the war of attrition to continue. On the other hand, if more aggressive measures are to be taken, and the solvency of the government to be maintained at the same time, it means greater tax burdens at the national level on you and me, with probable curtailment of some state programs and policies.

One condition, however, has grown steadily worse since two years ago namely: inflation. The dollar will not go as far today as it would then. This means increased costs of government, and explains why all state budgets are up and will continue, unless the people want to throw overboard some of the traditional responsibilities of government, which I assume they are not ready to yet.

Since this message is in part an account of my stewardship for the last two years, let me first discuss with you briefly what has been done by your state government to prepare ourselves to meet those uncertainties, which the nature of the times has cast upon us.

MEETING RESPONSIBILITIES IMPOSED BY ABNORMAL WORLD CONDITIONS

Civil Defense. It was recommended, and the 1951 Legislature adopted, Civil Defense legislation. Included within it were extraordinary powers given the governor in event of war emergency. Fortunately, we have not had to use any of those powers, and hope that we will not have to. An efficient Civil Defense program has been set up in the State, and it is my earnest belief it should be continued with an adequate appropriation, as at present. So long as a war of attrition goes on with the intentions of a powerful and potential aggressor as uncertain as they were before the Japanese struck at Pearl Harbor, we must remain organized on the home front, and programs and policies implemented so that the civilian population will know in some substantial degree how to take care of itself and others under war emergency or disaster conditions.

In checking on the Civil Defense acts of other states, I learn that Vermont is unique in certain respects: particularly with reference to not recognizing inter-state cooperation in the event of natural disaster. You may want to amend and enlarge the scope of Vermont's participation with her sister states in the matter of Civil Defense, so as to bring our State in line with the type of legislation adopted in other states.

Although there are those who believe that our efforts in any civil defense program are wholly unneeded because there is no imminent danger of attack, I do not subscribe to such a philosophy, neither do I believe you do. Civil Defense, so long as our most powerful enemy follows a policy of watchful waiting, would seem to

have become a part of our way of life, and our activity in that respect not to be diminished or looked upon lightly until the present threat to world peace shall cease to exist.

Military. The 1951 session, on my recommendation, authorized the setting up of a state guard and provided an appropriation of \$50,000 to put it into operation. The act should be continued as a protective measure. Although we did not set up the state guard as authorized, still it was very essential legislation for the 1951 session to adopt, because Vermont lost practically all of its National Guard when it was activated into Federal service as part of the 43rd Division. We did not put the state guard organization into effect for two reasons: (1) There was no equipment in the line of arms and ammunition available from any source, including the Federal government; neither could uniforms be procured from the Federal government, and if provided, would have to be provided at state expense, and (2) by vigorously picturing our plight to the Federal government, we were able to have assigned to the State additional national guard units to take the place of those which had been activated.

The new allocation to the State of the 124th Anti-aircraft Artillery Battalion and the progress made in the organization of that unit, together with units remaining in the State, have brought us up to a strength approximating 800. All these units are given thorough training in the basic fundamentals of fully protecting a civilian population in the event of war emergency or disaster. They are well scattered through out the state and are steadily being brought up to maximum strength.

I have inspected our National Guard units on several occasions during their training and field camps, and have seen the troops in review. Their morale is good; they are eager to learn and could give a good account of themselves if necessary.

Federal expenditures on the National Guard of Vermont, both for the Army and the Air, in the fiscal years 1951 and 1952 exceeded one million dollars, and included in that amount are the drill and field training pay for the Guard for these years. Federal support, naturally, was less than average because of the reduced strengths of our Guard.

I desire to commend highly our elements of the 43rd Division, which included the 172 Infantry and the 206th Field Artillery Battalion, as well as the 134th Fighter Interceptor Squadron, for their contribution to our national defense, and I also want to commend the National Guard which remained in our State and the units which were organized for their part in providing for our internal security while the bulk of our National Guard was in the Federal service. It is very necessary that we maintain our State forces for internal and national security during these times when world conditions are in such a troubled state.

Soldiers' Bonus. A Soldiers' Bonus law was also enacted providing for bonus payments to those in military service, the same as to veterans of World War I and World War II. Our State was the first in the Union to begin processing claims under this law. An appropriation of \$250,000 to implement the payments was made for the biennium. This has already been exhausted, and it will be necessary, because of the heavy rate of discharge of men, especially from the 43rd Division, to recommend to you a deficiency appropriation, so that the bonus payments may be made to all veterans entitled to them up to June 30, 1953. I firmly believe because of the precedent established in the case of World Wars I and II veterans, we should continue these bonus payments.

Election Laws for Soldiers. The election laws were also modified by the 1951 session so as to provide for voting by our soldier boys scattered as they may be to the far-flung corners of the earth. A grateful electorate can do no less than to facilitate in every way possible the exercise of the franchise by those in military service, because its free exercise is one of the very things that we must be continually vigilant to preserve.

This law worked out fairly well during the last national election. However, you may want to give some consideration to advancing the date of the primary in 1953 to provide more time for the distribution of ballots and for voting in the general election of that year.

ADMINISTRATIVE OPERATIONS

A second objective was to give the people of Vermont honest and efficient operation of their government and to endeavor to promote economies that would accomplish that purpose wherever possible. We have

maintained the high credit standing of the state and have stayed within the budget limits, with but very few exceptions. Operating a state government in these inflationary times by meeting needs and at the same time keeping expenditures within bounds is no easy task. Basically, it is part of the fundamentals of good government, that sound and economical administration plus the revenues the legislature provides should substantially result in revenues balancing out expenditures, but this is a difficult matter to gauge accurately at best. Let me elaborate on this entire theme in some specific detail.

Code for Classification of payments. I asked the 1951 session to authorize the coding of the classification of payments made by our various administrative departments and that session complied with my request. It has been my feeling that the adoption of such a code has resulted in a saving of several hundred thousand dollars of expenditures in the various departments because administrative heads have been most helpful and cooperative in more carefully budgeting their expenses in the various categories and in endeavoring to keep their expenditures within the limits fixed.

Out-of-State Travel. Likewise, I have endeavored to curtail expenditures in the public interest where I thought that they might be desirable but not absolutely necessary. In this connection, I might say that out-of-state travel by department heads and others had begun to assume substantial proportions. Out-of-state travel in 1951 amounted to over \$50,000. By adopting an informal rule limiting out-of-state travel to a specific amount, I have found that this has resulted in quite a substantial saving in department operations.

Expert Assistance. The 1951 session also gave me an appropriation of \$15,000 to hire expert assistance to look into the workings of our state government with a view to promoting economies where they could be made.

Griffenhagen & Associates were hired to make that study, and they have made up an extensive summary report embodying their suggestions and recommendations. I hope you will give careful thought, study, and attention to the summary and see to it that those suggestions and recommendations are implemented in the public interest to the extent you think they are applicable and necessary here in Vermont. Many of these suggestions not requiring legislation have been put into effect and are now being followed.

Reclassification Plan. Ten years ago a state pay plan for employees in the administrative and executive branches of state government was adopted. It is not adequate today by reason of the changing times. The plan has become considerably distorted, and make-shift arrangements resorted to in order to make it all adaptable, resulting in many glaring inequalities in state pay to employees. The 1951 legislature recognized the fact when I granted the \$9 per week increase, a measure which accentuated the problem and did not solve it.

It seemed imperative therefore, in accordance with good administration that a new study be made with a view to a proper reclassification of jobs and pay. Griffenhagen & Associates were hired by me to make that study. They have spent months of exhaustive research on the subject studying state jobs, have compared our pay scales with other states and with the wages and salaries paid by private industry in Vermont. Recently, they have come out with a report which has been furnished you. It will require some adjustments which we feel can be made to properly relate it to our conditions. I feel these can be made. Its adoption, except as to statutory salaries, should be an administrative function. I approve it under the conditions mentioned above and request that you appropriate the necessary funds to implement it, after you have given due consideration to whether you want to go along with the statutory salary increases as recommended, in the report. As to the increase in salary for the governor, I request, if you approve it as recommended, it not be made operative during the term of the present incumbent.

While on this matter of pay for personnel in the state service, it might not be amiss to state that Vermont at the present time has adopted quite an elaborate civil service system for a state as small as ours. This system has seen many changes and enlargements in the course of the last few years. It might be said because of these factors that we have been experiencing growing pains in its development. Some inconsistencies are to be found in the law because of that rapid growth: for instance, Section 490 of the Vermont statutes provides in substance that the "state treasurer, secretary of state, auditor of accounts and attorney general may each employ and discharge at pleasure such assistants, clerical or otherwise as they deem necessary to maintain and execute their respective offices, and with the approval of the governor, fix the compensation to be paid therefor."

This section seems to be at variance with Section 513 of the Vermont Statutes authorizing the governor through the Personnel Board and the Personnel Director, to adopt and establish a plan of classification and compensation for employment in the state government.

Then there is the matter of recent legislatures setting up new departments of Government and providing for the hiring of directors and employees without reference to the state classification plan envisioned by Section 513. These conflicts and inconsistencies need clarification. My own feeling is that, especially in the case of elective officers, they must have some leeway in the selection of their key personnel, untrammelled by the rules and regulations of civil service, if the elective official is to be assured of loyalty in his department and sympathy with his programs and policies.

Surplus. You are aware the state ended the last fiscal year with the largest surplus in its history. A surplus against an emergency is a fortunate position in which to be. We will undoubtedly end the present fiscal year with another surplus, but of considerably reduced size. At least \$3,000,000 of non-recurring revenue available in the fiscal year ending June 30, 1952 will not be available this fiscal year. I will deal with the disposition of this surplus in detail in my budget message, but a few thoughts with reference to the same might not be amiss at this time. The surplus came about because of four principal reasons:

1. Imposition of the 15% surtax which automatically expired December 31, 1952. I see no reason for its re-enactment and in fact, no reason for any imposition of additional taxes on the people of this state.

2. The 1951 legislature, late in the session, changed the rules of the game as to the time and method of payment of income taxes, therefore creating considerable uncertainty as to how this change in the rules would affect the revenue picture.

Withholding was such a change. This resulted in a windfall, or fifth quarter payment of income taxes; also corporations were required to pay in full with the filing of their returns on last May 15, and we picked up thereby one full year's tax, plus balances owed for prior years.

3. Prudent conduct of the affairs of the state by this administration accounted for several hundred thousand dollars of that surplus, and

4. The impetus given to business as a result of the Korean conflict, and its attendant stimulating effect upon state income tax payments greatly augmented our revenues. The impact of this conflict was impossible to foresee.

As you know, I did not call a special session to repeal the 15% surtax law, and refund this tax to the people for the calendar year 1952. I felt there was nothing which a special session of the 1951 legislature could do in this respect which you also meeting in regular session now could not do, having in mind the over-all needs of the state for the coming biennium, without the attendant expense of a special session.

You might feel that because we have a large surplus, there should be some further tax relief. In this connection, however, I call your attention to the Meredith Report, which has been drawn up and submitted by a distinguished group of Vermonters. This report in my opinion is a monumental piece of work dealing with the finances of the state in every particular, and should be of great help and assistance to you in this session, and as a source book of material for the guidance of future legislators for many years to come.

Of its recommendations and conclusions on the matter of finances and taxation, I bespeak your careful consideration, and also its message with reference to tax relief.

With further reference to the refunding to the taxpayers surplus monies which may not be necessary for the ordinary expenses of government, a plan should be adopted whereby there could be refunds without the necessity of calling a special session, if it is the wise and politic thing to do.

At one time, I advocated leaving this matter in the hands of the Emergency Board. The State of New York has endeavored to handle the problem through fixing by statute flat percentage credits to be taken by the taxpayer on his income tax. Virginia provides in substance where the general fund revenues of the State exceed

a certain amount, the governor by proclamation, may take cognizance of that fact and order an automatic tax credit fixed percentage-wise by statute to go into effect and be rebated to the taxpayer. The percentage of refund grows as the revenue of the state may exceed certain fixed amounts. I feel you should give careful consideration to the adoption of legislation that will implement one of these plans in the interest of the taxpayers.

I might say also in conclusion on this subject of the surplus, I agree in principle that it should not be used in setting up new programs calling for recurring taxation. What are recurring programs may, however, be difficult to determine in practice.

Central Registration Bureau. One final thought while on the subject matter covered under the general heading is this. We have created many boards and agencies in the State to look after the professional needs and qualifications of their respective memberships. Cosmetology, accountancy, engineering, real estate and barbers constitute but a few. I recommend a committee be authorized and appointed by this legislature to study this situation with a view to determining if one central board of registration is better and more economical for our needs, and report its findings and recommendations to the next legislature.

TRADITIONAL RESPONSIBILITIES

I turn now to a discussion of some of those subjects which over a period of years have apparently become fixed in the peoples' minds as responsibilities with which to be dealt.

Education. I recommend that the minimum pay of teachers be raised in accordance with the formula as devised by the State Board of Education, and that the cost of raising such standards to the fixed recommended minimums, estimated at \$138,000 a year, be contributed to the municipalities by the State through the medium of increasing the state aid thereto. However, some flexibility must be provided. Providing fixed minimum salaries by legislative fiat should not be absolute and arbitrary, or interfere with the liberty of contract between teachers and school board at different rates, if the commissioner, in his discretion, felt it was in the best interests of the state to allow some deviation from a fixed schedule.

Careful consideration should be given to the matter of school house construction. Vermont must proceed wisely and cautiously in this respect. I say this because I have in mind several years ago, on recommendation of the State Board of Education, many rural schools were remodeled and improved to standard or superior schools at thousands of dollars of expense to the taxpayers in the various towns, and today these schools are closed up and abandoned by the lack of children to attend them in the vicinity in which they were located.

I further have in mind that a constitutional amendment is in the offing authorizing several towns to band together for the construction and maintenance of a consolidated elementary school which cannot be done today because of constitutional restrictions. Although it might be desirable to build a consolidated school in a particular town, from the long-range point of view, it might be more desirable to build a consolidated school in the area that would accommodate several towns. The recommendation of the special committee created by the Board of Education, to look into the matter of school house construction, placing emphasis on union high school construction, you may consider to be a practical one under the circumstances, and clearly stating where the emphasis should be placed at this time. You may further deem it advisable to provide that matching money be made available by the State on a limited basis of say, 25% state funds to 75% local funds, as an aid in stimulating this kind of construction. We must remember, however, that if it is determined the state's credit is to be pledged for school house construction in any way, we must plan wisely and cautiously for the future. Vermont has no money to throw away. Economic factors, transportation, trends in school population, the potential destiny of an area should all be weighed and considered carefully by a practical, disinterested and competent group before any approval for construction is given.

The union high school district law should also be clarified and amended so as to fulfill effectively the purpose for which it was intended.

Likewise, a committee was authorized by the 1951 session to study the factors involved in the higher education of Vermont youth, and the report of this committee is now available to you. It is quite an exhaustive one and should be carefully studied. I shall endeavor to deal with certain of the subject matter of this report in

my budget message, feeling as I do that some additional support might very well be given to Vermont youth as a greater inducement to attend a Vermont college. This report seems to dovetail in some degree with the budgetary requests of the University of Vermont and State Agricultural College, which I will deal further with in the budget message.

Highways. The Highway Department has done an outstanding job during the last two years, with limited engineering personnel, in going ahead with a highway construction program in keeping our main lines in a proper state of repair, and in providing adequate winter maintenance. I want to see this good work continued. I am committed to the policy of matching all Federal funds. The gravel gaps in our state and state-aid highway system I want to see closed up just as rapidly as our financial circumstances will permit. The matter of an adequate highway program will be further dealt with in the budget message.

Agriculture. Legal restrictions against the sale of colored oleo in Vermont should now be removed. I do feel, however, that an intensive program of research and advertising aimed at stimulating the purchase of milk and milk products by the consuming public is very worthy of sympathetic consideration by this legislature. Dairying is the backbone of our agricultural economy, and we certainly want to see it kept healthy and strong. Increased consumption of milk and milk products is one way to accomplish this end. Furthermore, honest labeling, packaging and selling of synthetic dairy products should be provided, so that consumers will at all times know exactly the type of product they are buying. We in Vermont must always be vigilant and alert to anything which would adversely affect our dairy industry. Consideration should also be given to whether circumstances in Vermont do not now warrant a compulsory calftuberculin vaccination program for the eradication of Bang's disease. Funds have been provided in the budget for setting up a testing laboratory in the southern part of the State to service the needs of the farmers in that area.

Health. As you know, the 1951 session transferred the Brandon State School, Vermont Sanatorium, Washington County Sanatorium and the Vermont State Hospital to the jurisdiction of the Department of Institutions. They have been well administered there during the past two years, and I recommend that they remain under the control of the Department of Institutions.

I might say also that the State Health Laboratory difficulty was ironed out by the 1951 session. Construction is proceeding according to schedule, and it will be ready for occupancy in the summer of 1953. Such a building was necessary and it can be well and effectively used in carrying on the health programs of the State. You will be asked early in the session for an additional appropriation of \$20,000 to restore some features left out when the 1951 session did not authorize an extra \$75,000 appropriation. I feel this request should be granted.

I have provided in my budget for more public health nurses, because I feel that they are vitally necessary to the health of our people. Also a dental hygiene division should be set up in order that the teeth of the children of the state can be better looked after than they are at present. Provision is also made for this in my budget.

I also feel it would be desirable to use the facilities of the State Hospital at Waterbury for the furnishing of psychiatric training for girls who are taking nurses' training courses. Today many girls leave the state to get their nurses' training, because they cannot receive this phase of it in Vermont.

The Commission authorized by the 1951 session to make a study of the needs for more plant facilities at the State Hospital at Waterbury has made an outstanding contribution on the subject matter of the chronically ill. I commend its report in this respect to your favorable consideration, and also feel that its other recommendations are likewise in the public interest and should be adopted to the fullest extent possible.

Welfare. A so-called pauper commission was authorized by the 1951 session and its report is available to you. The Commission is to be commended for its effort. Its principal recommendation is that the cost of hospitalization of the indigent poor be borne by the state. Such a recommendation, if followed, would embark us upon a new and unchartered course, and would present many grave and unusual administrative problems.

The hospitals have carried some expenditures for indigent care that have not been met. It is generally recognized that the hospitals of the State have difficulty in meeting their financial obligations from current receipts.

The principal problem at the local level appears to be the impact of unexpected, uncontrollable heavy expense for hospitalization. This sometimes leads to financial obligations in excess of the ability of some of the communities of the State to finance from local taxes, thereby creating an inequitable burden at times. But, to remove the entire expense of these items from local scrutiny and responsibility, and place it in the hands of the State would inaugurate a continuing and increasingly heavy financial policy and obligation. Judging from the experience of the past, it is a program that would grow in scope and require greater amounts of money from the State treasury.

I believe the legislature should explore all possible alternative policies which would remove the factor of unpredictability leading to inequitable burdens, before the State is committed to a program of complete financial responsibility.

To that end, if you, after weighting all factors, decide you want to do something about it, I would suggest that when a town or city has expended taxwise more than a certain average portion of taxes raised based on the last ten years' experience in all towns and cities for hospitalization, that a portion of the burden, on a graduated rate basis, be transferred to the Department of Social Welfare, and an appropriation therefore be authorized. Some local responsibility must at all times be maintained.

Such a plan, if adopted, would at least be a better one than having the Federal government pre-empt the field as it has done to a large degree with other welfare programs.

Likewise, a commission was authorized to look into the matter of juvenile delinquency. Its report is available to you, and should have your careful consideration.

I recommend the adoption of the uniform Reciprocal Enforcement of Support Act, and greater authority being given the Department of Social Welfare to compel delinquent parents, when able to support their children, and delinquent adult children, when able, to support their aged parents.

Development Commission. Two years ago, I recommended a scale down of the Vermont Development Commission activity because I felt its record in promoting the recreational, industrial and agricultural economy of the State was unimpressive and ineffectual. Today under new and vigorous leadership, I feel that situation has changed, and that the Development Commission can now do a good job in substantially promoting and benefiting the economy of our State. There is need for such a program, where vision to see our possibilities exists and the resourcefulness to improve them is also present.

The Commission has formulated plans for the setting up with private funds of a Development Credit Corporation, similar to that which has worked effectively in the State of Maine. I recommend that the necessary enabling legislation be passed to give it proper legal status. Likewise it vigorously seeks to promote the sale of Vermont products, and to aid in selling Vermont recreationally as well. These plans are entitled to your sympathetic consideration.

Conservation. This subject covers a broad scope, and I shall attempt to deal with it only to a limited degree in this message.

In the field of forestry, the municipal enabling act adopted by the 1951 session on my recommendation has been very helpful. Many municipalities have acquired lands for forest purposes while others have set up committees to study such a plan. Listers, becoming more fully aware all the time of the necessity for a broad over-all land classification set up for tax purposes, are cooperating in such classification. This is as it should be. The nature and extent of forest land, or potential forest land, existent in the state, must first be known before an adequate plan of exempting forest lands from taxation as a stimulus to conservation of this great natural resource can be safely embarked upon.

As to pollution, we are slowly but surely going ahead with our classification of waters. The lakes and streams of Vermont constitute a great natural asset we must do our best to preserve unsullied, if we should make of Vermont the recreational paradise in the summertime we claim it to be.

Vermont legislatures in the past have been requested to adopt a regulatory powers act to take care of fish and game matters by commission fiat, rather than by legislation. New Hampshire has attempted such a program

to a limited degree in the case of fish. You should study the New Hampshire operation carefully to get the full benefit of that state's experience in deciding upon the feasibility of such legislation for Vermont.

Fire prevention is likewise a species of conservation. The property losses in Vermont from this cause amount to several hundred thousand dollars each year. The report of a special committee dealing with this subject should be given careful consideration by you, as well as greater stress being placed on the education of the young in this regard.

Labor and Unemployment. The relations between capital and labor have always been good in Vermont. We want to continue to see them that way. We further feel that Vermont legislatures have exercised forbearance in the enactment of legislation which would appear to be anti-labor. This is as it should be. The 1951 session adopted an occupational disease law. Although not perfect by any means, certain imperfections and weaknesses in it have come to the surface as a result of experience in its operation, and these undoubtedly can be corrected to the mutual satisfaction of both capital and labor.

My attention has recently been called to a 9% increase in the cost of Workmen's Compensation Insurance. Undoubtedly this is due in some substantial degree to an inflationary rise in the cost of medical and hospital care for the workmen injured in the line of duty. I have a lot of sympathy for the employer who has to face continually these constantly changing and unfavorable circumstances. But there should also, in the light of these inflationary conditions, be consideration given to the adequacy of present hospital and medical benefits for the injured workmen.

The Unemployment Compensation Law will have some minor changes to it proposed by the Commission, to which I trust you will give careful consideration in the interest of clarifying and improving it, the purpose being to assist in more efficient operation of it.

Retirement. An orderly and fair plan for the retirement of our superannuated employees is just as important to the continued welfare of Vermont as is the recruitment and maintenance of an efficient body of employees. I am concerned that the retirement plan provided for our state police and motor vehicle inspectors has proven to be basically unsound.

I recommend that this matter be made the subject of study by the Emergency Board and that this Board be given the power to act if such study leads to what seems to be a proper solution. I am aware of the fact that the plan provided for other employees must be kept up to date if we are to continue to attract and keep our trained employees. Consequently, I recommend that the General Assembly seriously consider certain changes proposed for the Vermont Employee's Retirement System. The proposal for a "vested rights" amendment seems only fair. The interchange of credits for employees and members of the State Teachers' Retirement System seems to have merit. Other proposed changes in both employees and teachers' systems should be considered carefully with the thought that Vermont cannot hope to attract and keep capable employees and teachers unless it can offer the same security available elsewhere.

OTHER MATTERS

St. Lawrence Seaway. Indications are that authority to develop the power phase of the St. Lawrence Seaway project will be forthcoming before too long, probably to the State of New York under the aegis of its New York Power Authority. If, as, and when, this project is developed, whether by the Federal government or New York, Vermont wants to be sure to get a fair allocation of the power generated thereat. The New York Power Authority has previously stated that growing power needs of New York State alone could readily absorb the entire output. If Vermont is not in a position to receive this power when generated, New York could be very readily excused from setting aside any for our use. In view of this circumstance, No. 193 of the Acts of 1951 constituting the Public Service Commission the bargaining agency of the state in this respect, should be carefully re-examined, and its scope broadened if necessary, to provide assurance for the receipt of such power, if allocated to us, and its distribution as provided by the Act.

Public Service Commission. Recent rate hearing cases have left the public with a sense of frustration, in being unable to terminate them quickly in the public interest. They are intricate and involved proceedings, at best. There is involved in them the right of a utility to do business at a profit and realize a reasonable return on

its investment. Out of these rate hearings there have developed certain conclusions of the distinguished counsel for the people to which I feel you will give careful and considerate treatment.

Among them are these: Definite statutory authority should be conferred on the Public Service Commission to determine rates and fix the cost of depreciation. The statutes against discrimination in rate changing should be strengthened. The field should be explored, at least, on cooperating with our adjoining sister states in hiring the necessary experts on a full-time basis. More time should be given the Commission to determine difficult rate cases.

Rate making is an intricate and exacting business. Few attorneys in Vermont are qualified by training and experience in this field because of its highly specialized nature. So it is small wonder it is a slow and laborious process at best.

Any practical suggestions of a committee provided for at the Vermont Bar Association meeting should likewise be given careful consideration by you.

Vermont State Prison. Demag and Blair escaped from the Vermont State Prison at Windsor and while at large, brutally assaulted two innocent people, resulting in the death of one. They were captured and now await trial. I made a personal investigation and report on what happened, with recommendations. The Emergency Board went along with my recommendations on what needed to be done immediately to make the prison, about the oldest in the country, more safe against further escape. But the question of what to do about the prison as a matter of long range planning still remains. I recommend that a committee be appointed to study the situation relative to the need for a new prison plant and report back to the next session of the legislature.

CONCLUSION

In this message I have endeavored to review briefly my administration and to pose some of the highlights of prospective legislation for your consideration. There will be many bills and resolutions introduced which will call for painstaking care and scrutiny on your part in the best interests of the State. You will meet many problems that require investigation and fine judgment if they are to be solved in a permanent and satisfactory manner.

It is my hope during the coming months we shall hold steadily in mind that we are not here as individuals, responsible only to ourselves, but rather as public trustees with the duty to promote to the extent of our ability the best and highest welfare of all the people of this State. We must weigh carefully the benefits against the burdens as to new legislation calling for appropriations.

You and I have constitutional duties to perform, duties so closely related it is only with cooperation and unity of purpose and action we can hope to make our state government function effectively. I bespeak your cooperation in these trying times. You will have mine at all times. Working together we can make this session harmonious and fruitful in wisely solving the problems and needs of the State at this session.

Inaugural address
of
Horace Fairbanks
As it appears in the
Journal
of the
House of Representatives
Biennial Session
1876

Thursday, October 5, 1876
Inaugural Address

Gentlemen of the Senate
and House of Representatives:

In entering upon the legislative duties and responsibilities imposed by the Constitution, it is fit and proper, especially in this Centennial year of our National existence and nearly completed century of the existence of our State under a constitutional government, that our hearts should be filled with thankfulness and gratitude to the Author of all blessings, not only for the general health, peace and prosperity which He has graciously vouchsafed during the past two years, but also for the innumerable blessings which have attended our entire existence as a State. And especially is it fitting that we should remember with gratitude and thankfulness at this time, the mercies and goodness of that Providence which led our fathers safely through those peculiar and trying circumstances which environed them in the memorable year of 1777, and which scarcely have their parallel in the world's history, - when though claimed on the east by New Hampshire, - claimed and menaced on the west by New York, - oppressed and warred against on the north by Great Britain, - unrecognized and unsupported by the sister colonies, they, a mere handful of sturdy yeomen, stood manfully and independently for the right; framed and adopted a Constitution, which for the most part remains unchanged, and under which they and their posterity have been "protected in the enjoyment of life, liberty and property," and have been led to that "firm adherence to justice, moderation, temperance industry and frugality," which has made them and us an intelligent, virtuous and happy people. May the same Infinite Wisdom guide us in all legislative deliberations, that we may not the fair proportions of the governmental structure reared by our fathers, but enjoy and transmit it improved, adorned and embellished, to those who may come after us.

Standing on the dividing line of the centuries, it is the part of wisdom to consider not alone the present, its comforts and privileges, but as well the past, that we may learn their cost, its lesions, and take warning from any mistakes by the way, and that we may plan broadly, intelligently and wisely for the future.

The biennial reports of the State officers having in charge particular departments of the public service, will fully inform you of the present condition of the important affairs of the State. The suggestions and recommendations of these officers who have become familiar with the necessities and workings of their respective departments, deserve, and not doubt will receive your careful consideration.

FINANCES.

It is a matter for mutual congratulation that by wise legislation and careful and honest management, the finances of the State are in a most satisfactory and prosperous condition. When we call to mind that ten years ago, after having cheerfully met the enormous taxation necessary for the support of the war, the State was found to have a funded debt of \$1,625,500, it is not a little remarkable, and certainly very gratifying, to find that at the close of the financial year the Treasurer had in hand assets, mostly in ready money, to the amount of \$72,907.11, in excess of all existing liabilities. Although a portion of the State debt does not fall due for several years, and is really due from the State to the State, and a considerable portion of the money then on hand will be needed to defray the expenses which will accrue before another State tax can be collected, we have the proud satisfaction of having entered upon the second century substantially free from debt, and with no State financial burdens for posterity to bear.

The Treasurer's report, to which you are referred, will furnish a clear, definite and detailed statement of the financial transactions of the State for the past two years.

From the report it appears that during the financial year ending August 1, 1875, besides meeting the current expenses, the funded debt was diminished \$59,000, and there was added to the sinking fund \$130,000. At the close of that year, the financial condition of the estate was as follows:

LIABILITIES.

Due towns, U.S. Safety Fund,	\$11,519.96	
Due on Soldiers' accounts,	12,178.24	
Due on outstanding checks,	1,886.06	
Due on funded debt:		
Coupon bonds, 1876,	\$102,000	
Coupon bonds, 1878,	34,000	
Registered Loan, 1878,	31,500	
	-----	\$167,500.00
Due Agricultural College Fund.,		135,500.00

		\$328,584.26

ASSETS

Due on tax of 1874,	\$4,563.45	
Cash in treasury and on deposit in banks,	320,376.84	
	-----	\$324,940.29

Excess of liabilities,		\$3,643.97

During the year ending August 1, 1876, the Treasurer has purchased \$2,000 of the bonds due December 1, 1876, and \$30,000 of the registered bonds, due December 1, 1878.

The balance sheet for the present fiscal year represents:

LIABILITIES.

Due towns, U.S. Safety Fund,	\$11,519.96	
Due on Soldiers' accounts,	11,472.78	
Due on outstanding checks,	1,833.89	
Due on bonds December 1, 1876,	100,000.00	
Due on bonds December 1, 1878,	35,500.00	
Due Agricultural College Fund,	135,500.00	
Due on over-due coupons,	1,605.00	
Due Vermont Asylum for the Insane,	24,333.12	
Due Perkins Institute for the Blind,	2,125.00	
	-----	\$323,889.66

ASSETS

Due on tax of 1875,	\$8,552.21	
Cash in treasury and on deposit in banks,	388,244.56	
	-----	\$395,796.77

Excess of assets,		\$72,907.11

With the same prudent foresight and the same economical and honest management continued, Vermont will never be numbered among the bankrupt or repudiating States, but her promises to pay will, as at present, command a premium in the money market.

EXPENSES.

The expense of administering the affairs of the State must in the future, as in the past, be paid almost entirely from direct taxes, and for that reason should be cautiously and prudently incurred. Taxation should ever be kept at the lowest limit consistent with the permanent protection, growth and development of the interests of the entire people.

The Constitution has happily prescribed this limit. Its language is, "Previous to any law being made to raise a tax, the purpose for which it is to be raised ought to appear evident to the Legislature to be of more service to the community than the money would be if not collected."

The payment of State expenses is from a common fund, raised by a general tax. The danger lies in a neglect to examine carefully each item of expense to determine whether it falls within the letter and spirit of the Constitution. A cursory examination of the accounts allowed by the State Auditor will suffice to show that prosecutions by the grand jury, and trials by the petit jury, occasion large items of expense. At my request the Auditor has examined his books and reports that there has been paid, including the sums paid the jurors, during the last fiscal year, - for the former, \$9,013.81; and for the latter, \$21,443.72.

The criminal prosecutions in each county are under the management and control of its State's Attorney. The incumbent is changed at nearly every election. It is believed that considerable sums in fines and forfeitures are for this reason lost to the State.

The incoming State's Attorney is unfamiliar with the business, and has no knowledge of such as has been left unfinished by his predecessor. Not infrequently has it happened that the expense of obtaining an indictment, and sometimes of a trial before the traverse jury, has been lost to the State, from the indictments being defectively drawn through the inexperience of the State's Attorney. Besides, there has been paid to other attorneys for aiding in State trials during the last fiscal year, according to the estimate of the State Auditor, the sum of \$3,500. It is my belief that a considerable part of this class of expenses might be saved by the creating of the office of Attorney General, to be filled by an experienced and able attorney. It should be his duty to take charge of and systematize the criminal business of the State; attend to the collection of all fines and forfeitures; give instructions and aid to the State's Attorneys in drafting informations and indictments; and to be present and conduct the more important criminal prosecutions. I believe, with the criminal business in the care and charge of such an officer, that the necessity for instituting such prosecutions by a grand jury would in a great measure, cease to exist, and might be dispensed with except in cases of treason and murder. For such cases the grand jury might be called whenever occasion should require, and not in each county annually, as is now done. There is no clause in the Constitution which would be violated by such a change. Prosecutions by information are fully recognized by the common law.

The chief value of the grand jury system, and the occasion which called it into existence in England, grew out of her arbitrary form of government. It furnished security against unfounded and unjust prosecutions of a subject who had fallen into disfavor with the monarch. It insured merited prosecutions against royal and titled families.

I have been led to these suggestions from the belief that some such change in the law as has been indicated, would be made, which would not lessen materially their expense. The right of trial by jury is secured by the Constitution, "except where parties otherwise agree." By such agreements, such causes may be referred under a rule of court. I am informed that the cost to the State for such jury trials per day is about one hundred dollars. Under existing law, cases involving the simple right to recover for labor or property to an amount exceeding ten or twenty dollars, dependent upon the nature of the action, can be, and often are, carried to the county Court by appeal. The trial of such case is rarely completed in less than a day. Is it not a plain perversion, not to say violation of that clause in the Constitution heretofore cited, to impose a tax of one hundred dollars upon the community, to settle a matter in which one of two parties may be entitled to twenty-five or even fifty dollars, and should not the right of appeal in such cases be taken away unless the amount involved is nearly equal to the amount of taxes which the appeal will probably impose upon the community?

The allowance of the right of appeal in such cases is no kindness even to the prevailing party. Beside the ill feelings likely to be engendered by such trials, the expense of the trial to him is usually much more than the amount of the claim.

The ordinary expenses per day of a competent referee do not exceed \$10 or \$15. Hence if all jury cases should be referred, and the state should assume the payment of the referee's fees, a very great saving of expense would be secured to the State, and no right of parties would be thereby sacrificed.

The main obstacle in the way of an agreement of reference is that parties know that they can try their case by jury on the payment of six dollars to the State, and that a trial by a competent referee may cost them many times that sum.

I think it would be economy to provide for the payment, by the State, of a part or the whole of the referee's fees, and that the expense of trial by jury may be lessened by proper legislation in the two directions indicated, without any detriment to public or private interest.

ASSESSMENT OF TAXES.

The framing of statutes so as to compel an equitable and just contribution from every interest and citizen, towards the expenses of administering the affairs of the State, has ever been one of the most difficult and perplexing questions with which legislators have to deal. The right of the State to compel such just contribution is unquestionable. Without it every department of the government becomes paralyzed.

The duty of every citizen, and of every species of property, to contribute towards the expense of his or its protection, is equally clear. The protection furnished by the State to its citizens and to the property within its limits, gives the right to exact, in war, the personal services, and in peace, a poll tax from the former and contributions from the latter, wherever the owner thereof may reside. This is substantially the doctrine announced in the 9th article of the Bill of Rights.

Within the past few years there have been frequent complaints that the spirit of this article in the Bill of Rights is violated in the apportionment of the public burdens. Not unfrequently has it been claimed that property of the same kind and value was placed in the Grand List at different valuations in different sections of the State. At other times it is claimed that a large amount of property invested in railroads, telegraph companies, insurance companies, and other companies, to protect which and determine the rights thereto, annually costs the State a large sum, almost wholly escapes taxation; and again, that owners of real estate are unjustly discriminated against, in that they are taxed on its appraised value, notwithstanding they may be largely indebted for it, while the owners of personal estate are allowed to deduct from its appraised value the amount of debts which they may owe. It is claimed by some that there should be no deductions made from the assessed value of personal property, for the debts of the owner; that such allowance induces fraud and the creation of fictitious debts for the purpose of obtaining deductions, and that the expense to the State, to protect and determine the rights to personal property for which the owner is in debt, is greater than when the same is fully paid for, and hence it is unjust that the owner of property, because he is a debtor, should be relieved from contributing therefrom to the expenses of the State.

Without doubt there is too much foundation for these complaints, though the class first mentioned could have no existence in fact, if listers would faithfully observe the law, and appraise all property at its just value in money.

It is notorious that they do not regard the law in this respect, but appraise property at from one-third to two-thirds its just value in money, often vieing with each other to place and keep the property in their locality in the list as far below its value as possible. I am informed that conscientious listers often refuse to sign and make oath to the list from a knowledge of their failure to comply with the law.

The prevalent feeling that the practical operation of the law for the assessment of taxes is unequal and unjust, has been, and is, working a sad demoralization of public sentiment. By a numerous class of citizens it is no longer considered a public duty to assume and pay their full share of the public expenses, but rather that they have a right to avoid as much of it as they can, even by resorting to questionable devices. It is feared that the Legislature may have inadvertently aided in the work of demoralization, by too readily passing acts to legalize grand lists, with and without specifying the defects to be legalized, and even to legalize the omission of the listers to sign and make oath to the list. Would not a more healthy sentiment be inculcated by refusing the passage of all acts which do not specify the defect to be cured, and all acts to legalize defects occasioned by the omission of the listers to complete, sign and make oath to the list according to law, and, also, by enacting a law rendering the listers personally liable to their towns and to the State for all losses occasioned by their neglects or omissions in this respect.

I am convinced that the law in regard to the assessment of taxes needs a careful and considerate revision – such a revision as will apportion and distribute the public expenses as equally and justly as possible among all the citizens and upon all the pecuniary interests of the State. Whether such a revision can be effected at a single session of the Legislature may be doubtful.

EDUCATION

The importance of this interest cannot be overestimated. More than ninety thousand children are in process of training the schools of the State.

Their weal or woe is largely determined by the character of the schools which they attend.

These children are soon to give character to the State and other States.

The State can better afford to neglect any other interest than this, which is so closely allied to her welfare and destiny.

Free institutions cannot long exist among a people characterized by ignorance and vice. Intelligence and virtue are the bulwarks of all free government.

The pecuniary interest connected with education are very large. The direct taxes raised annually for this purpose amount to nearly \$600,000. But this sum represents hardly a tithe of what the people of the State annually expend to educate their children.

There must be added a large sum paid for text books, and a many times larger sum for the board, clothing and time of the children.

But the pecuniary interests connected with the public schools dwindle in importance into insignificance, when compared with the habits and characters which are there being acquired. A thoroughly intelligent and virtuous people, inured to habits of self-control and perseverance, are invincible everywhere, whether in the world of mind or matter.

It is not so much the amount of money which we expend, as the character which we give to the public schools, that is all-important. Almost any expenditure of money, whether for the better superintendence of the public schools, or for securing the hearty co-operation and interest of the parents and guardians, or for training and bringing into the service more experienced and better qualified teachers, if it only serves to elevate the character of the public schools and give to the State more intelligent, virtuous and persevering citizens, is economical and judicious. If it fails to secure these results, the expenditure is wasteful.

I trust that this interest, whether it relates to the public schools, or the higher institutions of learning, will receive your careful consideration.

The report of the State Superintendent will inform you of the work done during the past two years. I commend his recommendations for legislation to your consideration.

It seems to me that an economical and efficient management of this great interest requires a uniformity of text books through out the State, and that there should be secured a decrease and consolidation of the number of small schools, which are usually intrusted to young and inexperienced, not to say unqualified, teachers.

My predecessor's recommendation of the establishment of town libraries I most heartily endorse, not alone as a means of education for the young, but also as a means of continuing the work of education and culture among those who are engaged in the active pursuits of life, and as a source of solace to declining years.

STATE LIBRARY

This library, which is very complete in the department of American law, besides being well furnished with miscellaneous works, has entirely outgrown the room set apart for it in the State House.

It is evident that some further provision for its accommodation must soon be made. It seems to me that an enlargement of the present room is almost impracticable, and that sooner or later there must be erected for its accommodation a separate fire-proof building, which should be kept open throughout the year. The library is

now of such dimensions and importance that it should be readily accessible for research and investigation at all times.

BOARD OF AGRICULTURE MANUFACTURES AND MINING.

The Secretary's report, with the accompanying papers, will inform you of the work accomplished during the past two years. Its work has thus far been confined to fostering the interests of agriculture. This doubtless has resulted from the fact that agriculture is the more prominent and general interest. The Board is concerned with the three great industrial pursuits of the State. Each of these industries is essential to, and more or less dependent upon the others for its best development, and should be judiciously encouraged and fostered by the State. I think that these interests are sufficiently important to warrant the continued employment of a judicious and properly qualified Secretary; that in collecting and arranging facts and statistics, making experiments, holding public meetings, suggesting the best methods and bringing them to the attention of the people, he can find ample work which can be done profitably in the interest of the State.

I would recommend a larger appropriation than is asked for by the Board, whose expenditure should be guarded by suitable legislation; and also that the State Geologist, whose official duties lead him to a consideration of the mines and minerals in the State, be made an *ex officio* member of the Board.

THE INSANE.

This unfortunate class are peculiarly the wards of the State. Bereft of reason, and frequently of friends, the State will be derelict in duty if its guardianship be not generous, active and vigilant.

I have read the report of the Commissioner with interest. It is apparently a thoughtful and carefully prepared document. I commend it to your careful perusal and study. The facts and deductions therein stated are startling. I have not sufficiently examined, and am not sufficiently familiar with, the facts and circumstances either to adopt or deny the conclusions of the Commissioner. If his conclusions are well founded, there is imperative need of immediate legislative action.

That the number of insane under treatment and needing relief should have steadily, year by year, increased from the foundation of the Asylum, while the population of the State has remained comparatively stationary, is a matter that challenges attention and enquiry into the causes of the increase. May you carefully consider this important subject, ascertaining as nearly as possible the exact facts as to the relative increase or decrease of insanity in our own State, and other parts of the country, and may your action in the premises be wise and just to the Asylum, to the State, and above all, to these unfortunate wards of the State. I commend to your consideration the suggestions of the Commissioner with reference to the enactment of safeguards against improper commitments, both to the asylum and to the county jails.

STATE PRISON AND COUNTY JAILS.

I think it may be safely asserted, after an experience of nearly a century, that the operation of our system of prison discipline, both as practiced in the State prison and in the common jails, in its effect upon the prisoner by way "of encouragement of virtue and prevention of vice and immorality," has been a failure; that the prisoner, from the effect of his imprisonment, instead of having become a reformed and better man and citizen, with inclinations towards virtue, has become discouraged, hardened, and too often hopelessly fixed in a criminal course of life. Too often has it happened that the day of his discharge has witnessed a repetition of his former criminal act, or some more heinous crime.

This, to my mind, indicates that our system of prison discipline is radically wrong in principle. The State has, and can have, no feelings of revenge towards an erring citizen. Her conduct towards him should not be such as to lead him to feel that he is an outcast from her care and protection. Neither should it be such as would indicate a disregard for his criminal act. Her treatment should be such as evinces the utmost abhorrence and detestation of his crimes, but at the same time the greatest regard and tenderest solicitude for him as a man and as a citizen.

I fear that while the State has been most active in showing abhorrence of crime, it has been lacking in earnest efforts to save the criminal from his crime to manhood and good citizenship. When any person, old or

young, is fully convinced that he is an outcast from society, and that there is no hope of his ever regaining the good opinion and esteem of his fellow citizens, he is irrevocably lost to a virtuous life.

Hope is the great stimulating motive to action and to striving for better things. When this is crushed out, the man once bad is bad beyond recovery. The tendency of our system of prison discipline, to my mind, is to banish from the convict's mind all hopes of a return to a virtuous life. Consider the treatment of the State towards this class of persons.

A young man is accused of the commission of a crime. He is at once arrested and thrust into the county jail. No person on behalf of the State visits him, save the jailer to pass in his meals three times a day, and to lock him safely in his cell, or the State's Attorney to inquire whether he wishes to plead "guilty" or "not guilty." Not a book, not a newspaper does the State furnish him with which to while away the tedious hours. If the jailer out of kindness provides reading matter for his prisoners, it is a favor and not a right. His associates may be of any degree of criminality. It is the common receptacle for all accused of the commission of crime within and awaiting their trial, as well as the place for punishment of those convicted of minor offences.

In a dim-lighted, ill-ventilated room, with nothing to do, not even, when transferred to the State Prison for safe keeping, on the order of the Governor, allowed to work, though requesting it, he passes his days and nights as best he can, brooding over his hard lot, planning ways of escape, or listening to the recital of obscene stories, or the criminal life and criminal exploits of his associates. And yet he is not a convict. He is only an accused. And this is the attempt of the State to prevent the commission of crime, most frequently the offspring of idleness, by compulsory idleness! At length he is tried. If acquitted, he goes out soured and hardened; if convicted of a minor offence he is returned to his life of idleness in jail; and if of a higher crime, put to hard labor in the State Prison. The right of the State to incarcerate him springs from the right of self preservation. By an overt act he has manifested the possession of a character which endangers the rights of others. He is incarcerated to deprive him of the power to invade the rights of others, not alone during the term of his confinement, but permanently, by removing the criminal inclination and disposition, and to deter others from the commission of crime. It would seem that of right he should remain incarcerated so long as he is possessed of the criminal inclination and disposition, and that the State should be active in its endeavors to dispossess him of these characteristics. The court is left to determine the time of his incarceration as best it may, with little knowledge of his former life, less of his criminal tendencies, and of the length of time which will be required to eradicate them.

In the State Prison he is confined in his solitary cell, or driven under keepers to his tasks, is allowed no communication with his fellow prisoners—scarcely any with his keepers; he may have a few books, if able to read, but receives no instruction, except on the Sabbath, a little from the chaplain. From his arrest to the close of his sentence, the State against whom he has offended, and which has laid her heavy hand upon him, has not extended to him a helping hand, and has scarcely spoken a cheering word. Is it a matter of wonder, then, that he broods over his hard lot, as he views it; feels that the hand of the State is not only against the *crime* which he has committed, but against *him*; that all she cares for him is to make him grind in her prison house, and that he comes from his incarceration a worse instead of a better man?

The experience of the past century, both in our State and in other States—for our State has done as well, and perhaps better, than many others—teaches, I think, very plainly and forcibly that our system of prison discipline demands a radical revision; that the jail should not be a place of imprisonment for debt or minor offences, that that class of offenders should be sent to a work-house to be established in connection with the Reform School, in which the school and reform element should have a prominent place, that the jail should be owned and controlled by the State, and should not be used for the detention of persons charged with all classes of crimes, but to one should be assigned those charged with one class of crimes, and to another those charged with another class of crimes, each having for inmates persons of the same degree of criminality, as nearly as practicable, that each should be furnished with a well selected library and some current literature, and in each should be kept a school, not of idleness and vice, but of learning and virtue. Perhaps there should be provision by which those awaiting trial, who should request it, could labor in the work house and receive a portion of their earnings.

The prisoners should be divided into classes according to the character which they manifest while under a course of discipline. A part of each day should be devoted by the keepers to instructing the prisoners in learning and in virtue, and the rest to labor, not for contractors, but for the State. In short, the State should put forth most active and earnest endeavors, from the arrest of the accused to the imprisonment of the convict, to reclaim him from a life of crime to a life of virtue and the State Prison should no longer be an institution "for the reformation, as well as the punishment, of" all offenders, *with the reformation all left out*. It may be objected that to effect such a change will cost money. Shall we stop to balance a few thousand paltry dollars in determining whether we will rescue a *man* from crime and lead him on to a virtuous life, or hold him irrevocably in the chains of vice?

I earnestly recommend a thorough revision of our system of prison discipline in the direction indicated and I commend to your careful consideration the reports of the Directors and Superintendent of the State Prison.

STATE REFORM SCHOOL.

It is a pleasure to turn from the Prison to the consideration of this topic. Although not personally acquainted with its operation and working, from all sources I hear it commended as a reformatory institution. The credit of its success is due to the wise and considerate action of former Legislatures, together with the faithful and efficient management of the officers of the institution. You need not be urged to aid by all needed legislation in perfecting and developing the great work so auspiciously entered upon.

The Reports of the Trustees and the Superintendent fully inform us as to the condition of the Institution, its wants and requirements. I would recommend the making of all appropriations necessary to carry out any judicious plans which they may have suggested. I venture to suggest whether it would not be wise in all alterations and enlargements to have in view the furnishing facilities for dividing the inmates into classes, so as to be able to classify them according to the degree of discipline or correctional treatment required.

LEGISLATION.

It is doubtless true that we legislate too much. This naturally results from our system of enacting laws. Legislators serve their brief day, and then others fill their places. On many subjects of legislation men entertain widely differing views, but each is confident that his views are correct. Hence the frequent change of this or that provision of the statute. It rarely happens that the revision of an entire subject is attempted but a single provision, here and there, is changed to meet the varying views of different legislators, which results in an inharmonious whole.

I think that a legislator should be fully persuaded of the absolute necessity for a change of the statute law before he should vote for its alteration or amendment; and then only for such alteration or amendment as will clearly remedy the evil. Hasty legislation is always dangerous. The original constitution had a special provision against it. It not only gave the Governor and Council the right to propose amendments to laws which had passed the Assembly, but, if the amendments were not concurred in, they had the right to suspend the passage of the bill until the next session of the Legislature. This was a wise provision, and its spirit ought to guide legislation under our present system.

The sessions are too short to originate, mature and perfect legislation touching large and varied interests. Such legislation must usually contain many provisions, and be more or less intricate. There is not time amid the rush of the business of the session to prepare and nicely adjust the different provisions necessary to render such law applicable and just to all the interests likely to be affected. Usually, too, the men elected to the Legislature are, as they ought to be, taken from the busy callings of life, who have had no time to mature any perfected system of legislation, which would be applicable to and affect many interests. Properly to mature and prepare such legislation is a work of time and study, and often requires the collection of facts and statistics. Eminently of this character are the laws for the assessment: of taxes, and for the punishment and prevention of crimes, a revision of which I have recommended. For such revision, and for the revision of the laws on any important subject, I would recommend that commissioners be appointed, under proper limitations and restrictions to inquire into and carefully consider the whole subject, to prepare such legislation as they may judge necessary, and to report the same, with their reasons therefor, to the next Legislature. I think this method not only a

safeguard against hasty and crude legislation, but withal economical. It will furnish business ready-prepared for the consideration of the Legislature immediately upon its organization, without spending the first two or three weeks, as has been too frequently the case, in making preparation to commence the work of the session.

The completion of the hundredth year since the independence of the State, since the adoption of the Constitution, and since the battle of Bennington, mark the coming year emphatically as our centennial year. These memorable events in a large measure determined the character of our political existence, territorially and nationally. The remembrance of them, and of the principal actors in them, should be sacredly cherished and perpetuated. Is it not eminently fitting and proper that they be recognized by some suitable observance?

I shall take no time to consider national affairs. If each State will wisely and honestly conduct its own affairs so as to insure to itself and to the nation intelligent, virtuous and enterprising citizens and public servants, national affairs cannot well go amiss.

Allow me, in closing this already too lengthy communication, to express the hope that our mutual relations may be most friendly, frank and cordial, and our mutual work honestly, faithfully and speedily accomplished.

EXECUTIVE CHAMBER,
Montpelier, October 5, 1876

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HORACE FAIRBANKS.

Inaugural address
of
Erastus Fairbanks
As it appears in the
Journal
of the
House of Representatives
October Session
1852

Saturday, October 16, 1852
Inaugural Address

Fellow Citizens of the Senate and House of Representatives:

An overruling Providence has preserved to the people of this State the enjoyment of their civil rights and their cherished institutions, and the revolution of another political year has again convoked their chosen representatives, invested with the functions of government, and charged with the responsible duties of legislation.

The power of self-government, inherent in the people, they have delegated temporarily to us, their chosen servants, to be exercised by us in accordance with the provisions of the constitution, for the promotion of the general good, and the security of the rights of all. In performance of these functions, it will become our obvious duty to have special reference as well to the moral and intellectual improvement of the community, as to the security and advancement of their secular interests; since the latter, to a degree which cannot be too highly appreciated, are intimately identified with and dependent upon the former.

The blessings of Providence have been liberally bestowed upon the people of this commonwealth. The almost universal prevalence of health – the abundant harvest which has crowned the labors of the husbandman – the success which has attended the enterprise of those engaged in other pursuits – the competency extensively enjoyed by all classes of the people – the equality of station and condition – the comparatively high state of morals general prevailing, and the extended means of religious and intellectual instruction, call for devout gratitude to the Great Disposer of events, who has bestowed these favors in such rich profusion.

Nor are our national blessings less signal. We are at peace with all the world – our domain extends from the Atlantic to the Pacific ocean, and in latitude embraces every desirable climate, rich in agricultural and mineral resources and capabilities – our canvas whitens every ocean and sea – our lakes and rivers, for many thousands of miles are traversed by steamers freighted with the products of the soil and the productions of our artisans, while in every direction through the length and breadth of the land, is seen the railroad car, facilitating the intercourse between far distant states, and promoting the wealth and cementing the fraternity of the whole.

Nor should it be forgotten that while the iron yoke of despotism is fast riveted upon the necks of those nations of the old world, upon which the light of liberty seemed but recently to dawn, and for whom, in their noble struggles for freedom, our warmest sympathies were awakened – our beloved country affords an asylum for the oppressed of every nation, and seems designed by Providence for the full development of the adaptation of a republican government and free religious toleration, to meet the wants and protect the rights of man in whatever class or condition of life.

Your duties as legislators are less complex and varied than those imposed upon the legislative assemblies of most of our sister States, from the fact that the pursuits of our citizens are mainly agricultural. We have no extensive foreign commerce, no maritime coasts, and but a limited capital employed in manufacturing.

Our system of jurisprudence, perfected by the wisdom of former legislatures, requires no material modification. Indeed, it is questionable whether any change in the features of our existing statute laws, unless clearly demanded by the expressed sentiments of the people, might not prove injurious in its practical results, and lay the foundation for increased litigation. A review of the past history of legislation in the State will probably develop the fact that in many instances alterations and amendments of existing statutes have had their origin in local interests. In other words, local questions and disputes have rendered it desirable, in the view of interested parties, that the statute should be amended in its provisions applicable to such cases, and at the next session of the legislature, such amendments have been incorporated into the existing laws, often without due consideration; and hence the numerous mutilations which have so frequently created a necessity for a new digest of the statute laws.

In a community of intelligent freemen, too much importance cannot be attached to the general diffusion of a knowledge of the laws of the State. The statute should be in every school district, and, as far as may be, in

every family. The legislature, in the act of November, 1850, providing for a new compilation of the laws of the State, evidently had reference to a digest which should be adapted to the capacity and the means of the greatest number, and be extensively distributed among the people. The publisher, encouraged by the officer charged with the supervision of the work, adopted measures for securing an extensive sale, so that probably at no period of our history has the Vermont statute been so extensively possessed and read by our citizens as it is at the present time.

This volume contains what are now the statute laws of the State, except as they were to a slight extent modified by the legislature of 1851, and if the assumption is correct that a knowledge of the laws is essential to the best interests of the whole community, it follows that alterations and amendments of the statute laws should be made cautiously, and only in view of the most obvious and urgent reasons. For many years to come, and until necessity shall compel the legislature to order a new compilation, the present volume will be read and referred to by great numbers of our citizens, as containing the Laws of Vermont; and comparatively few, except professional men and public officers, will be fully informed in regard to the alterations and amendments which may from time to time be adopted.

In view of the foregoing considerations, it is respectfully submitted whether true economy and the safety of the State do not require the adoption of the usage prevailing in most legislative bodies, of ordering all public bills, at some stage of their progress, prior to their final passage, to be printed for the use of the members. The experience of every practical legislature will bear testimony that without this precaution it is in most cases difficult, and often wholly impracticable, with a great majority of the members, to judge of the necessity or utility of the bill, or of its practical effect upon the code of existing laws.

The people of this State have ever been awake to the importance of common schools, and have sustained these institutions by direct and voluntary taxation, with a spirit of liberality highly commendable. Probably in few other communities is there felt a greater solicitude among parents for the instruction of their children in the common branches of education. Unworthy exceptions exist to this general remark, but it is apprehended that those exceptions are comparatively few.

It is admitted that serious evils and sad mistakes exist in many of our towns and school districts in the administration of the present system, by which the benefits of common school instruction are greatly diminished, and in some cases wholly lost. The friends of education have had their attention called to the existence of these evils, and much discussion has been had as to the best method of correcting them. Whatever shall tend to the better qualification of teachers – whatever shall more effectually awaken the attention of parents and prudential committees in the several districts to the importance of elevating the standard of instruction and improving the character of each school under their immediate control, should be cherished as the appropriate means for correcting existing evils and bringing the system to its highest degree of usefulness.

The provision in the present school law for holding teachers' institutes in the several counties, under the supervision and direction of the State superintendent, is worthy of a practical test, as a means of improvement for great numbers of teachers.

Schools of different grades of instruction are provided for, in the present law relative to the union of districts, which provision is adapted to the condition of the more populous towns, while, by the more general labors of the superintendent, it is believed a deeper interest may be created throughout the community, in measures which have been found effectual in contributing to the increased utility of schools.

I am not aware that at this session of the legislature any essential modification of the present law will be asked for, and it is respectfully submitted whether the interest of general education will not be best promoted by allowing the present law to remain unaltered, until, by a faithful compliance with its provisions, it shall become evident that it has failed to meet the wants of the community.

Our collegiate institutions, and many of our academies, sustain a creditable rank, when compared with kindred institutions, and should be cherished and sustained as a part of our system of education, and indispensable to the highest development of the Vermont mind. As far as practicable, the way should be opened for a collegiate education, as well to the youth of the humblest family, as to him of wealthy parentage.

Pursuant to a resolution adopted by the legislature, at the session of 1848, the Executive appointed Professor Z. Thompson to collect the minerals, field notes, and other materials of the geological survey of the State. Mr. Thompson's report, with a description of the materials referred to, was published in the Appendix to the Journal of the House for 1849.

Should no measures be adopted for a further prosecution of any survey, it may be expedient to appoint a committee, charged with the duty of making a final disposition of the materials of the survey, and closing up its concerns; and also, of conferring with Mr. Thompson, relative to the publication of further information, touching the geology of Vermont.

In this connection, I would respectfully call your attention to the desirableness of early measures for procuring the publication of a correct map of the State.

The policy heretofore prevailing, in regard to banks and banking, was, at the last session of the legislature, changed, by the adoption of a general banking law. A sufficient length of time has not elapsed, to afford evidence of its adaptation to the wants of the community. If it shall be found sufficient to provide a sound and safe currency, for facilitating the business operations of the State – if it shall prevent extravagant issues, and the perversion of banking facilities to speculations foreign to the business of banking, the interests of the State will require its continuance. On the contrary, should it, after a sufficient trial, fail in these particulars, it should be repealed. A sound discretion would suggest that no hasty decision, adverse to the system, should be made, until experience shall indicate a necessity for abandoning it.

It is highly creditable to the chartered banks in operation in this State, that during every financial crisis their credit has been sustained, and at the present time their notes are regarded by the commercial community as among the safest in circulation. But while it is a gratifying consideration that nothing has transpired to impair public confidence in the integrity and sound discretion of those in the direction and management of these institutions, no consideration should induce the legislature to relax in the enforcement of the provisions made by law for a constant supervision of their affairs.

The construction of railroads, which has been prosecuted with such unparalleled energy and perseverance, during the last few years, has tended to develop the resources and capabilities of the State, to an extent beyond the most sanguine expectations of the projectors of these enterprises, and the system may now be regarded as among the greatest benefactions of the age. Thus far, however, the investments for such construction have not yielded a fair income to the stockholders, many of whom have been subjected to no little pecuniary embarrassment by the losses they have sustained; but it is believed that the several railroads within the State are in a situation to be operated with more safety and economy than was practicable while in an unfinished State, and it may be hoped that with the increasing business, so clearly in prospect, better profits will be realized.

A digest of laws, embracing a general system of provisions applicable to railroads and railroad corporations, was carefully prepared by a committee appointed by the legislature, and, after mature consideration, adopted by the act of Nov. 1849. It is not supposed that any further general provisions are needed, either in view of the rights of the corporations, or the safety of the public. A digest of the laws on any subject, or a system of policy adopted after mature deliberation, should not be changed until experience has developed its benefits and defects, and then, not by partial legislation, usually intended to remedy some fancied inconvenience, which may mar the symmetry of the whole system.

Exceptions to this general remark may obviously be entertained, for reasons clear and tangible, and as such exception, I would recommend the single additional provision, that in the future construction of railroad bridges – except when the rail track is laid upon the top of the bridge – and of all public and private bridges, under which trains of cars are to pass, the height of the truss shall be at least seventeen feet in the clear. The frequent occurrence of accidents, usually fatal, occasioned by bridges being so low as to sweep from the top of merchandise cars the conductors or brakemen who happen incautiously to be standing thereon, suggests the duty of providing by law for the only sure preventive of this class of accidents.

The views of the citizens of Vermont on questions of national interest are too well understood to require on the present occasion a specific enumeration. A modification of the present tariff is most obviously demanded,

as essential to the prosperity and best interest of the American people. The principal element which constitutes the wealth of the nation is labor. The great body of the people are directly employed in productive industry. That industry should be stimulated and its productions protected by the fostering hand of the general government.

Without increasing the amount of revenue beyond what is required for defraying the expenses of government, adequate protection may be effectually secured, by a judicious discrimination in favor of articles of American growth and American manufacture, in the assessment of specific duties on foreign importations. The encouragement of domestic manufactures and mechanical trades is essential to that division of labor which creates a home market for the surplus products of the soil, which in turn is reciprocated by the home market existing for the manufactured article; while a laudable competition, open to all, is sure to bring the price of every commodity to its proper level, and to regulate and control the prices of imported fabrics.

The importance of a home market cannot be too highly appreciated, especially by the producing classes. It saves the friction and expense of transportation, equalizes the circulating currency, and by its constancy prevents in a degree those financial revulsions consequent upon overtrading with foreign nations. It promotes that fraternal intercourse between different communities of the same State, and the citizens of different states, which is essential to the perpetuity of the Union, and to that equality of station, which is the crowning element in our republican organization.

It is perhaps supererogatory to remind you of the duty of strict economy in the exercise of your official functions. While a parsimonious withholding of appropriations for objects identified with the prosperity of the State, and clearly within the prescribed duties of the legislature, would ill accord with the spirit of the age, and the well known wishes of an intelligent constituency – on the other hand, a lavish expenditure, in the administration of a government supported by direct taxation, is inconsistent with a proper regard for the interests of the people. It is respectfully suggested that in the absence of many of those exciting subjects which often occupy the attention of the legislature, the present session can hardly fail to be of comparatively short duration, and of course less expensive than usual.

It is, gentlemen, with entire confidence in your wisdom, ability, and integrity, that I pledge you my sincere co-operation in the discharge of the responsible duties reciprocally devolving upon the legislative and executive departments during the term of our official relations.

ERASTUS FAIRBANKS.

Montpelier October 16, 1852.

Inaugural address
of
Erastus Fairbanks
As it appears in the
Journal
of the
House of Representatives
October Session
1860

Saturday, October 13, 1860
Inaugural Address

THE HONORABLE, THE GENERAL ASSEMBLY OF THE STATE OF VERMONT:

Gentlemen,

Having been elected by the freemen of Vermont to the office of Chief magistrate, and taken the oaths of office and assumed that trust, it becomes alike my duty and pleasure to address you on the present occasion, and present for your consideration such matters of public interest, as properly fall within the jurisdiction of the Legislature.

Recognizing that Divine Providence which has guarded our State and National Institutions, and continued to the citizens of this commonwealth the blessings of health and peace and plenty, we assembly to-day, in accordance with the provisions of the Constitution, to assume the responsibilities, and exercise the high functions of Legislators.

In the discharge of the important trust imposed upon us by the constitution, and by our oaths of office, we are responsible agents. As Legislators and Magistrates, we hold our office and exercise authority, not by virtue of any inherent right, - not by any privilege of birth, or blood, or wealth. The functions of office are defined by the Constitution; but the offices we hold are conferred upon us by the people, to be again surrendered into their hands at the expiration of our Constitutional term; and, in the exercise of the powers thus conferred on us, we shall be chargeable with moral delinquency, and unfaithfulness to the most solemn trust, should we fail to act solely in view of the public welfare.

In the enactment or repeal of laws, or in the adoption of any measures proposed for our consideration, it becomes us to be guided by those high principles of right, which are incapable of being contaminated with schemes for private aggrandizement or partisan promotion; but which are effective in aid of whatever will promote the highest moral and intellectual culture of the body politic, and of whatever is essential to the encouragement of its industrial interests, and the security of the rights and property of each individual of the commonwealth.

It is obvious to remark that the tendency, in most deliberative bodies, is to legislate too much rather than too little; and although there may be no danger that an intelligent assembly, delegated to enact laws as well for their own observance as for that of their constituents, will compromise the interest or rights of the people; yet, in view of the tendency above stated, too great caution can hardly be exercised in adopting measures of reform or change. Much inconvenience and perplexity necessarily arise from too frequent changes in our statute laws; and not unfrequently enactments, salutary in their tendency, and calculated to be of great utility, fail to be effective, or to demonstrate their true character, because they have been repealed or essentially modified, before they have gone into general effect.

The history of our past legislation records comparatively few ultra or unsound enactments. Our laws, in the main, have been eminently just, adapted to the security of the public peace and the protection of individual rights; but we have not always been exempt from the embarrassment consequent upon unstable legislation. I doubt not that these considerations will be duly observed by you, and that you will adopt reformatory changes, only in view of necessity or obvious expediency.

The duty will devolve upon you, gentlemen, to elect a United States Senator, for the six years next succeeding the preset Senatorial term of the Hon. Jacob Collamer.

In the matter of expenditures I recommend the same scrupulous regard to economy which has generally characterized the legislation and the administration of this State, and the avoidance of all measures tending, unnecessarily, to the accumulation of a permanent public debt. Such economy need not degenerate into parsimony, but is consistent with reasonable appropriations for objects of public utility, and the usual provisions for educational and charitable purposes.

The rebuilding of the Capitol, necessitated by the burning of the former edifice, has made it expedient to resort to temporary loans for defraying the expense; and it may be necessary and advisable to make further provisions for the purpose of liquidating bills yet uncanceled, and of reimbursing the sums which have been advanced.

By the report of the Auditor of Accounts, it will be seen that the present liabilities of the State are as follows:

Notes Funded,	\$175,000 00
Due the Safety Fund,	13,125 00
Due towns for U.S. Deposits,	4,113 04
Orders unpaid,	7,198 16

	\$199,436 20

Its resources are as follows:

Taxes uncollected,	\$73,689 56
Amount in the Treasury,	10,599 74
Balance outstanding,	115,146 90

	\$199,436 20

Under the Act of 1859, appropriating two thousand dollars for the purpose of procuring Mead's Statue of Ethan Allen, orders have been drawn on the Treasurer for sums amounting to one thousand dollars. It is understood that the artist has been successful in the design, and that the work is progressing satisfactorily.

The number of State Beneficiaries at the present term of the American Asylum for Deaf and Dumb, at Hartford, is twenty-four. The charge per annum, for board and tuition, is one hundred dollars each; and as several of them have been allowed a sum not exceeding twenty dollars, for clothing, the expenditure for the ensuing year will be nearly equal to the annual appropriation of three thousand dollars. This is considerably more than the average annual expenditure for several years past. There are but five State Beneficiaries at the New England Institution for the instruction of the Blind, in Boston, the charges for whom will be considerably less than the annual appropriation of twelve hundred dollars.

No public State charity is more worthily bestowed than the annual appropriation for the Insane Poor at the Vermont Asylum for the Insane, at Brattleboro. This Institution, under the management of its excellent and devoted Superintendent, Dr. Rockwell, has been eminently successful. It is believed that few institutions of the kind have been managed with equal sagacity and skill, and the results, as a whole, are highly encouraging. Since its commencement, three thousand one hundred and sixty-eight patients have been admitted, and two thousand seven hundred and ninety-one have recovered. During the past year, one hundred and forty-three have been admitted, and one hundred and thirty-eight discharged, of whom fifty-eight have recovered. The present number of patients is four hundred and thirty-six.

Agreeably to act of November 21, 1859, proposals have been solicited for printing the Report of the State Geologist, which have been responded to by different parties. The Report, which will be presented to the Legislature at an early day, is a document of permanent value, and I doubt not the question of printing will receive your favorable consideration.

The Report of the Bank Commissioner is creditable to the management of our State Banks, showing the soundness of our currency, and the abundant security of bill holders and depositors, under any contingency.

The education of youth has been justly regarded by political economists of all civilized nations, as one of the most important elements of national security and prosperity; and in all representative and liberal governments, provision for a proper system of instruction is recognized as one of the first duties of the State. The cause of education, and especially the institution of Common Schools, has engaged the attention, and secured the active labors of our greatest statesmen and our ablest legislators. The spirit of liberty and the patriotism which achieved our national independence, and bequeathed to us our excellent form of government, is referable, in no inferior degree, to the system of education early instituted by the fathers of New England; and

it is only as the youth of the country shall be properly instructed, morally and intellectually, for the duties of citizens, that our free institutions, in the hands of the coming and future generations, are to be preserved intact.

It is with much satisfaction that I refer to the practical working of our present school law, and to the efficiency and well directed efforts of the Secretary of the Board of Education, in connection with Teacher's Institutes. A sound policy would indicate the undesirableness of any essential change, until sufficient time shall have elapsed to develop more fully the working of our present system.

In this connection, I desire to commend to your particular favor the elaborate Report of the Secretary, Mr. Adams. The mass of statistics, the extracts from correspondence with the town Superintendents, and the compendium of the decisions of the Supreme Court, in cases arising under our school laws, indicate great industry and devotion on the part of the Secretary, and an amount of labor far exceeding that required of any other officer of the government. The report is a document of great value, which should be extensively circulated among the citizen of the State.

The voluntary organization of the State Teachers' Association has proved a useful adjunct to the Board of Education and Teachers' Institutes; and, as it embraces a large number of experienced teachers and friends of education, who volunteer much time and expense, it may be worthy of your consideration whether to authorize the Board of Education to appropriate a small sum, annually, for defraying the expense of postage, and of printing the notices and reports of the Association.

It was remarked by Governor Hall, in his last Executive Message, that "Our laws prohibiting the traffic in intoxicating liquors have become the settled and approved policy of the State."

It is questionable whether further legislation on this subject is expedient at the present time. Every good citizen is presumed to be law-abiding. Still, there are those in the community who in violation of law, continue the traffic, to the deep injury of many families, and the demoralizing of many of our youth.

If further enactments are thought to be necessary for the security and peace of the community, it may be worthy of your consideration whether to provide by law that the illegal vendor of intoxicating liquors shall be made responsible to injured parties for the consequences of his illegal traffic.

The question of the establishment and maintenance of one or more House of Correction, or Reformatory Schools, within the State, for the employment of juvenile delinquents and others convicted of minor offences, is one of very grave importance, and which I desire to commend to your deliberate consideration. The experience of other States has shown that these institutions are eminently adapted to the conservation of morals, and the reclamation of those just entering upon a career of crime.

I desire respectfully to propose for your consideration the expediency of providing by law for the election, by a plurality of votes, of Town Representatives, and of all officers chosen by the General Assembly, – as being in conformity with the system prevailing in most of the States of the Union, and with our own in the election of State Senators and County Officers. It is conceived that the law which required a majority of votes to constitute an election, is often productive of embarrassment, and a needless waste of time and money, to say nothing of its demoralizing influence in leading to venality in the exercise of the elective franchise.

The Constitution of this State authorizes the organization and "arming of its inhabitants, for its defence, under such regulations, restrictions and exceptions, as Congress, agreeably to the Constitution of the United States, and the legislature of this State, shall direct." Under this provision of the Constitution, the Legislature has, from time to time, enacted laws for the enrollment, organization and discipline of the militia; and the frequent modifications and changes which have been made in our military code, indicate at once the importance which has been attached to this subject, and the difficulties which have been found to exist in the practical working of the system. Our present militia laws are undoubtedly an improvement upon former legislation, as being less onerous and more simple and effective. I am not informed whether further provisions or reforms are desirable or expedient. Public opinion and the spirit of the age point to an enlightened economical policy in relation to this department of the body politic, whereby to simplify the duties of the uniformed militia, moderate its expenses, and at the same time provide for its practical efficiency and discipline.

In compliance with the act of November 21, 1859, the Quarter master General has disposed of certain arms and military property belonging to the State, and made purchases of military equipments, of which transactions he will make report to the Legislature.

In the early part of the present year, much alarm was created in Massachusetts, and other parts of New England, in consequence of the appearance of the cattle disease – *pleuro-pneumonia* – and it being a well attested fact that the disease is both contagious and infectious, and in most cases fatal, fears were justly entertained that it might spread to other parts, and become general throughout the country. The Legislature of Massachusetts, at its special session, convened for the purpose, enacted laws providing for the isolation of herds supposed to have been exposed to the contagion; and prohibiting the exportation or importation of cattle, except under certain restrictions and provisions. The subject has also enlisted the attention of the Legislature of Connecticut and New Hampshire.

It is not known that any cases of the disease have occurred in this State; and it has been checked, if not entirely eradicated in Massachusetts, where it first appeared. It may be doubted whether any special legislation is expedient at the present time, touching this subject, except it be to provide for sanitary regulations by the selectmen of towns, when authorized by vote of their respective towns.

It is a matter of congratulation that in every part of the State is seen the evidence of thrift and prosperity. It is observable among all classes of our citizens, and in all our industrial interests; but the remark is especially applicable to the department of Agriculture.

From an abstract of the seventh United States Census, it appears that in 1850, there were in this State, two million six hundred and one thousand four hundred and nine acres of improved land, – a quantity exceeding that of any other New England State; and that our agricultural products for that year exceeded in quantity those of any of the same states, in the articles of live stock, butter, cheese, wood, wheat, oats, potatoes, hay and a variety of other crops. The value of live stock, as shown by that census, was twelve million six hundred forty-three thousand two hundred and twenty-eight dollars, and the aggregate of farming productions for that year, shows a valuation, including live stock of about twenty-five millions of dollars, being nearly equal to eighty dollars for each individual of our population.

The well known industry of our citizens, engaged in agricultural pursuits, and the capabilities of our soil, have been made available for increasing the amount of these products, under the stimulus of augmented prices, consequent upon the opening of railway communication with the markets. It may therefore be assumed that this department of industry has not only maintained its relative importance, but that it has, during the intervening years, since the above date, experienced a constant and healthful growth and increase; still it is conceived that it is capable of far greater development, and a much more abundant increase.

Vermont is essentially an Agricultural State. The great body of its citizens are engaged in agricultural pursuits. The salubriousness of its climate, - the richness of its soil, and the variety of its physical structure, adapt it to the cultivation of the most essential and profitable crops, and to the successful prosecution of cattle and sheep husbandry. Other important interests exist and are successfully prosecuted; but it is to this essentially, that we are to look for the most marked and healthy growth of the State in wealth and prosperity.

In the exercise of that fostering care which it becomes the Legislature ever to maintain over the industrial interest of the State, I respectfully invite your attention to the question of providing for an Agricultural Bureau, or Board of Agriculture; having for its object the collection of statistical and other information relating to agriculture, to be embraced in annual reports, for distribution throughout the State. It is not desirable that such a department should be made expensive to the State. Little need be required except to provide for the salary of its Corresponding Secretary and the publication of its reports.

Our manufacturing interests, though not extensive, are prosperous and increasing; but next in importance to our agricultural pursuits, as a source of wealth and material development, may be reckoned our quarries of marble, slate and soapstone. These quarries, inexhaustible in quantity and unsurpassed in quality, remained unavailable, except to a limited extent, until developed and brought into contiguity with the markets by our railways. They are now being extensively worked, by responsible and enterprising companies, which find a ready and increasing market for their productions in various parts of the United States.

On the subject of National Politics, the people of Vermont have ever held a high and conservative position:

Venerating the Constitution as the palladium of our civil rights, and yielding always implicit obedience to all laws which do not controvert its principles, – they will never submit to encroachment upon its high prerogatives, nor yield assent to those modern theories which distort its meaning, and controvert the opinions of the fathers of the Republic – its early expounders:

Warmly attached to the Union of the States, and pledged by every principle of patriotism, to preserve inviolate the sacred bond, – they can never be compromised with schemes for its dissolution, but will resist the hand that dares to “calculate its value,” and will invoke, if necessary, the national arm for its preservation:

National in their views of political economy, and in sympathy with the free productive labor of the country – they, advocate, as a catholic principle, the protection of American industry, by reasonable discriminations in the tariff of duties on imported articles, and judicious appropriations for the improvement of our harbors and navigable rivers:

Honest in their demand for economical expenditure in the administration of the National Government, and jealous of an undue centralization of power in the hands of the National Executive, – they deprecate the increased and constantly increasing extravagance of the General Government, and view with jealous concern the evidence of executive malversation in the disbursement of the public money:

Firm and unyielding in their views of human freedom, they nevertheless accord to other States the constitutional right to regulate their own domestic institutions, and disclaim any participation with those who would invalidate that right:

Believing and maintaining that slavery can exist only by virtue of law, they repudiate with firmness the claim that property in human beings must be recognized and protected, as such, beyond the limits of the States which have legalized it:

Adhering to the principles established by the enactment and resolutions of Congress, and the decisions of the United States Courts, during more than half a century of our early history, – they protest against the authority of an extra-judicial opinion, controverting those principles, promulgated by a majority of the present Judges of the Supreme Court.

It were but a common remark to speak of the growing greatness of our country. It becomes us, with a high recognition of an overruling Providence, to observe the development of its resources, its progress and its destiny.

Its agricultural products are largely in excess of the home consumption, notwithstanding the constant influx of foreign immigrants, and the large proportion of its population, not producers, who are engaged in the various departments of commerce, manufactures and mechanical trades:

Its mineral resources are unequalled by those of any other country for their richness, extent and variety; and its vast public domain invites the enterprise of the citizens of every State and affords a home for the thousands from other shores who are to become naturalized citizens:

Its manufacturing establishments are upon the most extensive scale, producing massive and ingenious machinery, and all the useful and most substantial fabrics, of a style and quality not excelled:

Its naval architecture excites the admiration of nautical men, of our own and other countries; and its railroad form a network in the older States, and are being extended in every direction through the new States and Territories, connecting the Atlantic with the Mississippi, and reaching onwards towards the Pacific:

Its destiny is onward. Its institutions and form of government are adapted to the highest development of national strength, improvement and prosperity, securing to all classes the enjoyment of the right to pursue their various employments unmolested, and affording ample protection from foreign aggression and domestic insubordination.

Intending to retire from office at the close of my present constitutional term, it is fitting that I should avail myself of the present occasion, to express, through you, my thanks to the freemen of the State, for the

confidence they have reposed in me, in calling me from the common walks of life, to the honorable and responsible office of Chief Magistrate.

Looking for Divine counsel and direction, it shall be my effort to cooperate with you in measures for the general welfare, during the term of our official relations; and until the close of my official term, to exercise all the functions of the Executive office with reference to the best interests and the highest improvement of the people of the commonwealth.

May that Divine Being, who controls the affairs of States and Nations, guide you in your deliberations, and preserve your lives, your dwellings and your families, until you shall have executed the high trust committed to your hands, and won for yourselves, from an intelligent and discriminating constituency, the plaudit of "Well done, good and faithful servants."

Inaugural address
of
Horace Fairbanks
As it appears in the
Journal
of the
House of Representatives
Biennial Session
1876

Thursday, October 5, 1876
Inaugural Address

*Gentlemen of the Senate
and House of Representatives:*

In entering upon the legislative duties and responsibilities imposed by the Constitution, it is fit and proper, especially in this Centennial year of our National existence and nearly completed century of the existence of our State under a constitutional government, that our hearts should be filled with thankfulness and gratitude to the Author of all blessings, not only for the general health, peace and prosperity which He has graciously vouchsafed during the past two years, but also for the innumerable blessings which have attended our entire existence as a State. And especially is it fitting that we should remember with gratitude and thankfulness at this time, the mercies and goodness of that Providence which led our fathers safely through those peculiar and trying circumstances which environed them in the memorable year of 1777, and which scarcely have their parallel in the world's history, – when though claimed on the east by New Hampshire, – claimed and menaced on the west by New York, – oppressed and warred against on the north by Great Britain, – unrecognized and unsupported by the sister colonies, they, a mere handful of sturdy yeomen, stood manfully and independently for the right; framed and adopted a Constitution, which for the most part remains unchanged, and under which they and their posterity have been “protected in the enjoyment of life, liberty and property,” and have been led to that “firm adherence to justice, moderation, temperance industry and frugality,” which has made them and us an intelligent, virtuous and happy people. May the same Infinite Wisdom guide us in all legislative deliberations, that we may not the fair proportions of the governmental structure reared by our fathers, but enjoy and transmit it improved, adorned and embellished, to those who may come after us.

Standing on the dividing line of the centuries, it is the part of wisdom to consider not alone the present, its comforts and privileges, but as well the past, that we may learn their cost, its lessons, and take warning from any mistakes by the way, and that we may plan broadly, intelligently and wisely for the future.

The biennial reports of the State officers having in charge particular departments of the public service, will fully inform you of the present condition of the important affairs of the State. The suggestions and recommendations of these officers who have become familiar with the necessities and workings of their respective departments, deserve, and not doubt will receive your careful consideration.

FINANCES.

It is a matter for mutual congratulation that by wise legislation and careful and honest management, the finances of the State are in a most satisfactory and prosperous condition. When we call to mind that ten years ago, after having cheerfully met the enormous taxation necessary for the support of the war, the State was found to have a funded debt of \$1,625,500, it is not a little remarkable, and certainly very gratifying, to find that at the close of the financial year the Treasurer had in hand assets, mostly in ready money, to the amount of \$72,907.11, in excess of all existing liabilities. Although a portion of the State debt does not fall due for several years, and is really due from the State to the State, and a considerable portion of the money then on hand will be needed to defray the expenses which will accrue before another State tax can be collected, we have the proud satisfaction of having entered upon the second century substantially free from debt, and with no State financial burdens for posterity to bear.

The Treasurer's report, to which you are referred, will furnish a clear, definite and detailed statement of the financial transactions of the State for the past two years.

From the report it appears that during the financial year ending August 1, 1875, besides meeting the current expenses, the funded debt was diminished \$59,000, and there was added to the sinking fund \$130,000. At the close of that year, the financial condition of the estate was as follows:

LIABILITIES.

Due towns, U.S. Safety Fund,	\$11,519.96	
Due on Soldiers' accounts,	12,178.24	
Due on outstanding checks,	1,886.06	
Due on funded debt:		
Coupon bonds, 1876,	\$102,000	
Coupon bonds, 1878,	34,000	
Registered Loan, 1878,	31,500	
	-----	\$167,500.00
Due Agricultural College Fund,		135,500.00

		\$328,584.26

ASSETS

Due on tax of 1874,	\$4,563.45	
Cash in treasury and on deposit in banks,	320,376.84	
	-----	\$324,940.29

Excess of liabilities,		\$3,643.97

During the year ending August 1, 1876, the Treasurer has purchased \$2,000 of the bonds due December 1, 1876, and \$30,000 of the registered bonds, due December 1, 1878.

The balance sheet for the present fiscal year represents:

LIABILITIES.

Due towns, U.S. Safety Fund,	\$11,519.96	
Due on Soldiers' accounts,	11,472.78	
Due on outstanding checks,	1,833.89	
Due on bonds December 1, 1876,	100,000.00	
Due on bonds December 1, 1878,	35,500.00	
Due Agricultural College Fund,	135,500.00	
Due on over-due coupons,	1,605.00	
Due Vermont Asylum for the Insane,	24,333.12	
Due Perkins Institute for the Blind,	2,125.00	
	-----	\$323,889.66

ASSETS

Due on tax of 1875,	\$8,552.21	
Cash in treasury and on deposit in banks,	388,244.56	
	-----	\$396,796.77

Excess of assets,		\$72,907.11

With the same prudent foresight and the same economical and honest management continued, Vermont will never be numbered among the bankrupt or repudiating States, but her promises to pay will, as at present, command a premium in the money market.

EXPENSES.

The expense of administering the affairs of the State must in the future, as in the past, be paid almost entirely from direct taxes, and for that reason should be cautiously and prudently incurred. Taxation should ever be kept at the lowest limit consistent with the permanent protection, growth and development of the interests of the entire people.

The Constitution has happily prescribed this limit. Its language is, "Previous to any law being made to raise a tax, the purpose for which it is to be raised ought to appear evident to the Legislature to be of more service to the community than the money would be if not collected."

The payment of State expenses is from a common fund, raised by a general tax. The danger lies in a neglect to examine carefully each item of expense to determine whether it falls within the letter and spirit of the Constitution. A cursory examination of the accounts allowed by the State Auditor will suffice to show that prosecutions by the grand jury, and trials by the petit jury, occasion large items of expense. At my request the Auditor has examined his books and reports that there has been paid, including the sums paid the jurors, during the last fiscal year, – for the former, \$9,013.81; and for the latter, \$21,443.72.

The criminal prosecutions in each county are under the management and control of its State's Attorney. The incumbent is changed at nearly every election. It is believed that considerable sums in fines and forfeitures are for this reason lost to the State.

The incoming State's Attorney is unfamiliar with the business, and has no knowledge of such as has been left unfinished by his predecessor. Not infrequently has it happened that the expense of obtaining an indictment, and sometimes of a trial before the traverse jury, has been lost to the State, from the indictments being defectively drawn through the inexperience of the State's Attorney. Besides, there has been paid to other attorneys for aiding in State trials during the last fiscal year, according to the estimate of the State Auditor, the sum of \$3,500. It is my belief that a considerable part of this class of expenses might be saved by the creating of the office of Attorney General, to be filled by an experienced and able attorney. It should be his duty to take charge of and systematize the criminal business of the State; attend to the collection of all fines and forfeitures; give instructions and aid to the State's Attorneys in drafting informations and indictments; and to be present and conduct the more important criminal prosecutions. I believe, with the criminal business in the care and charge of such an officer, that the necessity for instituting such prosecutions by a grand jury would in a great measure, cease to exist, and might be dispensed with except in cases of treason and murder. For such cases the grand jury might be called whenever occasion should require, and not in each county annually, as is now done. There is no clause in the Constitution which would be violated by such a change. Prosecutions by information are fully recognized by the common law.

The chief value of the grand jury system, and the occasion which called it into existence in England, grew out of her arbitrary form of government. It furnished security against unfounded and unjust prosecutions of a subject who had fallen into disfavor with the monarch. It insured merited prosecutions against royal and titled families.

I have been led to these suggestions from the belief that some such change in the law as has been indicated, would be made, which would not lessen materially their expense. The right of trial by jury is secured by the Constitution, "except where parties otherwise agree." By such agreements, such causes may be referred under a rule of court. I am informed that the cost to the State for such jury trials per day is about one hundred dollars. Under existing law, cases involving the simple right to recover for labor or property to an amount exceeding ten or twenty dollars, dependent upon the nature of the action, can be, and often are, carried to the county Court by appeal. The trial of such case is rarely completed in less than a day. Is it not a plain perversion, not to say violation of that clause in the Constitution heretofore cited, to impose a tax of one hundred dollars upon the community, to settle a matter in which one of two parties may be entitled to twenty-five or even fifty dollars, and should not the right of appeal in such cases be taken away unless the amount involved is nearly equal to the amount of taxes which the appeal will probably impose upon the community?

The allowance of the right of appeal in such cases is no kindness even to the prevailing party. Beside the ill feelings likely to be engendered by such trials, the expense of the trial to him is usually much more than the amount of the claim.

The ordinary expenses per day of a competent referee do not exceed \$10 or \$15. Hence if all jury cases should be referred, and the state should assume the payment of the referee's fees, a very great saving of expense would be secured to the State, and no right of parties would be thereby sacrificed.

The main obstacle in the way of an agreement of reference is that parties know that they can try their case by jury on the payment of six dollars to the State, and that a trial by a competent referee may cost them many times that sum.

I think it would be economy to provide for the payment, by the State, of a part or the whole of the referee's fees, and that the expense of trial by jury may be lessened by proper legislation in the two directions indicated, without any detriment to public or private interest.

ASSESSMENT OF TAXES.

The framing of statutes so as to compel an equitable and just contribution from every interest and citizen, towards the expenses of administering the affairs of the State, has ever been one of the most difficult and perplexing questions with which legislators have to deal. The right of the State to compel such just contribution is unquestionable. Without it every department of the government becomes paralyzed.

The duty of every citizen, and of every species of property, to contribute towards the expense of his or its protection, is equally clear. The protection furnished by the State to its citizens and to the property within its limits, gives the right to exact, in war, the personal services, and in peace, a poll tax from the former and contributions from the latter, wherever the owner thereof may reside. This is substantially the doctrine announced in the 9th article of the Bill of Rights.

Within the past few years there have been frequent complaints that the spirit of this article in the Bill of Rights is violated in the apportionment of the public burdens. Not unfrequently has it been claimed that property of the same kind and value was placed in the Grand List at different valuations in different sections of the State. At other times it is claimed that a large amount of property invested in railroads, telegraph companies, insurance companies, and other companies, to protect which and determine the rights thereto, annually costs the State a large sum, almost wholly escapes taxation; and again, that owners of real estate are unjustly discriminated against, in that they are taxed on its appraised value, notwithstanding they may be largely indebted for it, while the owners of personal estate are allowed to deduct from its appraised value the amount of debts which they may owe. It is claimed by some that there should be no deductions made from the assessed value of personal property, for the debts of the owner; that such allowance induces fraud and the creation of fictitious debts for the purpose of obtaining deductions, and that the expense to the State, to protect and determine the rights to personal property for which the owner is in debt, is greater than when the same is fully paid for, and hence it is unjust that the owner of property, because he is a debtor, should be relieved from contributing therefrom to the expenses of the State.

Without doubt there is too much foundation for these complaints, though the class first mentioned could have no existence in fact, if listers would faithfully observe the law, and appraise all property at its just value in money.

It is notorious that they do not regard the law in this respect, but appraise property at from one-third to two-thirds its just value in money, often vieing with each other to place and keep the property in their locality in the list as far below its value as possible. I am informed that conscientious listers often refuse to sign and make oath to the list from a knowledge of their failure to comply with the law.

The prevalent feeling that the practical operation of the law for the assessment of taxes is unequal and unjust, has been, and is, working a sad demoralization of public sentiment. By a numerous class of citizens it is no longer considered a public duty to assume and pay their full share of the public expenses, but rather that they have a right to avoid as much of it as they can, even by resorting to questionable devices. It is feared that the Legislature may have inadvertently aided in the work of demoralization, by too readily passing acts to legalize grand lists, with and without specifying the defects to be legalized, and even to legalize the omission of the listers to sign and make oath to the list. Would not a more healthy sentiment be inculcated by refusing the passage of all acts which do not specify the defect to be cured, and all acts to legalize defects occasioned by the omission of the listers to complete, sign and make oath to the list according to law, and, also, by enacting a law rendering the listers personally liable to their towns and to the State for all losses occasioned by their neglects or omissions in this respect.

I am convinced that the law in regard to the assessment of taxes needs a careful and considerate revision – such a revision as will apportion and distribute the public expenses as equally and justly as possible among all the citizens and upon all the pecuniary interests of the State. Whether such a revision can be effected at a single session of the Legislature may be doubtful.

EDUCATION

The importance of this interest cannot be overestimated. More than ninety thousand children are in process of training the schools of the State.

Their weal or woe is largely determined by the character of the schools which they attend.

These children are soon to give character to the State and other States.

The State can better afford to neglect any other interest than this, which is so closely allied to her welfare and destiny.

Free institutions cannot long exist among a people characterized by ignorance and vice. Intelligence and virtue are the bulwarks of all free government.

The pecuniary interest connected with education are very large. The direct taxes raised annually for this purpose amount to nearly \$600,000. But this sum represents hardly a tithe of what the people of the State annually expend to educate their children.

There must be added a large sum paid for text books, and a many times larger sum for the board, clothing and time of the children.

But the pecuniary interests connected with the public schools dwindle in importance into insignificance, when compared with the habits and characters which are there being acquired. A thoroughly intelligent and virtuous people, inured to habits of self-control and perseverance, are invincible everywhere, whether in the world of mind or matter.

It is not so much the amount of money which we expend, as the character which we give to the public schools, that is all-important. Almost any expenditure of money, whether for the better superintendence of the public schools, or for securing the hearty co-operation and interest of the parents and guardians, or for training and bringing into the service more experienced and better qualified teachers, if it only serves to elevate the character of the public schools and give to the State more intelligent, virtuous and persevering citizens, is economical and judicious. If it fails to secure these results, the expenditure is wasteful.

I trust that this interest, whether it relates to the public schools, or the higher institutions of learning, will receive your careful consideration.

The report of the State Superintendent will inform you of the work done during the past two years. I commend his recommendations for legislation to your consideration.

It seems to me that an economical and efficient management of this great interest requires a uniformity of text books through out the State, and that there should be secured a decrease and consolidation of the number of small schools, which are usually entrusted to young and inexperienced, not to say unqualified, teachers.

My predecessor's recommendation of the establishment of town libraries I most heartily endorse, not alone as a means of education for the young, but also as a means of continuing the work of education and culture among those who are engaged in the active pursuits of life, and as a source of solace to declining years.

STATE LIBRARY

This library, which is very complete in the department of American law, besides being well furnished with miscellaneous works, has entirely outgrown the room set apart for it in the State House.

It is evident that some further provision for its accommodation must soon be made. It seems to me that an enlargement of the present room is almost impracticable, and that sooner or later there must be erected for its accommodation a separate fire-proof building, which should be kept open throughout the year. The library is

now of such dimensions and importance that it should be readily accessible for research and investigation at all times.

BOARD OF AGRICULTURE MANUFACTURES AND MINING.

The Secretary's report, with the accompanying papers, will inform you of the work accomplished during the past two years. Its work has thus far been confined to fostering the interests of agriculture. This doubtless has resulted from the fact that agriculture is the more prominent and general interest. The Board is concerned with the three great industrial pursuits of the State. Each of these industries is essential to, and more or less dependent upon the others for its best development, and should be judiciously encouraged and fostered by the State. I think that these interests are sufficiently important to warrant the continued employment of a judicious and properly qualified Secretary; that in collecting and arranging facts and statistics, making experiments, holding public meetings, suggesting the best methods and bringing them to the attention of the people, he can find ample work which can be done profitably in the interest of the State.

I would recommend a larger appropriation than is asked for by the Board, whose expenditure should be guarded by suitable legislation; and also that the State Geologist, whose official duties lead him to a consideration of the mines and minerals in the State, be made an *ex officio* member of the Board.

THE INSANE.

This unfortunate class are peculiarly the wards of the State. Bereft of reason, and frequently of friends, the State will be derelict in duty if its guardianship be not generous, active and vigilant.

I have read the report of the Commissioner with interest. It is apparently a thoughtful and carefully prepared document. I commend it to your careful perusal and study. The facts and deductions therein stated are startling. I have not sufficiently examined, and am not sufficiently familiar with, the facts and circumstances either to adopt or deny the conclusions of the Commissioner. If his conclusions are well founded, there is imperative need of immediate legislative action.

That the number of insane under treatment and needing relief should have steadily, year by year, increased from the foundation of the Asylum, while the population of the State has remained comparatively stationary, is a matter that challenges attention and enquiry into the causes of the increase. May you carefully consider this important subject, ascertaining as nearly as possible the exact facts as to the relative increase or decrease of insanity in our own State, and other parts of the country, and may your action in the premises be wise and just to the Asylum, to the State, and above all, to these unfortunate wards of the State. I commend to your consideration the suggestions of the Commissioner with reference to the enactment of safeguards against improper commitments, both to the asylum and to the county jails.

STATE PRISON AND COUNTY JAILS.

I think it may be safely asserted, after an experience of nearly a century, that the operation of our system of prison discipline, both as practiced in the State prison and in the common jails, in its effect upon the prisoner by way "of encouragement of virtue and prevention of vice and immorality," has been a failure; that the prisoner, from the effect of his imprisonment, instead of having become a reformed and better man and citizen, with inclinations towards virtue, has become discouraged, hardened, and too often hopelessly fixed in a criminal course of life. Too often has it happened that the day of his discharge has witnessed a repetition of his former criminal act, or some more heinous crime.

This, to my mind, indicates that our system of prison discipline is radically wrong in principle. The State has, and can have, no feelings of revenge towards an erring citizen. Her conduct towards him should not be such as to lead him to feel that he is an outcast from her care and protection. Neither should it be such as would indicate a disregard for his criminal act. Her treatment should be such as evinces the utmost abhorrence and detestation of his crimes, but at the same time the greatest regard and tenderest solicitude for him as a man and as a citizen.

I fear that while the State has been most active in showing abhorrence of crime, it has been lacking in earnest efforts to save the criminal from his crime to manhood and good citizenship. When any person, old or

young, is fully convinced that he is an outcast from society, and that there is no hope of his ever regaining the good opinion and esteem of his fellow citizens, he is irrevocably lost to a virtuous life.

Hope is the great stimulating motive to action and to striving for better things. When this is crushed out, the man once bad is bad beyond recovery. The tendency of our system of prison discipline, to my mind, is to banish from the convict's mind all hopes of a return to a virtuous life. Consider the treatment of the State towards this class of persons.

A young man is accused of the commission of a crime. He is at once arrested and thrust into the county jail. No person on behalf of the State visits him, save the jailer to pass in his meals three times a day, and to lock him safely in his cell, or the State's Attorney to inquire whether he wishes to plead "guilty" or "not guilty." Not a book, not a newspaper does the State furnish him with which to while away the tedious hours. If the jailer out of kindness provides reading matter for his prisoners, it is a favor and not a right. His associates may be of any degree of criminality. It is the common receptacle for all accused of the commission of crime within and awaiting their trial, as well as the place for punishment of those convicted of minor offences.

In a dim-lighted, ill-ventilated room, with nothing to do, not even, when transferred to the State Prison for safe keeping, on the order of the Governor, allowed to work, though requesting it, he passes his days and nights as best he can, brooding over his hard lot, planning ways of escape, or listening to the recital of obscene stories, or the criminal life and criminal exploits of his associates. And yet he is not a convict. He is only an accused. And this is the attempt of the State to prevent the commission of crime, most frequently the offspring of idleness, by compulsory idleness! At length he is tried. If acquitted, he goes out soured and hardened; if convicted of a minor offence he is returned to his life of idleness in jail; and if of a higher crime, put to hard labor in the State Prison. The right of the State to incarcerate him springs from the right of self preservation. By an overt act he has manifested the possession of a character which endangers the rights of others. He is incarcerated to deprive him of the power to invade the rights of others, not alone during the term of his confinement, but permanently, by removing the criminal inclination and disposition, and to deter others from the commission of crime. It would seem that of right he should remain incarcerated so long as he is possessed of the criminal inclination and disposition, and that the State should be active in its endeavors to dispossess him of these characteristics. The court is left to determine the time of his incarceration as best it may, with little knowledge of his former life, less of his criminal tendencies, and of the length of time which will be required to eradicate them.

In the State Prison he is confined in his solitary cell, or driven under keepers to his tasks, is allowed no communication with his fellow prisoners—scarcely any with his keepers; he may have a few books, if able to read, but receives no instruction, except on the Sabbath, a little from the chaplain. From his arrest to the close of his sentence, the State against whom he has offended, and which has laid her heavy hand upon him, has not extended to him a helping hand, and has scarcely spoken a cheering word. Is it a matter of wonder, then, that he broods over his hard lot, as he views it; feels that the hand of the State is not only against the *crime* which he has committed, but against *him*; that all she cares for him is to make him grind in her prison house, and that he comes from his incarceration a worse instead of a better man?

The experience of the past century, both in our State and in other States—for our State has done as well, and perhaps better, than many others—teaches, I think, very plainly and forcibly that our system of prison discipline demands a radical revision; that the jail should not be a place of imprisonment for debt or minor offences, that that class of offenders should be sent to a work-house to be established in connection with the Reform School, in which the school and reform element should have a prominent place, that the jail should be owned and controlled by the State, and should not be used for the detention of persons charged with all classes of crimes, but to one should be assigned those charged with one class of crimes, and to another those charged with another class of crimes, each having for inmates persons of the same degree of criminality, as nearly as practicable, that each should be furnished with a well selected library and some current literature, and in each should be kept a school, not of idleness and vice, but of learning and virtue. Perhaps there should be provision by which those awaiting trial, who should request it, could labor in the work house and receive a portion of their earnings.

The prisoners should be divided into classes according to the character which they manifest while under a course of discipline. A part of each day should be devoted by the keepers to instructing the prisoners in learning and in virtue, and the rest to labor, not for contractors, but for the State. In short, the State should put forth most active and earnest endeavors, from the arrest of the accused to the imprisonment of the convict, to reclaim him from a life of crime to a life of virtue and the State Prison should no longer be an institution "for the reformation, as well as the punishment, of all offenders, *with the reformation all left out*. It may be objected that to effect such a change will cost money. Shall we stop to balance a few thousand paltry dollars in determining whether we will rescue a *man* from crime and lead him on to a virtuous life, or hold him irrevocably in the chains of vice?

I earnestly recommend a thorough revision of our system of prison discipline in the direction indicated and I commend to your careful consideration the reports of the Directors and Superintendent of the State Prison.

STATE REFORM SCHOOL.

It is a pleasure to turn from the Prison to the consideration of this topic. Although not personally acquainted with its operation and working, from all sources I hear it commended as a reformatory institution. The credit of its success is due to the wise and considerate action of former Legislatures, together with the faithful and efficient management of the officers of the institution. You need not be urged to aid by all needed legislation in perfecting and developing the great work so auspiciously entered upon.

The Reports of the Trustees and the Superintendent fully inform us as to the condition of the Institution, its wants and requirements. I would recommend the making of all appropriations necessary to carry out any judicious plans which they may have suggested. I venture to suggest whether it would not be wise in all alterations and enlargements to have in view the furnishing facilities for dividing the inmates into classes, so as to be able to classify them according to the degree of discipline or correctional treatment required.

LEGISLATION.

It is doubtless true that we legislate too much. This naturally results from our system of enacting laws. Legislators serve their brief day, and then others fill their places. On many subjects of legislation men entertain widely differing views, but each is confident that his views are correct. Hence the frequent change of this or that provision of the statute. It rarely happens that the revision of an entire subject is attempted but a single provision, here and there, is changed to meet the varying views of different legislators, which results in an inharmonious whole.

I think that a legislator should be fully persuaded of the absolute necessity for a change of the statute law before he should vote for its alteration or amendment; and then only for such alteration or amendment as will clearly remedy the evil. Hasty legislation is always dangerous. The original constitution had a special provision against it. It not only gave the Governor and Council the right to propose amendments to laws which had passed the Assembly, but, if the amendments were not concurred in, they had the right to suspend the passage of the bill until the next session of the Legislature. This was a wise provision, and its spirit ought to guide legislation under our present system.

The sessions are too short to originate, mature and perfect legislation touching large and varied interests. Such legislation must usually contain many provisions, and be more or less intricate. There is not time amid the rush of the business of the session to prepare and nicely adjust the different provisions necessary to render such law applicable and just to all the interests likely to be affected. Usually, too, the men elected to the Legislature are, as they ought to be, taken from the busy callings of life, who have had no time to mature any perfected system of legislation, which would be applicable to and affect many interests. Properly to mature and prepare such legislation is a work of time and study, and often requires the collection of facts and statistics. Eminently of this character are the laws for the assessment: of taxes, and for the punishment and prevention of crimes, a revision of which I have recommended. For such revision, and for the revision of the laws on any important subject, I would recommend that commissioners be appointed, under proper limitations and restrictions to inquire into and carefully consider the whole subject, to prepare such legislation as they may judge necessary, and to report the same, with their reasons therefor, to the next Legislature. I think this method not only a

safeguard against hasty and crude legislation, but withal economical. It will furnish business ready-prepared for the consideration of the Legislature immediately upon its organization, without spending the first two or three weeks, as has been too frequently the case, in making preparation to commence the work of the session.

The completion of the hundredth year since the independence of the State, since the adoption of the Constitution, and since the battle of Bennington, mark the coming year emphatically as our centennial year. These memorable events in a large measure determined the character of our political existence, territorially and nationally. The remembrance of them, and of the principal actors in them, should be sacredly cherished and perpetuated. Is it not eminently fitting and proper that they be recognized by some suitable observance?

I shall take no time to consider national affairs. If each State will wisely and honestly conduct its own affairs so as to insure to itself and to the nation intelligent, virtuous and enterprising citizens and public servants, national affairs cannot well go amiss.

Allow me, in closing this already too lengthy communication, to express the hope that our mutual relations may be most friendly, frank and cordial, and our mutual work honestly, faithfully and speedily accomplished.

EXECUTIVE CHAMBER,
Montpelier, October 5, 1876

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HORACE FAIRBANKS.

Inaugural address
of
Roswell Farnham
as it appears in the
Journal
of the
Joint Assembly
Biennial Session,
1880

Wednesday, October 7, 1880
Inaugural Address

Senators and Gentlemen of the House of Representatives:

In compliance with the Constitution and the laws of the State we are assembled to consider such propositions and devise and enact such laws as may seem to us to be most for the well-being of our commonwealth. More than ordinary responsibility rests upon us now, for the reason that at this session we are to consider and act upon the report of the commissioners in relation to the revision of the entire body of the laws of the State; and you may be further called upon to propose, on the part of the Senate, and to consider, on the part of the House of Representatives, amendments to the Constitution of the State.

There is no provision in our laws, nor is it within the spirit of our institutions, that any class of men, by virtue of social or hereditary position should be our law makers, or that any class or family should hold the offices of the State. Our law makers and rulers are elected from the mass of the people without distinction of occupation, rank, or station in life, by the voice of the majority of the voters of the State. Certainly with the people of Vermont, the republican is no longer an experimental form of government. But it has this drawback; our method necessarily brings into our legislative halls and into the various offices of the State, men unaccustomed to legislation and to a great extent inexperienced in public affairs. The biennial system tends to aggravate this evil. But I believe that our law-makers and State officers assemble and act with so sincere and honest an endeavor for the welfare of the State, and labor so earnestly for its good, that these qualities more than supply all that is wanting from lack of experience. And I trust that we are actuated by the same pure patriotism that has stirred the hearts of Vermonters, whether in their homes or in public assemblies or upon the battle-field in times past, to give their best labors or their lives even for the welfare of their beloved State, until the self-sacrificing devotion of the sons of Vermont has become proverbial throughout our entire land.

FINANCES.

I call your attention with great satisfaction to the condition of the finances of the State as shown by the report of the State Treasurer. The full report will be before you. The following brief statement shows our financial condition at the close of the fiscal year ending July 31, 1880.

ASSETS.

Cash on hand and in banks.....	\$213,840.82
Due on State tax of 1879.....	3,857.74
Due from savings banks—taxes.....	17,375.79

	\$235,074.35

LIABILITIES.

Due towns—U.S. surplus fund	\$11,519.96
Due on soldiers' accounts	9,438.24
Suspense account (outstanding checks).....	1,743.80
Bonds due in 1876 (owner unknown).....	4,000.00
Interest due on same prior to maturity	360.00
Due towns on account of savings bank tax.....	23,409.69
Agricultural college fund, due in 1890	135,500.00

	\$185,971.69

From this statement it appears that the Treasurer has on hand and in banks, cash to the amount of \$213,840.82 while the entire indebtedness of the State, including what is not due as well as what is due, amounts to but \$185,971.69, so that had the Treasurer been called upon July 31, 1880, to pay every dollar of the State's indebtedness, he could have done so with the cash on hand and in banks, and still have a balance of \$27,869.13. If to this sum we add the sum due from the State tax of 1879, and the taxes due from the savings

banks, which the Treasurer properly counts as assets, we have a surplus above all indebtedness of \$49,109.66. But the agricultural fund is not due until 1890, amounting to \$135,500.00, and the United States surplus fund in the hands of the State Treasurer, amounting to \$11,519.96, will not be called for at present, if ever. Adding the two last named sums to the balance of assets above mentioned, we find in the hands of the Treasurer for the present fiscal year, beginning August 1, 1880, \$196,122.62.

At the close of the biennial term of 1878, based upon a calculation similar to the above, the State Treasurer had on hand available for the year 1879, \$141,934.85. At the present time, as shown by the foregoing statement, he has on hand available for the current expenses of the coming year, \$196,122.62; showing a balance of \$54,187.77 more on hand July 31, 1880, than at the corresponding period of the year 1878. During the last two years there has been paid of outstanding State bonds \$36,000, which makes the comparative financial condition of the State at the present time over \$90,000 better than two years ago.

During each year there is a time when the treasury is liable to be drained before the new tax is collected. To meet this contingency the Legislature of 1878, as they had done before, authorized the Treasurer to borrow a sum not exceeding \$350,000. During the year ending August 1, 1879, the Treasurer borrowed \$45,000, under the act of 1868, and \$80,000 under a similar act of 1871. This temporary loan was paid during the same year. During the year ending August 2, 1880, the Treasurer borrowed, under the act of 1876, the sum of \$93,000, and paid it within the year; so that none of these temporary loans are outstanding against the State.

The treasury is in a most excellent condition, as already appears, and as you will more fully realize when you examine the Treasurer's report in detail. At the beginning of the fiscal year there seemed to be a very large balance available for immediate use. That is true; but it must be borne in mind, as has already been stated, that before the next tax comes in there will be heavy drafts upon the treasury, and unless some provision is made, more than the surplus will be called for. At the present rate of interest in money centers, it seems to me not advisable for the treasury to carry so large a surplus any portion of the year. Let the taxes be enough to pay all expenses and appropriations, and authorize the Treasurer to borrow on short time such sums as he may need to bridge over the void in the treasury before the taxes come in, and then the people will not be called upon to advance enough to pay the agricultural college debt so long before it is due.

One reason why the financial condition of the State treasury is so much better than it was two years ago is, that in determining the amount of taxes to be raised during the past two years, the action of the Legislature was based upon an overestimate of the probable expenses of the two years, and a larger tax was levied than was necessary; but by far the most satisfactory reason to tax payers will appear from the following statement made by the State Auditor, which shows that our expenses are gradually diminishing:

Auditor's orders for the biennial term ending July 31, 1878.....	\$582,596.21
Auditor's orders for the biennial term ending July 31, 1880.....	<u>569,464.67</u>
Making a difference of.....	\$13,131.54

in favor of the last biennial term.

But during the former term there was expended upon the House of Correction \$12,144.13, while during the latter term there was expended upon the same institution \$43,129.48, giving a balance of \$30,985.35 expended during the last biennial term more than was expended upon the House of Correction for its erection and to put it in running order during the prior term. If we add this sum to the difference in Auditor's order between the two terms as given above (\$13,131.54) we have the true comparative saving of \$44,116.89.

The following figures, furnished by the Auditor, show some satisfactory changes going on in some items of expenses during the past four years.

Jail expenses have diminished as follows during that time, viz:

Jail expenses for the year ending July 31, 1877.....	\$20,782.42
“ “ “ “ 31, 1878.....	17,828.70
“ “ “ “ 31, 1879.....	14,304.86
“ “ “ “ 31, 1880.....	8,856.07

A portion of this change during the last two years may be due to the fact that some of the prisoners who formerly were sent to jail, have been during that time sent to the House of Correction. But this statement cannot apply to the first two years.

While jail expenses have gradually diminished, there has at the same time been a very gratifying increase in the amount of fines and costs paid into the treasury, as it appears by the following statement made by the Auditor:

Fines and costs paid in during the year ending July 31, 1877	\$14,089.23
“ “ “ 1878.....	14,494.50
“ “ “ 1879.....	14,551.36
“ “ “ 1880.....	30,455.87

The remarkable increase for the last year named is not due to an increase of crime, but is due to some effect that the House of Correction has in prompting the payment of fines, and also to some special efforts that have been made by the Auditor and other officers for the collection of fines from the hands of justices of the peace who had themselves collected them and were withholding the money from the State.

While there has been a diminution of jail expenses and an increase in the receipts of fines and costs, there has also during the same time, been a remarkable falling off in County Clerks' orders and Court expenses.

County Clerks' orders for the year ending July 31, 1877	\$83,826.85
“ “ “ 1878.....	81,995.88
“ “ “ 1879.....	70,231.99
“ “ “ 1880.....	65,147.98

Here is a favorable change on the side of economy of more than \$18,000 in the past four years.

Total expense of Courts for the year ending July 31, 1877	\$113,237.12
“ “ “ 1878.....	110,549.77
“ “ “ 1879.....	96,560.27
“ “ “ 1880.....	80,005.88

A gain for economy of more than \$33,000 within the four years named. These items of "Total expense of Courts" include the County Clerks' orders for the same time.

Comparing the State expenses, as shown by the Auditor's and County Clerks' orders, we have the following figures:

State expenses for the last year of the last biennial term to July 31, 1878	\$315,021.21
Same for the year ending July 31, 1880.....	275,409.61

Showing a change on the side of economy of more than \$39,000 between the two years named, as compared with one another. These statements include all the expenses of the State for the years named, and I believe them to be a fair exposition of the saving made from year to year in State expenses.

The act of 1878 in relation to Court expenses, and that establishing the salaries of certain State officers and the pay of certain State employees, under the suggestion of my immediate predecessor, are having a salutary effect upon the expenses of the State. It is to be hoped that the present Legislature will be as vigilant in this respect as any former one has been.

INSPECTOR OF FINANCE.

In addition to the duties formerly imposed upon the Inspector of Finance, the act of 1878 requires him to report to the General Assembly the condition of the several savings banks and trust companies within the State. This duty has been very thoroughly performed by that officer, and I commend his report to your consideration.

The whole number of depositors in all the savings banks and trust companies in this State, July 1, 1880, was 34,869, an increase in number of 2,214 during the past year, and there stood to the credit of such depositors, at that date, \$9,075,314.39, in increase in total amount of deposits during the past year of \$996,568.58. Of this

first named amount, \$6,347,130.44 belong to residents of the State, the balance to non residents. During the past year interest and dividends amount to \$327,908.22.

In 1878 the Legislature passed an act taxing deposits in savings banks one-half of one per cent. This tax has given an income of \$50,126.04 for the year and a half that the law had been in force, up to the date of the report. Of this sum \$16,602.32 come from that portion of the tax levied upon non-resident depositors, and remain in the State Treasury for the use of the State. The remainder has been distributed to towns in proportion to the deposits from the several towns—one town receiving two cents as its proportion. Would it not be better to have the whole tax go into the general fund of the State?

I desire to call your attention to several very important changes proposed by the Inspector of Finance, but have no space or time now. His very able report makes the necessity of the changes proposed clearer than I can make them appear.

TAXES.

I am satisfied that you will feel warranted, from the reports of the Treasurer and the State Auditor, in levying a tax for the support of government for the next two years, as a considerably less rate per cent than has been levied for the past two years. The rate for 1878 was thirty per cent, and for 1879 forty per cent. It would be idle for me, at this time, to name any sum, but after the various appropriations have been made, the Treasurer or your committee will make some estimate to guide you in this important matter.

In view of the great interest that has been expressed by all parties during the late political campaign in this State, in regard to the finances of the State, and the earnest desire felt by the whole people, for retrenchment in State expense, I need not urge upon you the necessity of the utmost vigilance on your part in guarding the treasury of the State. The habits of extravagance generated by the false abundance of war times are gradually giving place to habits of economy in the household and in private business. These habits should be cultivated in the public service, and officers of the State should be held to the same strict economy that they would practice in their own affairs. But while practicing the most rigid economy, we must remember that there are some things of more value than money. True economy does not consist in refusing to appropriate money when it is needed, but in taking care that its full value be returned for every dollar that is expended.

THE REVISION ON THE LAWS.

The most important topic to which I call your attention is embraced in the above title, as it includes nearly all subjects for consideration by you. Two years ago the Legislature passed an act of which the following is the first section, viz:

“Section 1. The Governor is hereby authorized and directed to appoint two commissioners, whose duty it shall be to revise, redraft, compile, consolidate and arrange in methodical order, in plain and simple language, the public statutes of this State, upon the basis, plan and general form of the General Statutes, with authority to omit redundant enactments, reject superfluous words, circuitous and ambiguous phraseology, recommend amendments, and condense the whole into as concise and comprehensive form as is consistent with a full and clear expression of the will of the Legislature, and report the same to the General Assembly at its next biennial session.”

Pursuant to this act, Governor Proctor appointed Hon. C.W. Willard and Hon. W.G. Veazey as commissioners to revise the laws, and they commenced at once upon their labors. Hon. W.G. Veazey, having been appointed a judge of the Supreme Court, a large part of the work of the revision devolved upon Mr. Willard. How faithfully and well he performed his share of the labor, you will learn when the voluminous work is laid before you. His labor ended only with his life. While still engaged upon this most arduous task, with a faithfulness that attended all his labors, and that has become proverbial throughout the State, this highly esteemed public servant breathed out the last remnant of a life that had long trembled in the balance, and that seemed to have been prolonged that he might so nearly complete this last work for the State he loved so well.

The report which accompanies the revision was prepared by Judge Veazey. In that he tells you fully the plan of the work, and the reasons which actuated the commissioners in the course they pursued.

The arrangement of topics in the “Revised Laws of Vermont,” as they have named the work, is much more logical than that of the General Statutes.

The commissioners have simplified and reduced to a uniformity the diverse expressions used in the General Statutes. They have so condense what is now contained in the General Statutes in 790 pages, and in the session laws since 1862 in 1233 pages, that when printed as the General Statutes now are, it will be comprised in about 700 pages. They have not intentionally changed the substance or intent of any law.

Together with their report they offer an Appendix that consists of notes, explanatory, corrective and in recommendation of amendments. I need not take time here to call your attention to the various amendments and changes proposed. They are important, and will command your careful consideration. For greater convenience of reference the sections are numbered from first to last continuously or successively throughout the volume. In the Appendix the commissioners have made such recommendations of changes as seemed desirable to them, after a careful examination of the entire laws of the State. Such suggestions as they make must have great weight with you.

CONSTITUTIONAL AMENDMENTS.

Section one of article twenty-five of the amendments of the Constitution of the State, being a section of the articles of amendment adopted by the Convention held at Montpelier, June 8th, A.D. 1870, provides that at the session of the General Assembly of this State, A.D. 1880, the Senate may, by a vote of two-thirds of its members, make proposals of amendment to the Constitution of the State, which proposals of amendment, if concurred in by a majority of the members of the House of Representatives, shall be entered on the Journals of the two Houses, and referred to the General Assembly then next to be chosen, and then the section goes on to provide what is necessary to complete the amendment, This is the year and this is the session at which amendments are to be proposed by the Senate and concurred in by the House, and thus started on their way towards completion.

This is a very important duty on the part of the Senate. It rests with them to initiate every amendment to the Constitution. It is incumbent upon them neither to initiate any hasty, frivolous or illy considered amendments, nor to stand in the way of such reasonable propositions as express the true wishes of a majority of the people.

PETIT JURY.

Article twelve of the first part of the Constitution, sometimes called the Bill of Rights, provides that when any issue in fact, proper for the cognizance of a jury, is joined in a court of law, the parties have a right to trial by jury, which ought to be held sacred. This section briefly states the principle that has so long been dear to Englishmen and the English-speaking races. The right to be tried by one’s peer is sacred in the eyes of all friends of liberty and justice. When this principle and this right stood as a barrier between a tyrannical government, represented by partial judges on the one hand, and a people powerless to vindicate its rights on the other, they seemed to every aspirant for freedom to be of incalculable value. The establishment of the principle in the frame of government, and the acknowledgment of the right in the practice of the courts, marked an era in the advancement of human liberty. We should not esteem the right lightly.

Yet we may bear in mind that society and government are differently constituted at this day and in this State, from what they were in England when the contest for this right first arose. Every man in Vermont is the peer of the highest judge or of the highest officer of the State, in the eyes of the law. Business and the character of suits in courts of law have changed. A large class of cases has now arisen that can much better be tried by the court alone, or by an auditor or a referee, than by a jury. Men feel no insecurity in regard to their rights when tried by the court or by the officers of court named. Many times it is only those suitors who have a doubtful case, who are anxious to tempt the hazardous lot of a trial by jury.

Not that I would cast any reflections upon jury trials, as conducted before intelligent jurors in Vermont, for I believe in the large majority of cases they do substantial justice between the parties. But it seems to me that there should be some reasonable limit fixed, not to the enjoyment of the right of trial by jury, but to the abuse of that right.

Whenever there is any possible chance of its standing as a barrier against oppression, and in every case where it is or may seem to be a bulwark to surround and protect the weak, let it be undisturbed. But it seems to me that there are certain classes of cases that can better be tried without the aid or incumbrance of a jury. Already the law denies the right of trial by jury in actions of book account and petitions for divorce. No one feels aggrieved by this. All acknowledge that the adjustment of long accounts and the details of family troubles can better be dealt with by the court or some branch of the court, than by a jury of twelve men.

Yet, even now, the suitor, by bringing his action in assumpsit, instead of in the form of action known in this State as book-account, may compel the court to grant him a jury trial upon hundreds of items of account. It is true that this does not often happen, for the reason that counsel generally advise that such suits be referred to some suitable person who really acts as auditor, although not such in name.

I am satisfied that some restriction might safely be made in this direction, more especially since the reference law adopted at the last session of the Legislature, seems to be giving so general satisfaction. If no other change is made, certainly the jury fee should be so increased in the class of cases involving accounts, as to offer no inducement to suitors to call for a jury. Upon this matter I would refer you to the report upon court expenses made by the commissioners who were appointed to revise the laws.

GRAND JURY.

Whether the duties of the grand jury should not be somewhat modified, I submit to your candid consideration, without further suggestion than to again call your attention to the report just referred to. This would not necessarily be a constitutional change, but I refer to it here in connection with the changes suggested in connection with the petit jury. Some of the changes suggested in relation to the petit jury may be simply changes if the law and not of the Constitution.

THE BIENNIAL SYSTEM.

The biennial system of elections seems to have worked very satisfactorily, but there is an increasing desire on the part of gentlemen conversant with public affairs to have annual rather than biennial sessions of the Legislature. This would necessarily entail increased expense to the State. It is for you to consider whether the additional expense will be more than overbalanced by the greater advantages of annual sessions. Were the question of expense out of the way I should not hesitate to recommend a return to annual sessions of the Legislature. I should do this the more readily for the reason that I feel confident that our Legislatures express and carry out the will of the people in the result of their deliberations.

The retiring message of Governor Proctor has called attention to some important suggestions in relation to amendments that I need not further discuss.

MILITIA.

The small militia force of the State is in a very efficient condition, and at extremely slight public expense. Its admirable condition is not due to its having been fostered by the State, but to the natural military spirit of our people, and to the fact that some of the officers and soldiers who served during the Rebellion, have taken a deep interest in the single regiment and portion of a battery, which represent our entire military force. It is to be hoped that we may never again know the suffering that results from war, but a prudent government will not allow itself to be unprepared for a possible emergency, nor allow the military spirit of its people to entirely die out.

MILITARY HISTORIAN.

At its last session, the two Houses adopted a joint resolution providing for a State Military Historian, and the Governor appointed Hon. G.G. Benedict to that position, and he at once commenced his labors by collecting materials for the history. But the work of preparation was stopped by a decision of the State Auditor that the resolution, having failed to receive the Governor's signature, did not constitute such an "Act of Legislation" as would warrant payments from the treasury for the necessary expenses. The collection of the materials for the history has nevertheless gone on, and the completion of the work awaits the action of the Legislature.

I have no doubt your will adopt the necessary legislation to complete this work which, evidently, both Houses and the Governor concurred in at the last session, and which has only been delayed by the method of legislation. It would be bad faith on the part of the State not to complete the contract inaugurated by my predecessor. Had the joint resolution received the signature of the Governor, undoubtedly the Auditor would have allowed the necessary bills of expense. But appropriations ought not to be attempted by joint resolution.

THE STATE PRISON.

The directors of the State Prison, in accordance with section 2 of an act of the Legislature passed at the last session, have erected a new building for a work-shop, chapel, and other purposes. It is entirely of brick, is ninety-five feet long and thirty-two feet in width, and two stories in height, above the basement. The roof is of slate, with tin gutters and a fire proof cornice. The sum appropriated for the purpose was three thousand dollars. By availing themselves of some convict labor, the directors have been able to complete a very satisfactory building and keep within the appropriation. They have also built a double gate, which was required for safety, and this has been done within the appropriation for that purpose.

A good system of ventilation has been introduced into the new prison, and it is to be extended to the old one. Some other improvements are suggested in the report of the directors which are much needed, and for which appropriation should be made.

In examining the accounts of the late Superintendent, errors were discovered by Mr. Rice, the present Superintendent, amounting to \$1,508.05, and he was directed to collect the same, which he has done and returned it to the State Treasury.

The act of Legislature last referred to, also provides for the erection of anew prison building to accommodate those prisoners who were unprovided with cells. At the time of the visit of the legislative Committee, October 18, 1878, there were confined in the State Prison one hundred and eighty-six convicts, and there were but one hundred and fifty-six cells for their accommodation. There seemed then to be an immediate necessity for an increase of cell-room; hence, the adoption of section 1, of the act referred to. But since the House of Correction has been opened for convicts, there has been a decided falling off in the number sent to the State Prison, so that on the 31st day of July, 1880, there were but one hundred and forty-two convicts at Windsor, and the number is not likely to be large enough to fill all the cells for some time; consequently the directors have not built the additional prison building provided for by the act of 1878. This falling off in the number of convicts in the State Prison is partly due to the fact that the House of Correction now takes some of the same class of criminals that were formerly sent to the State Prison, but it is principally due to a great decrease in high crimes in the State.

HOUSE OF CORRECTION.

When the Legislature was last in session, the House of Correction was unfinished, and not ready to receive prisoners. It has since been completed, and at the time of the report of the directors (who are the same as those of the State Prison), July 31, 1880, it had been in use twenty months.

The whole number of prisoners during that time was three hundred and sixty-five. The number confined at the time of the report I cannot state, but I believe it was about as many as the institution can accommodate.

The same building is also used for the purposes of the Rutland County jail. At the date of the report, there were four Rutland County prisoners.

The directors have let the convicts' labor for the finishing of marble during the term of five years from September 1, 1879, at twenty-five cents per day for each convict, up to August 1, 1880 and thirty cents thereafter. It was with difficulty that any contract at all could be made, partly on account of the short terms of many of the prisoners. Before the contract was made, the convicts were worked on the grounds, grading, building wall, &c.

The directors, in their report, say that "For the year ending August 1, 1880, the current expenses of the entire institution, including Rutland County jail, were \$9,235.09. If the prisoners had been employed under the contract during the entire year, and upon the same pay as since August 1, 1880, their earning would have

amounted to \$5,873.61, leaving a balance against the State for the current expenses of a year of only \$3,361.48. The cost to the State of Rutland County jail, previous to the establishment of the House of Correction, exceeded that sum—the average expense being \$3,500 a year, and more than that amount since 1870.

The Auditor's report, to which I have already referred, shows that the expenses of all the jails in the State for the year ending August 1, 1880, are nearly \$9,000 less than for the year ending August 1, 1878. The directors in their report claim that this is mainly attributable to the establishment of the House of Correction. This is true to some extent.

But a further examination of the Auditor's account shows that the jail expenses diminished from July 31, 1877, to the same day in 1878, \$2,958.72, and this was before the House of Correction was established.

From the last date to the corresponding day in 1879, the expenses of jails fell off \$3,518.84. The House of Correction was opened to receive prisoners December, 1878, so it may be supposed to have had some influence during the last year named; but we must believe that the same influences were at work in other respects in 1879 and 1880 as in 1877. If this is so, then only about one-third of the \$9,000 diminution of jail expenses for the last two years is to be credited to the House of Correction. There has been a strong disposition to diminish expenses in all public departments throughout the State for more than four years, and with a good degree of success.

The directors also claim that the institution has been a very efficient collector of fines and costs, and it undoubtedly has been. They say that the State has received from that source during the past year nearly \$16,000 more than was ever received before in any one year. They believe that the House of Correction will not only become self-supporting, but soon pay for itself, taking into consideration the additional incentives to the payment of fines. One very gratifying statement is, that of the \$30,000 appropriated by the Legislature in 1878 for the support of the institution, the directors have drawn from the treasury only \$25,219.69.

While visiting the House of Correction, I learned that sheriffs and other officers, as the law now is, draw double the treble and perhaps more fees for the single transportation and commitment of a prisoner who has been convicted of different offenses and sentenced to serve several terms. This ought to be corrected. In some instances where the officer drew treble fees, the prisoner was also serving out three sentences at the same time. If there is any uncertainty in the law in this respect, it should be made certain. There are some valuable suggestions upon this subject in the report of the Commissioners on Court Expenses.

The directors of the House of Correction recommend an enlargement of the workshop. The shop now in use was built by the directors without an appropriation therefore, and they pledged their own credit to raise the funds. The contract for the labor of the convicts could not be made available without the shop. The directors also bought a strip of land for the purpose of making a better entrance to the property, and also built a fence in front of the Superintendent's house. For all those bills there is due about six thousand dollars. They should be provided for by the necessary appropriation.

REFORM SCHOOL.

This excellent institution has been so long in existence that I need not spend time in giving any particular account of it. Two years ago the Legislature appropriated ten thousand dollars to defray the expense of enlarging the boys' school building, subject however to the approval of the governor. The trustees, some time since, became satisfied that such enlargement should be made, principally for the reason that they are compelled to put nearly one hundred boys into a sleeping apartment that is really adapted to only about sixty. My predecessor, however, declined to give his approval to such expenditure, for good reasons, which have appeared in his message. The trustees have stated the reasons why there should be an extension of the buildings, at full length in their report. And thus the matter stands at this time. The matter is so fully discussed in the report and message referred to, or will be in the General Assembly during the session, that I have no doubt you will be much better fitted to decide the question than any one person, and I submit that the General Assembly either repeal the act of 1878, making the appropriation, or make the appropriation absolute and unconditional.

The total expense of the school for the two years ending July 31, 1880, is \$39,384.25. The net earnings of the school for the same time amount to \$4,953.32.

The receipts from all sources, including the earnings, amount received from towns, tuitions, produce sold, &c., amount to \$13,647.11, leaving a balance to be met by orders on the State Treasury of \$25,737.14, which is \$9,262.86 less than the appropriation.

The number of boys in the institution, July 31, 1878, was one hundred and twenty-two. On the same day in 1880, the number was one hundred and three. The number of girls in 1878 was twenty-three; in 1880 nineteen—showing a decrease in numbers of twenty-three. The whole number of commitments during the year has been twenty two boys and three girls. The total number of commitments during the existence of the school, has been six hundred and nineteen, ranging from six years of age to nineteen. There were committed during the last year, two of nine years of age and two of ten, and there are several of that age in the school. They all labor six hours a day and are in school for four hours. On the Sabbath they attend service in the chapel, and take part in the Sabbath school. A certain portion of each day is devoted to recreation and amusement under the eye of a keeper. As I looked upon those children, eight, nine and ten years of age, busy and skillful at their labors, it seemed cruel to think that childhood to some of them is to be blotted out; that they must, every moment, live up to a strict rule without one forgiving word from a mother's lips, or one warm embrace from a mother's arms, in sickness or in health, in pain or grief. A mother's warm uneducated heart is often a better instructor than the cold machinery of a state institution.

But when we remember that many of these children have lost one or both parents, or have drunken fathers, and that most of the scholars are in there for a breach of the laws of the State, we realize that the school is a necessity, but that the pupils should be sent from it as soon as is safe for themselves and the community. The school is under excellent management, and the superintendent and his wife, the matron of the institution, are both Christian people, and deeply interested in the welfare of their pupils.

EDUCATION.

If we did our entire duty in regard to education, we might save a large share of the expense of the three institutions to which I have just called your attention. In 1878 there were sixty-eight commitments to the State Prison; of these thirty-one were natives of Vermont, and only thirteen foreigners. I use the statistics of 1878, because I have not those of 1880 at hand. In 1878 there were one hundred and eighty six convicts in the State Prison; of these seventy-two were natives of Vermont, and only thirty-nine of foreign birth. Surely we cannot charge the crimes of our State upon the uneducated foreigners who come to our shores.

The large villages and cities of the State are all well provided with schools; but many of the sparsely inhabited portions of the State have schools but a few months in a year, and those of an inferior kind. The inhabitants are so few, or are so straitened in circumstances, that they cannot support good schools. The remedy for this is to have the expense of schools fall to a greater extent upon the whole State.

The State Superintendent of Education advises the raising of a tax of twenty-five cents on the dollar in addition to all other State taxes, to be used for general school purposes, one half of this fund to be divided among the towns and cities of the State in proportion to their population, and the other half in proportion to the aggregate attendance of scholars upon the public schools. This is making quite a sweeping change, and it may strike you as too much of an experiment. I would suggest that the nine per cent tax provided for in section eighty of chapter twenty-two of the General Statutes be increased considerably. This will tend to help the weaker portions of the several towns.

Our best educators tell us that we are not keeping pace with the progress of other States in our public schools. One reason for this is the lack of trained teachers. We have three Normal Schools, which have done some good work in the way of supplying teachers specially fitted for their work. But complaint is made that for the last four years not more than one-half of the teachers in our Normal Schools have themselves been either graduates or students of any Normal School whatsoever. This is said to be due to the fact that the selection of the subordinate teachers is left mainly to the principal, who is affected by personal interest or local influences in his choice of assistants. The instructors of teachers should certainly have had some drill in a Normal School before attempting to teach others. The remedy is to place the appointment of all teachers under the charge of the State in some way. I desire to say more upon the important subject of education, but I have not seen the Superintendent's report, and can only make general suggestions.

The State Superintendent of Education has done good work, and his energy and industry are greatly to be commended, but it seems to me that if he were sustained by a competent Board of Education, selected from the leading educators of the State or from men interested in the subject of education, he would appeal to all the varied interests of this important subject with much greater force.

The text-book law, that was really so much of an experiment, has by the help of the people working for harmony, been quite a success in most parts of the State. In many counties all of the towns have adopted the same text-books, and so far it seems to work as well as a law providing one set of text-books to be used throughout the whole State. On the other hand there are instances of union districts, made up from fractional districts in adjoining towns, that have adopted different books, thus there are two sets of books to be used by legal authority, in the same school. Some provision should be made to remedy this trouble. The report of the State Superintendent will undoubtedly be full of instruction and useful suggestions. I respectfully refer you to that for further information upon this subject.

AGRICULTURE.

This important material interest of the State can never be overlooked. It presses upon us the importance of its claims in every corner of the commonwealth. The report of the Superintendent will tell you what has been accomplished during the past two years by the instruction furnished, and the interest aroused at the meetings held by him. He has held many instructive meetings in connection with the officers and instructors of the University of Vermont and State Agricultural College, and other lecturers in all parts of the State. I am happy to be able to state that these two great branches of instruction in agriculture, the Superintendent and the University, have labored in perfect accord during the past two years. I must refer you to the report of the Superintendent for further information.

There was a time when the State had a Board of Manufacturers and Mining as well as of Agriculture. When the Superintendent of Agriculture was appointed, did the State lose its interest in manufactures and mining? We have already great interests in marble and slate quarries and copper mines, and ought to have in manufactures. Something should be done to encourage manufacturing interests, and to tempt men to invest their money in such enterprises within our borders.

UNIVERSITY OF VERMONT AND STATE AGRICULTURAL COLLEGE.

The report of the trustees of this State institution always makes one satisfactory statement. Notwithstanding its income is small, its expenses are always kept within that limit. I quote a few words from the report at this time” “An institution which can year after year resist the temptation to overdraw its income, and which continues to exhibit a careful economy in its administration, makes a strong appeal for confidence and patronage both to the Legislature and to public spirited individuals. But the means of the institution are inadequate to the work which it is called upon to do. If it were required to furnish only the old-fashioned college curriculum, its present income with its present number of students might be sufficient. But an institution confining itself to this narrow line of work cannot meet the demands of modern education, The University, in undertaking to fulfill the obligations incurred by the State through the acceptance of the Congressional land grant, namely, to provide a liberal and practical education which should fit men for all the pursuits and professions in life, assumed an additional amount of work which the additional income is inadequate to supply. The satisfactory balance sheet must not be suffered to disguise the fact that the higher education in Vermont is suffering, because the State University has not sufficient means to do its work as that work is done in other States. The administration of the institution can claim the credit of economy: the State at large in its dealing with the institution can claim only parsimony. The present condition of the University is such as to furnish reason for the enlargement of its means. It is free from debt: every dollar added to its funds can be devoted to the work of the future. Its financial policy is adapted to secure confidence and attract investments. The fundamental work of college instruction is already provided for: all additional means can be devoted to visible extension and improvement. The spirit of the institution has shown itself to be progressive. The fathers of the commonwealth pledged the institution to enterprise and the State to its support, when they gave it the name of a University.”

The University has received some donations during the last two years of not large amount.

Henry P. Hickok of Burlington has conveyed to the University a lot of land of 350 acres in the town of Stowe, of the estimated value of \$1,200.

Mrs. Celinda A.B. Lilley of Montpelier has paid into the treasurer the sum of \$5,000, to be available after her death and that of a relative, for the education of young women.

Rev. C.C. Parker, D.D., formerly of Waterbury, Vt., late of New Jersey, made provision before his death, for the endowment of the "Parker Scholarship," by the payment of \$1,000, which sum has been paid into the treasury by his executor. Some smaller donations to the library, cabinet and laboratory, are also acknowledged.

During the year 1878-9 there were in the academical department eighty-two under graduates, and in the medical department one hundred and forty students; during the year 1879-80 there were eighty-one undergraduates and one hundred and forty-three medical students.

The number of students in all departments might easily be increased by some fostering care on the part of the State towards the child of her own creation. During the academical year 1877-8, there were in Dartmouth College sixty academical, fourteen scientific and twenty four medical students from Vermont. A large portion of these ninety-eight students should be in some of our own colleges.

The work among the farmers, done by the University in connection with the Superintendent of Agriculture, has proved successful, as well as the Veterinary lectures of Prof. Cressey and the lectures of Prof. Atwater, Prof. Perkins and Pres. Buckham, at the meetings throughout the State.

"It became manifest at these meetings, and increasingly so as they went on, that the work which had been done during the past ten years by the Board of Agriculture, the Superintendent of Agriculture and the University, is resulting in a great awakening of thought and quickening of the spirit of improvement all through the agricultural classes of the State."

For the results of the experiments with fertilizers, I refer you to the report of the trustees.

More than three hundred boys from one hundred and forty six towns have entered to compete for the prizes offered by the trustees of U.V.M., to those under seventeen years of age who shall, raise the largest crop of corn and potatoes on one-eighth of an acre of land. There are ten prizes from \$25 to \$5, and two scholarships in the University of Vermont and State Agricultural College, offered to competitors.

The report suggests that free scholarship be provided for by the State in those branches pertaining to agriculture, and I would recommend that at least as much be done in this direction as is done for the Normal Schools.

There are to be three trustees of the University of Vermont and State Agricultural College elected to fill the vacancies occasioned by the expiration of the term of those trustees whose office expires in 1881, and one to fill the vacancy occasioned by the death of Ex Gov. Peck.

INSANE ASYLUM.

Two years ago the Legislature created the office of Supervisors of the Insane, and the gentlemen appointed to that office make their report for the past two years. They make one very important suggestion which should receive your consideration. Some provision should be made for the convict insane. Now there is no provision by which they are separated from the ordinary insane of the asylum. Such persons ought not to be treated like the ordinary convicts of the State Prison, and yet it seems wrong to place them among the innocent insane. If not violent in their conduct and dangerous to the persons of those with whom they associate, their influence would be bad. Men may be insane, and yet not be willing to associate with criminals.

There are throughout the State a few persons violently and dangerously insane, whose friends, from mistaken motives of kindness, are unwilling to have them committed to the asylum. The Supervisors ask that they have power to commit such persons on proper proof of their condition. This is stepping upon very delicate ground. Certainly the public is entitled to be protected from dangerous assaults so far as the law can do so, but at the same time the right of an individual to his personal liberty must not be infringed upon for slight grounds.

The Supervisors were appointed to examine into the condition of the insane asylums of the State, hear the grievances of the patients apart from the officers and keepers, and especially ascertain whether persons are therein confined who ought to be discharged, and report to the Governor and Legislature.

The Supervisors speak well of the asylum at Brattleboro, and say that only four patients have been discharged during the past two years by their direction under the law.

The reports of the trustees and of the Superintendent and other officers of the asylum will be before you, and from them you can learn of the condition of this very necessary institution, and will take such action as may be advisable in relation thereto.

REPORTS OF STATE OFFICERS.

In this connection I desire to say a word in relation to the reports of State officers. It is quite important that the Governor elect, as well as to retiring governor, should see all the reports before making his message. Under the present method of printing them, immediately before the session of the legislature, it is impossible to see them all, and difficult to give those that are seen the examination they are entitled to. Nearly all of the reports that I have seen I have borrowed from the State printer in manuscript for a short time. I would suggest that the officers be required either to have their reports printed at least three weeks before the session of the Legislature, and copies furnished the retiring and incoming Governor, or to furnish manuscript copies to both as early as the time named.

STATE LIBRARY, CABINET, AND HISTORICAL SOCIETY.

Four years ago the Legislature became satisfied that something must be done to extend the accommodations of the above named collections, and by joint resolution directed the Governor to appoint commissioners to report upon the subject at the next session. Such report was made two years ago, but the Legislature took no action upon it. I call your attention to it at this time as being a subject well worthy of your consideration. Something must be done very soon, or the State will lose many valuable books and documents that cannot be replaced. If the plan proposed by the commissioners is not satisfactory, some other plan ought to be devised and acted on without further delay. Any plan will involve large expense, and each new Legislature hopes to transfer the responsibility to its successor. In the end this will prove to be very poor economy.

UNITED STATES SENATOR.

The term of service of the Hon. George F. Edmunds in the United State Senate will expire in 1881, and before another regular session of the State Legislature. Your attention is called to the necessity of electing at the present session of the Legislature a successor for the six years ensuing the expiration of his term.

RE-DISTRICTING THE STATE.

The census of the State just completed shows the population of the State, according to the report of the Supervisor for the District of Vermont, as published in the newspapers, to be 332,648, which is a gain of 2,097 since the census of 1870. Should there be a change in the representation in Congress, as is quite likely to be the case, and the proportion of the population to be represented by each member of the House of Representatives be increased, Vermont would lose one of her Representatives in Congress, and that would necessitate a redistricting of the State. This probably belongs to you to provide for, as the change in the representation will undoubtedly be made before the regular session of the General Assembly in 1882.

If you should think that his matter has not been sufficiently considered by the people, the subject of re-districting might be left to the next Legislature, provided you by some proper act of legislation postpone the next election of members of Congress until the Legislature of 1882 can have acted upon the subject. In that case the action of Congress will be definitely known before any action of the State Legislature need be taken. Otherwise the action of the present Legislature must be simply provisional.

CONCLUSION.

When we look back over the history of our State for the past two years we find many causes for thankfulness. We have notably escaped the great scourges of mankind, war, pestilence and famine. We have

been at peace within our borders, and the country at large has been at peace with the nations of the world; no great epidemic has swept through our State; abundance has crowned the labors of the husbandman, and rewarded the industry of the artisan. Let us meet in a devout spirit of thankfulness to the Maker of all things, and perform our responsible duties in a spirit of reverence to Him, and of strict obedience to His laws.

ROSWELL FARNHAM.

Executive chamber,
Montpelier, Vt., Oct. 7, 1880. }

Inaugural address
of
Ryland Fletcher
As it appears in the
Journal
of the
House of Representatives
October Session
1856

Saturday, October 10, 1856
Inaugural Address

*Fellow Citizens of the Senate
and House of Representatives:*

In assuming the responsible station assigned me by the freemen of Vermont, I desire to express to them through you, their Representatives, the profound sentiments of gratitude with which this honor so highly distinguished and so cordially conferred, has inspired me, and to give them the assurance of my most sincere devotion to the interest of this Commonwealth.

During the past year, under the protecting care of a merciful Providence, general health has prevailed, a bountiful harvest has rewarded the labors of the husbandman, and the laudable and varied pursuits of our citizens have been prosecuted with merited success.

For these continued blessings, it becomes us to make a public and devout acknowledgement to that great and good Being whose watchful Providence and propitious smiles have been vouchsafed to the people of this State during the vicissitudes of another year. In the discharge of our high duties, let us not only keep in mind our obligations to those who have committed their interests to our care, but also recognise our accountability to a higher tribunal than public opinion.

In conformity with ancient usage, and in compliance with a provision of the Constitution of the State, I respectfully suggest to your consideration the following subjects, your attention to which I deem important to the interest of our people.

No more important subject can possibly engage your attention, as guardians of the public interests, than the education of the people of this Commonwealth. The natural principle of self-protection imposes upon a State the most assiduous care of this important element of its prosperity. The object and effect of a thorough system of education is to develop the latent powers of the human mind, to bestow upon the people knowledge, and thus fit them for the proper discharge of their various duties in their relations to each other as social beings and to the State as citizens. A State, therefore, the government of which rests solely in the people themselves, can alone secure its prosperity and perpetuity by thoroughly educating that people, by training and disciplining the popular mind into a development of its best powers, and then widely diffusing information and knowledge, by the aid of which those powers can be brought to bear upon their complex and important duties as citizens.

The establishment and protection of a thorough system of Education, I conceive, therefore, to be as necessary in a free Commonwealth to protect itself against the dangers which have destroyed and still beset nations, as is that commendable prudence and forethought in individuals, which lead them to protect themselves from the assaults of disease, and their property against the ravages of the elements.

If, therefore, we would sustain and improve the already high character of our State, promote virtue and morality, give stability to our institutions and protection to person and property, we must carefully watch and liberally cherish the fountain of popular intelligence, the Common School. From this source is derived that elementary knowledge, the importance of which cannot be fully appreciated, because it underlies and is the basis of all other learning, and which is sufficient to enable the great mass of community to fulfill their relations to the Society and the Commonwealth to which they belong. A wise system of public Education, while it firmly establishes and munificently sustains the Common School, fosters also the higher institutions of learning, the Academy and College, which complete the good work begun in the primary school, and impart a thorough mental training and culture. These literary institutions are of vital importance to the well being of the State, for they contribute to the acquisitions of science and the adornments of art, they furnish to the acquisitions of science and the adornments of art, they furnish to the Common School its wisest regulators and teachers, and, far beyond those who immediately received and enjoy their benefits, they shed widely about them a disciplining, salutary and elevating influence upon the whole people.

To the pressing demands of our schools, academies and colleges upon your care and protection, I earnestly invite your attention.

I am unable to lay before the Legislature the actual condition of the schools throughout the State, as no State Superintendent of schools has been appointed and no statistical report been made in regard to that subject, as required by the law of 1845, since 1851. The sentiments of a great proportion of the people upon this subject have been most clearly indicated by the numerous petitions which have been presented to the Legislature for a series of years. It is a cheering consideration that signal improvements in the system of education have marked the history of the last few years in many parts of this country and in Europe.

Aided by the experience of other States and our own unrivalled advantages in the independence and intelligence of our people, and their freedom from pauperism and foreign prejudice, ignorance and bigotry, we ought to present to the world a shining example of a Commonwealth, which lays in the minds of its youth the deep and strong foundations of its future prosperity, and whose most diligent care is freely to offer to every one of its people the blessings of a sound education.

In intimate connection with education, as the morals of a people depend to a great extent upon their intelligence, stands the subject of the prohibition of the Traffic in intoxicating Drinks. I respectfully invite your attention to this subject, as one which concerns the most vital interests of your constituents, and which is among the first to enlist the warmest sympathy of the philanthropist and the profoundest thought of the patriot and legislator.

The sentiments I have long entertained and freely expressed upon this subject are well known to my fellow citizens. My confidence in the power and duty of the Legislature to prohibit the Traffic in Intoxicating Liquor as a beverage remains unshaken. I deem the principle of prohibition to be in perfect accordance with our Constitution and in harmony with the obligations which the government owes to the people. Few, if any of the sources of evil have been so prolific of mischief, have sent forth so vast a desolation, and produced such overwhelming misery throughout all the departments of social and domestic life, as the sale of intoxicating liquors. The people have a right to demand at the hands of their agents protection from these evils so destructive of the happiness and well-being of society.

I conceive that the true interests of the State, and the hopes of the rising generation, require a prohibitory law with ample powers effectually to enforce its provisions, prescribing penalties commensurate with the offences it prohibits, and adapted to accomplish its great design, the extinguishment of the traffic. The constitutionality of several of the most important provisions of the present law of the State upon this subject has been settled by the Supreme Court, a tribunal which has the just confidence of our citizens. Coming from all portions of the Commonwealth, you have personal knowledge of the practical operation of this law, and its adaptation to accomplish the purposes for which it was designed, and are well fitted to judge of the necessity of further legislation on this subject.

Agriculture is our great leading employment and source of support. This department of labor manifestly deserves every attention and encouragement which will tend to its advancement and prosperity. The application of science to agriculture has already disclosed the secrets of the composition of the soil and the laws which regulate the germination and growth of vegetable organization. Through the investigations of science, also, have been discovered the nature and properties of fertilizing substances, and under their judicious application, barren wastes have been converted into smiling and productive fields. It is a happy omen that agriculture is now attracting the attention and exciting the interest of all classes of our citizens. I conceive it to be the duty of government to encourage and increase this interest; to give every possible facility and protection to this pursuit; to furnish to the popular mind correct accounts of the discoveries of science in this department; to promote agricultural education; to offer honours and premiums to encourage an honorable emulation and valuable discoveries and achievements in this most ancient and useful art; and thus to stimulate cultivation and improvement in every branch of this department of industry, and induce habits of domestic economy by every practicable means.

On the success of our manufactures depends to a great extent the prosperity of our agriculture. It becomes us to develop the resources of our own State and to encourage the productive industry of our own citizens. Any inducement which the Legislature can consistently present, that will lead to increased interest and larger accomplishment in this department, and prevent the existing draft upon our resources, resulting from the extensive sale, in this State, of articles manufactured elsewhere from raw material taken from Vermont, will, I am confident, advance materially the prosperity of the Commonwealth.

The great interests of agriculture and manufactures being the grand sources of our wealth and independence, every encouragement which you can extend to them will contribute greatly to the welfare of the State. As a large portion of the members of the Legislature are engaged in these pursuits, they will undoubtedly receive from you that consideration which their magnitude demands.

Our railroads constitute an important item in the catalogue of our interests. Cars, richly laden with the varied productions of the earth or freighted with human beings, are hourly rolling through the valleys and over the mountains of our Commonwealth. Vast amounts of property and the safety of great numbers of the people are committed to the charge of corporations, which exist by the authority of the Legislature and are to a great extent subject to your regulation and control. While these agents of the public convenience should receive such favor as a wise Legislature would bestow, they should also be subjected to rigid police regulations to guard against the melancholy and wholesale destruction of human life, which has too often marked the history and marred the utility of this great modern invention.

Applications for the increase of the number of banks and the amount of banking capital will doubtless come under your consideration. The facilities afforded by these institutions have, beyond a doubt, been beneficial to the business interests of the country. A safe and efficient banking system is one of the most important means of promoting the pecuniary prosperity of the people. Allow me respectfully to suggest the importance of a candid and dispassionate examination of this subject, a freedom from all improper feeling and bias, and a strict regard to the *actual* wants of the community.

In concurrence with the recommendation of my immediate predecessor in each of his annual messages, I invite your attention to the militia of the State. A well regulated militia has been relied upon by our wisest statesmen as one of the firmest securities which a free government can erect against the dangers which may beset it. This branch of the public service constitutes a strong arm of the Commonwealth, which should neither be cut off nor suffered to become palsied by inaction. A careful examination by you of the condition of the militia, and the laws regulating this subject, is earnestly recommended.

The framers of our constitution designed to provide for the speedy and impartial administration of justice, as one of the fundamental interests of the State. It is declared in our Bill of Rights, that "every person within this State ought to find a certain remedy, by "having recourse to the laws, for all injuries or wrongs, which he may receive in his person, property or character; he ought to obtain rights and justice freely, and without being obliged to purchase it; completely, and without any denial; promptly, and without delay, conformably to the laws." Complaint is not unfrequently made of the great delay and burdensome expense incident upon actions in our courts of justice. The great accumulation of business in some of the counties of the State operates not only to deny to parties a decision of their cases "promptly, and without delay," but also to subject them to a heavy and severe increase of the costs of litigation. The poor man is virtually debarred from a hearing of his claims by his inability to defray the expenses of their prosecution. I believe that a serious evil is experienced by our citizens in this respect, which addresses itself to the wisdom of the Legislature for a remedy.

Much complaint has also been made that our laws regulating attachment upon mesne process are injurious to the interest of both debtor and creditor, and seriously cramp the enterprise and industry of our people, by impairing that feeling of confidence and security which must characterize all healthy business relations. In some of the United States this evil has been avoided by the passage of Insolvent Laws, in others by allowing attachment on mesne process only in cases of manifest fraud, and in others by providing that an attachment by one creditor shall, under certain regulations, be for the benefit of all. I believe that the interests of our State are

seriously prejudiced by our present law upon this subject, and that they demand of you a careful consideration of the evil and the various remedies which may suggest themselves to you minds.

The strength and efficiency of laws depend very much upon their simplicity and stability. Free States are more frequently governed too much than too little, and they often times fall into the mistake of a too hasty and extensive legislation. The law-making power ever act calmly and deliberately, and should particularly exercise great watchfulness to prevent the passage, under the guise of a professed public benefit, of enactments whose whole design and effect are to accomplish private and personal ends.

The state of the public finances is always a subject of interest to the legislature and the people. An annual and full exhibit of their condition affords our constituents the most complete means of scrutinizing the conduct of those to whom the care of the Commonwealth has been entrusted, and who appropriate and expend her funds.

This exhibit in some of the States is made by the Executive in his annual message. As, under our system, disbursing officers do not report to the Executive, I can only direct you to the Auditor's Report which should exhibit the condition of all our financial affairs. Our people require a discreet frugality on the part of their public servants, and they are too well informed to be deceived in regard to the necessary expenditures of time and money in conducting the affairs of government. They require in the management of public matters the same economy which a wise man exercises in his own affairs, that true economy, which denies all unnecessary and useless expenditures, but is liberal and even munificent in everything that conduces to the lasting glory and prosperity of the Commonwealth.

The term of office of one of our Senators in Congress will expire on the third day of March next. It therefore devolves upon the Legislature to elect a Senator to represent this State in the Congress of the United States for six years from that date.

I have thus adverted to some of the matters connected with our domestic policy. But we constitute a part of another Government, in whose action we have a most vital interest, and I deem it proper to devote some attention to the measures and the policy of that Government, which are now deeply agitating the country.

The national Republic, which our fathers established, rested for its ground work upon the great principle of the natural freedom and equality of man, and the inalienable character of those rights. Though from causes beyond their control, a system of domestic slavery existed in some of the colonies which united together to shake off oppression and to found a nation, whose vitalizing principle should be the civil and religious freedom of its people, yet, by the common opinion of all the early patriots and statesmen from every section of the Union, this institution was regarded as a lamentable evil and a shameful contradiction to the national idea, and its extension was carefully prohibited, and its extinction confidently expected as speedily as the circumstances of the country and the anomalous nature of the evil would permit. That the founders of the republic considered Liberty to be national, and the cardinal principle of the government, and slavery local and exceptional; that they aimed to spread the blessing of the one over the wide extent of the national territory, and to confine the evils of the other within its already established limits; and that such was the plan and practice of the government in its earlier days of purity, is conclusively shown by the terms of the Declaration of Independence, the Ordinance of 1787, the careful avoidance of the word slave in the Constitution, the prohibition, under the severest penalties, of the African Slave Trade, and the abundant testimony of Washington, Jefferson, Madison, Monroe, Henry, and many other early statesmen, both from the North and the South, in regard to the blighting influences of Slavery and the vital necessity of the prohibition of its extension. That, on the other hand, the Government has now widely deviated from and even totally reversed the principles and practice of the early republic on this subject, is made evident by the denial to Congress of the frequently exercised right of excluding Slavery from the national territories; by the repeal of the Compromise of 1820, by opening to the curse of Slavery a vast and beautiful region, which had been solemnly and forever dedicated to Freedom years before, and by the natural consequences of that perfidious robbery manifested in the high-handed outrages which have recently desecrated the soil of Kansas by an armed and marauding invasion, by the prostitution of the ballot box, by a code of worse than Draconian laws, imposed upon a people who had no agency in making them, and by a long and terrible series of murders, conflagrations, rapines, groundless prosecutions; cruel imprisonments, and other crimes

which the advocates of slavery have not hesitated to perpetrate to secure to their wrongful and ruinous control a territory which desired and was entitled to the blessing of Liberty; and all this accomplished, either through the direct action or the permissive and encouraging non-interference of the General Government.

The change in the relation of Slavery to the National Government has been total and complete. At first it was merely a local institution, admitted to be an evil, its existence deeply deplored, and only tolerated on account of the supposedly difficulty and danger of its sudden abolition, while on the other hand its extension was universally deprecated and positively prohibited. Now, it has become an aggressive and powerful principle, which has taken possession of every department of the Federal Government, except the popular branch of the Legislature; it opens the avenues to public and official position only to those who bow before its monstrous claims; it demands the revival of the horrors of the African Slave Trade; it insists upon the right of passing through the free States with its Slaves; it breaks down the long established securities of Freedom; it blockades the national highways; it closes the common territory of the country to the free citizens of the North; and by the strong arm of power, with the bayonet and the sword, it crushes a people, whose only offence is that they claim the right to regulate their domestic institutions in their own way, and will not submit to its insolent and oppressive demands.

The rapid extension of Slavery and the aggressive nature of its demands, excite the most anxious solicitude in our minds for the success and perpetuity of the Union; and the imminent danger to our free institutions has stimulated all lovers of Liberty to endeavor to restore the action of our Government to the principles of its patriotic founders, from which it has so widely deviated. The people of Vermont have ever, and with increasing force and unanimity, spoken in unmistakable terms in opposition to the extension of Slavery, and I doubt not your action in regard to this subject will be complete accordance with the earnest sentiments of your constituents.

Our country has not only lavished her blood and treasure to secure her own liberty, but when distant nations, encouraged by her example, have sought to be free, her sympathy and her contributions have rolled in tides of mighty impulse to their assistance. The imprisonment of a foreigner, who had simply declared his intention of becoming a citizen of the United States, was recently considered, by our Government, an insult to the majesty of the nation, and on a remote sea our ships of war opened their frowning port holes and sternly demanded the immediate release of the prisoner.

But citizens of this and other States of our confederacy, who have emigrated to Kansas, a portion of our own country under the direct authority of the Federal Government, with the intention of making that Territory their home, relying on the assurances of that Government that they should be "left in perfect freedom to form and regulate their domestic institutions in their own way," have, by lawless and repeated invasions of the people of another State, been deprived of the dearest rights of freemen; their lives and property have been threatened and destroyed, and they have been subjected by these invaders to the most cruel and tyrannical enactments which have characterized modern legislation; and yet, notwithstanding their frequent appeals to the President for relief, none has been afforded them; their robbers and murderers remain unpunished, some even in official positions under the Federal Government; and obedience to the pretended laws of the Territory is enforced by the armed soldiery of the United States.

The recollection of our own early history as a Commonwealth should awaken in our breasts the liveliest sympathies for our brethren who are struggling for freedom in Kansas. Vermont was once the scene of similar depredations, hardships and cruelties. Her early settlers were ejected from their possessions, and were denied all law and justice, by the emissaries of a government which wrongfully claimed dominion over them.

I earnestly suggest to your careful deliberation the question whether, in view of the great wrongs to which our citizens in Kansas are subjected, and the utter neglect of the General Government to protect them, some action is not required of you, equal to the importance and emergency of their cause.

I trust the Legislature will prove itself a generous patron to the noble charities that distinguish this age, its acts bear the impress of humanity and benevolence.

Relying with confidence on the wisdom of your deliberations and action, I tender you, gentlemen, my hearty co-operation in all your laudable efforts for the public welfare.

RYLAND FLETCHER..

Montpelier Oct. 10, 1856.

Inaugural address
of
Ryland Fletcher
As it appears in the
Journal
of the
House of Representatives
October Session

1857

Friday, October 9, 1857
Inaugural Address.

*Fellow Citizens of the Senate,
and House of Representatives:*

I welcome you to the commencement of the labors of another year in behalf of the people of Vermont, who have committed their public affairs to our care.

I cannot fail to congratulate you upon the continued material prosperity and general health of our people, and to express the confident hope that the peace and happiness, the morality and intelligence, which have so long characterized and distinguished the inhabitants of the State of Vermont, may suffer no diminution among us hereafter. For these manifold blessings we cannot be too grateful to that divine Providence, by whose favor we enjoy them all. With a fervent solicitude that all our deliberations and actions may result in the true welfare of our constituents, and above all, that they may accord with the dictates of an enlightened public conscience and His recorded will, "in whom we live and move and have our being," let us reverently assume the high responsibilities cast upon us.

The legislative action of last year in establishing a Board of Education will, in my opinion, if sustained by future legislatures, prove of great public benefit. That vital interest of a State, the education of its people, by a thorough attention to which its free institutions can alone be preserved, will by the provisions of that enactment be placed under the continued and systematic direction of a board of men aware of the great importance of the subject committed to their charge, and conversant with the wants of the community in that respect. Without in the least taking the practical supervision of public education away from the people themselves, to whom it of right belongs and by whom it can be best exercised, but in reality only aiding and encouraging their efforts in its behalf, it is confidently expected that by the Board of Education an organized system of operations will be devised, and energy and order infused into all public action upon this subject.

In conformity to the organic act of the Legislature, the Board entered immediately upon their labors. They were at first embarrassed on account of the apparent inadequacy of the prescribed salary of the Secretary to the labor and expense necessarily attendant upon the proper discharge of his duties. But they were fortunately relieved from this embarrassment by the generous offer of the managers of all our railroads to pass the Secretary, in his necessary visits to the different parts of the State over their roads, free of charge. I gladly take this public opportunity to make known my grateful sensibility of the generosity of this act, and to express my hope that the managers of our railroads, which have so greatly contributed to the wealth and prosperity of our State, may ever give that encouragement to the cause of popular education, which will in turn show its beneficent effects, as well in connection with the particular branch of mechanical and financial science, in which they are engaged, as in every other department of industrial and intellectual activity. J. S. Adams, Esq., of Burlington, was appointed Secretary of the Board. His report, containing a valuable array of facts and suggestions, will be laid before you, and I bespeak for it your careful attention. Justice to a faithful public officer requires me to state that the zeal and energy, with which he has discharged the laborious duties of his office, merit the lasting gratitude of our people.

I am confident that the people of Vermont look with a growing desire for the revival and encouragement of a thorough and well organized Militia system. The legislation of last year in this direction has already favorably resulted in the formation of several uniform companies in different parts of the State. I have had the pleasure of witnessing some of these companies on parade, and have greatly admired their tasteful and appropriate uniforms, their good discipline and soldier-like appearance. They reflect credit upon themselves and honor on the State. If their services should ever be called into requisition, I should rely with confidence upon their fidelity to a soldier's duty. The efficient labors of the Adjutant and Inspector General during the past year, in encouraging and assisting the re-organization of the Militia, are deserving of high commendation. The free sentiments of the people of Vermont justly cause them to look with disfavor upon a standing army. But in these changeful times, and in the peculiar relations which the different sections of our country bear to each other, and which the country at large sustains towards foreign nations, the occasion may arise requiring an armed force in our midst to protect us from domestic dissention or foreign invasion. In such an unfortunate event, the surest

safeguard for our cherished liberties, will be found in a patriotic and well disciplined citizen soldiery, which, being one in interest and sympathy with the people, can never be used to oppress or harass them.

I earnestly recommend to you the continuance of the existing laws prohibiting the sale of intoxicating drinks. I am confident that the prohibition of this demoralizing and destructive traffic meets with the cordial approval of a large majority of our people, and that it has accomplished and is still accomplishing a great and good work in arresting the evils of intemperance.

The Railroads of Vermont, though of inestimable value in developing the agricultural and mineral resources of the State, have yet generally proved unprofitable to those by whose energy and enterprise they were constructed. In some instances the mortgages given to secure the payment of their bonds have been foreclosed, and the original corporations divested of all interest in them. In other cases legal proceedings have been commenced to accomplish a similar result. The legal interest and management of most of our railroads will thus, in all probability, soon be vested in trustees under mortgages, while the equitable interest and real ownership will be in the bondholders. I think it desirable that some general law be enacted, providing, with suitable restrictions, that in such cases the bondholders may form themselves into new corporations for the management and operation of their respective roads, and that they may enjoy all the privileges and franchises of the old companies. Such an enactment will obviate the necessity of applications to the Courts of Chancery on the part of the bondholders, to be put into the possession and use of their respective roads, and thus save expensive and perhaps protracted litigation. A general law, such as I have suggested, would have the good effect of placing the management of our railroads in the hands of their real owners, which would undoubtedly result in their more prudent and profitable operation. Moreover, a responsible party would thus be brought within the reach of the laws in case of mismanagement. It might also be made to add to the taxable property of the State, as the bulk of the railroad interest, being now composed of Bonds, which are mostly owned by non-residents, is exempt from taxation.

I commend to your vigilant examination not only the general laws of the State in regard to Banks, but also the present condition of each one of those important institutions. The country is at present bending under a financial storm unsurpassed for many years. Nothing can more certainly prevent this crisis from becoming appalling, than a firm conviction in the public mind that the banking institutions, with which the wealth and credit of the community are so intimately connected, are perfectly sound and reliable. Every possible precaution should be taken that the confidence so long bestowed by the public upon the Banks of Vermont, should at this trying period, be both deserved and sustained. No surer means can be adopted to preserve this confidence, if it is, as I am convinced, well merited, than a more than usual thoroughness in the examination and reports of their respective conditions. If any imperfection exists in the general laws regulating banking, or in their enforcement and operation in regard to particular banks, the defect ought to be promptly remedied, and wide-spread disaster will be thus happily avoided.

Whatever you can consistently do to elevate the profession of Agriculture, and promote that commanding interest of our State, which is the source of human subsistence, and therefore lies at the foundation of all other branches of the public economy, will, I trust, receive your cordial approval.

The Report of the Superintendent of the State Prison will be laid before you, and will, I presume, receive the attention which the importance of that public institution to the well-being of the State requires. The true aim of prison discipline is not, I conceive, merely to punish the offender, or by imprisonment to restrain him from the commission of crime, but also by consistent reformatory means to prepare him for a re-entrance into society. I deem it worthy of enquiry by the Legislature, whether a greater amount of moral instruction, than the prisoners receive under existing regulations, will not tend to advance the great ends of all human punishment, the reformation of offenders and the prevention of crime. In this connection, I feel that I should be remiss in the performance of my duty, did I not urge upon you the pressing necessity for some separate and peculiar provision for the punishment of juvenile offenders. Institutions for this purpose have been established in many of the States of the Union, and from my investigations I am convinced they receive the cordial support of the communities where their influence has been properly tested. I believe the conviction has become general in Vermont, also, that this subject demands legislative action. Prosecuting officers, judges and jurors, are frequently heard to express their perplexity how to deal with young offenders; the law directing them to one

course, while their sense of right and all the best feelings of their natures prompt another. At present, a child, when detected in crime, is either discharged from motives of pity, by which exemption from punishment he may be encouraged to a continued course of guilt, or he is incarcerated in the jail or penitentiary, where the idleness of the one and the infamy and depraved associates of both, rapidly ripen him into the hardened and abandoned villain. Surely, one or more public institutions under the supervision of the State, the future destiny of which will in some measure be affected by the character of each one of the rising generation, some wisely devised house of combined correction and instruction, adapted to lead him back to the paths of virtue and usefulness, seems alike the dictate of wisdom and humanity. It is quite probable, that owing to the fortunate lack of destitution and crime among our people, in comparison with the more thickly populated portions of the United State, institutions of this kind cannot be advantageously sustained in every county. In this case, fewer Houses of Correction would be required, and a larger extent of territory might be accommodated by each than is comprehended within any of our county organizations. I would further suggest for the consideration of the Legislature the propriety of authorizing proper moral instruction in our jails, under the direction of the keepers. A feeling of respect for humanity is pained by the thought, that any one who bears its image, however low and degraded, should be left like an outcast from the human family, without an effort to improve and elevate him. Sympathy for the unfortunate lies deep in the hearts of the people of Vermont, and they have never suffered it to be appealed to in vain.

No branch of my official duty has been more agreeable to me than that of ministering to the indignant deaf, dumb and blind children of the State the charity which our laws have so bountifully extended to those unfortunate beings. Under the generous provisions of our Statutes in this respect, more than thirty children have received instruction during the past year, at the American Asylum for the Deaf and Dumb, at Hartford, Connecticut, and the Perkins Institution for the Blind, at Boston, Mass. These children are subjected to a thorough course of education in all the branches of learning taught in our Common Schools and Academies, and moreover are instructed in some useful kind of manual labor, adapted to their unfortunate condition, by which they will be enabled to support themselves through life. Their progress, I have good reason for knowing, is creditable to themselves and the State. By the means of this noble charity many of our youths, who would otherwise have lived and died in intellectual and moral darkness, have been rendered intelligent and useful members of society. The annual appropriation for this purpose is not entirely exhausted by those who are now enjoying its benefits. There is therefore an opportunity for the education of a few more beneficiaries from this State, at each of said institutions, and I hope, if any cases of necessity for public aid in this respect exist among our people, application will be made to me in their behalf in the manner prescribed by law.

In conformity with the Act of the General Assembly, passed at the last annual session, to provide for completing the Geological Survey of the State, I appointed Reverend Edward Hitchcock, D. D., of Amherst, Mass., as State Geologist. The survey of the State has been prosecuted by Dr. Hitchcock and his associates during the past year. For an account of the progress and result of the survey, I would refer you to his Report, which will soon be laid before you. I have no doubt that the thorough investigation and exploration of the geological and natural history of the State, contemplated by the act referred to, will result in valuable scientific discoveries and great profit to the Commonwealth.

In pursuance of the Act of the Special Session of the Legislature, providing for rebuilding the State House, I appointed Hons. George P. Marsh, Norman Williams and John Porter a committee to prepare a plan according to which the State House should be rebuilt. These gentlemen have discharged this duty and their report is submitted to you with this communication. I appointed Hon. Thomas E. Powers, Superintendent of the work provided for by said act. He immediately commenced operations and the work has thus far proceeded with extraordinary despatch. The present advanced state of the new building affords conclusive proof of the energy of the Superintendent and his peculiar fitness for that position. I congratulate the people of Vermont upon the agreeable prospect of soon having a Capitol more beautiful and commodious even than the splendid edifice, the recent destruction of which we all so much lament.

In order properly to discharge the duties imposed upon me by the Act of the last Legislature, entitled "An Act for the relief of the poor in Kansas," I caused full inquiries to be made into the condition of the people of that Territory. I directed the Secretary of Civil and Military Affairs to write to Hon. John W. Geary, at that time

Governor of Kansas, informing him of the action of the Legislature, and that I stood ready to extend the aid contemplated by said act, upon proper proof of the existence of cases of necessity. The letter of the Secretary, and Governor Geary's reply, are transmitted to you with this document. I also made inquiries of numerous private gentlemen, well acquainted with the condition of the people of Kansas, and used every means I could command to ascertain whether such necessity existed as would justify the expenditure of the appropriation. I learned from various sources to my complete satisfaction, that the private aid, which last autumn was so bountifully extended to the oppressed and exhausted people of Kansas, by the charitable and liberty-loving citizens of the North, had been amply sufficient to satisfy the immediate wants of the poor of that Territory, and that there was therefore no occasion for the food and clothing provided by said act. Though no portion of the money thus appropriated has been expended, I am still proud of this act of benevolence on the part of the representatives of the people of Vermont, and I shall always remember with grateful exultation that they have placed thus publicly upon our Statute Book the evidence of their sympathy for the oppressed and destitute victims of the aggressive spirit of slavery.

Nothing has occurred during the past year to diminish the indignation and alarm, which the great majority of the people of Vermont have felt at the rapid increase of the Slave power and the extravagant nature of its demands. On the contrary, by the recent decision of the Supreme Court of the United States, in the case of Dred Scott, if the opinions of the majority of the Judges as expressed by them are to be received as law, there is little hope that the spread of Slavery will ever be stopped under our present form of government.

By that decision Slavery is no longer sectional; it is made national, and declared to be recognized by the Federal Constitution. The Constitution is said by its own force to carry slavery into every Territory of the Country, and any act of Congress or Territory, prohibiting property in slaves, is pronounced unconstitutional and void. This decision conflicts with the legislation of Congress from the foundation of the government down to the year 1854, when the fruitful source of all our woes, the Kansas and Nebraska Bill, by northern treachery and the insatiate demands of the South for an enlarged slave market, and an increased political power, was sprung upon our unsuspecting people. It declares unconstitutional the numerous organic acts of Congress, establishing the territorial governments of the North-West Territories of Indiana, Illinois, Michigan, Wisconsin, Iowa and Oregon, the Compromise of 1820, and the act for the admission of Texas. It contradicts the opinions of our most eminent statesmen and jurists, expressed for a long series of years, both in Congress and from the bench of the Supreme Court, by Clay, by Marshall, and all the leading men of the country both from the North and the South, with the single exception of Mr. Calhoun, deemed, in his life time, even by his fellow slaveholders, as extreme and fanatical in his support of slavery. Not even the people of the Territories themselves are allowed to exclude slavery from their midst; they are doomed to its withering curse, and notwithstanding the sounding promise in the Kansas and Nebraska Bill, that they should be left "perfectly free to form and regulate their domestic institutions in their own way," they cannot, while in the territorial condition, shake it off. The great improbability that, when slavery has once planted its foot upon a Territory, it will ever be abolished, is proved by the impotent efforts of the best citizens of the older Slave States, to rid themselves of the system of slavery, which is degrading and ruining them.

The logical results of this decision are alarming in the extreme, and may well arouse the freemen from their dangerous apathy. If, as declared by the majority of the Court, the Constitution guarantees property in slaves, and prohibits any law interfering with the right of the master to his slave, it is a fair inference, if not a necessary conclusion, that the slaveholder may, for purposes of pleasure or profit, take his slaves with him in his journeys through the Free States, and hold them there, notwithstanding the absolute prohibition of slavery by their laws. But fortunately, most of the abhorrent doctrines enunciated by the majority of the Judges were unnecessary to the determination of the case before them, and therefore not clothed with the authority of law. They have been well and boldly characterized by one of the dissenting Judges, the oldest member of the Court and the only surviving associate of the venerated Marshall, as extra-judicial and of no binding force as authority. I am sure, when one of the Judges themselves use this indignant and unqualified language, that the people of Vermont will not quietly acquiesce in an unnecessary and unauthorized declaration of doctrines they have always loathed, and which they consider hostile to the genius and spirit of the Republic to which they belong.

When, if the alarming prostitution of every department of the general government to the nefarious behests of slavery shall continue, the Supreme Court shall declare authoritatively, what they have already foreshadowed, that the slaveholder may bring into the Free States his train of slaves, and hold them there as his property, notwithstanding the absolute prohibition of slavery by their Constitutions and laws, it will then, in that day of the doom of the Republic, be time for Vermont and her sister Free States to consider what course they shall take to maintain and enforce a right she has never yielded and will never surrender, the absolute and total prohibition of slavery within her borders.

My grateful acknowledgments are due to the people of Vermont for the honor conferred by my re-election. The best return I can make for the generous confidence reposed in me, is the solemn pledge here upon the threshold of my duties, that my every effort shall be to promote the highest interests of our cherished Commonwealth.

RYLAND FLETCHER

Montpelier, October 9th, 1857.

Inaugural address
of

Allen M. Fletcher

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1912

Thursday, October 3, 1912
Inaugural Message

Mr. President, Gentlemen of the General Assembly:

I will at this time briefly submit to you certain suggestions that may possibly be of service to you in your present deliberations, and I will at some convenient future time communicate with you more at length.

To my mind, gentlemen, the paramount issue in the State of Vermont at this time, and the most serious matter that you have to come before you, and to consider, is intelligent legislation regarding the investments of Vermont money in the State of Vermont. And by intelligent legislation, I mean such legislation as will not interfere with our present general system of taxation, but which will give the relief without disturbing a condition which exists in this state, and which—permit me to say—differs radically from any other state in our broad land. Vermont stands alone with her system of taxation in that she has no state debt in the sense that you understand the term, further she has no general state tax and you should hesitate materially before you alter a condition which in many respects is more to the credit of this state than any other state has been able to put into effect.

I wish to speak to you for a moment relative to our court procedure and our judiciary in this state. Some six years ago a radical change was adopted—it was understood in so doing that we would economize and save money, and that we would simplify and expedite litigation. Now, I think we have accomplished something in advancing litigation—in expediting litigation—but I do not think, gentlemen, that we have accomplished that which we should, when you take into consideration the increase in the cost to the State of Vermont for the same, and I wish to call your serious consideration to that matter. Then I would suggest, if I may, that in your municipal court procedure if in your jury trials a full jury of twelve men were given—and there was no appeal from a judgment of fact, you would accomplish results, you would simplify and expedite.

I would like to call your attention to the question of conservation of water power in this state. I believe, gentlemen, the time has arrived in Vermont when a principal of state policy should be laid down, in effect this: no charters hereafter should be granted carrying with them the right of eminent domain, which did not place that corporation within the control of the Public Service Commission with the power to lay down such rules and regulations as would give the people of Vermont the first right to the use of that power, subject to fair and equitable conditions. Gentlemen, no manufacture from without this state is going to come into Vermont and locate here, if it can get the power transmitted to it cheaper than the cost of fuel to the manufacturer without the state. If your power in time is all taken up without any conservation to provide for the development of this state hereafter, I should not consider that that comes within control of good state policy. And I recommend to you that the present charters now existing in the state be amended to bring them within a distinct state policy and the interests of Vermont in a fair, right and proper way.

The University of Vermont: The state, having given that institution its name, having elected to really control it in effect by electing a majority of its trustees, is morally bound, in my mind, to increase its usefulness in every legitimate and proper way. Gentlemen, I feel at this time, forced to say to you that I think its medical department and its agriculture department need material assistance at your hands, and I hope it will receive it. I should like to say in conclusion this: It is a season when you hear from various sources that the interests of the state will be advanced by your early adjournment and working hard and going home. Now, there is some truth in that, but to my mind, the state's interests will be better advanced by your remaining here until such a time as you have placed Vermont in the advanced rank with its sister states, in constructive progressive legislation of a safe and sane type. You will also hear from various sources that there is not sufficient money to reach certain ends—that's all very well, gentlemen—that's good state policy—but to my mind, the only limitation you should know is this: Is it for the interests of the state, and is the state to get value received? Gentlemen, we have a system of indirect taxation, and it has worked very well in the State of Vermont, but there are worse things that might come to the state than a direct state tax of a reasonable size—and to my mind, that which you should keep before you at all times is: Can we pass an appropriation here which will really advance the interests of the state, and if so, are we getting value received?

In conclusion at this time, permit me to say that I think this is my sixth term up here—if the experience that I have gained during that time can be of any service to you personally, gentlemen, I wish you would command it. I should be glad to meet you all individually in the Executive Chamber at any time that you may desire.

Gentlemen, I thank you for your courtesy and your attention.

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

GUY W. BAILEY,
Secretary of State, Clerk

Inaugural address
of

Allen M. Fletcher

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Mr. President, Gentlemen of the General Assembly:

I will at this time briefly submit to you certain suggestions that may possibly be of service to you in your present deliberations, and I will at some convenient future time communicate with you more at length.

To my mind, gentlemen, the paramount issue in the State of Vermont at this time, and the most serious matter that you have to come before you, and to consider, is intelligent legislation regarding the investments of Vermont money in the State of Vermont. And by intelligent legislation, I mean such legislation as will not interfere with our present general system of taxation, but which will give the relief without disturbing a condition which exists in this state, and which—permit me to say—differs radically from any other state in our broad land. Vermont stands alone with her system of taxation in that she has no state debt in the sense that you understand the term, further she has no general state tax and you should hesitate materially before you alter a condition which in many respects is more to the credit of this state than any other state has been able to put into effect.

I wish to speak to you for a mo relative to our court procedure and our judiciary in this state. Some six years ago a radical change was adopted—it was understood in so doing that we would economize and save money, and that we would simplify and, expedite litigation. Now, I think we have accomplished something in advancing litigation—in expediting litigation—but I do not think, gentlemen, that we have accomplished that which we should, when you take into consideration the increase in the cost to the State of Vermont for the same, and I wish to call your serious consideration to that matter. Then I would suggest if I may, that in your municipal court procedure if in your jury trials a full jury of twelve men were given—and there was no appeal from a judgment of fact, you would accomplish results, you would simplify and expedite.

I would like to call your attention to the question of conservation of water power in this state. I believe, gentlemen, the time has arrived in Vermont when a principal of state policy should be laid down, in effect this: no charters hereafter should be granted carrying with them the right of eminent domain, which did not place that corporation within the control of the Public Service Commission with the power to lay down such rules and regulations as would give the people of Vermont the first right to the use of that power, subject to fair and equitable conditions. Gentlemen, no manufacture from without this state is going to come into Vermont and locate here, if it can get the power transmitted to it cheaper than the cost of fuel to the manufacturer w the state. If your power in time is all taken up without any conservation to provide for the development of this state hereafter, I should not consider that that comes within control of good state policy. And I recommend to you that the present charters now existing in the state be amended to bring them within a distinct state policy and the interests of Vermont in a fair, right and proper way.

The, University of Vermont: The state, having given that institution its name,, having elected to really control it in effect by electing a majority of its trustees, is morally bound, in my mind, to increase its usefulness in every legitimate and proper way. Gentlemen, I feel at this time, forced to say to you that I think its medical department and its agriculture department need material assistance at your hands, and I hope it will receive it. I should like to say in conclusion this, it is a season when you hear from various sources that the interests of the state will be advanced by your early adjournment and working hard and going home. Now, there is some truth in that, but to my mind, the state's interests will be better advanced by your remaining here until such a time as you have placed Vermont in the advanced rank with its sister states, in constructive progressive legislation of a safe and sane type. You will also hear from various sources that there is not sufficient money to reach certain ends—that's all very well, gentlemen—that's good state policy — but to my mind, the only limitation you should know is this: Is it for the interests of the state, and is the state to get value received? Gentlemen, we have a system of indirect taxation, and it has worked very well in the State of Vermont, but there are worse things that might come to the state than a direct state tax of a reasonable size — and to my mind, that which you should keep before you at all times is: Can we pass an appropriation here which will really advance the interests of the state, and if so, are we getting value received?

In conclusion at this time, permit me to say that I think this is my sixth term up here—if the experience that I have gained during that time can be of any service to you personally, gentlemen, I wish you would command it. I should be glad to meet you all individually an the Executive Chamber at any time that you may desire.

Gentlemen, I thank you for you; courtesy and your attention.

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

GUY W. BAILEY,
Secretary of State, Clerk

Inaugural address
of
Ryland Fletcher
As it appears in the
Journal
of the
House of Representatives
October Session
1856

Saturday, October 10, 1856
Inaugural Address

*Fellow Citizens of the Senate
and House of Representatives:*

In assuming the responsible station assigned me by the freemen of Vermont, I desire to express to them through you, their Representatives, the profound sentiments of gratitude with which this honor so highly distinguished and so cordially conferred, has inspired me, and to give them the assurance of my most sincere devotion to the interest of this Commonwealth.

During the past year, under the protecting care of a merciful Providence, general health has prevailed, a bountiful harvest has rewarded the labors of the husbandman, and the laudable and varied pursuits of our citizens have been prosecuted with merited success.

For these continued blessings, it becomes us to make a public and devout acknowledgement to that great and good Being whose watchful Providence and propitious smiles have been vouchsafed to the people of this State during the vicissitudes of another year. In the discharge of our high duties, let us not only keep in mind our obligations to those who have committed their interests to our care, but also recognise our accountability to a higher tribunal than public opinion.

In conformity with ancient usage, and in compliance with a provision of the Constitution of the State, I respectfully suggest to your consideration the following subjects, your attention to which I deem important to the interest of our people.

No more important subject can possibly engage your attention, as guardians of the public interests, than the education of the people of this Commonwealth. The natural principle of self-protection imposes upon a State the most assiduous care of this important element of its prosperity. The object and effect of a thorough system of education is to develop the latent powers of the human mind, to bestow upon the people knowledge, and thus fit them for the proper discharge of their various duties in their relations to each other as social beings and to the State as citizens. A State, therefore, the government of which rests solely in the people themselves, can alone secure its prosperity and perpetuity by thoroughly educating that people, by training and disciplining the popular mind into a development of its best powers, and then widely diffusing information and knowledge, by the aid of which those powers can be brought to bear upon their complex and important duties as citizens.

The establishment and protection of a thorough system of Education, I conceive, therefore, to be as necessary in a free Commonwealth to protect itself against the dangers which have destroyed and still beset nations, as is that commendable prudence and forethought in individuals, which lead them to protect themselves from the assaults of disease, and their property against the ravages of the elements.

If, therefore, we would sustain and improve the already high character of our State, promote virtue and morality, give stability to our institutions and protection to person and property, we must carefully watch and liberally cherish the fountain of popular intelligence, the Common School. From this source is derived that elementary knowledge, the importance of which cannot be fully appreciated, because it underlies and is the basis of all other learning, and which is sufficient to enable the great mass of community to fulfill their relations to the Society and the Commonwealth to which they belong. A wise system of public Education, while it firmly establishes and munificently sustains the Common School, fosters also the higher institutions of learning, the Academy and College, which complete the good work begun in the primary school, and impart a thorough mental training and culture. These literary institutions are of vital importance to the well being of the State, for they contribute to the acquisitions of science and the adornments of art, they furnish to the acquisitions of science and the adornments of art, they furnish to the Common School its wisest regulators and teachers, and, far beyond those who immediately received and enjoy their benefits, they shed widely about them a disciplining, salutary and elevating influence upon the whole people.

To the pressing demands of our schools, academies and colleges upon your care and protection, I earnestly invite your attention.

I am unable to lay before the Legislature the actual condition of the schools throughout the State, as no State Superintendent of schools has been appointed and no statistical report been made in regard to that subject, as required by the law of 1845, since 1851. The sentiments of a great proportion of the people upon this subject have been most clearly indicated by the numerous petitions which have been presented to the Legislature for a series of years. It is a cheering consideration that signal improvements in the system of education have marked the history of the last few years in many parts of this country and in Europe.

Aided by the experience of other States and our own unrivalled advantages in the independence and intelligence of our people, and their freedom from pauperism and foreign prejudice, ignorance and bigotry, we ought to present to the world a shining example of a Commonwealth, which lays in the minds of its youth the deep and strong foundations of its future prosperity, and whose most diligent care is freely to offer to every one of its people the blessings of a sound education.

In intimate connection with education, as the morals of a people depend to a great extent upon their intelligence, stands the subject of the prohibition of the Traffic in intoxicating Drinks. I respectfully invite your attention to this subject, as one which concerns the most vital interests of your constituents, and which is among the first to enlist the warmest sympathy of the philanthropist and the profoundest thought of the patriot and legislator.

The sentiments I have long entertained and freely expressed upon this subject are well known to my fellow citizens. My confidence in the power and duty of the Legislature to prohibit the Traffic in Intoxicating Liquor as a beverage remains unshaken. I deem the principle of prohibition to be in perfect accordance with our Constitution and in harmony with the obligations which the government owes to the people. Few, if any of the sources of evil have been so prolific of mischief, have sent forth so vast a desolation, and produced such overwhelming misery throughout all the departments of social and domestic life, as the sale of intoxicating liquors. The people have a right to demand at the hands of their agents protection from these evils so destructive of the happiness and well-being of society.

I conceive that the true interests of the State, and the hopes of the rising generation, require a prohibitory law with ample powers effectually to enforce its provisions, prescribing penalties commensurate with the offences it prohibits, and adapted to accomplish its great design, the extinguishment of the traffic. The constitutionality of several of the most important provisions of the present law of the State upon this subject has been settled by the Supreme Court, a tribunal which has the just confidence of our citizens. Coming from all portions of the Commonwealth, you have personal knowledge of the practical operation of this law, and its adaptation to accomplish the purposes for which it was designed, and are well fitted to judge of the necessity of further legislation on this subject.

Agriculture is our great leading employment and source of support. This department of labor manifestly deserves every attention and encouragement which will tend to its advancement and prosperity. The application of science to agriculture has already disclosed the secrets of the composition of the soil and the laws which regulate the germination and growth of vegetable organization. Through the investigations of science, also, have been discovered the nature and properties of fertilizing substances, and under their judicious application, barren wastes have been converted into smiling and productive fields. It is a happy omen that agriculture is now attracting the attention and exciting the interest of all classes of our citizens. I conceive it to be the duty of government to encourage and increase this interest; to give every possible facility and protection to this pursuit; to furnish to the popular mind correct accounts of the discoveries of science in this department; to promote agricultural education; to offer honours and premiums to encourage an honorable emulation and valuable discoveries and achievements in this most ancient and useful art; and thus to stimulate cultivation and improvement in every branch of this department of industry, and induce habits of domestic economy by every practicable means.

On the success of our manufactures depends to a great extent the prosperity of our agriculture. It becomes us to develop the resources of our own State and to encourage the productive industry of our own citizens. Any inducement which the Legislature can consistently present, that will lead to increased interest and larger accomplishment in this department, and prevent the existing draft upon our resources, resulting from the extensive sale, in this State, of articles manufactured elsewhere from raw material taken from Vermont, will, I am confident, advance materially the prosperity of the Commonwealth.

The great interests of agriculture and manufactures being the grand sources of our wealth and independence, every encouragement which you can extend to them will contribute greatly to the welfare of the State. As a large portion of the members of the Legislature are engaged in these pursuits, they will undoubtedly receive from you that consideration which their magnitude demands.

Our railroads constitute an important item in the catalogue of our interests. Cars, richly laden with the varied productions of the earth or freighted with human beings, are hourly rolling through the valleys and over the mountains of our Commonwealth. Vast amounts of property and the safety of great numbers of the people are committed to the charge of corporations, which exist by the authority of the Legislature and are to a great extent subject to your regulation and control. While these agents of the public convenience should receive such favor as a wise Legislature would bestow, they should also be subjected to rigid police regulations to guard against the melancholy and wholesale destruction of human life, which has too often marked the history and marred the utility of this great modern invention.

Applications for the increase of the number of banks and the amount of banking capital will doubtless come under your consideration. The facilities afforded by these institutions have, beyond a doubt, been beneficial to the business interests of the country. A safe and efficient banking system is one of the most important means of promoting the pecuniary prosperity of the people. Allow me respectfully to suggest the importance of a candid and dispassionate examination of this subject, a freedom from all improper feeling and bias, and a strict regard to the *actual* wants of the community.

In concurrence with the recommendation of my immediate predecessor in each of his annual messages, I invite your attention to the militia of the State. A well regulated militia has been relied upon by our wisest statesmen as one of the firmest securities which a free government can erect against the dangers which may beset it. This branch of the public service constitutes a strong arm of the Commonwealth, which should neither be cut off nor suffered to become palsied by inaction. A careful examination by you of the condition of the militia, and the laws regulating this subject, is earnestly recommended.

The framers of our constitution designed to provide for the speedy and impartial administration of justice, as one of the fundamental interests of the State. It is declared in our Bill of Rights, that "every person within this State ought to find a certain remedy, by "having recourse to the laws, for all injuries or wrongs, which he may receive in his person, property or character; he ought to obtain rights and justice freely, and without being obliged to purchase it; completely, and without any denial; promptly, and without delay, conformably to the laws." Complaint is not unfrequently made of the great delay and burdensome expense incident upon actions in our courts of justice. The great accumulation of business in some of the counties of the State operates not only to deny to parties a decision of their cases "promptly, and without delay," but also to subject them to a heavy and severe increase of the costs of litigation. The poor man is virtually debarred from a hearing of his claims by his inability to defray the expenses of their prosecution. I believe that a serious evil is experienced by our citizens in this respect, which addresses itself to the wisdom of the Legislature for a remedy.

Much complaint has also been made that our laws regulating attachment upon mesne process are injurious to the interest of both debtor and creditor, and seriously cramp the enterprise and industry of our people, by impairing that feeling of confidence and security which must characterize all healthy business relations. In some of the United States this evil has been avoided by the passage of Insolvent Laws, in others by allowing attachment on mesne process only in cases of manifest fraud, and in others by providing that an attachment by one creditor shall, under certain regulations, be for the benefit of all. I believe that the interest of our State are

seriously prejudiced by our present law upon this subject, and that they demand of you a careful consideration of the evil and the various remedies which may suggest themselves to you minds.

The strength and efficiency of laws depend very much upon their simplicity and stability. Free States are more frequently governed too much than too little, and they often times fall into the mistake of a too hasty and extensive legislation. The law-making power ever act calmly and deliberately, and should particularly exercise great watchfulness to prevent the passage, under the guise of a professed public benefit, of enactments whose whole design and effect are to accomplish private and personal ends.

The state of the public finances is always a subject of interest to the legislature and the people. An annual and full exhibit of their condition affords our constituents the most complete means of scrutinizing the conduct of those to whom the care of the Commonwealth has been entrusted, and who appropriate and expend her funds.

This exhibit in some of the States is made by the Executive in his annual message. As, under our system, disbursing officers do not report to the Executive, I can only direct you to the Auditor's Report which should exhibit the condition of all our financial affairs. Our people require a discreet frugality on the part of their public servants, and they are too well informed to be deceived in regard to the necessary expenditures of time and money in conducting the affairs of government. They require in the management of public matters the same economy which a wise man exercises in his own affairs, that true economy, which denies all unnecessary and useless expenditures, but is liberal and even munificent in everything that conduces to the lasting glory and prosperity of the Commonwealth.

The term of office of one of our Senators in Congress will expire on the third day of March next. It therefore devolves upon the Legislature to elect a Senator to represent this State in the Congress of the United States for six years from that date.

I have thus adverted to some of the matters connected with our domestic policy. But we constitute a part of another Government, in whose action we have a most vital interest, and I deem it proper to devote some attention to the measures and the policy of that Government, which are now deeply agitating the country.

The national Republic, which our fathers established, rested for its ground work upon the great principle of the natural freedom and equality of man, and the inalienable character of those rights. Though from causes beyond their control, a system of domestic slavery existed in some of the colonies which united together to shake off oppression and to found a nation, whose vitalizing principle should be the civil and religious freedom of its people, yet, by the common opinion of all the early patriots and statesmen from every section of the Union, this institution was regarded as a lamentable evil and a shameful contradiction to the national idea, and its extension was carefully prohibited, and its extinction confidently expected as speedily as the circumstances of the country and the anomalous nature of the evil would permit. That the founders of the republic considered Liberty to be national, and the cardinal principle of the government, and slavery local and exceptional; that they aimed to spread the blessing of the one over the wide extent of the national territory, and to confine the evils of the other within its already established limits; and that such was the plan and practice of the government in its earlier days of purity, is conclusively shown by the terms of the Declaration of Independence, the Ordinance of 1787, the careful avoidance of the word slave in the Constitution, the prohibition, under the severest penalties, of the African Slave Trade, and the abundant testimony of Washington, Jefferson, Madison, Monroe, Henry, and many other early statesmen, both from the North and the South, in regard to the blighting influences of Slavery and the vital necessity of the prohibition of its extension. That, on the other hand, the Government has now widely deviated from and even totally reversed the principles and practice of the early republic on this subject, is made evident by the denial to Congress of the frequently exercised right of excluding Slavery from the national territories; by the repeal of the Compromise of 1820, by opening to the curse of Slavery a vast and beautiful region, which had been solemnly and forever dedicated to Freedom years before, and by the natural consequences of that perfidious robbery manifested in the high-handed outrages which have recently desecrated the soil of Kansas by an armed and marauding invasion, by the prostitution of the ballot box, by a code of worse than Draconian laws, imposed upon a people who had no agency in making them, and by a long and terrible series of murders, conflagrations, rapines, groundless prosecutions; cruel imprisonments, and other crimes

which the advocates of slavery have not hesitated to perpetrate to secure to their wrongful and ruinous control a territory which desired and was entitled to the blessing of Liberty; and all this accomplished, either through the direct action or the permissive and encouraging non-interference of the General Government.

The change in the relation of Slavery to the National Government has been total and complete. At first it was merely a local institution, admitted to be an evil, its existence deeply deplored, and only tolerated on account of the supposedly difficulty and danger of its sudden abolition, while on the other hand its extension was universally deprecated and positively prohibited. Now, it has become an aggressive and powerful principle, which has taken possession of every department of the Federal Government, except the popular branch of the Legislature; it opens the avenues to public and official position only to those who bow before its monstrous claims; it demands the revival of the horrors of the African Slave Trade; it insists upon the right of passing through the free States with its Slaves; it breaks down the long established securities of Freedom; it blockades the national highways; it closes the common territory of the country to the free citizens of the North; and by the strong arm of power, with the bayonet and the sword, it crushes a people, whose only offence is that they claim the right to regulate their domestic institutions in their own way, and will not submit to its insolent and oppressive demands.

The rapid extension of Slavery and the aggressive nature of its demands, excite the most anxious solicitude in our minds for the success and perpetuity of the Union; and the imminent danger to our free institutions has stimulated all lovers of Liberty to endeavor to restore the action of our Government to the principles of its patriotic founders, from which it has so widely deviated. The people of Vermont have ever, and with increasing force and unanimity, spoken in unmistakable terms in opposition to the extension of Slavery, and I doubt not your action in regard to this subject will be complete accordance with the earnest sentiments of your constituents.

Our country has not only lavished her blood and treasure to secure her own liberty, but when distant nations, encouraged by her example, have sought to be free, her sympathy and her contributions have rolled in tides of mighty impulse to their assistance. The imprisonment of a foreigner, who had simply declared his intention of becoming a citizen of the united State, was recently considered, by our Government, an insult to the majesty of the nation, and on a remote sea our ships of war opened their frowning port holes and sternly demanded the immediate release of the prisoner.

But citizens of this and other States of our confederacy, who have emigrated to Kansas, a portion of our own country under the direct authority of the Federal Government, with the intention of making that Territory their home, relying on the assurances of that Government that they should be "left in perfect freedom to form and regulate their domestic institutions in their own way," have, by lawless and repeated invasions of the people of another State, been deprived of the dearest rights of freemen; their lives and property have been threatened and destroyed, and they have been subjected by these invaders to the most cruel and tyrannical enactments which have characterized modern legislation; and yet, notwithstanding their frequent appeals to the President for relief, none has been afforded them; their robbers and murderers remain unpunished, some even in official positions under the Federal Government; and obedience to the pretended laws of the Territory is enforced by the armed soldiery of the United States.

The recollection of our own early history as a Commonwealth should awaken in our breasts the liveliest sympathies for our brethren who are struggling for freedom in Kansas. Vermont was once the scene of similar depredations, hardships and cruelties. Her early settlers were ejected from their possessions, and were denied all law and justice, by the emissaries of a government which wrongfully claimed dominion over them.

I earnestly suggest to your careful deliberation the question whether, in view of the great wrongs to which our citizens in Kansas are subjected, and the utter neglect of the General Government to protect them, some action is not required of you, equal to the importance and emergency of their cause.

I trust the Legislature will prove itself a generous patron to the noble charities that distinguish this age, its acts bear the impress of humanity and benevolence.

Relying with confidence on the wisdom of your deliberations and action, I tender you, gentlemen, my hearty co-operation in all your laudable efforts for the public welfare.

RYLAND FLETCHER..

Montpelier Oct. 10, 1856.

Inaugural address
of
Ryland Fletcher
As it appears in the
Journal
of the
House of Representatives
October Session

1857

Friday, October 9, 1857
Inaugural Address.

*Fellow Citizens of the Senate,
and House of Representatives:*

I welcome you to the commencement of the labors of another year in behalf of the people of Vermont, who have committed their public affairs to our care.

I cannot fail to congratulate you upon the continued material prosperity and general health of our people, and to express the confident hope that the peace and happiness, the morality and intelligence, which have so long characterized and distinguished the inhabitants of the State of Vermont, may suffer no diminution among us hereafter. For these manifold blessings we cannot be too grateful to that divine Providence, by whose favor we enjoy them all. With a fervent solicitude that all our deliberations and actions may result in the true welfare of our constituents, and above all, that they may accord with the dictates of an enlightened public conscience and His recorded will, "in whom we live and move and have our being," let us reverently assume the high responsibilities cast upon us.

The legislative action of last year in establishing a Board of Education will, in my opinion, if sustained by future legislatures, prove of great public benefit. That vital interest of a State, the education of its people, by a thorough attention to which its free institutions can alone be preserved, will by the provisions of that enactment be placed under the continued and systematic direction of a board of men aware of the great importance of the subject committed to their charge, and conversant with the wants of the community in that respect. Without in the least taking the practical supervision of public education away from the people themselves, to whom it of right belongs and by whom it can be best exercised, but in reality only aiding and encouraging their efforts in its behalf, it is confidently expected that by the Board of Education an organized system of operations will be devised, and energy and order infused into all public action upon this subject.

In conformity to the organic act of the Legislature, the Board entered immediately upon their labors. They were at first embarrassed on account of the apparent inadequacy of the prescribed salary of the Secretary to the labor and expense necessarily attendant upon the proper discharge of his duties. But they were fortunately relieved from this embarrassment by the generous offer of the managers of all our railroads to pass the Secretary, in his necessary visits to the different parts of the State over their roads, free of charge. I gladly take this public opportunity to make known my grateful sensibility of the generosity of this act, and to express my hope that the managers of our railroads, which have so greatly contributed to the wealth and prosperity of our State, may ever give that encouragement to the cause of popular education, which will in turn show its beneficent effects, as well in connection with the particular branch of mechanical and financial science, in which they are engaged, as in every other department of industrial and intellectual activity. J. S. Adams, Esq., of Burlington, was appointed Secretary of the Board. His report, containing a valuable array of facts and suggestions, will be laid before you, and I bespeak for it your careful attention. Justice to a faithful public officer requires me to state that the zeal and energy, with which he has discharged the laborious duties of his office, merit the lasting gratitude of our people.

I am confident that the people of Vermont look with a growing desire for the revival and encouragement of a thorough and well organized Militia system. The legislation of last year in this direction has already favorably resulted in the formation of several uniform companies in different parts of the State. I have had the pleasure of witnessing some of these companies on parade, and have greatly admired their tasteful and appropriate uniforms, their good discipline and soldier-like appearance. They reflect credit upon themselves and honor on the State. If their services should ever be called into requisition, I should rely with confidence upon their fidelity to a soldier's duty. The efficient labors of the Adjutant and Inspector General during the past year, in encouraging and assisting the re-organization of the Militia, are deserving of high commendation. The free sentiments of the people of Vermont justly cause them to look with disfavor upon a standing army. But in these changeful times, and in the peculiar relations which the different sections of our country bear to each other, and which the country at large sustains towards foreign nations, the occasion may arise requiring an armed force in our midst to protect us from domestic dissention or foreign invasion. In such an unfortunate event, the surest

safeguard for our cherished liberties, will be found in a patriotic and well disciplined citizen soldiery, which, being one in interest and sympathy with the people, can never be used to oppress or harass them.

I earnestly recommend to you the continuance of the existing laws prohibiting the sale of intoxicating drinks. I am confident that the prohibition of this demoralizing and destructive traffic meets with the cordial approval of a large majority of our people, and that it has accomplished and is still accomplishing a great and good work in arresting the evils of intemperance.

The Railroads of Vermont, though of inestimable value in developing the agricultural and mineral resources of the State, have yet generally proved unprofitable to those by whose energy and enterprise they were constructed. In some instances the mortgages given to secure the payment of their bonds have been foreclosed, and the original corporations divested of all interest in them. In other cases legal proceedings have been commenced to accomplish a similar result. The legal interest and management of most of our railroads will thus, in all probability, soon be vested in trustees under mortgages, while the equitable interest and real ownership will be in the bondholders. I think it desirable that some general law be enacted, providing, with suitable restrictions, that in such cases the bondholders may form themselves into new corporations for the management and operation of their respective roads, and that they may enjoy all the privileges and franchises of the old companies. Such an enactment will obviate the necessity of applications to the Courts of Chancery on the part of the bondholders, to be put into the possession and use of their respective roads, and thus save expensive and perhaps protracted litigation. A general law, such as I have suggested, would have the good effect of placing the management of our railroads in the hands of their real owners, which would undoubtedly result in their more prudent and profitable operation. Moreover, a responsible party would thus be brought within the reach of the laws in case of mismanagement. It might also be made to add to the taxable property of the State, as the bulk of the railroad interest, being now composed of Bonds, which are mostly owned by non-residents, is exempt from taxation.

I commend to your vigilant examination not only the general laws of the State in regard to Banks, but also the present condition of each one of those important institutions. The country is at present bending under a financial storm unsurpassed for many years. Nothing can more certainly prevent this crisis from becoming appalling, than a firm conviction in the public mind that the banking institutions, with which the wealth and credit of the community are so intimately connected, are perfectly sound and reliable. Every possible precaution should be taken that the confidence so long bestowed by the public upon the Banks of Vermont, should at this trying period, be both deserved and sustained. No surer means can be adopted to preserve this confidence, if it is, as I am convinced, well merited, than a more than usual thoroughness in the examination and reports of their respective conditions. If any imperfection exists in the general laws regulating banking, or in their enforcement and operation in regard to particular banks, the defect ought to be promptly remedied, and wide-spread disaster will be thus happily avoided.

Whatever you can consistently do to elevate the profession of Agriculture, and promote that commanding interest of our State, which is the source of human subsistence, and therefore lies at the foundation of all other branches of the public economy, will, I trust, receive your cordial approval.

The Report of the Superintendent of the State Prison will be laid before you, and will, I presume, receive the attention which the importance of that public institution to the well-being of the State requires. The true aim of prison discipline is not, I conceive, merely to punish the offender, or by imprisonment to restrain him from the commission of crime, by also by consistent reformatory means to prepare him for a re-entrance into society. I deem it worthy of enquiry by the Legislature, whether a greater amount of moral instruction, than the prisoners receive under existing regulations, will not tend to advance the great ends of all human punishment, the reformation of offenders and the prevention of crime. In this connection, I feel that I should be remiss in the performance of my duty, did I not urge upon you the pressing necessity for some separate and peculiar provision for the punishment of juvenile offenders. Institutions for this purpose have been established in many of the States of the Union, and from my investigations I am convinced they receive the cordial support of the communities where their influence has been properly tested. I believe the conviction has become general in Vermont, also, that this subject demands legislative action. Prosecuting officers, judges and jurors, are frequently heard to express their perplexity how to deal with young offenders; the law directing them to one

course, while their sense of right and all the best feelings of their natures prompt another. At present, a child, which detected in crime, is either discharged from motives of pity, by which exemption from punishment he may be encouraged to a continued course of guilt, or he is incarcerated in the jail or penitentiary, where the idleness of the one and the infamy and depraved associates of both, rapidly ripen him into the hardened and abandoned villain. Surely, one or more public institutions under the supervision of the State, the future destiny of which will in some measure be affected by the character of each one of the rising generation, some wisely devised house of combined correction and instruction, adapted to lead him back to the paths of virtue and usefulness, seems alike the dictate of wisdom and humanity. It is quite probable, that owing to the fortunate lack of destitution and crime among our people, in comparison with the more thickly populated portions of the United State, institutions of this kind cannot be advantageously sustained in every county. In this case, fewer Houses of Correction would be required, and a larger extent of territory might be accommodated by each than is comprehended within any of our county organizations. I would further suggest for the consideration of the Legislature the propriety of authorizing proper moral instruction in our jails, under the direction of the keepers. A feeling of respect for humanity is pained by the thought, that any one who bears its image, however low and degraded, should be left like an outcast from the human family, without an effort to improve and elevate him. Sympathy for the unfortunate lies deep in the hearts of the people of Vermont, and they have never suffered it to be appealed to in vain.

No branch of my official duty has been more agreeable to me than that of ministering to the indignant deaf, dumb and blind children of the State the charity which our laws have so bountifully extended to those unfortunate beings. Under the generous provisions of our Statutes in this respect, more than thirty children have received instruction during the past year, at the American Asylum for the Deaf and Dumb, at Hartford, Connecticut, and the Perkins Institution for the Blind, at Boston, Mass. These children are subjected to a thorough course of education in all the branches of learning taught in our Common Schools and Academies, and moreover are instructed in some useful kind of manual labor, adapted to their unfortunate condition, by which they will be enabled to support themselves through life. Their progress, I have good reason for knowing, is creditable to themselves and the State. By the means of this noble charity many of our youths, who would otherwise have lived and died in intellectual and moral darkness, have been rendered intelligent and useful members of society. The annual appropriation for this purpose is not entirely exhausted by those who are now enjoying its benefits. There is therefore an opportunity for the education of a few more beneficiaries from this State, at each of said institutions, and I hope, if any cases of necessity for public aid in this respect exist among our people, application will be made to me in their behalf in the manner prescribed by law.

In conformity with the Act of the General Assembly, passed at the last annual session, to provide for completing the Geological Survey of the State, I appointed Reverend Edward Hitchcock, D. D., of Amherst, Mass., as State Geologist. The survey of the State has been prosecuted by Dr. Hitchcock and his associates during the past year. For an account of the progress and result of the survey, I would refer you to his Report, which will soon be laid before you. I have no doubt that the thorough investigation and exploration of the geological and natural history of the State, contemplated by the act referred to, will result in valuable scientific discoveries and great profit to the Commonwealth.

In pursuance of the Act of the Special Session of the Legislature, providing for rebuilding the State House, I appointed Hons. George P. Marsh, Norman Williams and John Porter a committee to prepare a plan according to which the State House should be rebuilt. These gentlemen have discharged this duty and their report is submitted to you with this communication. I appointed Hon. Thomas E. Powers, Superintendent of the work provided for by said act. He immediately commenced operations and the work has thus far proceeded with extraordinary despatch. The present advanced state of the new building affords conclusive proof of the energy of the Superintendent and his peculiar fitness for that position. I congratulate the people of Vermont upon the agreeable prospect of soon having a Capitol more beautiful and commodious even than the splendid edifice, the recent destruction of which we all so much lament.

In order properly to discharge the duties imposed upon me by the Act of the last Legislature, entitled "An Act for the relief of the poor in Kansas," I caused full inquiries to be made into the condition of the people of that Territory. I directed the Secretary of Civil and Military Affairs to write to Hon. John W. Geary, at that time

Governor of Kansas, informing him of the action of the Legislature, and that I stood ready to extend the aid contemplated by said act, upon proper proof of the existence of cases of necessity. The letter of the Secretary, and Governor Geary's reply, are transmitted to you with this document. I also made inquiries of numerous private gentlemen, well acquainted with the condition of the people of Kansas, and used every means I could command to ascertain whether such necessity existed as would justify the expenditure of the appropriation. I learned from various sources to my complete satisfaction, that the private aid, which last autumn was so bountifully extended to the oppressed and exhausted people of Kansas, by the charitable and liberty-loving citizens of the North, had been amply sufficient to satisfy the immediate wants of the poor of that Territory, and that there was therefore no occasion for the food and clothing provided by said act. Though no portion of the money thus appropriated has been expended, I am still proud of this act of benevolence on the part of the representatives of the people of Vermont, and I shall always remember with grateful exultation that they have placed thus publicly upon our Statute Book the evidence of their sympathy for the oppressed and destitute victims of the aggressive spirit of slavery.

Nothing has occurred during the past year to diminish the indignation and alarm, which the great majority of the people of Vermont have felt at the rapid increase of the Slave power and the extravagant nature of its demands. On the contrary, by the recent decision of the Supreme Court of the United States, in the case of Dred Scott, if the opinions of the majority of the Judges as expressed by them are to be received as law, there is little hope that the spread of Slavery will ever be stopped under our present form of government.

By that decision Slavery is no longer sectional; it is made national, and declared to be recognized by the Federal Constitution. The Constitution is said by its own force to carry slavery into every Territory of the Country, and any act of Congress or Territory, prohibiting property in slaves, is pronounced unconstitutional and void. This decision conflicts with the legislation of Congress from the foundation of the government down to the year 1854, when the fruitful source of all our woes, the Kansas and Nebraska Bill, by northern treachery and the insatiate demands of the South for an enlarged slave market, and an increased political power, was sprung upon our unsuspecting people. It declares unconstitutional the numerous organic acts of Congress, establishing the territorial governments of the North-West Territories of Indiana, Illinois, Michigan, Wisconsin, Iowa and Oregon, the Compromise of 1820, and the act for the admission of Texas. It contradicts the opinions of our most eminent statesmen and jurists, expressed for a long series of years, both in Congress and from the bench of the Supreme Court, by Clay, by Marshall, and all the leading men of the country both from the North and the South, with the single exception of Mr. Calhoun, deemed, in his life time, even by his fellow slaveholders, as extreme and fanatical in his support of slavery. Not even the people of the Territories themselves are allowed to exclude slavery from their midst; they are doomed to its withering curse, and notwithstanding the sounding promise in the Kansas and Nebraska Bill, that they should be left "perfectly free to form and regulate their domestic institutions in their own way," they cannot, while in the territorial condition, shake it off. The great improbability that, when slavery has once planted its foot upon a Territory, it will ever be abolished, is proved by the impotent efforts of the best citizens of the older Slave States, to rid themselves of the system of slavery, which is degrading and ruining them.

The logical results of this decision are alarming in the extreme, and may well arouse the freemen from their dangerous apathy. If, as declared by the majority of the Court, the Constitution guarantees property in slaves, and prohibits any law interfering with the right of the master to his slave, it is a fair inference, if not a necessary conclusion, that the slaveholder may, for purposes of pleasure or profit, take his slaves with him in his journeys through the Free States, and hold them here, notwithstanding the absolute prohibition of slavery by their laws. But fortunately, most of the abhorrent doctrines enunciated by the majority of the Judges were unnecessary to the determination of the case before them, and therefore not clothed with the authority of law. They have been well and boldly characterized by one of the dissenting Judges, the oldest member of the Court and the only surviving associate of the venerated Marshall, as extra-judicial and of no binding force as authority. I am sure, when one of the Judges themselves use this indignant and unqualified language, that the people of Vermont will not quietly acquiesce in an unnecessary and unauthorized declaration of doctrines they have always loathed, and which they consider hostile to the genius and spirit of the Republic to which they belong.

When, if the alarming prostitution of every department of the general government to the nefarious behests of slavery shall continue, the Supreme Court shall declare authoritatively, what they have already foreshadowed, that the slaveholder may bring into the Free States his train of slaves, and hold them there as his property, notwithstanding the absolute prohibition of slavery by their Constitutions and laws, it will then, in that day of the doom of the Republic, be time for Vermont and her sister Free States to consider what course they shall take to maintain and enforce a right she has never yielded and will never surrender, the absolute and total prohibition of slavery within her borders.

My grateful acknowledgments are due to the people of Vermont for the honor conferred by my re-election. The best return I can make for the generous confidence reposed in me, is the solemn pledge here upon the threshold of my duties, that my every effort shall be to promote the highest interests of our cherished Commonwealth.

RYLAND FLETCHER

Montpelier, October 9th, 1857.

Inaugural address
of

Levi K. Fuller

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1892

Thursday, October 6, 1892
Inaugural Address

Gentlemen of the Senate and House of Representatives:

Having been elected Chief Magistrate of the State, I assume the office with a sense of the great responsibility resting upon me, realizing my need of the kindly forbearance of all. The Constitution imposes upon the executive the duty of laying before you such information and rendering such aid as may be in his power in determining the various questions that arise in the interests of the State, to the end that suitable provision may be made for the wants of the government, in the enactment of proper laws for the guidance and welfare of the people. I trust I may enjoy your confidence and kind consideration.

Invoking the aid of Him who giveth wisdom necessary alike to all, and without which we may hope to accomplish but little, under his guiding hand we may approach the duties incumbent upon us with reasonable assurance.

In due time, reports of the various State officers will be laid before you, which will exhibit in detail the operations of the different departments of the State government for the biennial term.

Several of these have come into my hands too late for that study which it is desirable should be made by one whose duty it is to write concerning them.

The law which permits State reports to be printed at so late a day, in some instances not until after the legislature meets, affords no proper opportunity for the executive or people to examine the reports or to intelligently arrange for future legislation.

All of these reports should be in the hands of the printer, not later than the 20th of August, and I recommend that the law be changed accordingly.

STATE TREASURER.

An examination of the report of the State Treasurer shows the receipts and disbursements for the two years ending June 30, 1892, to be as follows:

Receipts.

Cash on hand July 1, 1890	\$117,708 74
From State institutions	\$ 33,540 77
Probate and County Courts	114,663 14
Licenses.....	8,470 00
	----- \$156,673 91
Highway and Bridge Account.....	\$ 5,296 69
Income Agricultural Fund.....	16,260 00
Towns, U. S. Deposit Fund for redistribution.....	51,950 51
Sundry sources	5,460 58
	----- \$78,967 78
Corporations, Taxes, etc	\$579,493 20
State tax.....	272, 858 85
State school Tax.....	174, 322 93
	----- \$1,026,674 98
From the United States:	
For the Soldier's Home.....	\$12,018 43
Bennington Battle Monument.....	14,000 00
Agricultural College Endowment	48,000 00
Direct tax refunded	179,407 80
	----- \$253,426 23
Temporary Loans	\$620,000 00

Interest on deposits	2,842 40
Total to be accounted for	\$2,256,294 04

Disbursements.

Extra State Pay to Soldiers.....	\$ 189 74
Bennington Battle Monument and Association income	85 12
General Assembly, session of 1890.....	55,615 40
General Assembly session, (extra) 1891.....	7,672 50
State School Tax paid towns.....	89,103 22
U.S. Deposit money paid towns.....	1,570 35
U.S. Deposit money, redistribution to towns as per last census	50,453 43
Huntington fund paid towns.....	25,319 82
Interest Registered Loan	16,260 00
Auditor's order, July 2, 1890, to July 1, 1892	1,108,122 00
Soldiers' Home, U.S. funds	12,018 43
Bennington Monument U.S. appropriation.....	14,000 00
Agricultural College, U.S. appropriation.....	48,000 00
Temporary Loans	620,000 00
Interest on same	9,447 95
Sundry payments.....	1,098 93
Balance on hand.....	197,337 15
	\$2,256,294 04

Resources.

Cash on hand July 1, 1892	\$ 197,337 15
Due from towns, State tax.....	39,196 12
Due from towns, State school tax	1,462 22
Corporation tax (estimated)	300,000 00
	\$537,995 49

Liabilities.

Due towns, U.S. Deposit money	\$ 14,413 45
Due towns, State school tax	86,681 93
Due soldiers, unpaid balances.....	8,077 63
Balance available for fiscal year ending June 30, 1892,.....	428,822 48
	\$537,995 49

Funded Liabilities.

Agricultural College Fund, Registered State bonds due 1910.....	\$ 135,500 00
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COMMISSIONER OF STATE TAXES.

The legislature of 1890 made a careful revision of the law taxing corporations, the results of which are clearly set forth in the report of the Commissioner of State Taxes. By it will be seen that only one corporation, the Western Union Telegraph Company, seriously objects to the provisions of the law and has commenced a suit in chancery enjoining the commissioner from enforcing the tax or penalties, which suit is set for hearing in December.

I do not believe it wise in the midst of litigation to attempt to disturb or revise the law, but you may correct with safety the double deduction of the value of real estate shown to exist in connection with trust companies.

The amount of taxes assessed for the biennial term is shown by the report to be as follows:

Total taxes assessed against corporations	\$572,672 96
Total license taxes assessed	8,537 00

STATE AUDITOR.

Your attention is invited to the report of the State Auditor concerning the expenses of government. Retiring after a faithful service of fourteen years, his suggestions, the result of ripe experience and a keen sense of the needs of the State, cannot be lightly passed over. It is your especial privilege, as it is your duty, to investigate the particular matters to which he refers with a view of reducing the expenses of government.

The tax paid by the people of Vermont for the support of local and state government is felt by many to be a hardship from which time should bring reasonable relief. The inventory law passed in 1880 was a step in advance to secure better returns of property with greater equality, and an increase in property values; it shifted the burden of taxation from the poor to the rich in a sensible degree; but this relief was soon dissipated by increased calls, both local and general, upon the public revenue.

The enactment of the corporation tax law in 1882, was a measure well calculated to raise the hope that a direct State tax would not much longer be needed, but the increasing demands of the times have gone far beyond its ability to supply the money necessary for State expenses, although it has been revised until its revenues to the State have nearly doubled.

There are different ways by which a change can be effected. We can search for new sources of revenue, turning the old screws down a little tighter, although this will require special skill, knowledge and patience, but sometimes a well worn thread snaps asunder. Or we can take the short road, which all can travel, and which consists in spending *less money*. This latter method may not be popular with some, but it will be easier for all. I do not advocate neglect of any public interest or a course of false economy; indeed parsimony is sometimes a calamity, in causing at a later period what then appear to be extravagant expenditures.

The House of Correction is of modern type, the Prison has been rebuilt, the Reform School is well equipped, the Soldier's Home secured, the new asylum completed to admit one-third its proposed capacity, and fully occupied, and all of these will require constant repair and possibly future enlargement, but their maintenance only is imperative applying the thoughts and suggestions that naturally arise in this connection. I believe it possible to secure such a reduction of expenses as to satisfy all reasonable expectations. An even temperature in monetary affairs is conducive to financial health.

INSPECTOR OF FINANCE.

From the report of the inspector of finance, it appears that our savings banks are in a healthy condition.

For the two years ending June 30, 1892, there has been an increase in deposits of	\$5,344,176.84
Total deposits June 30, 1892.....	\$24,674,741.76
Increase in number of depositors	14,981
Number depositors resident in the State	72,635
Total number depositors	80,740

The great care and prudence with which these institutions are managed gives increasing confidence to our people, inducing them to retain their savings at home rather than to adapt the more hazardous course of sending them to distant points with all the attendant risks. I especially call your attention to that part of the report which refers to the omission in the law requiring returns to be made under oath, also to the necessity of trust companies carrying a portion of their profits to surplus. Several of the savings banks have so large a surplus that they may deem it prudent to declare extra dividends; the present law for computing the same is so complicated that it becomes imperative that depositors be divided into classes covering different periods of time. With the vicissitudes incident to losses in business, by depreciation of securities or otherwise, it would seem that in cases of this kind a more prudent measure would be to increase the surplus, from ten per cent of the deposits to fifteen

per cent of the same. The time should be changed when the inspector is required to make the report. To this end the date ought to be fixed from which the fine begins to run against savings banks for failure to make reports to the inspector.

The various financial institutions that now make reports to the inspector, and receive from him an acknowledgement or copy of a statement, use that document precisely as if it were a legal license to transact business with the endorsement of the state government to solicit funds from our people, for investment or speculation abroad.

I recommend that a change be made in this matter in such a way that the pocket document will be eliminated, and this means of temptation to our people avoided. The State does not endorse or recommend these institutions, it simply says to them that if they do business here, they must file a statement showing their standing. Beyond this the state should not be made to appear to be a party to any of their transactions.

EDUCATION.

The recent legislation affecting the schools of the State has borne fruit in the greater interest shown in educational matters, and in some respects a more satisfactory state of affairs now exists. While it is unwise to change our system too frequently, I think you have a further duty in devising ways and means to elevate the standing of the schools of the State. I believe that the school district having supervision under a single head, should be made as large as possible. In many places the town system will give the best educational results, provided proper school machinery, with which to work, is furnished; but in some of the smaller districts situated in the more sparsely settled communities this undoubtedly will work considerable hardship.

In many instances the furnishing of books and supplies bears heavily upon the parent. A working man with a large family, having to pay from \$3.00 to \$5.00 per annum for books for each child, will be induced to remove the child from the school at an earlier age than he would if the books were furnished by the town or district. In places where it has been tried, this expense has been reduced so low for each scholar per annum, that this feature alone should commend it. A careful estimate of the saving to the people of the State, based upon what has been done, convinces me that more than \$300,000 per year can be saved to the people who now have to bear this expense. The objection, if any, that will be raised against it, is likely to come from property interests and the manufacturer and dealer in school books; but is not the duty of the State to the children greater than their obligations to these?

The reports of the various County Examiners, together with the recommendations of the Superintendent of Education, point out ways in which further inquiry can be made.

If it is possible for you to devise any additional means of improvement in any direction it will be welcomed by all.

UNIVERSITY OF VERMONT AND STATE AGRICULTURAL COLLEGE.

This venerable institution, originally chartered in 1791, has been the recipient of the fostering care of both the State and national governments. At the present time there are practically four allied schools; the Academic, Medical, Mechanical and Agricultural, the practical operations of which are clearly set forth in the report of the trustees. More than usual interest attaches to this institution at the present time, from the fact that a thorough investigation into the workings of the various departments was made at the last session of the legislature, when it was sought to separate the Mechanical and Agricultural departments from the University.

I have made several visits to the institution to acquaint myself with the progress that has been made in the improvement of facilities and methods for furnishing to the youth of the State all those opportunities which their ambition covets, near at home and at a cost within their reach.

I am favorably impressed with the present appearance of the institution, as well as the hopes, expectations and ambitions of the faculty. An institution of this kind cannot be established without a large outlay of money, years of growth and the confidence of the public.

An examination of the course of study shows that there has been a tendency in the direction of the elevation of the standard instruction and the broadening of its scope to keep pace with the demands of the times, as fast as means at command would allow.

The Mechanical department has received additional impetus by the construction of new buildings, filled with standard machinery of the best models.

The announcement is made that benevolent gentlemen have already signified their intention of erecting other buildings, which will greatly convenience and promote the usefulness of the institution.

A new farm has been purchased adjacent to the University, new agricultural buildings have been erected thereon and the Agricultural Department established upon a modern basis having the latest facilities. I think it can be said that the agitation that has taken place has been of great benefit to the school, in that its wants have been sharply called to the attention of the benevolent, and that the trustees, alive to the demands upon them, have provided liberally, to the extent of boldness, in making provision from the funds of the institution for the wants of the school.

I am satisfied there is sufficient enthusiasm with the faculty to cause them to meet the new conditions with an earnest purpose to give the student the very best they can devise, and believe that what has been accomplished warrants the continued fostering care of the State. It certainly would be a public calamity for any harm to befall the institution.

BOARD OF AGRICULTURE.

The attempt to maintain an Agricultural Bureau in Vermont has always received scant support from those most interested and therefore small and inadequate appropriations have been made.

I think it good business policy for the State to increase the opportunities, responsibilities and duties of the Board of Agriculture. There can be committed to this board with advantage the collecting of information in connection with unoccupied or uncultivated land, putting in statistical form all information that can be gathered concerning the same, and promoting in this way any desirable change in ownership; they might be charged with inquiry concerning the forests, a matter too much neglected and about which a variety of opinions are held; they might be charged with the furnishing of information concerning better roads, how to make them and the best kind for any particular locality. They could assist in the formation of farmer's clubs, in the employ and management of expert assistants for our dairy interests, and in the reestablishment and promotion of agricultural affairs in many new ways.

Four years ago an attempt was made to induce Swedish immigration upon some of the abandoned farms of this state. Such inquiry as I have been able to make concerning this experiment reveals the fact that the usual result followed, and that the young gradually leave and go to business centers, leaving the older people to care for the farm.

This is not because of the class of people that come, or because they became dissatisfied with the land, but is incident to our modern civilization, without a full recognition of which, we cannot hope to obtain the best results in any attempt to maintain the supremacy of our State.

It would be a good investment to furnish the bureau of agriculture with suitable means to continue this inquiry.

One of the things that this State lacks at the present time, in industrial and agricultural affairs, is precise data and information which can be secured with very slight expense if attended to yearly; this can be gained and put in suitable book form for preservation, giving us ready means of comparison to know whether one policy is better than another.

I trust that no false modesty growing out of a fear that an actual statement of facts might uncover a condition of things unpleasant to see or know will deter you from doing your full duty in this matter.

It is to be hoped that you will see your way clear to enlarge the powers of the Board of Agriculture and to increase that appropriation to an adequate amount.

The increasing magnitude of the dairy interests of the State warrants the giving of more attention to this industry. In this connection it is proper to note the work of the Dairymen's Association as important and growing, and it should receive that encouragement which it demands.

PROHIBITORY LAW.

Public sentiment sustains the rigid enforcement of the prohibitory laws of the State to a commendable degree. We ought to see to it, therefore, that nothing is done to retard its healthy growth or bring ill repute upon our good intentions.

Sentences for crime ought to be in proportion to the offence committed. No one will pretend that violation of the prohibitory law deserves a life sentence, but by the operations of the mathematical rule of cumulative sentences under the present provisions of the law, the legal period may reach far beyond the natural life of the prisoner, in which case the severity of the law that compels such a cruel sentence would be held up as an argument against its proper enforcement and would appeal so strongly to the sympathy of the general public that repeated instances of this kind might set in motion a wave of unhealthy agitation that would sweep away the work of years.

Would it not be well in imposing sentence for non-payment of fines in liquor cases, that a period be fixed beyond which the sentence could not extend, say three or five years, no matter the amount of the fine imposed? If it could be shown to the court that the respondent was destitute of property from which he could raise the money to pay the fine, it might be well, in first offences, for the court to impose a sentence to the extreme limit of the law, and at the same time repose in the court power to collect a certain amount in money and then to take a bond for the remainder. This should be valid and enforced if the respondent is ever guilty of a second offence. Would not the giving of such a bond operate as a restraining influence upon the offender to keep him out of the liquor business? As it is, there is too much temptation for him to try to recoup himself by increased sales. Certainly there should be no letting up of the pursuit of the rumseller; every avenue should be closely guarded, and the pressure gradually tightened until he abandons the business or flees the State.

REFORM SCHOOL.

The report of the trustees of the Reform School shows that there were on the 30th day of June, 1892, 10 girls and 54 boys on furlough from the institution, and that there were 13 girls and 71 boys present at the institution.

Total expenses for the biennial term have been.....	\$32,168.65
Total receipts from the operations of the school have been,.....	3,107.92
Leaving a net expense to the State of	29,060.73

The per capita expense per annum for supporting the inmates of the school has averaged \$163.36. For the board, clothing and schooling of children where so high a standard is attempted and attained this price is not high, although I commend to you a careful study of the scope and purpose of the school.

Some of the children there give little hope of future usefulness, while many are greatly benefited and will become good citizens.

With ample means it would be wise to attempt a more thorough classification of the inmates but as it is I think the best interests of the State will be subserved if the school is kept as small as possible. The re-enactment of the law charging towns fifty cents per week for each child committed will readily effect this.

I cannot speak in too high terms of the excellent discipline that prevails and of the healthful influence of the officers and teachers, and the beneficial results attained at this institution.

HOUSE OF CORRECTION.

An examination of the report of the officers of the House of Correction, shows the number of prisoners

June 30th, 1890	55
Committed during the last two years	611

Total	661

Whole number discharged	578
Remaining June 30, 1892.....	83
The expenses of the institution have been	\$18,991.67
Receipts have been	5,855.93

Net expense to the State.....	\$13,136.74

It appears that the earnings of the institution for the past two years amounting to 46,788 days' work, have been applied to the purchase of the working plant and supplies necessary to keep the prisoners employed, to an amount of \$13,383.08, as shown by the inventory. In estimating the cost of maintaining the House of Correction, it is proper that this sum should be treated as an appropriation for permanent improvements.

The discipline of the institution is not of the highest order; one of the prisoners has been sent to the State Prison for an aggravated assault upon one of the officers, which adequate management of the institution should have avoided.

I call your attention to the remarks of the Superintendent concerning short term imprisonment for violation of the liquor law.

The trustees ask for an appropriation of \$6,000 to build a wall around the rear of the institution. At present there is a wooden stockade, as good now as in the past, which if painted would continue for some time to do service and not be unsightly.

STATE PRISON.

The management of the State Prison appears to be of a high order. The reports shows the institution to have been

Debited with.....	\$ 45,946.98
To have been credited with	34,848.52

Leaving a debit balance of	\$ 11,098.45
The amount paid under the act to aid discharged convicts was.....	2,416.00

Balance, expense to the state for operating the prison for the biennial term ending June 30, 1892	\$ 8,682.45

Our penal institutions represent certain legal and moral obligations to society. We cannot escape that obligation nor avoid the expense. Quite likely the avenues for profitable labor will diminish with time, but for the present the trustees are able to furnish employment for the prisoners that brings to the State a reasonable income. It is desirable to make them self-supporting were it possible, but we may not expect so favorable a turn in affairs.

There is little prospect, it would seem, of doing much better, and therefore we must turn our attention to a careful and economical management of the various institutions.

I have no sort of sympathy with the mercenary view which seeks to get long term prisoners to save expense. It is better that we have empty walls than that this spirit should seize hold of us; the good of the community requires that the wrongdoer be not allowed to go unwhipped of justice but when this is accomplished, we must return the prisoner to society.

INSANE ASYLUMS.

For the condition of the various insane asylums of the State I refer you to the report of the trustees and of the supervisors of the insane.

Brattleboro.

From the Supervisors' report we learn that the average number of patients at Brattleboro for the biennial term has been 428; that 185 have been removed to Waterbury and that there remained in this asylum on the 30th day of June, 1892, 348; of this number 199 are supported by the State.

By the removal of these patients to Waterbury there are now at Brattleboro vacant rooms for a large number of inmates. This removal gives this asylum an excellent opportunity for the erection of new and commodious buildings for the better care of certain classes of patients and I believe it is in contemplation to carry these improvements to completion at no distant day.

Waterbury.

The completion of a portion of the State Asylum at Waterbury and the removal to it of a large number of patients marks a new era in the treatment of the insane in this state. By the building of this asylum, devoted to the care of the insane poor of the State, new responsibilities attach, that will for some years call for considerable appropriations for building purposes, as the wants of the State demand, without any of the financial benefits that accrue to the old asylum by reason of its private character.

The new asylum is conveniently and pleasantly located, with ample grounds. The plan of the buildings appears, from such examination I have been able to make, to be well adapted for the purposes for which they were originally designed but there are some doubts as to the adequacy of the heating and ventilating facilities.

The Supervisors call attention to the overcrowding of the new asylum the buildings already erected were originally designed, I am informed, for about 150 patients; but at one time, however, the number reached 207.

The number present on the 30th of June was 193. The reasons given for this overcrowding do not commend themselves to my judgment; questions of this kind should not be decided on mercenary grounds, or from pressure from any source.

The kitchen, laundry and store-rooms are temporarily in the basement; although it would seem that quarters could have been arranged in temporary buildings in the rear at about the same expense, greatly conducing to health and comfort. An appropriation will be asked to complete the erection of the remaining buildings provided in the original plans.

A portion or all of the administration buildings may be necessary, but the silent testimony of the vacant wards in the old asylum does not point to any immediate or pressing need for dormitory facilities.

INSANE POOR.

Your attention is called to the laws relating to the insane poor. Under the legislation of 1886 the burden of supporting the insane poor has been shifted from the town to the State without adequate means for enforcing good faith, under the provisions of the law, so that there are confined in the various asylums the poor and feeble who are the proper wards of relatives, or towns, and ought not to be a charge upon the State; provision should be made that the relatives of the party and the selectmen of the town should be examined under oath and the State's Attorney or other suitable person obliged to make a careful investigation; and after the person is confined in the asylum inquiry from time to time should be made as to the ability and duty of others to participate in the support.

It is believed that there are those now confined in the asylums, who have had property fall to them or who are, of themselves able to pay, this being concealed or property withheld, or who have relatives who by law should contribute their share. There is no power at the present time adequate to reach these and other cases, believed to be improperly charged to the State. It might be well to enlarge the duties of the supervisors of the insane so that an order from them would compel the State's Attorney to prosecute a claim of this kind; but a more effectual way of reaching this is by compelling the towns to share in the expense of supporting their insane poor.

The amount paid by the State for the support of this class of patients appear to have been \$122,403.87 for the biennial term, to which is to be added the cost of maintaining those transferred to Waterbury.

ROADS.

The legislation of 1880 which removed from the towns the responsibility for having good roads, has in many cases caused neglect of ordinary obligations and fostered abuse. With the tendency of the times to shift financial burdens from the town to the State Treasury, towns are tempted to set forth their own neglect in some instances as a reason why the State should aid in the support of highways in their communities.

If the state is to assume supervision of the highways, then a State road commission should be formed to take the whole matter in charge; and even if the State is simply to co-operate with the different towns in cases of excessive hardship on the main lines of travel, then it should be made obligatory upon the State's Attorney of every county, to attend in person every hearing and protect the interests of the State.

Good roads are of the greatest importance. An objection against the present custom is, that it is without system or order, with a total lack of uniformity, so that the results to a considerable extent are seen and known by the people only when the biennial report of the State Treasurer is published and the demands upon the treasury, after the money has been spent, are made known for the first time. Large sums have been spent, as it appears by the State Treasurer's report, during the biennial term, upon the public highways.

Your attention is called to the omission of the law to provide for any suitable publication of the conditions, circumstances or localities where this money has been expended.

RAILROADS.

The act of 1886 creating a board of railroad commissioners was in direct response to the public demand. There has been considerable criticism by reason of what might be termed the inadequacy of the legislation. Each year the commissioners have reported the results of their doings and all have had an opportunity to study the same to know the effect of the working of the law.

The contemplation of the law is that the public may be able to reach and influence the action of the railroad corporations through the board, to the end that justice may be done without litigation.

By reference to the last report of the commissioners we are informed that:

“All complaints made have been acted upon by the board, and that there has been no refusal on the part of the railroads to comply with their recommendations.”

There has been considerable reduction in freight rates, whether equal to the requirement of the condition of our people or not I have no means of knowing, but all the people of the State who have any complaints to make against the railroads, or find it difficult to secure those privileges which they believe are reasonable, should freely communicate with the commissioners. The statement of the commissioners above quoted warrants this confidence.

Since the act went into operation nearly all of the railroads in the State have very largely reduced passenger fares for single tickets and made mileages good to bearer.

Some of the roads entering or operated from without the State have failed to comply with this demand of the public; I invite your attention, therefore, to the recommendations heretofore and now made by the board, tending to strengthen their hands, to the end that none may escape from or fail in the performance of their duties to the public.

By operation of the interstate commerce law the use of free passes has nearly ceased. I believe that the time has arrived when a law completing their abolishment would be cheerfully accepted.

Wise legislation to prevent abuse is better than sumptuary laws to remove the same.

MILITIA.

There is provision in the organic law for the maintenance of a well-regulated militia. The wisdom and necessity of this has been shown on many occasions. When Sumpter was fired upon, it was four weeks before Vermont put a regiment into the field; when the St. Albans raid occurred it was a still longer time, but since that

time the State has kept a small force available at all times. Constantly recurring events admonish us that this cannot be neglected with safety.

The National Guard of Vermont consists at the present time of a brigade formation with three battalions of four companies each, organized as a regiment, armed with 45 calibre Springfield rifles, and one battery of light artillery, armed with four 3.2-inch S. B. L. rifles. The gray uniform has been changed to the blue of the regular army, which looks more business-like and is very serviceable. This expense will not have to be incurred again for some years, lessening to that extent the annual expenditure.

The troops are well drilled and in every way a credit to the State. The various reports filed with the adjutant and inspector general and printed with his report, will furnish complete and detailed information concerning their present standing.

An attempt will be made the coming year to secure the attendance at Chicago of the troops of all the States, together with the regular army of the United States.

If you deem it best to grant the necessary permission, you can, by omitting the drills required in the State for the year, secure this without any increase of expense. The members of the national guard bear with you the burdens of government, giving from one to four weeks each of their time per annum, without remuneration. They do not ask for or look with favor upon increased expense. I say this as an impression gained from an intimate association with them of many years, but you can grant with propriety, to veterans of ten or twenty years of honorable service, upon their retirement, exemption from further jury duty.

There is a failure in the law to provide for the muster of the men who serve in the national guard. Suitable officers should be designated to administer the oath.

I do not look with favor upon any proposition to increase the number of infantry or artillery, but should patriotic citizens be found who would organize a company of Vermont cavalry and support the same without expense to the State, it would be well to encourage it.

The Roster of Vermont Volunteers in the War of the Rebellion, prepared under the direction of the adjutant and inspector general, is an excellent example of careful and painstaking work, reflecting credit upon the office; it will be of value to the State.

SOLDIERS' HOME.

The Soldiers' Home in Bennington has been further supplied with facilities by the construction of a suitable hospital, and the erection of a chapel, funds for the latter having been obtained by subscriptions from friends of the soldier in the State. The report of the board shows that:

There have been admitted during the two years ending June 30, 1892	54
Discharged	39
Died.....	15
Present number.....	49
Whole number admitted.....	162

They ask for an appropriation of \$18,000. The report is so complete in all matters relating to the Home and the care of its inmates, showing widespread and patriotic interest on the part of our people, that it is worthy of careful study.

GETTYSBURG.

The work of marking the positions occupied by Vermont troops on the battlefield of Gettysburg, in the War of the Rebellion has been carried forward by one of the regiments engaged, and a monument erected by the surviving members and friends of the 16th Regiment, Col. Wheelock G. Veazey, commanding, which marks the advanced position occupied by this regiment in the culminating events of the last day of the battle.

It seems fitting that special mention of this circumstance should be made at this time in order that the patriotic history of the State may be kept fresh in the minds of the people and perpetuated in public records.

SALARIES OF STATE BOARDS.

In regard to salaries of trustees of public institutions, I am reminded that members of the bar are compelled by law to defend criminals without pay in some cases; that the savings bank trustees in the main perform their duties without pay; the asylum at Brattleboro, and the Soldier's Home at Bennington are managed by men who freely give of their time and efforts to aid in this philanthropic work. May not Vermont rely upon such service upon other of her boards? Men thus serving will confer high honor upon the State and in return be the recipients of that distinction which so peculiarly and gracefully attaches to those associated with charitable work, a nobility which only can come from personal sacrifice and devotion.

FISHERIES.

From the report of the commissioners of fisheries, it will be seen that much attention has been given to the proper enforcement of the laws already upon the statute books for the protection of fish and game. The benefits to be derived from the restocking of our streams and ponds will become more apparent with the advent of time, and consequently there will be greater temptation to violate the laws. This must be met by vigorous action, and the wrong doer get certain punishment. Where game laws are clearly understood, public sentiment will sustain their execution. It is unfortunate, therefore, that any confusion should arise upon this point, and I invite the careful attention of the legislature to the report of the commissioners, to the end that all uncertainty may be removed.

The slaughter of young fish not over a finger's length in size, by strong, able men, is not a pleasing sight. For such, the terrors of the six-inch law were provided, and it should remain upon the statutes if the work of restocking the streams is to be made effectual.

HATCHERY.

The State Fish Hatchery authorized to be built has been located at Roxbury and a small plant erected, from which during the past season 500 young fry have been turned over to the commissioners of fisheries and planted in different streams in the State. It is thought that at least double the number can be obtained from the same source the coming season. It is desirable that the work so successfully begun may be continued. The present demand for good fishing is far beyond the natural growth and if we would secure the greatest advantages that are afforded by our numerous waters, splendid locations and suitable surroundings, it is a matter of ordinary business sagacity to continue the work so well begun. One method of popularizing game laws is to procure such an abundance of game that there may be a reasonable catch at all seasonable times.

With the completion of the hatcheries, provision should be made to turn the plant over to the commissioners of fisheries, that being, in my judgment, in the line of true economy.

BOARD OF HEALTH.

I call your attention to the report of the State Board of Health and to the importance of strengthening the laws concerning the public health.

By reason of the unrestricted immigration from foreign nations, this country has recently realized the danger that accompanies the same. In all probability the alarm from this state of things will not have passed for some time; our own borders are exposed to all the dangers incident thereto. With the removal of the present trouble, lax views may find lodgment and it is a matter of the highest importance that in so far as we may be exposed to external danger, there should be adequate power lodged with the Board of Health to meet all reasonable requirements.

The provisions of the law giving the executive power to prohibit intercourse from without, in case of a great emergency, ought to be extended so as to include a proper regulation of communication, as circumstances may demand.

In the face of a great epidemic or calamity, it is plain that nothing short of federal control of quarantine at all frontiers will be able to cope with the question, and for this State to attempt to set up independent control would be suicidal.

It should be the duty of the executive to co-operate with the national government to the end that adequate measures may be adopted.

In this connection, I do not think it is out of place to express the hope that the national government may be able at no distant day to control these matters in such a way that our people will be free from the dangers to which they are constantly exposed by reason of unregulated immigration.

REVISION OF LAWS.

The revision of the laws of this State has been called to my notice and I have given it some attention. No doubt a new revision would be convenient, as there are already six volumes of session laws to be examined to get at the statutory law. I am convinced, however, that good lawyers keep their statutes well annotated, and can with reasonable examination determine a question, and in view of the expense, a new revision at this time is hardly desirable.

UNIFORM LAWS.

The necessity for uniform laws throughout the different States concerning marriage, divorce, commercial paper, days of grace, the execution of conveyances of property by deed, by lease, and the descent of property to heirs, as well as other important matters, is receiving attention in many States.

The American Bar Association, seeing this necessity, has recommended that the States appoint commissioners to confer with each other and frame uniform laws on these various subjects and submit them to their respective States. Several have already appointed commissioners for the purpose indicated.

I recommend to you that suitable provision be made for the appointment of a commissioner for this State.

ELECTIONS.

In 1890, the legislature enacted a law to promote purity of elections and secure secrecy of the ballot, the better to enable every person who has a right to vote to express his will at the polls with precision and certainty. It was found necessary to make some amendments to this law at the special session in 1891.

The entire State has now had a trial of the same and you have all had an opportunity to witness and test its workings.

Any law to carry out these measures should be plain and simple in its provisions, without complication, difficulty of execution or uncertainty as to results.

That this law has operated to defeat the will of many voters, there can be no question. Many states that have tried laws similar in design have so far perfected them that the will of the voter is easily recorded, and accurately and quickly ascertained.

Every voter should have a certain and easy means of indicating his preference; he should have reasonable time and a suitable place in which to prepare his ballot, and ample opportunity to deposit the same.

The present law requires such an amount of clerical skill that a voter, in spite of the exercise of ordinary care, may be deprived of his franchise.

Any trifling with the ballot is a serious matter. The sanctity of the franchise must be respected. Your attention is called to the need of further legislation to perfect and carry out this reform.

MUNICIPAL SUFFRAGE.

For several years the women of this State have had the same right to vote as men have in school meetings, the same right as men have to hold offices relating to school affairs they may also be elected to the office of town clerk, and in some communities the people have availed themselves of this aid.

Should any considerable number now desire that the right be extended so as to include municipal affairs, you will give the matter such consideration as in your judgment the subject may warrant.

UNITED STATES SENATOR.

Upon the resignation of the Hon. George F. Edmunds as United States senator from this State, the Governor appointed Hon. Redfield Proctor to fill the vacancy occasioned thereby, until the meeting of the legislature. It will be your duty to elect a successor to the present incumbent.

The act of Congress regulating the election of senators, provides for such elections on the second Tuesday of the session.

BIENNIAL SESSION.

One of the results of the biennial system is the presence of large numbers of new legislators in the different branches, and the consequent increased attention and study demanded in connection with the various measures brought forward for consideration.

It is no uncommon thing for an agitation to be prematurely started to induce the legislature to complete its work and return home. Ample time should be given to the formation of the different committees, thorough examination should be made into the matters presented, and all the deliberation accorded to the business of the State that the circumstances require.

It is not the amount of legislation or the number and length of bills that become laws, so much as their quality, that marks their importance for good or evil. A state that is governed least is usually governed best, and a few good laws are better than many ill considered ones. I fear the State has sometimes suffered harm by reason of haste and want of consideration in what at the time appeared to be harmless acts, but later we found to contain the necessary material for the doing of much injury and sometimes the expenditure of considerable sums of money. It is to be hoped, therefore, that you will take all the time that, in your judgment, the best interests of the State require; to do a faithful day's work and to perform it as far as possible in the daytime, not forgetting that the executive is a separate department of the government and is entitled to reasonable time for the performance of official duties.

While the expense of keeping the legislature in session is considerable, we must not forget that the demand for modern improvements has continued to press with increasing importance for many years, and in the adjustment from the old to the new it is not always easy to discern whether a proposed change is an improvement or not; time is required to test these things. It becomes you, therefore, unmoved by clamor of any sort, but with an eye single to the public good, to deliberately investigate the results so far as they are known, and take such further action as may be required in the interests of good government.

Four hundred years ago Columbus braved an unknown ocean to discover a continent, setting in motion those events which have changed the face of the political world, and where once lived a few children of the forest and plain, we now find prosperous nations with teeming millions of enlightened people. Then God ruled nations by the will of the king; today he speaks his will by the voice of the people.

To commemorate this historic and important event Congress has provided for a suitable celebration in the city of Chicago. Provision has already been made by law for a representation of the interests of this State upon that occasion.

In the near future the schools of the land will gather for the purpose of joining in special commemorative exercises. Within the last few years the great importance of teaching lessons of patriotism has so impressed itself upon many and such an impetus been given that already the flag of our nation floats from many a school house throughout the land.

This should not only be encouraged, but lessons of patriotism taught in the schools, and the text books, now far too silent upon the issues of military and patriotic events of the country, should speak as plainly as possible concerning them that they may be accorded their rightful places in the hearts of the people.

The State of Vermont has entered upon the second century of her existence, the anniversary of which was celebrated by authority of an act of the legislature, in the presence of the governors of several of the States, of the President of the United States and his cabinet, and large numbers of the people.

With four hundred years of the continent's history and a century of statehood behind us, with all its accumulated treasures of a Christian civilization, so well calculated to stimulate and fire the soul, and give hope of a bright and prosperous future, let us take these lessons to heart, inspired by the noblest ambition and worthiest patriotism, determined to make the most of our blessings and to carry forward those interests for which we are accountable, realizing the full measure of our responsibility, seeking divine aid, in order that we may reach the best possible solution of the problem committed to us.

LEVI K. FULLER.

EXECUTIVE CHAMBER, }
Montpelier, Vt., Oct. 6, 1892. }

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

Volume V.

1809

SPEECH OF GOV. GALUSHA – 1809.

Gentlemen of the Council, and gentlemen of the House of Representatives, – Invited by the suffrages of a free and virtuous people, to accept the office of chief magistrate of the State, I cannot, I ought not to be insensible of the importance [of the duties] as well as the difficulties which devolved upon me, in the acceptance of so great a trust, and the high responsibility I am under to discharge those duties with faithfulness and impartiality, and in such manner as shall tend to promote the best interest and general happiness of the citizens of this state; having at all time in view our intimate connection with the general government of the Union.

Educated a plain farmer, and consequently destitute of those literary attainments which by many are esteemed so requisite to the due discharge of official duties, I enter upon a scene of new duties with peculiar diffidence. But relying upon honest intentions, on a habitual zeal for the public good, upon your wisdom in the great business of legislation, and above all, upon that Providence which has hitherto supported and protected me, I have concluded to accept the appointment.

Under these impressions, I shall, gentlemen, endeavor, so far as my abilities will admit, to discharge the duties of my office with integrity and faithfulness, and hope to meet the approbation of a virtuous and discerning people.

It has, gentlemen, fallen to our lot, to be entrusted with the concerns of this State at a period the most critical; at a time when two of the greatest Powers of Europe are agitated with all the dreadful passions incident to a state of war; who, regardless of the rights of neutrals and the laws of nations, have interdicted the commerce of the United States, by embarrassing it with exactions, hitherto unheard of; which, if submitted to by the general government, would be to surrender one of our great national rights, and virtually our national independence.

Notwithstanding the most promising measures have been pursued by the administration of the general government, to remove those embarrassments without resorting to arms, as yet they have proved unavailing; and what appears to me still more alarming, is that at a time when all the talents, the wisdom and energies for the States ought to be united and pledged to support the honor, the interest and the independence of the nation, we find that a spirit of discord and disunion, hostile to our happiness, safety and national union, has been cherished by numbers of the misguided citizens of the United States; which has had a great tendency to weaken the hands of government, and prevent the effects of those wise measures, adopted by the general government to maintain our national, and particularly our commercial rights; and what has probably prevented our obtaining redress for injuries already suffered, and emboldened the belligerent powers to continue their wanton aggressions, and to insult us with delusive terms of adjustment.

With these views, I cannot too strongly recommend to you to adopt such measures as will have the most direct tendency to conciliate the affections of the people, and to unite them in their great national interests: and I can with pleasure announce to you, that so far as my information extends, the spirit of opposition to the measures of the administration of the United States, is greatly ameliorated; and a concern for our own national honor, interest and independence, is becoming rapidly prevalent, while the apprehension of a separation of the Union, and the visionary scheme of relying upon a foreign power for the protection of our commerce, is daily vanishing; and I trust will be remembered but with gratitude to Heaven that we have escaped the snares of foreign emissaries and domestic traitors to distract and divide us; and I hope the period is not far distant, when the citizens of the union will lay aside all party feelings and become united like a band of brothers, in support of the best government on earth. But while I recommend to you in the strongest terms, cheerfully to submit to, and as a member of the union, to carry into effect such measures as have been or may be adopted by the United States, for the preservation or defense of our national rights; at the same time permit me to remind you, that you are the guardians of those rights & powers, that are not delegated by the constitution of the United States, but are reserved to their respective states or to the people; for on the careful attention to, and preservation of those rights & powers, depends the political safety of the individual States.

Gentlemen, I shall not now attempt a labored detail of the important business which will probably demand your attention, the present session; but shall merely notice a few subjects, and make further communications as occasion may require.

The state bank is a subject which will deserve your attention. The failure of private banks in the vicinity of this state; the rejecting our bills by the law of one state; and the policy or caprice of others, has embarrassed our mercantile intercourse with the adjoining states. The measures to be pursued to meet or remove the impediments to a friendly trading intercourse with our sister states, which certainly is to be greatly desired, I leave to your consideration. The subject is too important for me to hazard a sudden and undigested opinion upon. It will be remembered by many that I was not among those that favored the instituting of country banks; but it is apparent that the establishment of a public bank in this state, has saved many of our citizens from great losses and probably some from total ruin: for it is obvious that but for this establishment, in lieu of our own Vermont bank bills, our citizens would, on the late bankruptcies, have been possessed of large sums of the depreciated paper of the failing private banks. If the president and directors of the state bank have the year past encountered some difficulties, occasioned by the intrigues of unprincipled speculators, and the alarm occasioned by the failure of so many private banks, I think no apprehensions can be justly entertained that any holders of our bills will eventually suffer from an institution which is, and, I trust, will be supported by the honor, and guaranteed by the wealth of the state. For my own part, I consider the holders of our bills perfectly secure; and as every person in the state has interest in the avails of the bank, they will the more cheerfully acquiesce in any prudent measure you may devise, to give it support.

The state prison, I understand, is now nearly completed, and has for some time been in such readiness as to receive prisoners. All the convicts, that have been sentenced to hard labor, and have not escaped from the county goals, or their terms of confinement expired, have been sent to the state prison, under warrants from the judges of the supreme court, as soon as information was received that the prison was prepared to receive them; and together with those who have been convicted since, have commenced their labors.

It may be proper, at this session, to inquire into the expenditures of the money already appropriated to the erection of that building, and to find if any other appropriation is necessary to complete it, and what further legislative aid is necessary to give to this humane and beneficial institution, its desired effect.

As it is the great object of legislation to promote the highest happiness of the people, I presume you will never lose sight of the two most important interests of this state, the agricultural and manufacturing. Whether any thing can be done for the encouragement of the latter, during the continuation of the embarrassments on commerce, will be a subject worthy of your consideration.

As a well armed and disciplined militia is the great and natural safeguard of a republican government, you will do well to inquire what further regulations and provisions are necessary in that department, to render it serviceable in times of danger.

Sundry official papers have been delivered to me by my respected predecessor in office, which I have not had time to peruse, but which I shall make the subject of a future message.

Gentlemen, I shall cheerfully co-operate with you in every measure that you in your wisdom may adopt, for the well being and happiness of the citizens of this state, and for the true interests of our common country. Relying on that Almighty Being who never errs, and from whom we have received so many and so signal favors, for direction and support, I commend you to the duties assigned you, and may your virtuous and patriotic labors be crowned with abundant success.

JONAS GALUSHA.

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

Volume V.

1810

SPEECH OF GOV. GALUSHA – 1810¹.

Gentlemen of the Council, and Gentlemen of the House of Representatives, – It has been the pleasure of my fellow citizens once more, by their free suffrages, to proffer me the important trust of chief magistrate of this State. I cannot but feel the highest sense of gratitude for this repeated manifestation of their respect & confidence; but while I view the important duties attached to the office and the high responsibility upon me to discharge those official duties to the honor and best interests of the State, and having at the same time a just sense of my inadequate talents, and the few advantages I have possessed to qualify me for public employment, and especially to act in the capacity of chief magistrate of this Commonwealth, it is with the greatest diffidence I appear before you, and take upon me the solemn obligation duly to discharge the duties assigned me; but relying on the candor and forbearance of a virtuous people, on your wisdom to direct in all the important concerns of the state, and hoping for the guidance and blessing of that indulgent Providence, which has so often been displayed in the defense and prosperity of this rising state, I have accepted my appointment, and shall endeavor as far as my abilities will admit, to discharge the duties devolving on me, with impartiality and upright intentions.

We had, gentlemen, a right to expect that principles of Justice and national honor would, long before this time, have caused Great Britain and France to have revoked their unjust and oppressive decrees, restore freedom to commerce, and left the United States in the full enjoyment of all those rights and privileges, to which by the laws and customs of nations, we, as neutral, are entitled – that our impressed seamen might have been permitted to embrace the bosom of their native country, and the ships and property of our merchants detained in foreign ports, restored to the possession of the rightful owners. But unhappily for the world, the two great rival powers of Europe are still bent on the destruction of each other; and neither being able to encounter his opponent in his own element, with hopes of success, they have adopted a mode of warfare which essentially affects all neutral rights, and every commercial state has felt the bitter effects of their unrighteous policy.

All the nations of Europe, by intrigue, subsidies, and flatteries on one hand, and terrors and the sword on the other, have been drawn or driven, to coalesce with the one or the other of the contending parties, and enter the vortex of the unhappy war. And what has been their fate? Not only the destruction of property, the loss of territory, their former independence, and the sacrifice of innumerable lives, but in the event, they have added immense strength to those two terrific powers who menace all nations, and threaten destruction to the liberties of mankind. Great Britain in the course of the war has augmented her marine force by the addition of a great portion of all the ships of war in Europe, and claims the dominion of the seas. France has been no less active. By her policy, and the unrivalled prowess of her arms, she has combined almost all the whole strength of continental Europe under her banner. In this state of affairs, was it not for the superintending and disposing power of Divine Providence, perpetual wars must be the lot of Europe. With what gratitude, gentlemen, ought we to contemplate the situation of our blessed country! And with what exertions should we endeavor to support every measure of the general government, calculated to preserve it from the disasters that shake the powers of Europe, and drench their fields with blood.

France and Great Britain have, each in their turns, exerted the utmost stretch of their policy to induce the United States to depart from their neutral position, and involve them in their destructive wars. But such has been the wisdom of the measures adopted and pursued by our general government, although we have to regret, that, for the want or unanimity among ourselves, they, in some measure, have failed of their desired effect; yet they have hitherto preserved the inestimable blessings of peace, and prevented ensnaring alliances with either of the belligerents.

Situated as the United States are, at such a local distance from the powers at war, I see nothing dark or portentous in our affairs but division among ourselves. Union is the vital strength of every nation, but especially of all Republics.

¹ From the corrected printed copy.

Permit me, gentlemen, to recommend to you to pursue such salutary measures, and exercise that prudence, which, in your judgment, will have the greatest tendency to assimilate the feelings and unite the citizens of this state, promote friendship with our sister states, and a firm attachment to the government of the union. Was every American heart barred against foreign influence and suitably attached to the government and interest of his own country, we might put the powers of Europe at defiance. We have the means of wealth and improvement within our own territory; and were we to turn our attention to our internal resources, and foster our infant manufactures, the belligerent nations of Europe would soon seek our friendship, court our trade, and render just retribution for the injuries they have done us. But notwithstanding all the privations by foreign powers, and the unhappy divisions among ourselves, we have let these pleasing reflections: our civil and religious liberties bestowed on us by the God of nature, and guaranteed by the republican institutions of our country, remain unimpaired. The hand of industry is not slackened, and the poor have not wanted for that employment which has yielded them a comfortable support. The farmers and mechanics are, by their improved economy, now discharging those debts they contracted when commerce was in the most flourishing state, and we are daily becoming more truly independent. The manufactures, in various parts of the country, are increasing with a rapidity unparalleled; and the pride of Americans begins to be gratified with a dress of our own manufacturing. And I trust the time is not far distant, when the citizens of these United States, instead of relying on foreign countries for their clothing, will be able not only to supply their own wants, but to export every kind of cotton if not woolen goods, and restore to the union that portion of specie, which has been drawn from us by the exclusive use of foreign manufactured goods.

If any further legislative aid should be deemed necessary for the encouragement of domestic manufactures, I doubt not but that they will receive from you all that support which the circumstances of the state will admit.

We have recent intelligence that the Emperor of France has revoked his Berlin and Milan decrees; and although this is not officially announced, yet we have little reason to doubt but that is correct. If so, we may indulge the pleasing hope that the British orders, and all paper blockades, will likewise be revoked, and the commerce of the United States become free and unshackled – our flag unfurled in every sea, and our merchants importing wealth from every clime; and should this happy event ensue, may we not learn wisdom from past experience? No people can profit by commerce, when the balance of trade is against them. And have we not been too profuse in the use of foreign articles of merchandize, which has caused the specie, that was flowing to America, to depart our shores for England and the Indies, and left us with a paper medium, limited in its circulation, and extremely embarrassing to internal commerce? But this is not the extent of the evil. Were our farmers and mechanics to examine past settlements with their merchants, would they not, in too many instances, find, notwithstanding the high price of labor and produce, that their accounts were closed by notes on interest, which are gnawing like a worm at the root of their capital, or lying as a mortgage on their future labors.

The Militia, gentlemen, claim an honorable rank among the objects of your attention. They are the guardians of our rights, the repository of our liberties, and the bulwark of our independence. Mercenary troops may be led to destroy the fair temple of liberty, to trample on the rights of freemen, and trifle with the rights of their countrymen; but the militia, having a common interest with their fellow citizens, their property, their wives, their children, and their all, equally depending on the laws and the fate of their common country, can never be made to surrender the blessings of freedom and the rights of independence to any foreign or domestic usurper.

The improvement of the militia, in that part of the state where I am most conversant, in equipments and military discipline, has exceeded my highest expectations and I doubt not but similar exertions have been made in every part of the state.

The provision made at the last session of the General Assembly, for procuring Field-Pieces for the several companies of Artillery, although every proper exertion has been made, has failed of its desired object; for the reasons of which, I must refer you to the communications of the Commissary of Military stores.

The subject of the University of Vermont was before the General Assembly at their last session, and remains with the unfinished business of the House. It will undoubtedly receive, at the present session, all that attention which the utility and importance of the institution merit. Of such moment is education, that it claims not only

the patronage of all legislatures, but of every friend to the happiness of mankind. It is the suppressor of vice, and the handmaid of virtue. In a republic like ours, it is one of the grand pillars which support the structure of independence. Trace the annals of the world, and you will find, wherever ignorance has prevailed, the people have been soon crushed by the power of despotism, and have become the sport of tyrants.

Your attention, gentlemen, ought not to be wholly confined to the higher institutions of literature; neither should the means of knowledge be restricted to one class of the people, but liberally imparted to all. Every citizen ought to be so far instructed in the sciences as to be able to participate in the blessings of society, comprehend the nature of government, and the benediction of liberty. A people thus enlightened, and possessing a knowledge of their rights, will not be defrauded of them by any specious imposter, or surrender them but with their lives.

All the official communications made to me, during the recess of the Legislature, for your consideration, will be seasonably laid before you.

I shall, gentlemen, at all times cordially unite my endeavors with yours, to promote the best interests of the state, hoping, that under Divine Protection, we may enjoy a prosperous session.

JONAS GALUSHA.

Executive Speech
of
Jonas Galusha
As it appears in the
RECORDS
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Volume V.

1811

SPEECH OF GOV. GALUSHA – 1811¹.

Gentlemen of the Council, and Gentlemen of the House of Representatives, – Being elected by the independent freemen of this State, their chief magistrate for the ensuing year, with the highest sense of gratitude, I tender them my sincere thanks for so approbating my past conduct, as again to honor me with their confidence. I feel to acknowledge, as formerly on similar occasions, that the magnitude of the office and the importance of its duties are far above the sphere of my talents; and at a period so momentous as the present, I should shrink from this arduous undertaking, did I not, under the auspices of a benign Providence, confide in your wisdom, firmness and virtue, not only for support in those duties which devolve upon me, but to transact all the important duties of legislation. With these impressions, while inspired with the love of my country, and prompted by the voice of my constituents, which I ever hear with reverence, I resume the important station. When we realize the greatness of the trust reposed in us by so many thousands of our fellow citizens to direct, as their faithful representatives, the affairs of a State in which the happiness of each individual claims equal regard, and the rights of all demand the same protection and support, we shall feel it our indispensable duty to lay aside all party prejudices and suffer ourselves to be actuated by no other motives than those which coincide with individual justice and the greatest general good, and diligently pursue such measures as will be productive of public and private virtue, without which the inestimable blessings of a free government cannot long subsist.

We are, gentlemen, convened at a time by no means the least eventful, although we have heretofore suffered much by the unjust policy of the belligerent powers of Europe; yet no period since the commencement of our differences has appeared to me so portentous as the present. Great Britain seems not inclined to relinquish her offensive orders in council, surrender up our impressed seamen, or permit us to enjoy the common and legal rights of a neutral nation – but assumes the attitude of a threatening invader, although France has mitigated the rigour of her hostile measures, and so modified her Berlin and Milan decrees that they have ceased to operate against the United States. But as it is not our province to decide on the subject of peace or war, that being by the constitution of the United States confined to the general government, of which this state is a component part, and has an equal voice in her council, it is not my intention to advance any opinion on the subject, or suggest any idea which may tend to excite the passions of my fellow citizens against any foreign nations whatever; and it would much less become me, while negotiations for an adjustment are still progressing, which I pray God may terminate in an amicable settlement of all our difficulties, and that way may never be the unhappy fate of our beloved country. As the President has, for some cause, thought fit to convene Congress prior to the usual time of their convention, we may then expect to have a more extensive and perspicuous view of our national affairs. Let us, in the mean time, as far as possible, be prepared for any event which may occur. To be united is indispensably necessary to be prepared either for a state of war or for the full enjoyment of peace. The political divisions in the United States are productive of the most unhappy consequences: They not only tend to defeat every honorable attempt to terminate our differences with foreign powers by amicable treaty, but also to embolden the aggressors to persist in their unrighteous depredations on our property and add new insults to former injuries. A people well agreed in the principles of their social compact and firmly united in the support of their government, can surmount almost any obstacle which may oppose their prosperity and Independence. But when divided or torn asunder by faction, all domestic tranquility and enjoyment are at an end, and the greatest nation thus severed, may fall an easy prey to a foreign invader, or their liberties be destroyed by a domestic usurper.

Suffer me, gentlemen, on all occasions, to recommend to you in the most pressing manner, to keep in view the union of citizens and states, for on this point turns the happiness and independence of our country.

It was not my purpose, if my abilities and information would admit, to enter into a particular detailed and indication of the measures of the national administration, but only to excite you to a candid and dispassionate examination for yourselves. It will, I believe, be acknowledged by all, that the measures adopted by Congress restrictive of commerce, were intended to protect us against foreign aggressions, or cause them to be removed.

¹ Printed *Assembly Journal* of 1811, p. 19

Whether they were the best possible measures to effect those purposes or not, cannot for certainty be known, since they have been tried and others untried. But I can conceive of no measures that would have been more likely to succeed against the determined policy of the two great belligerent nations, while attended with that party opposition at home, which is manifest on all occasions. I wish not to prohibit a strict scrutiny of the conduct of the officers of government, or a careful attention to our liberties and national safety, but to prevent the dangerous evils arising from unreasonable and unfounded jealousies. Have not equal encouragements, with impartiality, been extended to both Great Britain and France, with an honest intention to procure a repeal or suitable modification of their unjust orders and decrees? And have not all political parties occasionally acknowledged and applauded the talents and virtue, the firmness and moderation of the President of the United States? Or has any one act of his life, either in his public or private capacity, manifested a design to change our government from its republican purity? What, then, should induce him, while possessed of the highest honors which his country can confer upon him, to sacrifice her dearest rights and Independence to the will of a foreign monarch? From what source then proceeds the continual charge of partiality and French influence? Have we not reason to suspect that it originates in a vehement party spirit, or a different foreign influence, operating upon some disappointed or ambitious individuals?

The confidence, gentlemen, which I have already expressed in your wisdom and integrity, supercedes the necessity of a particular detail of the business of the session. You being selected from the various parts of the state, are possessed of a knowledge of the wants and wishes of your constituents. There are some objects, however, which ought not to escape your notice. The militia, on which depends our safety in peace and our defense in war, is ever worthy of consideration. But, under the present unsettled state of our national affairs, more than ordinary attention may be requisite. The militia, if well equipped and disciplined, impelled, as they are, by motives of interest, and inspired by the love of liberty, are, I trust, sufficient to protect our rights, and repel any invasion of our territory. I consider it highly expedient, that a suitable supply of arms should be provided, either by this or the United States, for the use of our militia in cases of urgency. But whether the present state of our finances will admit of an appropriation for that purpose or not, I shall submit to your sound discretion.

The manufacturing interest received considerable encouragement at our last session; but I trust that an object so beneficial in the system of economy, and so favorable to our real independence, will be ever kept in view, and fostered by every prudent Legislature.

One of the great benefits of a system of jurisprudence is the permanency of those laws under which we enjoy our personal security and the protection of our private property. The frequent changes in our general statutes, render them perplexing to magistrates and jurors, tend to increase litigation, or promote what is by some styled "the glorious uncertainty of the law," and frequently subjects the honest citizen to expense and loss before the laws are fully promulgated, or their operation rightly understood. I should therefor recommend alterations in those cases only where experience has discovered a material defect.

I have received a resolution of the Senate and House of Representatives of the United States, proposing an amendment of the constitution of the United States, which, with other communications from the executives of individual states, I shall cause seasonably to be laid before you.

That economy which has ever characterized the Legislature of Vermont, I trust will stimulate you to make all that dispatch in public business of the session of which a free and candid investigation will admit. I shall, gentlemen, readily concur with you in the adoption of such measures as may conduce to the best good of our constituents, and I ardently implore the Supreme Being, who hath all hearts in his hands, so to direct our deliberations that they may terminate in the true interest of the State and nation.

JONAS GALUSHA.

Executive Speech
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Volume V.

1812

October 12, 1812.

SPEECH OF GOV. GALUSHA – 1812¹.

Gentlemen of the Council, and Gentlemen of the House of Representatives, – The continued confidence of my fellow citizens has once more called me to acknowledge, with gratitude, their repeated favors and my renewed obligation. The contest in which we are involved causes me to feel the deepest sensibility of the necessity of your support and benefit of your united wisdom, and also an entire reliance upon that Supreme Being, who hath hitherto been our support and defence, and who bestows wisdom on all who sincerely ask it.

It is the highest interest of every government, but especially of republics, on just and honorable grounds, to cherish peace and a good understanding with all nations; and I sincerely believe it to have been the unremitting endeavor of our National Government, by every mean in their powers, to maintain the blessings of peace — remove the encroachments on our lawful commerce and the infringements on our national rights and independence, without resorting to the last and most dreadful remedy of repelling aggression by force. But Great Britain, from her superior naval force, has claimed the dominion of the seas, and put at defiance the rights of nations and individuals. Such has been her conduct towards the United States that we had no alternative but to submit to her arbitrary edicts and abandon our real independence, or with manly fortitude contend for our sacred rights at the expence and hazard of a war with that formidable nation, which in the exercise of power is regardless of right. When all honorable negotiation was exhausted without effect, and restrictive measures, for want of union and support among ourselves, had failed to produce the desired object, every hope of accommodation having perished, and the cup of our sufferings full, congress, relying on the justice of their cause, the firm support of the patriotic sons of liberty and the aid of the god of armies, resorted to the last remedy of injured nations — an appeal to arms. The particular causes thereof are fully exhibited in the President's Message to both houses of Congress, of the 1st of June, 1812, and the report of the committee of foreign relations thereon.

Although some doubt the propriety of the measures adopted, yet war being declared by the constituted authorities of our country, it ought no longer to remain a question of policy, but it has become the duty of the state governments, and of every individual, with promptitude to espouse the sacred cause of our injured country, second the measures of our general government, provide for the defence and safety of our citizens, and with zeal pursue such measures as will tend to procure an acknowledgment of our national rights, a release of our impressed seamen, remove the encroachments on the great highway of nations, put a final period to the calamities of war, and establish a permanent and honorable peace. At so important and interesting a crisis as the present, it is expedient that we lay aside all party prejudices and unite in one common cause to maintain our independence, and transmit to posterity those invaluable rights which were sealed to us by the blood of our heroes, and by our example invite every citizen and friend of liberty to divest himself of all selfish and local policy, and with patriotic zeal embrace the cause of our common country, a country abounding with every necessary of life and in the full tide of civil and religious liberty. Is it possible to conceive that any citizens, living under such a mild and equal government, can be so destitute of a principle of patriotism, and so lost to their own true interest, as through a fond passion for a foreign power, the violence of party zeal or the sordid passion of avarice, to betray the just cause of their suffering country, prolong the horrors of war, invoke the vengeance of heaven, and be guilty of the blood of thousands, by devoting their talents and yielding their support to a nation whose pledged faith has been so often violated, and whose tender mercies by experience have been proved to consist in cruelty? Rather let a sense of common danger and a love of country cement our hearts, conciliate our affections and disappoint the sanguine hope of the enemy to profit by our divisions.

It is, Gentlemen, expected that the general government will direct all the important operations of the war, and provide means of defence in the several parts of the Union. But situated as this state is, contiguous to the populous settlements of the enemy and exposed to the whole military force in Lower Canada, I should be deficient in my duty if I did not recommend to you in the most pressing manner, by every mean in your power to put this state in the best possible posture of defence; to have the militia properly equipped, ready to take the field, and provide for their speedy and effectual movement to any place of danger whenever occasion requires.

¹ Printed *Assembly Journal* of 1812, p. 14

The militia law will need a thorough revision, and many additions to render it efficient for the exigencies of war. A committee was appointed at our last session for that purpose, and I trust a report will be seasonably made, that there may be a full investigation of the system. The promptitude with which the detached militia, in most of the towns, have marched to the defense of the frontier, has exceeded by highest expectations. Such a patriotic and military ardor pervades the state, that many thousands of the inhabitants, who were by law exempt from military duty, have enrolled themselves, elected their officers, and tendered their services to support the laws and government of their country, suppress insurrections and repel invasions.

As soon as war became certain, I represented the exposed situation of our northern frontiers and the general destitution of arms for the use of the militia, to the Secretary of War, and received information from him that one thousand stand of arms would be delivered to my order at Springfield, Massachusetts, conformably to a law of the United States of the 23^d day of April 1808, for arming the whole body of militia, which arms are to be distributed to the militia, under such rules and regulations as shall be by law prescribed by the legislature of each state and territory. I have since received similar orders for fifteen hundred stands in addition on the same condition. It is requisite therefore that a law should be passed for the purpose of distributing them.

The whole of said arms have been, by the Commissary of Military Store, transported to Bennington, and, from the necessity of the case, I have directed a portion of them to be deposited with the general officers in the northern part of the state, to be used by the militia in case of emergency; and, from like necessity, some have been delivered to the officers of the detached militia, for the use of those soldiers now in service who were destitute; a particular statement of which will be submitted to you, or such committee as may be appointed on the subject of a distribution. I sincerely regret that I am under the necessity to inform you that the arms already obtained fall far short of the real deficiency, and I do earnestly recommend that some measure be adopted that arms may be provided and brought into the state, to be sold to such of the militia as are able to equip themselves, and to furnish such as are not, when called into the service; and that a sufficient quantity of ammunition, tents and camp equipage be provided and constantly kept in readiness for use. After war was declared, the pressing calls from almost every town near the northern limits of this state, to be protected or furnished with the means of defense, were such as rendered it expedient for me to convene the Executive Council, to deliberate and advise on the best measures to be pursued under existing circumstances, which measures I entertain no doubt but you will approve, and make appropriation for the expence; as also for the transporting the arms, and some other incidental expences, which could not be foreseen and provided for at the last session.

It will, Gentlemen, be necessary that a law be passed directing the mode for electing Representatives to represent this State in the Congress of the United States. I am officially informed that this state will be entitled to six representatives in Congress from and after the third day of March next.

The time for which the Hon. Stephen R. Bradley was elected a Senator from this State in the Senate of the United States will end with the third day of March next. It therefore becomes the duty of the Legislature to elect a Senator to supply said vacancy for six years next following the said third day of March. It will also be necessary for you to direct the manner in which the electors of President and Vice President of the United States shall be appointed for the ensuing presidential election, and fix the place for the meeting of the electors.

The last Wednesday of March next being the day appointed by the Constitution for the choice of a Council of Censors, it will be expedient that a law to regulate the choice of said Council be passed in an early part of the session, that it may be seasonably promulgated for the information of the people.

The state of our finances is among the first objects that claim your attention. The most favorable means ought to be resorted to replenish the Treasury with a medium that will answer all the public purposes of the state, and secure its credit on a basis that cannot easily be shaken.

Although the pressure of business at the present session will scarcely allow you time to deliberate on all the various subjects of legislation, yet the improvement in manufacturing is an object of so great utility and so immediately connected with our true interest and complete independence, that it cannot fail to meet the approbation and fostering care of every wise and prudent legislator.

May the importance of the business now before us, and the solemn consideration that the fate not only of the present generation, but of unborn millions, depends on the events of the present time, excite us to an assiduous and zealous attention to our respective duties, and inspire us with confidence and union among ourselves, and a firm reliance on the Omnipotent Being who sways the scepter of the Universe, and directs the destinies of nations, to crown our joint labors with abundant success.

JONAS GALUSHA.

Executive Speech
of
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As it appears in the
RECORDS
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Volume VI.

1815

October, 1815.

SPEECH OF GOV. GALUSHA— 1815¹.

Gentlemen of the Council, and Gentlemen of the House of Representatives, – We are assembled at a highly interesting period; a period succeeding the most surprising events that ever burst upon the view of an astonished world. The storm of war, which had overspread the whole civilized world, and threatened almost universal ruin, has, by the overruling hand of Omnipotence, been suddenly hushed to silence. The great commotions, by which Europe was shaken to its centre, have, for a moment, subsided. The important contest in which we were deeply engaged with one of the most potent nations of the earth, has been happily terminated; and instead of the horrors of war, we are surrounded with all the rich blessings of peace. While we behold, most conspicuous, the hand of that Being, who “enlargeth the nations, and straiteneth them;” and while our hearts glow with gratitude for the signal displays of His beneficence, in protecting and conducting us safely and triumphantly through our late struggle for the support of our dearest rights and national independence, let us look to Him for wisdom to direct us in our deliberations, and aid to such a discharge of our legislative duties, as shall conduce to the highest interest of our constituents, and the best good of the Union.

A time of peace is a time for cool and deliberate reflection, when all the angry passions, which are too prevalent in war, ought to be quelled, and when the sufferings and dangers to which we have been exposed, together with the causes of those dangers and sufferings, should be carefully sought, and critically examined, for the purpose of avoiding future evils, and ensuring future safety. Notwithstanding the European powers now seem tranquil, yet the unexpected and extraordinary changes, recent in that devoted country, justify our fears that new wars may soon arise from some unseen cause, and put our rights and liberties again in jeopardy. During the calm, then, we ought, by an indissoluble union, to be prepared for any storm that may arise.

I do not design to enter upon an investigation of the causes, progress and termination of the late war with Great Britain. Permit me, however, to observe, that no neutral nation was ever more cautious of giving offence to belligerent powers, than were the United States; and no nation that had the least confidence in its strength to oppose, ever suffered so long, such flagrant abuse of its rights, without resorting to arms. But when the love of peace could no longer restrain its votaries from assuming an attitude to defend their sacred rights, and the nation’s honor, the constituted authorities of our country declared a war which has progressed and terminated in such a manner, as has wholly disappointed the proud expectations of our enemy, and, in the view of the world, shed a lustre on our national character, which I hope no future disgrace may tarnish.

The nations of Europe, after suffering an almost incalculable destruction of property, after drenching the earth with blood, and clothing their field with carnage, have sunk down under governments no less despotic, with immense additional burdens. Aided by protestant powers, the Pope is again restored, and Spain again groans under the terrors of the Inquisition. France is degraded to a state of wretchedness, unparalleled, except in Poland; for, notwithstanding the pledge of kings, that, when Napoleon was secured, France should remain unmolested in the enjoyment of her liberties and independence, yet, when that object was accomplished, royal faith was violated, and the strongholds of the kingdom put in possession of foreign mercenary troops who stripped the inhabitants of their wealth, and spread devastation and terror through that opulent, polished, and late powerful nation; while their stupid monarch sits quiet on his throne, without the least exertion to preserve his own honor, or any seeming concern for the interests and the happiness of the people over whom he nominally reigns.

If from beholding the unhappy state of Europe, we turn our eyes to ill-fated Asia, there we behold despotism and misery reigning triumphant. Even in that vast and populous territory, which has been subjected to the British government, so far are oppression and superstition from being exterminated by England’s boasted love of liberty and religion, that the chains of cruelty, ignorance and idolatry are riveted by the hand of that nation which is almost worshipped for its professed Christianity. Idols and idol priest are supported by the British government of the Indies, and a revenue drawn by that government from the collection of a tax levied on those

¹ From printed *Assembly Journal* of 1815, p. 12.

deluded pilgrims, who go to worship, and frequently to sacrifice themselves in blind devotion to their lifeless gods.

I do not mention these things thinking that they have any immediate connection with the business of this legislature; but, that we, by reviewing the wreck of nations, and the horrors of despotism, may the higher prize, and more carefully guard the rights, and firmly support the principles of a free, equal, and happy government. Of all the nations of the earth, the United States, alone, are left to support a government whose basis is equal liberty, and whose sovereignty is the will of the people. While, then, we behold a world in chains, and consider that we belong to the same mass of being of which other nations are composed, ought we not to be jealous of our rights, and suspicious of usurpers?

From what has already appeared, is it uncharitable to say, that the same restless ambition, which has subverted former republics, and which ever grasps at power regardless of right, now rankles in the very bosom of our country. Then, as faithful guardians of the people's rights, ought we not carefully to watch over our own hearts, check every inordinate desire, and be vigilant and active, lest the subjects of that aspiring ambition should overturn the fair temple of liberty, and ride into unlimited power, over the crumbling monuments of freedom erected at the expense of the blood of our heroes? Our rights and independence cannot be too well guarded; for though few will openly declaim against a republican form of government, as being the most happy, while the people continue tranquil among themselves, and undisturbed by foreign wars – yet, many have presumed to affirm, that is too weak and too tardy in its operations, to protect its citizens against domestic insurgents, or foreign invaders. But we have seen, by experience, the fallacy of such assertions; for in the late contest, the strength of our government has been amply proved, even at a time when party spirit prevailed to as high a degree as an enlightened populace would admit.

Although, in the first stages of the war, owing to a long interval of peace, which it was the interest and happiness of our government to cherish, until safety forbid, we were destitute of such experienced officers and disciplined troops, as seemed requisite to meet the well tutored hosts of one of the most formidable nations in the world, whose perpetual wars keep her in constant readiness for any new military enterprise; and notwithstanding we suffered some disasters through the failure of a few, who did no honor to their commissions, yet, in a short period, was our army as officered and disciplined, that whenever the enemy came in contact with an equal, and often an inferior number of our troops, he was compelled to yield the palm of victory, and either surrender, or retire from the scene of action, confused, disgraced, and abashed. Witness our illustrious victories near the shores of Erie. Even our militia have trampled on the fading laurels of British prowess. What was the state of Proctor in the West? Let Harrison reply. Where is that formidable army that invaded from the North? Let Prevost inform. Where are the boasting legions, flushed with European victories, that assailed the South? Let England answer with a sigh; let Jackson point to their relics; while the faithful page of history records their doom!

Our naval victories have been no less conspicuous. On the ocean and on the lakes, our flag has waved triumphant over Britain's wounded pride, and expiring naval glory. In the Mediterranean, the brave Decatur, and his gallant fellows, with but a part of their little squadron, have, in the space of a few days, humbled the Dey of Algiers, and compelled him to accept a peace dictated by the victors. This several of the great naval powers of Europe have frequently attempted in vain.

Who, then, but with a blush can speak of the weakness of our government to withstand foreign invasion.

And has it not proved equally adequate to the suppression of insurrection? Has not every former faction been crushed in its first overt acts of opposition? And where is that most formidable of all factions, which threatened the dismemberment of the Union, or the total subversion of our constitution and government? Although it was long disseminating its poison, and originating its plans, it perished at last in embryo. Happy for its supporters that it ended in resolutions and declamations; for had their threatened hostilities actually commenced, they would have been trampled in the dust by the very people that they were endeavoring to allure to ruin.²

² Referring to the Hartford Convention.

I do not make these remarks with a design to revive and strengthen those party prejudices, which unhappily exist among us, but to increase our confidence in that government which we have adopted, and to excite our energies to counteract every attempt to overthrow it, for I well know that a republican government rests, principally, on the union of the people. A union formed and maintained, for the support of rational liberty, both civil and religious, is an object so dear to me, that I have not failed to recommend it on all suitable occasions; and hope ever to recommend it by corresponding example.

I rejoice that we have been so far united, that the constitution of this, as well as that of the United States, has survived the violence of the storm, and defied the threatening surges of the times. When the citizens of this State saw an attempt at such an alteration in their constitution, as would remove the election and accountability of many of their officers, at a greater, and truly dangerous distance from them – without distinction of party, they rallied round the standard of their liberty, and in the exercise of their sovereignty, secured the happy form and principles of a government, whose peculiar blessings they had long enjoyed.³

I am far from believing that any human government is so refined as to admit of no improvement; yet, amendments should be made in a time of general tranquility; when the passions and prejudices of the people are at rest; when they can enter upon the most cool and deliberate investigation; and then should they proceed with the utmost caution; for, when a right is once surrendered, it is seldom regained but by wading through scenes of blood, and even then, too frequently, the most desperate efforts are in vain. The struggles of France, in her first revolution, to emancipate herself from the galling chains of despotism, are an awful lesson to the world; and should teach us the danger and folly of neglecting our rights, even while in the most quiet possession, lest, by our supineness, we lose those inestimable blessings, which we have been able to obtain through the difficulties and dangers of war – for the aspiring and ambitious are ever ready to grasp the rights and privileges of the people, the moment they are within their reach.

Not having of late been engaged in the business of legislation, and fearing that I have already trespassed upon your patience, I shall not attempt, at this time, to point out such alterations and amendments in our laws as the change of times and other causes may require.

The education of our youth is an object of such importance, that it cannot fail of exciting your attention, and receiving your fostering care.

In the full and prosperous tide of commerce, I trust you will not neglect our infant manufactures, which, if rightly improved, cannot fail to increase our wealth and real independence.

I shall at all times rely on your cordial support, in the faithful discharge of the arduous duties that devolve upon me. And having endeavored to impress your minds with a due sense of the responsibility, that rests on the representatives of a free people, I entertain the highest confidence in your wisdom and integrity, to perform every legislative duty, and especially to supply the various offices within your jurisdiction, by the appointment of such persons as are lovers of justice and suitably qualified to fill their several stations so as shall conduce to the safety and happiness of individuals, as well as the honor and interests of the State.

All such communications as I may receive, for your consideration, either from the general government, from sister States, or any other source, will be seasonably laid before you.

I shall, gentlemen, cheerfully concur with you, in every measure calculated to promote the welfare of our constituents; and it is my ardent desire, that a spirit of harmony may prevail among us – and that the blessing of that Supreme Being, who presides over the affairs of states and nations, may attend us in all our deliberations.

JONAS GALUSHA

³ The allusion here is specially to an amendment proposed by fifth Council of Censors of 1813 -14, (composed of Federalists,) that the Judges of the Supreme Court should hold their office during good behavior, though removable by a concurrent vote of two thirds of each house of the legislature. This, and all the proposed amendments, the Convention of 1814 rejected by a vast majority. – See *Thompson's Vermont*, Part II, p. 125.

Executive Speech
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Volume VI.

1816

October, 11, 1816.

SPEECH OF GOV. GALUSHA— 1816¹.

Gentlemen of the Council, and Gentlemen of the House of Representatives, – We have, through the interposition of an indulgent Providence, the pleasure to meet under the most agreeable circumstances, at this annual session of the General Assembly, to transact the ordinary business of legislation, and deliberate on the most prudent means to secure and advance the prosperity and happiness of our constituents. Our country is at peace with all nations, as also with our savage neighbors; and no appearances of hostility, or internal disturbances, threaten our repose. Let us, therefore, with hearts of gratitude for past and present favors, still look to Him who holds the destinies of all men in his hands, for future blessings, and for wisdom to guide us in all our transactions.

A time of peace is a fit time to correct our errors, to cement our union, to make the necessary reform in our laws, and to recur to, and cherish the fundamental principles of our government. The fall of all former republics, or their existing in name only, ought to be a sufficient caution to us to be watchful of our rights, and guard against every innovation dangerous to liberty.

It is a correct maxim, that virtue is the basis of a republican government; and where vice predominates, tyranny, in some shape, ensues. Virtue, therefore, ought to be the pole star to guide us in all our deliberations; and the whole system of law should be adapted to promote that vital principle. I entertain the highest confidence in you, gentlemen, that in all the appointments of officers, of which you are the electors, you will have regard to men of integrity and virtue as well as of information and talents. Did we possess the best possible system of human laws, yet, should they be disregarded, and remain unenforced by the civil magistrate, it would avail us nothing; vice would soon tyrannize over moral virtue, and destroy the best of human governments.

Education is among the first objects of a free people; for a people who lose the knowledge of their rights will not long enjoy the fruits of liberty. A republican government is a government of the people; and the virtue and intelligence of the people are its security and its strength. It is, therefore, highly necessary that the great body of the people should be well informed, and that each individual should attain to such a degree of literature, as to be able, with proper attention, to secure his property, understand and guard his rights, and, if called to fill a public station, or practice in any professional business, with due attention to his particular calling, to discharge his duty with advantage to himself, and satisfaction to the public, in order that genius and talents be not smothered in ignorance, and their brightness and utility obscured by poverty. Notwithstanding a Franklin, and other, through indefatigable industry, and the peculiar favor of Providence, have risen from obscurity to eminence, yet, who can say how many men of vigorous talents, and natural capacities, have struggled in vain, and, leaving no testimony of usefulness, their names have passed into oblivion.

The great improvement in the education of youth in this state within a few years past, is truly gratifying. In our common schools, we experience the benefit of instructors from the colleges and academies, by which means numbers of good English scholars are daily emerging from our town schools.

If any further aid to science should be deemed necessary, I doubt not that it will receive all the encouragement that the present circumstances of the state will admit.

Encomiums on the government of our country, at this time are unnecessary, since its benefits are so generally experienced and acknowledged by every prudent and virtuous citizen, and its strength and liberality, so recently tested. The constant emigration to this country from under the governments of Europe, is an evidence that we possess privileges and blessings, superior to the other nations of the earth. It, therefore, becomes us to pursue such measures as will tend to strengthen our union increase harmony and friendship, and perpetuate the blessings of our free, liberal, and happy government.

The cheerfulness with which the citizens of this State have paid their taxes, laid by the general government, in consequence of the expenses of the late war, which has so gloriously terminated in the exaltation of our

¹ From printed *Assembly Journal* of 1816, p. 15.

national character, is a source of peculiar satisfaction. The diminution of taxes at the last session of Congress, and the present prospect of the continuance of peace, give us strong reason to hope that the direct tax will wholly cease after the present year; an object very desirable, considering the extreme scarcity of a circulating medium in this part of the union – but this we must submit to the sound discretion of the national government, while we manage with suitable economy the pecuniary affairs of our own State.

The depressed situation of our infant manufactories, since the return of peace, is a matter of serious concern. Any encouragement that can, consistently be given them, I trust, will not be withheld.

In compliance with a resolution of the General Assembly, passed at their last session, I lost no time in preparing, and sending, by Major Seth Cushman, who was appointed an agent for that purpose, an address to His Excellency Sir Gordon Drummond, then governor of the Province of Lower Canada, requesting the pardon and release of Samuel Hugh, a citizen of this State, who was then suffering punishment in one of the prisons in said Province, under a sentence of the hon. court of King's Bench, for the crime of man-slaughter; and I have the pleasure to inform you that his excellency, in a prompt and honorable manner, granted a pardon to the said Samuel Hugh, and caused him to be immediately released from his confinement, and restored to his family and friends.²

It becomes necessary for the legislature to make provision for, and direct in what manner, electors shall be chosen, on the part of this state to vote for a President and Vice President of the United States, to serve for the term of four years from and after the third day of March next.

By a law of the United States, approved April 20th, 1816, entitled “an act concerning field officers of the militia,” it is provided, that from and after the first day of May then next, instead of one lieutenant colonel commandant to each regiment, and one major to each battalion, there shall be one colonel, one lieutenant colonel, and one major to each regiment of militia, consisting of two battalions; and when there shall be but one battalion it shall be commanded by a major. It, therefore, becomes necessary to pass a law of this state correspondent to the law of the United State, and that the field officers of the militia be commissioned accordingly. Any further improvement that you may deem expedient in the militia system, will meet with my warmest support; as I have ever considered a well disciplined and well furnished militia an object of the first importance in a free government.

I avail myself of this opportunity to inform you, that I have received a deed, executed by the Treasure of this State, in compliance with an act of the legislature, to Capt. Thomas McDonough, of the navy of the United States, of a tract of land lying at Cumberland Head, in Plattsburgh, State of New York. I have addressed Capt. McDonough on the subject, but have not yet received his answer.

Several communications have been made to me by the executives of our sister States, relative to proposals of amendment to the constitution of the United States.

I have also received a letter from the Hon. DE WITT CLINTON, president of a board of commissioners, appointed by the legislature of the State of New York for the purpose of examining the ground between Lake Champlain and Hudson river, and reporting on the practicability of uniting those important waters by a canal navigation: — an object which, if practicable, would be very interesting to a great portion of the inhabitants of this State.

These communications I shall seasonably submit to your consideration by a special message.

The uncommon failure of some of the most important articles of produce, on which the sustenance of man and beast depends, is so alarming, that I take the liberty to recommend to you, and through you, to the people of

² Huger was a citizen of Canaan, who, in 1815, on a charge of murdering David Morrill, a citizen of Canada, had been found guilty of man-slaughter, and sentenced to be branded in the hand and to suffer imprisonment for six months. It is apparent that he must have suffered the sentence to a large degree. A committee of the General Assembly of 1815 reported that Hugh had been “wrongfully and unjustly convicted,” and consequently lost most of his personal property, where upon an act was passed granting Mrs. Hugh \$10000, and a resolution adopted asking for a pardon to Hugh. – See printed Assembly Journal of 1815, pp. 110, 142: and Laws of 1815, p. 24.

this State, the most rigid economy in the early expenditure of those articles of provision most deficient, that by peculiar precaution we may avoid, as far as possible, the foreboded evil of this unparalleled season.³

On your wisdom and integrity, gentlemen, I shall firmly rely, for the judicious management of those weighty concerns, in which the interest of our constituents is deeply involved. Collected from the several towns throughout this State, you bring with you all the information necessary to legislate for the free and enlightened people you represent. Suffer me to solicit your kind support, while I cheerfully engage, on my part to co-operate with you in all your endeavors to promote the best good of this state, and the general happiness of mankind. And may our join efforts be attended with success.

JONAS GALUSHA

³ For a brief account of this remarkable season, see *Thompson's Vermont*, Part I, p. 20.

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Volume VI.

1817

October, 10, 1817.

SPEECH OF GOV. GALUSHA— 1817¹.

Gentlemen of the Council, and Gentlemen of the House of Representatives, – Permit me, on this occasion, with gratitude, to express the satisfaction I feel that the freemen of this State have so far approved my past conduct, as again to honor me with their confidence.

It is a source of peculiar gratification that we are convened under circumstances the most propitious. That universal gloom with fearful apprehensions of extreme want spread over the mind at the close of the last season, and the commencement of the present, has by the extraordinary frugality of the people, succeeded by the blessing of heaven, been happily dispelled, and the dreadful distress but lightly felt. We have abundant cause of gratitude to the Author of all our benefits for the luxuriant harvest of the present year, the unusual degree of health which has prevailed throughout this State, the general harmony existing among us, and above all, for the right and recent spiritual harvest which, in many places, has been truly great.²

The deficiency of a circulating medium, owing to an increased emigration of our inhabitants to the west, who have converted their property into cash for transportation, and the unfruitfulness of past seasons, in addition to the common causes which uniformly produce a scarcity of money at the close of a war, has caused some serious embarrassments; but the industry and economy it has excited has nearly counterbalanced the evils experienced. By the pursuance of this prudent course, if attended with the ordinary smiles of Providence, we shall soon possess a suitable portion of circulating medium, without resorting to the ruinous system of paper credit. The act of last session making it penal to pass any bill or note of a less sum than one dollar, in lieu of money, has had its desired effect in preventing further impositions, without introducing any material evil.

No important political changes among foreign powers, affecting the interest of this, or the United States, have come to my knowledge since our last session. The nations of Europe remain settled on their lees. Happy would it have been had their contests terminated for favorably to the rights and liberties of the people. But notwithstanding some symptoms which excite fond, yet feeble expectations of amelioration of the condition of that long devoted country, multitudes of her inhabitants, awakened to a sense of their sufferings, and aspiring for liberty, are resorting to the United States, the only present asylum for oppressed and afflicted humanity. These emigrants, with many of our own citizens, are rapidly settling and cultivating the western wilds, where they will soon form a strong barrier against savage barbarities, and foreign encroachments.

The inhabitants of the southern part of this continent are still struggling for freedom and independence, the issue of which must decide the happiness or misery of millions of the present and succeeding generations. It will essentially affect not only our commercial states, but the world at large. Should emancipation be the event, we may rationally hope, ere long, to see arts and science, agriculture, commerce and manufactures flourishing throughout that vast, populous and fertile region, and every rank of its habitants in the full fruition of all the blessings of civil and religious liberty, unshackled by superstition, uncircumscribed by the edicts of kings. While we anticipate the prosperity of others, let us critically attend to all the probably means of heightening our own.³

Improvement in manufacturing is a subject so closely connected with the interest of this State, that it cannot fail of engaging your attention. It should be the policy of a State so remote from the great marts of the world, and not adjacent to the sea-board, to adopt every prudent measure to supply her wants by her own manufacture; by which means she prevents the emigration of many of her valuable citizens to other parts of the country to find employment, makes a neat saving of the expense of transporting that portion of provision consumed by the manufacturers, and turns the balance of exports and imports in her own favor. Little need be said to recommend an object of such apparent importance.

¹ From printed *Assembly Journal* of 1817, p. 14.

² This is the first, and probably the only instance in which a governor of Vermont has alluded to revivals of religion in the annual message.

³ This refers to the revolution in a part of the South American provinces under Simon Bolivar y Ponte, who in 1821 became President of the Republic of Columbia, and later of Bolivia and Peru.

I would suggest for your consideration, the propriety of an early and thorough examination of the affairs of the State prison, to ascertain whether any improvement can be made in the employment of the convicts, or better economy introduced relative to the expense of their subsistence.

If the state of our finances will admit, I am of the opinion, that to purchase a stock of materials, prepare the proper machinery, and employ a part of the prisoners in manufacturing woolen cloth, would be a more profitable than to employ so large a portion of the laborers in weaving cotton, especially while the depressed state of factories renders that business so disadvantageous. From the present value of woolen cloth, compared with the price of the raw materials, it is evident that a handsome saving might be made to the State by the manufacture of that article. I would also recommend the purchasing of a small tract of pasture land in the vicinity of the prison, for the purpose of keeping cows, which would be a means of furnishing the prisoners with a cheap and wholesome diet during the warm seasons of the year.

It will be found necessary, even if the present system of labor be continued, to erect additional workshops, unless some other mode of punishment, for crimes of small magnitude, should be deemed preferable to confinement in the state prison.

An elegant map of the state of New Hampshire has been, by that government, presented to the state of Vermont, which, with the laws of several of the sister states, I have caused to be transported to this place to be deposited as the general assembly shall direct.

Sundry communications, from different departments of the general government, and from individual states, have been made to me during the last year. All those designed for your consideration will be seasonably submitted.

Permit me, gentlemen, before I close, to express the entire confidence I feel, not only in your intelligence and ability, but also in the purity of your intentions, to manage concerns of your constituents in such a manner as shall tend to ensure their equal rights and promote their highest happiness. The importance of our trust will be realized when we compare our distinguished privileges with those of the people of any other country.

We find ourselves, after the most arduous and threatening conflicts, by the interposition of divine goodness, at peace with all nations, tranquil and happy among ourselves, and in the full participation of every right, whether moral, civil or religious.

It is the imperious duty of the legislature, as the faithful guardians of those sacred rights, under every circumstance, to watch over them with peculiar care, cherish every principle, and employ every means that tends to support and perpetuate them; among which may be ranked general information, industry, frugality, science, morality and pure religion. While these prevail, we may safely rely on the continuance of all the blessings of our free and equitable government.

Under these considerations, our attention will naturally be drawn to the promotion of education, in all its various branches, as the most powerful barrier against those errors of sentiment and practice, which corrupt, misguide, and enslave a people.

My best endeavors will be used to carry into effect such measures as you in your wisdom shall adopt. And may sagacity, prudence, unanimity and firmness characterize the proceedings of our present session.

JONAS GALUSHA

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Volume VI.

1818

October, 9, 1818.

SPEECH OF GOV. GALUSHA— 1818¹.

Gentlemen of the Council, and Gentlemen of the General Assembly, – Having been called by the suffrages of a free people, and permitted by divine providence to assemble agreeable to the provisions of the constitution, to attend to the civil concerns of the state, it behooves us at all times, but more especially when acting under so important a trust, to look up to Him who has the hearts of all men in his hand, and is the disposer of events, for direction and support in attending to all the duties that devolve on us as guardians of the rights and privileges of the people.

It is with peculiar pleasure I congratulate you on the present prosperity of the State and nation. Peace, health, and plenty are among the peculiar blessings with which we are favored; while an apparent increase of morality, benevolence and piety, presage still happier times.

The recent dangers we have passed will be a sufficient monitor to keep alive in your hearts a sense of the necessity of union, and that watchful care and perseverance which are indispensable to the preservation of the rights and privileges of a free people. It would be folly in us to imagine that the only dangers, to which a free people are exposed, exist in times of the most ardent struggles, when assailed by powerful foreign foes. This we have experienced and surmounted; but political experience demonstrates that the more fatal foe lurks in the heart of man; that secret ambition to aggrandize himself and promote his own private ends, chills his generous ardour for the concerns of his country; and his desire for the prosperity of his fellow citizens is too apt to lie dormant or smothered in his bosom; but I am unwilling to believe that the vital spark of patriotism and republican virtue is extinguished in the hearts of Americans. I appeal to you, Gentlemen, who are well versed in ancient and modern history, whether the fall of republics have not oftener happened in consequence of a slow decline of republican virtues and simplicity, and from internal divisions, than from any combination of kings and monarchs to overthrow them. In times of the greatest apparent security, the seeds of dissolution are often sown, and imperceptibly grow, until the roots become too strong to be eradicated.

The remarks, Gentlemen are not made with a view to any political party, or particular individuals, or to discourage any laudable enterprise, but to check that aspiring ambition to which the human heart is exposed, and to prevent, in times of apparent safety, our lapsing into a state of inattention to our political concerns, through a natural propensity to ease, which sometimes proves dangerous. A people negligent of their rights will not long retain their liberties.

It behooves you, Gentlemen, not only to watch over the exigencies arising within this State, but carefully to guard against any encroachments on the sovereignties of the individual States, or infringements on the privileges reserved to them, or to the people.

A prudent legislature will critically examine every new subject that may be presented for their consideration, compare it with the first principles of our government, and trace it to its most probably effect in its fullest operation, in order to decide on its merits.

In acting on all private bills and petitions, a due regard to justice ought never to be dispensed with; and favors ought only to be granted when they do not interfere with the public good, or that interest and happiness of other individuals. In passing laws which are to have a partial operation, it will be well to keep in view that excellent maxim contained in our bill of rights, that “government is or ought to be instated for the common benefit, protection and security of the people, nation, or community, and not for the particular emolument or advantage of any single man, family, or set of men, who are a part only of that community.”

It would be trespassing on your time, if not on your patience, to attempt to call your attention to the several matters that will naturally fall under your consideration. The attention of former legislatures has been frequently occupied on the subject of education. A subject so interesting to the rising generation, and so necessary to the happiness, safety, and honor of the State, cannot easily escape the notice of this or any future

¹ Printed *Assembly Journal* of 1818, corrected.

Legislature. The subject of manufacturing, and the regulation of the militia, are matters usually submitted to standing committees, therefore particular remarks on those subjects will be unnecessary.

Many useful improvements have been made in the State, while no considerable attempts have been made to improve our state of agriculture. Although we ought to rely as much as possible on home manufactures for a supply of manufactured articles, yet it must be acknowledged that the main source of our wealth and subsistence of every class of citizens, must depend on the cultivating of the soil. When our farms were new and unimpaired by tillage, it was profitable to extend our labours and cast our seed over a large portion of our soil, but as our lands become less productive by the frequency of crops, it is necessary that new modes of husbandry should be resorted to, in order to keep them in a fertile state, and that the different qualities of the soil be improved to the best advantage for tillage or grazing – which in all probability will require more labor and expense in cultivating an equal quantity of land, and of course prevent the too frequent emigration of the laboring class of our citizens. I do not expect that the state of our finances is such as to admit of expenditures on the subject; yet it is possible that something may be done that would prove useful, by authorizing patriotic and enterprising individuals to form into societies, with corporate privileges, for the beneficial purposes of advancing agricultural interests, encouraging manufactures, and improving our breed of domestic animals, within the several counties where it is deemed necessary. I am apprised that an agricultural society was incorporated in the year 1806, but this society being extended over the whole State, the members being so remote from each other, and the field for examinations so extensive that it proved ineffectual, and now exists only in name. I am, however, of opinion, that societies formed within proper limits may, by experiments, proper researches, and correspondence with each other, prove highly beneficial; for, notwithstanding the spirit of industry and laudable enterprise that appears among our citizens, yet much remains to be done for the benefit of individuals, and the State, by a wise direction of their labors and expenditures, to the most profitable objects, and in the most useful and economical manner; but a treatise on the subject would, on the present occasion, be improper; a hint only is my design.

In selecting the officers to be appointed by the General Assembly, your own prudence will lead you to seek for men of integrity, and uprightness of conduct, as well as of competent capacity, to discharge the various duties attached to the several offices for which they are to be elected. It will be necessary at this session to elect a Senator from this State to the Senate of the United States, to serve for the term of six years from and after the third day of March next; and also to fill the vacancy in that body occasioned by the resignation of the Hon. James Fisk.

Sundry communications have been made to me since the last session of the General Assembly, for your consideration; all which shall be seasonably submitted.

Your own interest, and that of your constituents, will engage your speedy and faithful attention to the business of the session, and bring the same to a close as early as the nature and extent of the matters you may have under your consideration will admit. My best endeavors to second every measure you may adopt, to promote the public weal, will not be wanting; and it is my anxious desire, that a spirit of harmony and candor may prevail with us, and that the result of our doings may terminate in the best interests of the state, and meet the approbation of our constituents.

JONAS GALUSHA

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Volume VI.

1819

October, 15, 1819.

SPEECH OF GOV. GALUSHA— 1819¹.

Gentlemen of the Council, and Gentlemen of the General Assembly, – It is with pleasure that I meet you on the present occasion, at a time of so general prosperity, when not only our own state and country, but the nations of Europe, share liberally of the blessings of Providence. The last season has been peculiarly propitious, and the earth has yielded her increase in great abundance. It is also a subject of the most pleasing consideration, that our dear bought rights and privileges remain secure, and our laboring citizens yet reap the rewards of their own industry; and that peace and a good understanding continues between us and the nations with whom we have any considerable intercourse. Although some apprehension exists, that the arrangements with Spain, so happily concluded with their minister, will not be ratified on the part of the Spanish government, yet we entertain a hope, that further reflection will enable them to judge more correctly of their own interest, and put an end to the long existing disputes between the two governments, and settle a boundary line, which will prevent all danger of future disturbances.

While we enjoy a rich variety of distinguished favors we ought to reflect on them with gratitude, and render the most unfeigned praise to Him who so liberally bestows on us his richest blessings. Permit me, Gentlemen, to enquire, that while we enjoy all the means of wealth and happiness, so general a complaint of the scarcity of circulating medium, and the consequent distress of individuals, in discharging their private debts, and managing their own concerns, prevails? For a people possessing a rich and extensive territory, abounding with the fruits and productions of almost every clime; with an unshackled commerce throughout the habitable world; possessing genius and enterprise exceeded by no other people on earth, to be in distress for want of a sufficient portion of [circulating] medium, is a subject that calls loudly for investigation and reform. Amongst the various causes, the want of economy, in my opinion, is the most prominent. The unlimited credit given in this country, in almost every branch of business, to say nothing of the banks, proves the ruin of too many valuable citizens, of every class and profession in society. The frequent bankruptcies, suspensions, and commitments to county jails, sufficiently prove the fact. I am sensible that this great and growing evil cannot be wholly remedied by acts of legislation; yet I am persuaded, that every wise and virtuous legislature will study and promote economy, whenever it is consistent with justice, and that benevolence which is due to our fellow creatures.

Suffer me, Gentlemen, to submit for your consideration, the propriety of passing a law freeing the body of debtors from arrest and imprisonment on debts of a small amount, which may be contracted after a given time, in future. I am of opinion, that more property is spent in collecting small debts by law, especially when the body is taken in execution, than the amount of debts saved by such collection. I also believe that it would discourage credit where it ought not to be given, and produce punctuality in those who obtain it; yet the only safe remedy against embarrassment or poverty, is a retrenchment of family expenses, and lessening the consumption of articles of foreign growth and manufacture. Much may be done by encouraging home manufactures by legislative provisions; but the most powerful of all means is that of example. Let but one influential citizen from each town in this state, return from this legislature to his constituents, with a rigid determination to abandon the unnecessary use of foreign articles, and while he enjoys all the real comforts and actual conveniences of life, reject everything that is superfluous; his fellow citizens would soon emulate his example and exhibit an improved state of society. General information is indispensably necessary to the preservation of a free republican government; but this cannot be retained if the great body of the people, through want of economy, indulge their propensities in the use of superfluities, and become poor and unable to educate their children. The patronage of the wealthy will never be extended indiscriminately to the children of the whole community. Even that source will diminish where extravagance prevails.

If I am not mistaken, in those states where the banks are the most numerous, and the means of credit the most easy, the recent cry of scarcity of medium, and its consequent distresses, have been the most heard and felt. This, Gentlemen, deserves some attention, if petitions to increase the number of banks in this state should

¹ From the printed *Assembly Journal* of 1819, corrected.

be preferred. Although I wish equal privileges to be extended to every part of the state, yet I am confident that a multiplicity of incorporated banks in a state will prove injurious to the community if ruinous to each other.

Incompliance with the constitution of this state, a Council of Censors must be chosen, on the last Wednesday of March next; it therefore becomes necessary for the General Assembly, at their present session to pass a law regulating the choice of said Council, and appointing a place for their first meeting.

It will be requisite to elect a number of trustees of the University of Vermont, to fill the vacancies of those whose times [terms] of office will expire on the last day of November next. I would likewise further suggest for your consideration, the propriety of granting some further pecuniary aid to the University, in order to enable its officers to render it eminently useful, and truly honorable to the state; at least until the land granted or sequestered, for that purpose can be leased and produce that revenue to the University, which was expected, and which, I hope, will soon be realized.

The act for ascertaining certain claims of this state against the United States, and for obtaining the same, has been duly attended to, but has not yet been decided on. It was late in the last session of Congress before all the necessary papers could be forwarded, agreeable to [the] information received from our representatives, relative to the evidence that would be wanted to substantiate the claims. The papers now lie with the third auditor in the treasury department, for adjustment. I expect a settlement soon after our representative arrive at Washington, at the next session, if it is not before.

I am informed by L^t Bangs of the U.S. Ordnance department, at Vergennes, that he has been directed by the senior officer of that department to deliver to the executive of this state, six hundred and seventeen stands of arms; being a part of this state's proportion, under the law of the United States approved April 23^d, 1808, making provision for arming the whole body of the militia of the United States. The arms are to be distributed to the militia, under such rules and regulations as shall be, by law, prescribed by the legislature of each state and territory. The General Assembly will, therefore, make such order relative to the disposition of said arms, as they judge most expedient. L^t Bangs will deliver the arms at any place in this state, where they can be transported by water; but is not authorized to remove them to any place by land carriage.

All communications that have been made to me, during the recess of the legislature, will be the subject of a special message, and seasonably communicated.

I cannot, Gentlemen, close this address, without expressing to you, and through you to the freemen of this state, the grateful sense I entertain of the honour bestowed on me in electing me to the office of chief magistrate of this state. The repeated assurance of their confidence has added new obligations to improve my feeble ability in promoting their best interests. Notwithstanding I have labored under many disadvantages, yet I have the approbation of my conscience, that I have endeavored to be faithful, and that I have never suffered by private interest to interfere with my public duties. And, if errors have been committed, I entreat my fellow citizens to cast over my failings the mantle of charity, and consider them errors in judgment and not in design. I have always thought it wrong in a republican government, to make too frequent changes of men in office, lest it check that laudable ambition to acquire that knowledge which is necessary to discharge the duties of the office with honour to themselves, and for the best good of the state. But I consider it an equal, if not a greater error, to continue any persons in the most important office in the state, for such a length of time as to encourage them to conceive that they ought to hold their offices by prescription, and lose that sense of that responsibility to their constituents that every officer in a free government ought at all times to feel; nor until old age imperceptibly steals upon them, and renders them less adequate to perform the duties of their office, than they themselves imagine. From these considerations, and from the great desire I have to spend the residue of my life in domestic retirement, I recommend to the freemen of the state to unite on some other person to perform the duties of chief magistrate, after the expiration of the term for which I have been recently elected. Yet be assured, that my zeal for the public good will never cease but with my reason or my life. I hope thro' the aid of an indulgent Providence and your kind support, to be able to discharge the duties of my office to acceptance during the present year, and, at the close of the same, to have the pleasure of bidding you a friendly farewell.

JONAS GALUSHA

Inaugural address
of

Charles W. Gates

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1915

Thursday, January 7, 1915
Inaugural Message

Mr. President, Gentlemen of the General Assembly:

Our Constitution provides for a government of three departments—legislative, executive, and judicial—with functions separate and distinct, and yet, the departments are so related that they are dependent upon each other. Especially is this true of the legislative and executive departments which we today represent in this Joint Assembly, convened according to our Constitution and time-honored custom.

In exercising the privilege of addressing you today, I shall be very brief, and shall only in a general way refer to the work that is before us. Let me at the outset emphasize the importance of our keeping constantly in mind the fact that we have been elected by the people whose servants we are, and by whom our acts will be judged. While our election by the people for this purpose is an honor rightly to be appreciated, yet, nothing short of a full realization of our responsibility to them, and the conscientious discharge of our duty will bring us an honorable acquittal at their hands. To this end our best thought and application is essential.

Never before have the voters of the state taken more active notice of the acts of its public servants than at the present time. Increased publicity of all matters relating to legislative and executive action creates familiarity with state problems, and this in turn results in decided opinions—opinions varying widely on almost every question of importance, which often makes the discovery of the proper solution a very difficult task—difficult because oft times opinions most vigorously expressed may lead us astray. It is sometimes our highest duty to oppose what might seem overwhelming public opinion. We are here to deliberate, to weigh the facts, to legislate wisely. We must also take into account the rapid change that has occurred in business, social, and political ideas. So rapid has been this change that some basic principles are in danger of being swept aside to satisfy the popular will. One of the most evident manifestations of this change is the tendency to place upon the central government many varied powers and responsibilities that heretofore rested with the people themselves. Just how far we, as a state, should go towards parental government, will be the question often to be considered in our deliberations, and our determinations will require our wisest judgment.

By such a government, some things can be done better, more thoroughly, and more economically than by the people, or towns direct. We find by experience that the state should take charge in a very large measure of our public safety, of our courts, and police powers, and of our public health, and to a certain degree, of our schools, and state highways.

On the other hand, I believe we will all agree that it would be most unfortunate to have our people entirely relieved of the active responsibilities of citizenship with the exception of the election of the necessary officials. Such a condition, it seems to me, would destroy the greatest safeguard we have to our body politic—individual activity, responsibility and independence. Vermont has not gone far astray in this matter, and has wisely chosen a course between the two extremes. To emphasize this point by way of illustration, let me refer to our highway department—the department with which I am most familiar. For several years there has been an irresistible demand that the state assume more complete control of the construction and maintenance of our principal highways. This we have gradually done during the last eight years making an advance at each session, not by taking over our state roads entirely and bonding the state for their construction as other states have done, but by retaining the town as the unit, recognizing the towns as partners and aiding liberally such as will help themselves, thus encouraging individual effort and stimulating town pride, until every town in the state but two have taken advantage of the law at some time since its passage. This plan is producing live, competent road men in every part of the state, and has developed a growing healthy sentiment, which no doubt has resulted in a greater improvement for the money expended than would have been possible under complete state control.

The tendency towards a larger degree of state control in this and in other departments brings forcibly to our attention the matter of state expense. This has steadily grown in volume during the past ten years, and has been given wide publicity. By some this increase is deemed too large from every standpoint; by others it is deemed none too large, if value is received.

A careful perusal of the reports of the different state departments will reveal the fact that almost every department is growing, and many of them will need larger appropriations, if we permit their growth and meet the demands.

Vermont is not backward in its views. Our people will not balk at expense that is necessary. They do not want to go without those things that build for a better citizenship, or for the state's best prosperity. We need not hesitate to build well for Vermont—as well as our finances will permit. But this fact confronts us in our deliberations—this year is about the turning point in our state financial situation, where increased expenditures from whatever cause will have to be met by a direct state tax. Rigid economy is absolutely essential to a favorable balance sheet. Every unnecessary expense should be cut out, and items of new expense to the state should be carefully scrutinized, even though their purpose is entirely laudable and desirable. I am reminded here of the phrase in our State Constitution, which reads “And previous to any law being made to raise a tax, the purpose for which it is to be raised ought to appear evident to the legislature to be of more service to the community than the money would be if not collected.”

This might well be our guide in making appropriations. I am quite confident that the good judgment of this body can be depended upon to handle this matter satisfactorily.

The expense of our meeting here is heavy under the most favorable circumstances, this fact should not, however, deter us from the fullest deliberation over all important measures. Inadequate or ill considered legislation might be productive of more harm to the state than increased expense.

Let us each endeavor to eliminate all unnecessary legislation, and undue delay of proper legislation. Let us claim credit for the number of bills we *do not* introduce, rather than the number we *do* introduce. In short, let this session, the first to be held under the change in our Constitution, be conspicuous for the quality of its work completed in the shortest time consistent with thoroughness, and we will best serve the state, and our efforts are certain to be appreciated.

I deem it unwise at this time to go into detail on the various subjects that will engross our attention, such as direct primary, workmens' compensation, the judiciary, education, agriculture, and such changes in our statutes as are necessary to conform to our changed Constitution. Educational matters on account of their importance will demand our special attention, and, in this connection, let me refer to the most liberal proposal which we have received from the Hon. Theodore N. Vail, of Lyndonville, who offers the Lyndon Agricultural School and Speedwell Farms; fully equipped, as a free gift to the state for educational purposes. Your favorable consideration of this offer is most earnestly recommended.

I will be glad to communicate with you later as occasion may require, and in connection with all these matters I promise you my best efforts, and I shall need your kind consideration and assistance. I request you individually to give me at any time such views as you may wish to express on legislation of importance.

I extend to you my hearty good wishes for the successful outcome of this session.

At the conclusion of the message the Governor withdrew and the Joint Assembly dissolved.

GUY W. BAILEY,
Secretary of State, Clerk.

Inaugural address

of

Ernest W. Gibson

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1947

Thursday, January 9, 1947
Inaugural Message

To the General Assembly and the People of Vermont:

I have taken the oath of office as the Governor of the State of Vermont with deep humility, yet with a conviction that there are great things to be done for all of the people of our State, and with a determination that you and I, the Legislature and the Chief Executive, will cast the mold of a greater Vermont.

A Condensed World

We live in a most extraordinary age. Events so various and so important that they might crowd and distinguish centuries are compressed in our times, within the compass of a single life. When has it happened that history has had so much to record in the same term of years as since August, 1914. Since that date we have gone through two great World Wars. We have seen gangster tyrants such as Mussolini and Hitler come to ignoble death. We have seen a world separated by time and oceans, a world of many nations and many races become one world. We have been thrust into an era of tremendous speed. By the fastest planes one could leave Montpelier today and be half way around the world in twenty-four hours, and we read of planes that will fly faster than sound itself. We live in an age where in a flash of a second we can turn on our radios and listen to any part of the world. Our television sets can see for hundreds of miles.

Era of Scientific Advancement

It is an era when airplanes are so crowded that faster planes bump into the slower ones; an era when man has learned to see through the dark or fog or clouds; an era that has seen the inventions of radio-guided, rocket-propelled missiles that can be hurled into the stratosphere and travel hundreds of miles; an era when civilization has invented a destructive force so great that man can now destroy himself. Experts tell us that eight atom bombs of the type dropped on Nagoya could obliterate the metropolis of New York and, carefully placed, one hundred could ruin the great industrial might of our nation. Yet our country and Russia and undoubtedly others are trying to harness the cosmic ray, which, physicists tell us, if harnessed, will unleash upon this world a force a thousand times greater than the atom bomb.

Age of Conflicting Ideologies

Yes, we are living in an extraordinary age—an age in which there is now rampant upon this world two ideologies diametrically opposed, one to the other; the ideology as proclaimed by the Soviet Union of Socialist Republics that the State is the supreme power; that the individual must have his life completely directed and guided by the State; that there is nothing that counts in this world but material things; that there is no life hereafter; that there is no Supreme Being whom we term God. Then there is our own philosophy of the supremacy of the individual, of his right to be free and happy under law, and of confidence in the belief that we were created in our Maker's image. In these critical times, therefore, it is all-important that we who put our faith in the God-given dignity of the individual do our utmost to exemplify our faith.

EDUCATION

Aristotle once said, "All who have meditated on the art of governing mankind have been convinced that the fate of empires depends on the education of youth." I am a devout follower of this philosophy, one who believes that the very existence of civilization as we know it depends upon our youth securing the very best education that it is in our power to give.

Teacher Training and Retention

There are many indications that we can do better with education in our State. Our normal schools have been running at less than one-half their capacity. Few of our more talented youngsters desire to enter the teaching profession, and yet without good teachers the education of our children will be most seriously handicapped. We are losing each year many of the better of our experienced teachers, losing them to states nearby, states that pay their teachers a living wage. The number of teachers teaching on temporary certificates is increasing rapidly

each year until we have better than a quarter of our teachers teaching by virtue of this expediency, ranging from students fresh out of high school to the lady volunteering to share the load at the age of ninety. Our minimum salary for teachers in Vermont is as low as any state in New England, and is one of the lowest of our northeastern states. Many of our teachers are not earning as much as waitresses and many are forced to work at long evening hours in other jobs in order to make a living wage and thus be in a position to continue this honorable and self-sacrificial profession. The attitude of the public in regard to teachers has seemed unwholesome toward a profession that should be as respected; yes, more respected than that of practically any other profession.

Feeling that the first step that must be taken to improve our educational system was to make sure that we meet our obligations in the field of teacher training, I appointed a committee shortly after the election last November, to examine into our teacher training facilities and I asked that committee to report to me in one month. This committee consisted of John Hooper of Brattleboro, Mrs. Sylvia Wright of Rupert, and H. Dean Pearl of Burlington. Dr. Payson Smith, an outstanding educator of the Department of Education of the University of Maine, at my request, agreed to serve as a consultant. This committee worked diligently and for long hours. Their report was submitted to me on December 21; parts of it have been printed in the various newspapers of this State, and I recommend it to you for your careful consideration.

Expanded State Board of Education

Our State Board of Education now consists of five members, one of whom is appointed each biennium for a term of ten years. I feel our present State Board of Education has worked hard, but without the support of the public so necessary to accomplish the many things that are needed to be done. It's my opinion that in this day and age a term of ten years is too long, because times are moving so rapidly. The trend in other states is to have shorter terms for their board members, and larger boards. I recommend that this Legislature increase the number of members on the Board of Education, and give careful consideration to changing the lengths of terms of its members.

Establishment of Teachers Colleges

I also recommend that the state-owned normal schools at Castleton and Johnson be changed in names from normal schools to teachers colleges, and that money be provided so that these institutions may be immediately brought into good physical condition. I further recommend that this Legislature make a careful study of the needs of these two institutions for educational purposes in their respective areas to turn them into efficient top-notch teachers colleges. Vermont needs as soon as possible to have all its certified teachers have four years of teacher training.

Teachers Minimum Salary

I further recommend that the minimum salary for all teachers in this State be raised at least to \$1500 per year; that a minimum of \$1600 be established for two-year trained teachers; \$1700 for three-year trained teachers; and \$1800 for four-year trained teachers. I recommend that a bonus of \$100 a year be paid by the State to all certified teachers who teach in standard or superior rural schools. I recommend that the State assume at least two-thirds of the increase of teachers' pay due to the raising of the minimum.

Temporary Teacher Training

Lyndon Institute, which has been helping this State train teachers by making certain of its facilities available, might well explore the possibility of expanding the offerings of that institution to meet the large demand of young men and women for education beyond the twelfth grade.

The University of Vermont might well explore the field of secondary education, elementary specialists and supervisors, and graduate education for principals and superintendents.

In the meantime, and while our teacher shortage continues, we are fortunate to have the cooperation of these two private institutions in training elementary teachers.

Teacher Retirement Plan

Another means of attacking this very serious problem of shortage of trained teachers is a proper retirement program. Such a retirement program is being prepared, and I am informed will be submitted to this Legislature by the Vermont State Teachers Retirement Association. A sound teacher retirement plan will prevent either the dismissal of aged teachers without resources, or the sacrifice of the best interest of the schools in order to continue the employment of teachers who are no longer capable. To be wholly effective in achieving these purposes, the teacher retirement plan should provide for automatic or compulsory membership on the part of all teachers in the State. It has become to be an accepted principle of Social Security that those to be benefited do not, in their youth, recognize the need for protection in the time of their old age or disability. The great majority of State Teacher Retirement plans provide for such compulsory membership, and I recommend most careful consideration of this program when it's presented.

Adequate Pupil Transportation

We have another very important situation in this State in regard to education. There are something like 6,000 youngsters in Vermont each year who never go beyond the eighth grade. That is—about one-third of the youth of Vermont never go beyond the eighth grade. Two substantial contributing reasons for this astonishing fact seem to be that there is no adequate transportation available to transport these youngsters to a town having a high school, and the tuition required by towns with a high school is higher than the State requires a town to pay if it sends its youngsters to a high school in another town. I sincerely hope this Legislature will examine into this most unwholesome situation and take corrective action so that every youngster in this State of Vermont who desires an education beyond that of the eighth grade may not be denied it.

Equalization of Educational Opportunity and Costs

Summarizing my attitude towards public education in Vermont, grounded as it is in the realization that we have a long way to go in a very short time, it is my belief that our greatest problem is equalizing educational opportunity and distributing the costs as equally as possible among the towns and school districts of the State. For that reason, I believe that we should start now eliminating all discount on our equated pupil formula so that the benefits of this formula may fall on all towns large and small alike. I further believe that the formula itself which is founded in part on the grand list of the various towns should be examined for the correction of inequities caused by this uneven factor.

State Relations with U.V.M.

I am not satisfied with the unsettled status of the relations between the institutions of higher education and the State. I recommend that these relations be not only settled, but simplified, and that a plan be worked out so that the State would have full authority in the administration of the College of Medicine and the College of Agriculture, and at the same time assume full responsibility for the expense of these colleges. However, a plan must be evolved so that the status of these colleges in the corporate structure of the University of Vermont will be definitely fixed and at the same time a simple and definite formula must be worked out for the participation of the Colleges of Medicine and Agriculture in the general University overhead. I am opposed to any plan by which the State takes over the University of Vermont as a one hundred per cent State institution. I believe that it is unnecessary and extravagant for the State to follow such a course. Any such course, on the one hand, would constitute some degree of unfair competition with other educational institutions of the State, and on the other hand, it would seriously jeopardize many of the endowment funds now held by the University.

PUBLIC HEALTH

Years ago one of the Latin proverbs I learned went as follows: "Mens sana in corpore sano."—a sound mind in a sound body. Having finished the discussion of producing a sound mind, let us examine our public health. The World War II record of the rejections for physical and mental reasons of Vermont men under the recent Selective Service Act was truly distressing. The record shows that nearly one out of every two boys of this State called to arms under the Selective Service Act were rejected. While there may be some facts which tend to explain or mitigate this terrible figure, still it is a very black picture. The time has come for this State to see to it health.

Thorough Physical Examinations

To correct the deficiencies which have shown up so glaringly as a result of World War II, I recommend that every school child in this State receive at least once a year a careful physical and dental examination. I do not mean any routine examination; I mean an examination which will X-ray their lungs, examine their vital organs, their blood, and must inevitably reveal any grave defects in their physical well-being.

Mobile Health Units

In the Army we had mobile health units, which were equipped with modern laboratory equipment. These traveled from Post to Post and in them men were given careful and thorough examinations. I feel sure that such units can be fitted to the needs of this State. They can be staffed by resident physicians recently graduated from our college of medicine and aided by our public health nurses. The expense should be borne by the State. With these, we can see to it that every youngster has this careful physical and dental check-up every year. We shall see to it that the parents or guardians of the youngsters and the family physician will receive reports of the results of the physical and dental examinations that are given. I recommend such legislation and appropriations as will be needed to authorize such health units.

DEVELOPMENT COMMISSION

If we provide an A-No. 1 education for our children, if we see to it that they are in good physical condition when they leave high school, there is just one more duty that this State should owe to these youngsters, and that is to provide for them the opportunity in this State to earn a good living for themselves; to provide opportunity which would entice the big majority to use their ingenuity and talents here in Vermont. The Legislature of 1945 took a forward-looking step when it created a Vermont Development Commission. However, unfortunately, this Commission was saddled with the handling of the so-called flood control problem, and as a result has been unable to do as much for the development of this State as it otherwise could have.

Small Industry for Vt.

The time is now ripe for the State to secure for itself small industries that will fit our State—small industries that will move into the small towns and villages of our State. For a hundred years the population in our rural communities has been receding. Even in my memory as a youngster when I traveled the West River Valley with my father, I can remember that most of those towns had some small industry. As time went on, great industrial empires arose. These small industries found themselves unable to compete with the mass production of bigger units. One by one they folded their tents and silently stole away.

Decentralization of Industry

Today, however, this trend of centralization of industry is being reversed. The atom bomb of which I have spoken has caused this. While the machinery of peace in our world is being perfected, this nation must keep itself strong with an efficient Army, Navy, and Air Force, and to keep itself well-armed, it must have industrial might back of it. But, the big industrial centers are too vulnerable a target for any radio rocket-propelled missiles that might be armed with the atom bomb. The very security of our nation demands that our big industries decentralize. And there can be no place in this country that is better suited for small parts of these great industries than is our own State of Vermont. A number of industries have already moved to the peace and security of Vermont for other reasons as well—because of the comparable freight rates, good water supply, and electrical power; but most of all, because of the reliability of the Vermont people—the best source of labor supply in the United States. There is still another reason for industry decentralizing and looking to Vermont; namely, the present air service from our large centers of population to the metropolitan areas of Boston and New York, as well as the air service that is planned for the State. This brings the plants located within the State of Vermont infinitely closer to their executive offices in the metropolitan areas.

Establishment of Research Unit

I therefore recommend that there be established within the Development Commission a small research unit, a unit which can take an inventory of the assets of all of the small communities of our State, and of the big ones too; a unit which will be able by the accumulation of these facts to determine just what type of small industries any given community could best support; a unit which could provide these facts to the citizens of these communities so that they could themselves decide what, if any, small industries they would like to have come into their communities. This commission, having developed this information and using the facts produced by this research unit, should then, using the very best salesmen it can secure, persuade industries to locate up here in the peace, security, quietness, and beauty of the Green Mountains—remote from the possibility of atomic devastation and where they will be able to enjoy our natural resources and benefits which have already caused other industries, large and small, to come to our State.

Development of Recreational Facilities

This State is on the verge of a big recreation boom—particularly as far as winter sports are concerned. Our surrounding sister states are attacking this matter in a big way—yet we really have more to offer than they. More than one fourth the acreage of Vermont is classed as Class IV land-poor land-not fit for agriculture. Most of this runs along the mountainous backbone of our State—areas that are little used. Private capital should be encouraged to build winter sports centers on suitable spots, on the mountainous backbone of this State. To secure such enterprise, this State must co-operate by seeing to it that if private investors are willing to invest large sums of money in building ski lifts, ski trails, and lodges they can be assured of adequate road maintenance during its winter, of co-operation from our Forestry Service, yes, cooperation from all other departments of our State Government. I know personally one group that would like to invest several hundred thousand dollars to develop for winter sports purposes one of the most mountainous areas of our State, where houses are scarce and the population scant. This should be encouraged. We should develop winter sports by private enterprise rather than by having the State undertake to finance and construct such great developments. This program, too, should be under the Development Commission.

Development Commission Challenged

Whatever can be done to stimulate industry in Vermont—through research and the dissemination of information—should serve as a constant challenge to a Development Commission determined to develop Vermont. By industry, I mean not only those institutions that produce goods, but also those industrious Vermonters who open their good homes to tourists—and those enterprising people who open up the pleasures of our lakes, streams, and ski-slopes in ways that are destined to make Vermont a recreation paradise for all other Americans less fortunately blessed by geography.

Your Development Commission should be the nerve center for industry and industrious Vermonters. An artilleryman would call it the fire control center.

COMMUNITY RECREATION

In contrast to commercial recreation—in which a state uses its natural beauty and resources as a means of soliciting the patronage of outsiders—there is a form of recreation designed to make richer the lives of young and old in our own communities. The first is a business; the second is a public service for which the public taxes itself.

Establishment of Dept. of Community Recreation

During the war years community recreation grew instead of languishing in Vermont. It was found that such activity tends to attract and keep industry and its skilled workers; to raise property values; lessens crime and delinquency; and builds a community's reputation and morale. In fact, the war seemed to serve as a test showing how necessary this form of community recreation in Vermont was under the direction of the Council of Safety, itself a war product. I believe that the Council of Safety has served its purpose and that it should be abolished. But I believe also that one of its products, organized community recreation, should be based on a permanent basis.

I therefore recommend that a Department of Community Recreation be established.

Reforestation--Stream Purification

We in this State must immediately give careful attention to conservation of our natural resources. Continued waste of our timber resources must stop. Ways and means to encourage crop timbering and reforestation must be found. Many of our streams and lakes are foully polluted and the purifying of these must now be undertaken. I particularly commend for your favorable consideration a sewer service charge enabling act which the Vermont Chamber of Commerce advises me will be introduced this session. Development of our mineral resources must be encouraged. The Conservation Board in its report recommends doing away with the present Department of Natural Resources and the Conservation Board, and I so recommend. In its place I recommend creation of a Department of Conservation headed by a single commissioner. This department should be charged with handling forests and parks, water resources, stream pollution, flood control, and mineral resources.

FISH AND GAME

Separate Department—Increased Fees

Fish and game activities bring a lot of money and a lot of people into our State. Many of our own citizens secure health, enjoyment, and happiness by fishing and hunting. I recommend that there be established a separate fish and game commission which shall have authority to appoint a director. I also recommend that Legislation be passed which shall empower this Fish and Game Commission to promulgate regulations which fix hunting and trapping seasons, the catch and size, the number and location of test waters, posting requirements, special permissions where warranted as to certain fish and game waters or areas, and controls applicable to wildlife management provisions. I believe this department should have authority to employ more game wardens and I recommend legislation providing for a guaranteed income for this department. I also recommend an increase in license fees.

DEPARTMENT OF PUBLIC SAFETY

Our Motor Vehicle Department at the present time has entirely too few personnel to cope with the traffic that now exists. The men work long hours with few days off. The rate of traffic fatalities in this State has risen alarmingly this past year. This present force needs to be nearly doubled. It also needs three-way radio communication.

Creation of Dept. of Public Safety

Since this improvement is desperately needed, it just seems common sense to go one more step--enlarge the powers of these officers. I therefore recommend the establishment of a Department of Public Safety headed by a Commissioner.

State Police

If such a department is created, there would be in it the state police, a small motor vehicle unit, detective force, fire marshal, and record section. The cost of installing such a system in Vermont has been figured, and it will be very little more than will have to be expended for an enlarged and improved Motor Vehicle Department. In the Budget, which I will present, I have provided for State Police. If such a plan is carried out, the sheriffs of course would continue to have enforcement duties as well as the authority to serve all civil process. State Police should have no authority to serve such civil process. This State Police Force, if garbed in a distinctive uniform and if traveling in a distinctive automobile will not only be helpful in preventing crime and in protecting property damage in rural areas, but can be a great advertising medium for our State.

AGRICULTURE

Agriculture is the very foundation of our State, and I believe more Vermonters are directly or indirectly dependent upon it for their well-being than on any other activity. Fortunately, I can see no great and major problems facing us as regards our agriculture and I congratulate those who have been leaders of our State Agriculture that this appears so. We shall undoubtedly have to increase appropriations for our excellent extension service so that wages for these workers may be increased. Likewise, additional appropriations should

be made for the research experimental station, as it appears most likely that Congress will appropriate considerable funds, funds which will be grant-in-aid funds to be expended through the State Experimental stations.

Buildings for Agricultural College

In addition, the State Agricultural College has an immediate and pressing need of an agricultural science building, a combination dairy manufacturing and sales plant, and a home economics building. I am sure the construction of these buildings would place our State Agricultural College on a much more efficient basis and result in much long-range good for the Agriculture of our State. I recommend that this Legislature give this question its most serious consideration and provide for the immediate construction of these buildings.

No fertile farm lands to be flooded

I have been greatly disturbed by the plans that have been put forth to use fertile farm lands of Vermont as flood reservoirs for the protection of our sister states of Connecticut and Massachusetts. The Federal Government has recommended that eleven so-called flood control dams be built in this State. Most of these dams will flood some of our fertile farm land. We do not have a great deal of fertile farm land in this State, and many thousands of acres of fertile farm land have already been destroyed by flood, mostly for hydro-electric purposes. Even today we are having trouble supplying the Boston Milk market with milk. The loss of that milk market to this State would be very damaging. Every time an acre of fertile farm land is destroyed, either for flood control or hydro-electric power purposes, so many pounds of Vermont produced milk is taken from the Boston milk market. I am against the flooding for any purpose whatsoever of another single acre of the fertile farm land of this State. We should create an alternate plan of flood control consisting of dams built higher up in the mountains which will provide a measure of protection for our sister states. If this is found to be more expensive, the Congress should insist that our sister states bear this additional expense. If it were not for them, we ourselves would have no desire to have these flood control dams built.

PUBLIC WELFARE

Old Age Assistance—To be merged with Social Services of Public Welfare Dept. in Department of Social Service

The Public Welfare Department has grown to be a tremendous agency. It appears to be more than one man can adequately administer. There are two main divisions in the Public Welfare Department; one can be designated as the Division of Social Service, the other as the Division of Institutions. In addition to the Welfare Department, we have the department of Old Age Assistance. In the Old Age Assistance Department there are many case workers who cover the same area as is covered by case workers of the Department of Public Welfare working on aid for crippled children, the blind, or child welfare. The case loads of the case workers of both departments are extremely heavy. Common sense would seem to call for a joining together of the Old Age Assistance Department and the Social Services now under the Department of Public Welfare. I, therefore, recommend the creation of a Department of Social Service headed by a single director. This department would be responsible for aid for dependent children, aid for the blind, old age assistance, and for dealing with child welfare services including the grave problem of committed children. It would include all social services now under the Public Welfare Department.

Department of Institutions

I also recommend the creation of a Department of Institutions also under a single director. This department would be charged with the proper administration, management, and physical upkeep of all of our state institutions. Of all of our state institutions, the one that is apparently the most desperately in need of additional facilities is the Brandon State School. I recommend that this Legislature, after careful investigation, provide everything that is necessary that there may be sufficient facilities for this institution to properly look after those it must.

More Stress on Family Life

This State has a higher percentage of committed children than almost any other state. The family constitutes the fundamental unit of this country, just as a squad is the basic unit of any army. We must do all that we can in this State to promote family life, and before committing any child to the custody of the State or separating children from the family the need for such action must be crystal clear. Happy family life will contribute more than any other single factor for good citizenship. I hope to see the number of children who are committed to the custody of this State cut down within the next two years, and the number of children in its custody reduced.

Board of Public Welfare Eliminated

If we create these two new departments from the present Department of Welfare there will no longer be need for a Board of Public Welfare. The present Board of Public Welfare has worked hard and earnestly, and has accomplished much that is good. Yet, no board can become thoroughly familiar with all the details of the social services, of all the problems of institutions, unless it devotes nearly all of its time to public welfare. Obviously no board can do that unless it's paid a substantial salary.

VETERANS

Housing—State Rent Control Act

Between thirty and forty thousand young men and women of this State have now returned from Service in World War II. Many of these Veterans of World War II are having great difficulty in securing places in which to live—a place where there is a roof over their heads. Others are having difficulty in adjusting themselves to civilian life. It is my hope that there will come a realization by all of the people of the State that this Veterans' problem is a citizens' problem, the solution of which must have the full cooperation of all of our communities. I recommend that this Legislature make an immediate and careful survey of the housing problem of this State, particularly as it affects Veterans. The solution of this housing shortage is not easy of accomplishment. Yet I hope that this Legislature will come forward with a program that will demonstrate to those who left this State and went to war that the people of this State will do all they can to secure adequate housing facilities for those who, because they went into the Service, now find themselves homeless. I further recommend that this Legislature adopt a State Rent Control Act of which we can avail ourselves if and when the situation requires it.

Second Injury Fund Law--State Veterans Board

I recommend further: (1) a definite formula for applying Veterans' preference in State employment, a preference Legislative action has already granted; (2) enactment of a second injury fund law which would stimulate the interest of employers in hiring disabled Veterans; (3) amendment of the Vermont Unemployment Compensation Law to permit payment of benefit to Veterans before exhaustion of Veteran Readjustment allowance benefits; (4) the maintenance of a strong State Veterans' Board adequately staffed with sufficient funds to enable the director to provide for Veterans the maximum of service intended under the law.

NATIONAL GUARD

It is likewise imperative that the State provide every encouragement and help it can in the formation of the new National Guard combat team that has been allotted to our State. The National Guard is not only one of the chief bulwarks of our country, but is a handy organization to have in time of turmoil and catastrophe in our own State. Vermont has been charged with the duty of raising a combat team which will consist of a regiment of infantry, a fighter squadron, a battalion of field artillery, truck companies, medics, and engineers. I urge every community in this State to cooperate to its fullest extent in seeking to fill out the ranks of this new National Guard organization.

STATE GUARD

Distinctive Emblem

As one of those who served in the armed forces during World War II, I want to take this occasion to pay our respects to those men who gave all their time and effort to create a State Guard within the State while we were away. Just as we served our country, so they served you and us, and I hope this Legislature will authorize some

little emblem that will serve as a marker of distinction for those who so loyally and sacrificially served with this Guard.

DEPARTMENT OF INDUSTRIAL RELATIONS

Increased Benefits Needed—Funds for Apprenticeship Council

In this day of increased prices it appears that the workmen's compensation benefits are inadequate both as to amount and duration of payments. It appears that there should be an increase of the amounts paid and a lengthening of the duration of the periods of payment. I recommend that when a worker is totally disabled for a period of four weeks, he receive compensation beginning with the first day of disability; that an illegally employed child not only be covered by the workmen's compensation law but in the event of injury, receives double benefits; that the numerical exemption be lowered to three employees; that death benefits be increased and that the permanent partial disability payments be increased. And I further recommend that this Legislature make provision, if necessary, for funds for the Vermont apprenticeship council in order that the work of supplying our State industries with properly trained personnel may be continued. I recommend the addition of two factory inspectors for the Department of Industrial Relations and that a careful study be made of the need of covering occupational diseases by our Workmen's Compensation Law.

UNEMPLOYMENT COMPENSATION COMMISSION

Employment and Unemployment problems co-equal

There has been handed back to this State the administration of the Employment Service. This is part of the Unemployment Compensation Commission and it should be co-equal with that part dealing with unemployment. Employment and unemployment are equal partners in this Commission. Just as the Workmen's Compensation Law needs close attention by this Legislature, so does our Unemployment Insurance Law.

Broadening of Coverage

I recommend the broadening of Unemployment Compensation coverage to employers of four or more employees; an increase in the present weekly benefit amount or the adoption of dependency benefits supplementary to the benefits now in effect; a reduction in the required waiting period; modification of the provisions of the act relating to unemployment of Veterans to allow the payment of benefits based upon wages earned in covered employment subsequent to discharge from Service; and a change in the definition of availability for work to aid those unemployed workers who become ill or otherwise disabled following their filing of initial claims.

Employment Service Duty to Veterans

The Employment Service must, of course, see to it that Veterans presently unemployed, either handicapped or non-handicapped, are placed; counsel and aid in readjusting Veterans when placed, and help them acquire ever better positions, positions more suitable than ones they may now have.

NEEDED PUBLIC BUILDINGS

The following new buildings are needed by our State:

- College of Agriculture (3 new buildings—estimated cost, \$1,000,000)
- State Library Building Annex (\$600,000—rough estimate)
- State Office Building (Additional funds needed—\$500,000 rough estimate)
- State Institutions Building (\$500,000 estimate)

Total—\$2,600,000

All of these buildings are needed. If this Legislature decides to authorize the construction of them and appropriate money for them, I recommend that such expenditures be treated as a capital investment, and, just as any business would do, I recommend that we bond for this capital investment. This State has built firmly and soundly upon the established policy, "Pay as you go," and I yield to no one my belief in the soundness of this principle as a basic principle of conduct. Today the State of Vermont can borrow money for capital investment

for less than the hire of the money is worth. In other words, it seems good business to borrow it if we choose to make these capital investments. I recommend therefore that if it seems wise to you to construct these needed buildings, that broad authority be given to the bonding of this State up to \$2,600,000 or for such amount as you determine is the proper amount necessary for the construction of whatever buildings you authorize.

War Memorial

One further word. If you decide to appropriate money for a new State office building, and one is surely needed, it would seem that provision should be made in this new State Office Building for a suitable War Memorial—a memorial to all of the sons and daughters of Vermont who have served in the defense of our country. It may be that an impressive rotunda should be created in this new State Office Building as this memorial. I merely bring this subject forward since I feel this Legislature should give earnest consideration to what this State should have as a War Memorial.

TRANSPORTATION

Double Federal Funds Available for Highways if Matched

Good roads are of fundamental importance to our State. We should continue to hard-surface all of our secondary roads and to strive towards the goal of having at least a good gravel road reach every farmhouse. As you know, our roads are largely financed from three sources—motor vehicle registrations, gasoline tax, and federal money. The new Federal Aid Highway Act of 1944 has doubled the amount of federal money which previously was available to Vermont. The increase in revenue now available under the 1944 Federal Aid Highway Act will require the State to match \$4,000,000 of Federal funds in the next biennial instead of \$2,000,000 as in the past. Vermont cannot stand still—it must go ahead. The Highway Board has estimated that as of June 30, 1949, this State will be short by \$2,900,000 of its ability to match available Federal funds which must be matched by that time if under the existing law we are ever to match them. We cannot have this federal money unless we match it.

Increase of Registration Fees

I recommend that there be a small increase on registration fees for pleasure cars; that the maximum gross load limit on trucks be raised to 50,000 pounds; that the 10 per cent tolerance for all trucks be eliminated and that there be a revision upward of truck registration fees. This, however, would raise but an estimated \$900,000 and would leave us faced with the necessity of raising an additional \$2,000,000 if we are to take advantage of all possible Federal funds. I believe there are several ways of doing this. I recommend that it be done, leaving to your judgment the methods by which it should be done. Such an expenditure would materially aid our highway system and particularly our farm-to-market roads.

Aviation

Aviation also has much promise for Vermont in the future. Vermont is being made more accessible. However, airlines and private planes need more landing fields. We should encourage development of additional small airports by private capital. It behooves municipalities to study carefully their future position on the air map and not fail to foresee future needs for airports. Areas in the interior of Vermont that are suitable for airports should be located and earmarked. The time may come when the State will have to help municipalities on their air transportation problems even as it has had to help municipalities on highway problems.

RURAL ELECTRIFICATION

It appears to me that electric rates in the State of Vermont as a whole are too high. He who made this earth in making Vermont made a state which should have a bountiful supply of hydro-electric power. Such we do have; yet, our rates as compared to those of other states are in most instances, high. This is an age of electricity, an age where farming, industry and homemaking rely each day more and more on electricity. I recommend, therefore, statutory authority for our Public Service Commission to initiate investigations on its own account, and assurance that this commission shall have an adequate technical staff. I know that cheaper electrical rates will help us secure more small industries for our State.

SALARIES

Effective the first of January this year there went into effect a new salary scale for state employees. This salary scale was adopted after recommendations were made by professional consultants. Under this plan various state positions are classified. This has resulted, as it should, in the salaries of our State Employees being substantially increased. This will result in certain deputy chiefs of departments receiving more pay than the head of the department whose salary is fixed by statute. I therefore recommend a careful review and revision of the salaries paid to department heads, and to other state employees and officers whose salaries are fixed by statute.

TAXATION

Elimination of Old Age Assistance Head Tax

The Legislature of 1935 passed what is called an Old Age Assistance Tax. This tax is certainly misnamed. It is a head tax of \$2.50 per person and becomes part of the poll tax levied in each town. In my opinion this tax is not now justifiable and I recommend that it be abolished. And I further suggest that this Legislature carefully consider the wisdom of requiring payment of the poll tax as a requisite for a right to vote in town or village meetings. This tax deters many people from ever exercising their right to vote. Yet only as long as the right to vote is used by large numbers of people will this State and this country survive as a democracy.

New Graduated Income Tax

I have left one of my most important recommendations for the last. I know that you are wondering how we can pay for all of these things, for this tremendous sum that must be paid by the State to boost teachers' salaries, for these mobile health units, for the increased wages that all state employees are to receive, and for State Police. Yet an answer to all this is relatively simple. It has been apparent for many years that our income tax law was inefficient and inequitable. It seems improper to have one tax on earned income and another on unearned income. The Commission on State Government and Finance has recently made an outstandingly excellent report in which, among other things, it recommends a graduated income tax. With this recommendation I am in most hearty accord. Our tax structure should rest on a firm basis with these four cornerstones:

1. A revenue should be produced sufficient to meet the present and anticipated requisites of Government, and provide a safety cushion against less prosperous periods.
2. The burden of taxation should be distributed as equitably as is possible. As stated by the Commission, the trend should be toward taxing earnings rather than possessions.
3. New enterprise should be encouraged by incentive tax methods.
4. The tax laws and accompanying reports should be streamlined and simplified. We must make it very easy for our taxpayers to comply with our rules.

Individual Income Tax—Simplicity of Forms

The cartoonist's caricature of John Q. Taxpayer submerged beneath a flood of forms and calculations about March 15th of each year contains, unfortunately, a lot of very real truth. Let us extricate him from a large part of this ordeal. We can do that if we insure that his efforts to comply with the Federal tax law shall not be duplicated in his reporting to our State. If we do this, we have a splendid opportunity to make the Vermont Tax System a model of simplicity and efficiency.

For the most part our present tax law is the same as that of the Federal Government but streamlining and simplification requires many changes. First, I recommend that our entire income computing method except as to taxation of interest on U. S. obligations, be amended to conform completely with the Federal Statute.

At the same time that we use the Federal Law as a base, we should institute a system of employers' withholding of state income tax on salaries and wages. The slight additional record keeping by employers is overshadowed by the benefit to the majority of our taxpayers. There are great advantages in the collection at the source of this most important source of revenue.

Under this program the vast majority of our individual taxpayers will need to file only a copy of their State withholding receipt. That can be the basis on which the Tax Commissioner would compute the tax and issue an assessment or refund. Similar provision may be made for those individuals not subject to withholding. They should be able to elect to use this optional method.

Changes in our Present Law

Adoption of the pattern of the Federal Income Tax Law would change our present law in some material respects. Important changes would be:

1. The separate classification and taxation of Class A and Class B income, which is generally agreed to be inequitable, would be abolished. That is recommended by the Commission.
2. Capital gains and losses allowed in the manner permitted by the Federal law would be taxed.
3. The present allowance as a deduction from net income of Federal income tax paid would be abolished. Several other minor adjustments would be made. They are relatively unimportant. One of these—making interest from Vermont banks no longer exempt—requires a corresponding adjustment to the Bank Tax.
4. The credit for taxes paid by residents of Vermont to other states would be abolished. That provision generally did not aid the taxpayer. It merely reduced the proportion of the individual's total tax that went into Vermont's Treasury. The whole method of handling non-residents needs correction if we desire to play fair with our own residents. This should have our continued study.
5. The present personal exemption would be lowered from \$1,000 to \$500, while the credit for each dependent would be increased from \$250 to \$500. Thus a married person with two dependents would have an exemption of \$2,000 instead of \$2,500 at present.

One effect of using the lowered exemption would be to bring within the scope of the tax many individuals presently not participating; especially should this be so if the head tax is eliminated. It has long been felt that broadening the income tax law to include the maximum number of its citizens would contribute to the welfare of the State. Tax filing citizens are more prone to take an active interest, and participate, in public affairs. At the same time additional revenue will be secured. However, it is not desired nor desirable to unduly burden those with small incomes.

Proposed Rate Schedule

Consequently, I propose that the rates of the individual income tax begin at 1% on the first \$1,000 of income after all exemptions, and be graduated as follows:

1%	on the first	\$1,000	of taxable income			
2%	“ “	next	\$2,000	“	“	“
3%	“ “	“	\$2,000	“	“	“
4%	“	all above	\$5,000	“	“	“

While at first blush one would think that this increases the tax burden of the average man, such is not the fact. There will be a very few income tax payers with net earnings of up to \$5,000 per year whose tax will be increased. Many of this class will be decreased. I call your attention to a table showing the comparative tax paid under existing law and under this recommended law. This table is an appendix to this printed message. It is estimated that the adoption of this program would result in additional revenue of \$2,000,000 at least, biennially.

Corporate Franchise Tax

I consider the present rate of tax on corporations to be too low. It is far out of line with that of other states. I recommend that the rate of tax be increased to 4 per cent, and that there be a minimum tax of \$25. The date for filing of corporate returns should be extended an additional two months. I further recommend that the Corporate License tax be abolished. I also propose great simplification in the forms and paper work in the corporation tax.

I think we can cut the filing requirements from the present onerous task to a small fraction. I do not think legislation is essential to permit that. This would result in additional revenue of \$1,000,000 biennially.

Unincorporated Business Tax

I recommend to this Legislature serious consideration of the adoption of an Unincorporated Business Tax based on the earnings from business carried on in this state by associations of 2 or more persons, joint enterprises and partnerships which would be taxable if carried on by a corporation. A large part of the business activities carried on in Vermont is conducted by such unincorporated businesses both resident and non-resident, which receive the benefits and protection afforded by the State, but which do not in turn contribute to the General Fund. There is no valid reason for completely exempting such business earnings from their fair share of the total burden of taxation. There are many such unincorporated businesses which carry on activities in Vermont far in excess of that carried on by many corporations. The owners of one withdraw their share of earnings as salaries or profits, while stockholders withdraw earnings as dividends. In reality the distinction is artificial, and equity demands parity. If the general trend today is to make earnings the source of revenue, exemption of one and taxation of the other form of enterprise is anomalous.

Aid to Small Business

To protect the small enterprise, I recommend that there be a specific exemption of \$3,000, plus an allowance for services of \$3,000 for each partner, or proprietor, or 20 per cent of net income, whichever is smaller. I believe the rate of tax should be 3 per cent on business earnings after the exemption, and there should be provision for apportionment for business carried on beyond our borders. The unincorporated business should also have the advantages of the incentive tax program discussed below.

In this tax, too, I propose great simplification of forms used for filing. I think we can reduce the task to a few minutes' work after a business has completed its Federal returns.

It is estimated that this tax would produce a revenue of over \$400,000 biennially.

Will Balance Budget

If these amendments to the present income tax law are adopted, our budget will be amply balanced.

Tax Incentive Plan

I, like all who read it, was deeply disturbed by the warning implicit in the Finance Commission's report that "Since 1840 Vermont has been losing a large number of ambitious, resourceful, and energetic young people to other sections of the U.S.," and that our young people in their formative years are imbued with the slogan "Vermont is a poor State."

Need to Keep Youth in Vermont

This problem, in all its ramifications, should be thoroughly studied by this Legislature. Decisive action should be taken to check this flow of our life-blood, and indeed to make Vermont a fountain head of opportunity.

Long Range Program of Encouragement

I have been thinking in terms of a long-range program of encouragement of the growth of industry and enterprise indigenous to our State. We ought to attract the proper type of companies and businesses to domicile here. New business cannot be fostered by compulsion but may be engendered through providing a fertile soil for reaping a rich harvest of earnings. One of the ways to accomplish the objective is to offer an incentive through tax reduction or exemption over a period of years to newly established businesses. The amount of the reduction could depend on a combination of factors such as the volume of business, the size of the payroll, the number of man hours, and similar criteria.

The loss of revenue, if any, by such a plan is secondary to the benefits inherent in optimum production and employment. With profound foresight the drafters of our constitution admonished that "prior to any law being

made to raise a tax, the purpose for which it is to be raised ought to appear evident to the Legislature to be of more service to the community than the money would be if not collected.”

Inheritance Tax

The basic Vermont tax on the transmission of property at death is measured by the share of the estate going to each particular beneficiary. It varies according to the relationship of the beneficiary to the decedent. Such a tax produces a more just result than the estate tax employed by the Federal Government and several states levied on the net estate without regard to the relationship of the beneficiary or the share received. While the latter type of tax is more readily determined and collected, in this instance simplicity should yield to equity. The basic structure of our inheritance tax should be retained. But the law should be examined to assure that no revenue rightfully accruing to Vermont escapes the tax. The law, I think is good. But I am disturbed by our administrative and reporting methods. I think they produce great waste of effort and funds.

My only recommendation at this time is that the administration as well as the collection of the tax be centralized in the Tax Department.

CONCLUSION

In a world that has changed more in the last five years than in the previous twenty-five, more in the last generation than in the last five generations, it now behooves us to show that we can cope with this change and not be beaten by it.

No one of us can plot the future, but you and I do have a choice of the manner in which we approach the future. We can approach it with fear, timidity, and pessimism, or we can tackle it with confidence, hope, and courage, and I prefer the latter course.

I see in the future a Vermont pouring forth from our schools boys and girls, alert, keen, and alive to the problem of this State, of this nation, and of this world; youngsters whose minds have been stimulated and trained in the ways of thinking.

I see a Vermont where those youngsters that pour forth from these schools will be physically and mentally sound, ready to become the heads of happy families.

I see a Vermont which has a small industry in every small community, an industry that will contribute towards keeping these youngsters in this State, that will contribute to the general welfare of all the people of our State.

I see a Vermont whose rivers and valleys and lakes are crystal clear and pure, whose beautiful green mountains are a lure to happy people, there for them to relax in summer or winter.

I see a Vermont of larger and more efficient farms whose owners shall earn from these farms their fair share of our total income.

I see a Vermont where our labor is free; where there is peace in the ranks of labor and of employer; where the dignity and security of the working man and woman shall always be respected and protected.

I see a Vermont whose institutions for the mentally sick, the feeble minded, and the law-breakers shall ever be entertaining lower population.

**APPENDIX—COMPARATIVE TABLE SHOWING PRESENT TAX ON EARNED INCOME AND
PROPOSED GRADUATED TAX ON ALL PERSONAL INCOME**

	Single Person	Married Couple	Married Couple and 1 Child	Married Couple and 2 Children
\$1000				
Present Law	\$0.	\$0.	\$0.	\$0.
Recommend Law	5. *more by \$2.50	0.	0.	0.
\$2000				
Present Law	20	0.	0.	0.
Recommend Law	20. *less by \$2.50	10. *more by \$5.00	5.* even	0
\$3000				
Present Law	40.	20.	15.	10.
Recommend Law	40.*less by \$2.50	30.*more by \$5.00	20.*even	10. *less by \$5
\$4000				
Present Law	60.	40.	35.	30.
Recommend Law	65. *more by \$2.50	50.*more by \$5.00	40. *even	30. *less by \$5
\$5000				
Present Law	80.	60.	55.	50.
Recommend Law	95.*more by \$12.50	80.*more by \$15.00	65.*more by \$5.00	50. *less by \$5

*Old Age Assistance: Single Person \$2.50, Married Couple \$5.00. Head Tax eliminated. No separate tax on unearned or Class B income. Estimated additional revenue from proposed graduated tax \$2,000,000 for biennium.

Best of all, I see a Vermont of large and happy families.

By serving Vermont with the best of our ability, with open minds, with open hearts, with courageous action, we can best serve a nation which must find its place in the new family of nations. Under God and sustained by the faith of Him who pledged His life for the betterment of His fellow men, we, the chosen representatives of our people, will strive to fulfill our duties. This is our challenge, and guided by Him who created us, we shall meet it confidently.

Inaugural address
of
Ernest W. Gibson*
As it appears in the
Journal
of the
JOINT ASSEMBLY
BIENNIAL SESSION
1949

*Ernest W. Gibson resigned January 16, 1950 to accept appointment as a U.S District Judge.

Thursday, January 6, 1949 Inaugural Address

To the General Assembly and the People of Vermont:

I take the oath of office for a second term as Governor of Vermont with a prayer in my heart. I pray that you and I, the servants of all the people of Vermont, working with our people, can truly say by January, 1951 as Nehemiah said, 'and so we built the wall, for the people had a mind to work.'

THE WORLD OF TODAY

It is well for us to take a brief look at the world of today; a small world of which Vermont is a tiny, but important part. It is a world in which science has largely annihilated time and space. It is a world which asks the definite question—Can we live together as close neighbors, with peoples of different colors, different creeds, and different languages? The very smallness of Vermont makes it a perfect laboratory to help develop the moral leadership our country must furnish to guide the world to peace and plenty.

FREEDOM VERSUS TYRANNY; FRANKNESS VERSUS DECEIT

There are two great ideas struggling for mastery in this little world. The one championed by Soviet Russia would have the State the master of the individual—would make human beings servants, serfs, or slaves of the few that grasp and control the reins of government. Those who proclaim and uphold communism, do it in a deceitful dishonest manner. They profess that they are believers in democracy—are benefactors of the people—while behind an iron curtain they practice slavery and injustice of the rankest sort. They rule by fear, brutality and ruthlessness. Always remember—these adherents preach one thing and practice another. There is no truth—no reliability in them.

Then there is the other idea—the idea that the State is the servant of the individual; that we, the chosen officials of the people, are servants chosen to carry out the will of the people.

If we are to give life to this last idea, the idea in which we believe, if we want this idea to spread over this world of ours; we must practice what we preach. We must not hesitate to plow ahead on the course the people, our masters, choose.

1946—THE PEOPLE SPEAK

Two years ago the people of Vermont spoke. They elected for their servants those who had literally spelled out a constructive, forward looking program which would cast the mold of a greater Vermont. The details of that program were discussed in all parts of this state. The people by their votes said:

We want our educational system revitalized;

We want better health for all;

We want our state institutions put in shape to care for the unfortunate;

We want an adequate, modern law enforcement agency created;

We want our Development Commission properly equipped to aid in bringing into Vermont small industries that fit our state;

We want the development of Vermont's recreational facilities encouraged and stimulated;

We want our waters free of pollution;

We want our agriculture improved and the further destruction of fertile farmlands stopped;

We want happy relationship between employer and employed;

We want our veterans carefully looked after;

We want a hard surface highway into every village;

We want cheaper electricity and adequate powers for our Public Service Commission;

We want these things and we are willing to pay for them.

THE 1947 LEGISLATURE RESPONDS

The legislature of 1947 responded well to the expressed voice of the people. As you know, our normal schools were turned into teachers' colleges, the minimum teachers salary was substantially increased, an adequate compulsory teachers retirement system was created and an amount in excess of a million dollars a year additional state aid for education was voted.

For greater efficiency, all our social services were grouped in one state department—the Department of Social Welfare. Adequate appropriations were made so that those legally entitled to receive benefits to which they were entitled by law could actually receive them. Brutality was abolished from the treatment of juvenile delinquents. Provision was made for desperately needed dormitories at Brandon. Critical needs of other state institutions were met. A department of Public Safety, containing State Police, was created. A research unit was provided for in the Development Commission—this to serve as a foundation for the securing for Vermont of new small industries. A separate, independent Fish and Game Commission was established. Every aid was given those who were investing private capital in developing recreational facilities. An enabling act was passed to aid communities in sewage disposal problems. Two additional buildings were provided for the State Agricultural College. Sympathetic attention and consideration has been given to any problem presented by any veteran. We have had but two strikes in Vermont in the past two years—and these were amicably settled. A basic highway policy has been instituted—namely, that we protect our investment in the main hard surface roads and concentrate on hard surfacing those state and state aid roads not now hard surfaced—until we can have a hard surface road into every village.

All of these things were done and provision was made to pay for them. There was created for the State of Vermont one of the soundest tax systems that any state has—certainly sounder than that of any other New England state. A graduated income tax bill was adopted, a bill designed to produce revenue to meet the present and anticipated requisites of government; to distribute the burden as equitably as possible—a bill streamlined and simplified. The tax is based on ability to pay and on nothing else. Ways of increasing revenue within this soundly devised framework will be discussed in my budget message.

EDUCATION KEYNOTE OF 1947 LEGISLATURE

Progress has been made in the past two years. Some necessary things weren't accomplished and couldn't be, but in all probability the legislature of 1947 will be known in history as the Education Legislature. It left for the legislature of 1949 the tackling of better health—the second great foundation stone upon which democracy rests. If our children, who are our greatest capital asset, can reach maturity well educated and in sound health, we will not only have given them an equal opportunity with all others in this world, but we will have done our part to promote democracy throughout the world.

1948—THE PEOPLE SPEAK AGAIN

This last summer the people spoke again. They said "we want the program started in 1947 continued and finished. We want progress continued. This is the time for courage and for confidence and the proving of democracy. We reaffirm our belief that education and health are the very foundation stones of democracy and we want to see every Vermont youth at his or her maturity well educated and in good health."

SPECIAL MESSAGES ON HEALTH AND UTILITIES

This whole problem of public health is of such great importance that I am taking the liberty of leaving it for special and detailed discussion in a message which will be presented to you later.

I shall take up in a special message also the all-important problem of an adequate supply of electricity for the people of this state and of badly-needed additional powers for the Public Service Commission.

These special messages I shall have in your hands in the immediate future.

EDUCATION

Equitable Distribution of State Aid

Two years ago, as I have already outlined, this state made great progress in this field of education. However, there is still much to do to make our educational system in Vermont second to none. It cannot be done all at one time, but at this time we can complete the solid foundation upon which will grow a modern top-notch educational system for Vermont. One need that should be met by this legislature is to provide a more equitable basis for apportioning the considerable sum of money that this state appropriates for education. The 1947 legislature created a commission to study the basis upon which state aid for education is allocated among the towns and to report to this General Assembly. Senator Charles P. Smith of Chittenden County has served as chairman of that commission. His commission has proposed a new, and to me, simpler and certainly more equitable basis for the distribution of this state aid. I concur with the recommendations made in this report and recommend that this legislature adopt such legislation as is necessary to substantially carry the recommendations as made into law.

Improvement Needed in Teachers' Colleges

As I have previously stated, our normal schools have now been converted into teachers' colleges. This means that Vermont has departed from its old system of two-year training for its teachers and now provides a four year course for those who will face the complex problems of today's and tomorrow's classrooms. The greatest asset we have in Vermont is the youth of Vermont—the greatest asset our youth has is their brains, and anything that we can do to stimulate their thinking—will make for a better and greater and happier Vermont. So I ask this legislature to give its close attention to the set-up of our present teachers' colleges, to realize that for the first time in many, many years we have entering our teachers' colleges outstanding Vermont youth—youth who have decided to dedicate themselves to the teaching profession. Our percentage of enrollment in teachers' colleges this year far exceeds that of any other New England state. The youth of Vermont have confidence in the future of Vermont and we must not let them down. What you can do to improve these teachers' colleges should be done.

STREAM POLLUTION

Action Needed Now

For more than 45 years, we have had on our books legislation ostensibly designed to protect and improve the condition of streams and lakes of our state. Yet today our streams and lakes are more heavily polluted, I believe, than ever before. Section 1 of Act No. 109 of the Acts of 1943 well states the purpose of purifying our waters, but makes it impossible to carry out the purpose. There it is declared to be the policy of the General Assembly to preserve and improve the purities of the waters of the state for the protection of public health, animal and aquatic life, and for the use of agriculture and recreation. One cannot ride up and down the state without having forcefully brought to one's attention the great number of streams inundated with sawdust. One sees many beautiful streams into which all manner of refuse has been dumped. Of course, too, most of our municipalities use rivers and brooks as a receptacle for their sewage. Sewage disposal systems are costly and so we cannot expect to see one installed at once in every municipality, but we must ever drive towards that goal. There are some things that can be done now. I recommend that we forbid further dumping of garbage and other refuse into our streams and that the operators of saw mills which now dump their sawdust and other wastes into the waters of the state, be given a reasonable length of time for otherwise disposing of these wastes. I recommend that the Water Conservation Board be given authority to take steps to enforce such a law. I further recommend that municipalities be required to file with the Water Conservation Board on or before July 1, 1949, a map showing the details of its sewage system, so that we may have an orderly program leading towards elimination of sewage from our streams and rivers. I recommend that legislation be enacted preventing any municipality from increasing its pollution of our streams by more than 5% until such municipality has filed with the Water Conservation Board adequate plans for the eventual establishment of proper sanitary facilities. This pollution of our streams and lakes not only may affect the health of our citizens, but is revolting to people from outside the state who come here for recreation, for fishing and hunting. Most of all it deprives us of the God given right to the enjoyment in many ways of countless miles of rivers and streams.

VERMONT DEVELOPMENT COMMISSION

Organization Stage Completed

After a year and a half in the organization and growing stages, the Development Commission has reached the point where it can play the role in the government of the state and in the economy of the state which has been in our minds since its organization.

Competently staffed, it has made a good start toward the collection of the data which should be the basis of evaluating what has been done, and of decisions as to what should be done, while simultaneously working on specific projects requiring immediate attention. The preliminary work on our program of attracting industry to the state has been largely accomplished. Inventories of available space and sites have been made, cooperation of all interested groups has been solicited, and a sizable number of prospects have been developed. While there is nothing spectacular about this necessary spade work, we are confident that within the next two years our hopes for new industries, of small and moderate size, will be realized.

It is my hope that the Commission will ultimately take its place as the heart of the state government, that to it can be channeled information on all phases of the state's activities, and that to it the administration, our citizens and their representatives, may turn for information upon which to base the policies controlling our future development.

Adequate Salary for Managing Director

One matter should be faced squarely by this legislature. The present statutory maximum, \$4500, for the salary of the Managing Director is much too low; far too low to attract and hold the type of executive which the position demands. Further, the policy of not allowing subordinates to receive salaries in excess of that paid to the department head means blocking off division heads from normal merit increases which they could count on in a comparable position in another department. This situation, also prevailing in other state agencies, should not be allowed to continue.

Vermont Life

I believe everybody in the state is proud of our state magazine, Vermont Life. This magazine is published by the Development Commission for the state.

Housing

During the last year, at our request, the Development Commission made an exhaustive study of housing legislation of Massachusetts, New Hampshire, Connecticut, New York and New Jersey, with a view to deciding whether Vermont should take any action.

At present, it appears almost a certainty that the federal congress will, in the next session, make funds available for slum-clearance projects and probably for rental housing for low-income families. It is to be hoped that the 1949 General Assembly will, at least, revise the Housing Authorities Law so as to enable participation in this federal program by any interested Vermont town or city. Specifically, it might be wise to amend our statutes to remove the existing restriction on Housing Authorities to towns of 4000 or more. Consideration might also be given to the creation of a State Housing Board whose approval might be required of the adequacy of housing projects and proposals for financing, under consideration by local authorities, and which might be empowered to act as a housing authority for the smaller towns of the state.

FORESTS AND FOREST PARKS

Use Increases Each Year

The season of 1947 was the largest season ever, for our State Forests and forest parks. Three hundred thousand people enjoyed these recreational facilities. I recommend that we put these State Forest Parks in as good physical condition as we can possibly have them, but I do not recommend the purchase of any more land at this time either for our forests or our forest parks.

Forest Conservation Badly Needed

I have been greatly distressed by the apparent ruthless cutting and slashing of many of our forests. The time has arrived when we should consider our forests as crops rather than mines. Unwise cutting of our forests has left them in poor condition. Today each acre of our forest land is not growing over a third of what it is capable of producing due to the type of timber cutting that we are following. We are wasting our heritage. The economy of our state, the demand for raw materials for our wood-using industries convinces me that we should now adopt a more constructive course. I recommend to this legislature that it consider a system of licensing forest operators. The condition should be imposed upon them that they do their forest cutting in such a manner that future growth would not be hazarded and that a new natural growth could be brought along on the areas cut. The average farmer who cuts over his own timber land does a fairly good job. So in any licensing law, such as I have suggested, I would define an operator as someone cutting over 300,000 board feet or 30 cords of wood in any one year. This would make the operation of such a law simple because it would be restricted to a relatively small number of operators rather than fifteen or twenty thousand timbers owners.

AGRICULTURE

Preserve Fertile Farm Lands

Agriculture is the very foundation stone of Vermont life. We must continue to make every effort to keep in good tillable condition every acre of farm land we possess in this state. We should oppose the destruction of fertile farm lands for any reason.

Protect Name of Vermont

I have been greatly disturbed by some of the advertisements I have read in large national pictorial magazines, advertising what is ostensibly the State of Vermont maple products. It is done under various guises playing on the good name of Vermont maple products. Actually, such products have but little, if any, Vermont maple syrup in them. We should take every step possible to protect the name of Vermont in connection with maple products, and if there is a way of preventing such advertising as I have mentioned, we should take steps to prevent it. Certainly we should make known to the world that such products are not real Vermont maple products. I recommend that we amend our brand registration law so that no such labels or brands be in the future approved without the approval in writing of both the State Department of Health and the Agriculture departments.

Our Maple Syrup Industry

I recommend the addition of a grading and marketing act for maple products so that one in purchasing our maple products may be sure of the quality one is obtaining and I recommend the financing of such an act by an industry tax upon every gallon of syrup made. As an incentive for our people not to cut their sugar maple trees. I recommend this legislature consider a tax exemption for operating sugar places, with a severance tax which would tend to discourage the cutting off of productive maple orchards.

Dutch Elm Disease

The Dutch Elm disease presents a very real danger to our trees. It has now been found in 9 towns and in 3 southern counties. Left unchecked there is every reason to expect this to spread rapidly and damage our trees. I believe provision should be made for inspections by our department of Agriculture to determine the spread of this disease and that steps be taken to encourage community effort in carrying out clean-up and control measures.

Bangs Disease

There is considerable confusion as to what the best program is for combatting Bang's disease in cattle. There is a national movement for uniformity in plans and for rules to govern interstate movement of cattle. I would recommend this legislature carefully consider whether or not Vermont should become a part of this uniform movement and amend our laws to conform thereto.

DEPARTMENT OF PUBLIC SAFETY

Organization Accomplished

On July 1, 1947, the Department of Public Safety came into being. Organization of such a department is a gigantic task, one that cannot be completed and perfected in one year or even two. Within the short span of eighteen months, the Department of Public Safety with its State Police, its Bureau of Identification, and its Fire Marshal's Division, all law enforcement agencies now functioning under a single head, has proven its worth. It has worked in friendly and close cooperation with all other law enforcement agencies. It has effectively improved the detection and prevention of crime throughout the State.

Modern Communication System Installed

For the first time in history, Vermont is now linked by teletype with all the law enforcement agencies of our sister northeastern states. Within Vermont a modern, three-way radio system has now been installed and is in full operation. Utilizing this modern method of communication, lost and missing persons have been located; transients have been informed of unexpected illness or death within their families; stolen property has been recovered; hundreds of criminals have been apprehended, and fugitives from justice from other states no longer seek safety within our borders without being speedily detected. Our own wrong-doers are becoming very much aware that word of their misdeeds will precede them wherever they go.

Trooper Within Thirty Minutes of Every Settlement

Today the State Police maintain five district offices which are open twenty-four hours every day of the year. Frankly, this is all they can afford. It is our aim to have a State Trooper within 30 minutes of any settlement in Vermont. Each of these five districts receives and investigates more than 35 complaints of all kinds every day. Our State Troopers patrol our rural areas as well as our main highways for longer hours than ever before. They are always on call to protect you wherever you may be.

Additional State Police Needed

During the past eighteen months each of our State Troopers has worked more than 91 hours per week. If they are to continue the type of service which we expect, if they are to cope successfully with an ever increasing volume of traffic, the present State Police force must be increased. I recommend, therefore, an increase in personnel for the State Police of fifteen officers in 1950 and twelve in 1951.

TRANSPORTATION

Fulltime, Well Paid Chairman of Highway Board

Our Highway Department handles more than eight million dollars per year. Our road building program, greatly curtailed during World War II, is still not working at top speed. In an age of machines and high speed, our organization is adapted more to the horse and buggy era. The Chairman of the Highway Board is paid at maximum but \$3,000 a year, yet his is the main responsibility for formulating a program for the expenditure of millions for our highways—his, too, should be the responsibility for putting steam into the department for the efficient rapid execution of this program, and for the weeding out of those whom the world has passed by. We cannot blame the chairman under the present system for this lack of steam. He does not receive sufficient pay to compensate him for putting his full time and energy into revitalizing our highway program. I therefore recommend not only that we continue the basic policy of hard surfacing dirt or gravel roads as rapidly as possible, but that the position of Chairman of the Highway Board be made a full time job with a salary commensurate with the great responsibilities it entails.

Aviation

Aviation has benefited by the largest development within any similar period of time. In part, this reflects a national trend; in part it was facilitated by the availability of federal airport funds supplemented by further funds for airport improvement from the state and municipalities. In addition, many private airports have been built and thereby serve a public use. A system of state approval of airports and air schools has produced a high standard in each case. Roof markings have contributed to safety, and made the area more easily navigable by out-of-state

pilots. Air carrier service is now rendered at the three major airports (Burlington, Barre-Montpelier and Rutland).

It is recommended that an appropriation of \$100,000 be made to continue participation of airport development under terms of the federal airport program.

STATE SALARIES

Department Heads Most Underpaid of any State Employees

The matter of salaries for state officials and employees is a disturbing one. In my opinion the most under paid group in the state service are the major department heads. As an example, our State Treasurer, who has the responsibility of handling millions of dollars each year, who has the responsibility of investing surplus money, of selling bonds at the proper time to provide working capital, of watching carefully our whole financial setup, is paid the salary of but \$5,000. The same is true of the Auditor of Accounts, the watch dog of Vermont expenditures, who tries his level best to see that every cent of money is spent in accordance with the statute laws of Vermont. The Commissioner of Taxes, who is charged with the collection of millions of dollars yearly of taxes, of doing it thriftily and of doing it honestly and impartially, is paid the salary of but \$5,500.00. Those are merely samples. I could continue on and list many other department heads with great responsibilities who are not receiving a salary in any sense commensurate with the heavy responsibility of their office. I sincerely hope this legislature will substantially increase these salaries.

Employees Retirement System

There is one amendment that I shall suggest to the Employees Retirement System Act and I ask that your most careful consideration be given it. It deals with compulsory retirement of elective officials.

Cost of Living Salary Adjustment

I do not need to tell you that the cost of living has gone higher almost every month during the past two years. Since we have tried to operate State business, by levying only such taxes as were necessary to meet the appropriated expense of State government as fixed by the legislature, it has not been possible to give the employees of the State more than an average \$50 cost of living increase in salary. This has not been enough to meet the actual increased cost of living. I, therefore, recommend that this legislature study this situation and appropriate from the General Fund Budget a sum to be used as a cost of living salary increase for State employees so that each one's actual financial position in terms of purchasing power will be as good now as it was two years ago. Employees not paid out of the General Fund Budget should, of course, be treated in the same manner.

FISH AND GAME

More Stocking Needed; Daily Take of Trout Should Be Reduced

The 1947 legislature set up an independent Fish and Game Commission. The commission's sole mission was to establish the wildlife policy of the state and I think it has done an excellent job. Nearly 103,000 resident fishing licenses and better than 33,000 non-resident fishing licenses were issued during the year ended April 30, 1948. This was a tremendous indication of the interest there is in fishing and hunting. At the present time, the most pressing demand is for more fishable waters. This means more stocking with suitable species of fish and of course protection from pollution. A major hatchery development is contemplated at Bald Hill in Orleans County. It is necessary to have controlled volume and temperature of water, supplied by drilling, before any large development is undertaken there. I believe a special appropriation for this project could well be considered by this legislature. I also recommend the legislature consider reducing from 20 to 12 the daily take of trout for sportsmen and that the season be extended up to and including Labor Day. Due to the hazards of forest fires at various times, the take of fish and game may be suspended by proclamation of the Governor. I recommend in such instances discretionary power be given to the commission to extend seasons, in such event, to compensate for portions lost.

Special Deer License Tag

To help in better enforcing the law and to aid in meeting the growing costs of deer damage, I recommend legislation authorizing a deer tag to be issued with all hunting licenses. This tag will constitute a special deer license and I recommend a fee of \$1 additional for this.

NATIONAL GUARD

The National Guard has made excellent progress in its reorganization. All but two of the units originally allocated to the State have been organized. Among these units are the 172nd Infantry which served so valiantly in the Pacific area during World War II. The organization of the 206th Field Artillery Battalion brought to Vermont its first National Guard artillery unit in recent years.

For the first time Vermont has an Air National Guard which is based at Fort Ethan Allen and the Burlington Municipal Airport. Its 134th Fighter Squadron is one of the best National Guard squadrons in the country. The total aggregate strength is approximately 2,000.

At the time of the disastrous Rutland flood nine units of the National Guard were on duty in that area for varying lengths of time, and units of the Air National Guard were used for observation and emergency transportation. All units were alerted during the drought period in the fall of 1947. Seven units, as well as the Air National Guard, under direction of town fire wardens and the State Fire Marshal, assisted in putting out forest fires. Our National Guard is to be commended for its assistance during these emergencies.

I bespeak the continued enthusiastic support of the growth of the National Guard in this state by every citizen. The National Guard really is this country's first line of defense. In this age, terrible disasters -- even wars -- can occur or start over night. Vermonters never have neglected their duty in this matter of defense.

VETERANS

Our State Veterans Board has given careful and sympathetic attention to any problem presented to it by any veteran. Yet a great problem still lies ahead. In the next three years approximately 3,000 Vermont young men and women who have taken advantage of their educational rights under the "G.I. Bill" will seek to put their newly acquired skills to work. Countless thousands of others who may find themselves in dead-end jobs should be given every assistance within our power to find their proper niche in our industrial life.

This State must be prepared to carry on a continuous specialized job placement program, which will awaken employers to the value of this vast reservoir of skilled manpower. To such a program I pledge the full resources of our state government. Vermont can ill afford to lose this group of trained youth to other states as it has so consistently in the past.

INDUSTRIAL RELATIONS

Workmen's Compensation Act Antiquated

On the whole, relations between employer and employees in Vermont have been wholesome. I believe there are certain corrective measures that should be taken for the good of Vermont. The Vermont Workman's Compensation Act has been amended in a piecemeal manner by a number of legislatures. This method is too slow and ineffective to bring this act to a parity with other New England states. I would, therefore, recommend that an interim study of our Workmen's Compensation Act be authorized to recommend a revision to the legislature of 1951. This should not, however, prevent this legislature from liberalizing certain parts of the Workmen's Compensation Act. Specifically amendments are needed now for these parts: the medical and hospital provisions of our Act, maximum percentage of wages which establishes the weekly compensation payable to injured workmen and the weekly compensation rate, and the matter of reducing the present exemption from seven employees to five or three employees, or even lower.

Woman and Child Labor

I would further recommend that we should not employ women workers in manufacturing establishments after 10:00 p.m. This prohibition should also apply to minors under 18 years of age.

Truck and Bus Drivers

I also recommend that a compulsory rest period for truck and bus drivers be decreed; so that all drivers of motor trucks and buses be allowed 24 hours of consecutive rest in every calendar week and that a limit be placed on the sustained driving period.

UNEMPLOYMENT COMPENSATION COMMISSION

Change of Name Suggested

For a long time it has appeared to me that the name of this commission is misleading and is not descriptive of its functions. This commission deals both with unemployment problems and employment problems. I believe a more fitting name should be effected. I suggest the Vermont Employment Security Commission.

Change in Law Recommended

The existing law provides that the benefit year begins on the first Saturday in April of each year. This is in variance with the requirements that benefits begin on Sunday, and I recommend the act be changed accordingly. The act should also be amended to provide that an unemployed claimant must actually seek work. Such is not the case now. I recommend the broadening of UCC coverage to four or more employees. I also recommend that consideration be given to the employee who while unemployed and otherwise eligible for benefits, is taken ill and there is no suitable work for him. It would seem he ought to continue to draw benefits regardless of his illness while these conditions exist. I recommend also that maximum weekly benefits be increased. Benefits have been 50% although this has not been true of the lower income brackets. I recommend that up to a maximum of \$25 a week, our law be amended so that the unemployed person will receive approximately 50% of his wages while unemployed.

TOWN FINANCES

A State is only as strong as its component parts and it is vitally necessary that our towns be well managed. The State contributes large amounts to town finances and it is only reasonable that the State be assured that this is properly used for the purposes for which it is appropriated. I feel that the present Act enabling towns to have an audit by the State Auditor of Accounts should be amended so that an audit will be compulsory at least once in four years, and may be had oftener if the town desires it. This would in no way interfere with "home rule", but would provide further assurance that the barn door will be locked before the horse is stolen.

DISPLACED PERSONS

There are a large number of people, just such people as you and I, who have been driven from their homes in Europe. They dare not return. If they do, in all probability they will either be sent to slave camps or be executed. We call them Displaced Persons. Recently we have created a state committee to help bring Displaced Persons into Vermont. This committee is sponsored by the Governor. The influx of a few of these good people into Vermont will be good for us. The hardships these people have gone through have portrayed to them most vividly the value of freedom and just what hard work means. A little of their understanding of these things, if conveyed to us, will be for our good. I therefore recommend the state be authorized to guarantee a sum up to \$10,000 which will protect towns of Vermont from having any unfortunate Displaced Persons fall back onto towns. These people will be placed in communities through three great social agencies—Church World Service (Protestant), Vermont Catholic Charities (Catholic) and Rutland Jewish Center (Jewish). Coming into a strange country, the one thing they will have in common with our people is their religious faith, so these agencies form the basis for taking care of these Displaced Persons.

CONCLUSION

In opening this inaugural address, I referred to Nehemiah. I am sure most of you remember the story.

Nehemiah was an exile from Jerusalem, living in Persia. From travelers passing through he learned that the gates of Jerusalem had fallen down, and that its walls were tumbling into ruin. He knew that the only ones left behind by the conquering Persians were the aged, the sick, the children. The Persians only had use for the able-

bodied men and the young attractive women. Thus he knew that there were in Jerusalem, helpless, defenseless people without a protecting wall.

Nehemiah, after prayer and meditation, went to Artaxerxes, the King of Persia, and begged permission to return to Jerusalem to rebuild the wall. The permission granted, Nehemiah returned to Jerusalem and made the necessary plans.

He then roused the people to build the wall. All of the people joined—jewelers, druggists, housemaids, merchants; the ragged and the well-to-do. The wall was built. Then and only then could the aged, the sick, the children of Jerusalem be free from fear; then only could they relax, with happiness and love abundant.

Just so two years ago, we, the people of Vermont joined to start building a wall—not a wall to set us apart from our neighbors; but one that will spell love, comfort, and care for the aged and the sick; a wall that will provide an opportunity for uninterrupted education and for understanding; a wall that will provide strength and happiness for our children.

The wall is a symbol of a united people, determined that they should work together and live together as neighbors, with faith, with love, with charity, with hope.

Two years ago, we, the people of Vermont began to provide long deferred, long needed shelter and help for the aged and for the unfortunate. Desperately needed new buildings at some of our state institutions were authorized, and adequate appropriation was made so that those entitled to aid because of age, or being blind or crippled could have it. So too we provided a foundation for a good education for our children.

The wall is partly built. There are still things to be done, the public health to be protected. Our task is to finish that wall now that we too may say, “so we built the wall, for the people had a mind to work.”

Inaugural address

of

Horace F. Graham

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1917

Thursday, January 4, 1917
Inaugural Message

Gentlemen of the Senate and House of Representatives:

I am not here this afternoon to give an account of a stewardship. I am here to perform a duty imposed upon me by the Constitution. Before I bring to your attention those recommendations I have in mind, I wish to offer a word of advice that will apply to all of us.

First, do not begin to worry as to whether this session will be long or short. Set yourselves resolutely to the solving of the problems as they present themselves, and having given heed to those matters that require your attention, adjourn.

Second, before you introduce a measure be certain in your own mind that a proper enforcement of the law as it now stands or a new endeavor of government requires it and that it is not urged by some personal interest.

Third, before you send to the governor a measure for his approval, first ascertain if the public good or the protection of a private right really calls for its enactment. We already have too many laws more honored in the breach than in the observance. Let us not at this session continue to fill the statutes with further useless and unnecessary legislation.

When this nation and this state were founded the wants and needs of the people were few and simple. As population and wealth increased and ways of communication became more general, our constantly changing and advancing civilization demanded that the general government of the nation and of the state take on new activities.

The form of the legislative department of government has remained substantially unchanged, likewise the judicial department, but the executive department has continued from decade to decade to increase in number of departments and officials. Executive officers, some appointed by and responsible to the chief executive, others appointed in the same manner but apparently thereafter responsible to no one, all exercising extensive functions of government, some similar and some conflicting in character, have been created; until today the problem confronting not only Vermont but her sister states is how best to re-arrange these different officers, boards and commissions so as to give at once a simple, an efficient and an economical administration.

We cannot return to the simplicity of the fathers if we would, therefore we must try to set our house in order to meet existing conditions.

Today the state must certainly provide for the education of her youth, the construction of her highways, the care of her criminal, her insane, her feeble minded and her wayward and her unfortunate people. She must look to her financial institutions, the proper collection and expenditure of her revenues, the encouragement of agriculture, the advertising of her resources and the preservation to her people of those natural resources that belong to the people as a whole. These and like matters concern you, and the ways and means by which these things shall be done, are for you to plan and work out.

The recommendations I shall make are not based on theory or hearsay but are conclusions I have reached by daily contact of over fourteen years with the business of the state.

Our large private corporations are successful not because of the efforts of some particular individual, but because of the united efforts of a number of persons, each of whom is held responsible for some phase of the corporation's activities. An individual, not a group of employees, must render account and pay the penalty if his stewardship is not satisfactory. The modern state is a business corporation and should be run as such, Individuals, not boards or commissions, should be held to account by the taxpayers.

By imposing upon one officer duties now being performed by one or more boards or commission, such an officer will require assistance, but each officer must be held responsible for the acts of the state's employees under him.

As the heads of the numerous departments of a private corporation are advised and directed by its president and directorate, the heads of state departments should be under the executive and a board to advise and act with him.

I. RECOMMENDATIONS.

I am of the opinion that in addition to the six elective state officers, constitutional and statutory, the central executive authority should be vested in a board of state control, composed of the governor, the commissioner of agriculture and forestry, the director of state institutions, the purchasing agent and the state engineer, the governor acting as chairman of the board and his secretary of civil and military affairs as its secretary and recording officer. Appointments made by the governor should be subject to the approval of the board of control, except appointments of members of the public service commission, the commissioner of taxes, the bank commissioner and the members of this board, and these officers should be nominated by the governor and confirmed by the senate. This board with the chairmen of the finance committee of the senate, the ways and means and appropriations committees of the house should perform the duties now imposed on the budget committee. The board should also assume the duties of the board of public printing. The governor should have the power to remove any executive officer appointed by him and confirmed by the senate or approved by the board who in his judgment is not properly performing the duties of his office. This board of control should meet at least once each month, assume the duties now performed by the board of visitors to state institutions, and also have the powers of visitation and investigation over all institutions receiving state aid, directly or indirectly, and if in the opinion of the board moneys derived from the state are not being properly expended, suspend further payment thereof until satisfied that the fault has been corrected. The members of this board should receive no further emolument than their official salaries but should be allowed their actual and necessary expenses, The salaries of the chiefs of the different departments should be fixed by statute but the number of employees allowed to each department, the purpose of their employment and their compensation should in all cases be determined by the board of control. Each institution, department or office should receive a fixed appropriation for its support and out of this fixed appropriation should be paid every expense incident to the conduct of the institution, board or office, including even the printing of its biennial report. The board should require monthly reports of all work done and the substance of these reports should be given monthly to the public.

II. STATE TREASURER.

The salary of this official should be \$3,000.00. His duties as treasurer should be the same as at present; and in addition thereto, if it is thought best to continue the department of weights and measures, he should act as chief of the bureau of weights and measures and, subject to the approval of the board of control, appoint such inspectors as may seem best.

III. SECRETARY OF STATE.

The salary of this official should be \$2,000.00 as secretary of state; \$1,000.00 as chief of the bureau for licensing motor vehicles, and \$500.00 as chief of the bureau of publicity, and he should also act as a member of the board of corporation tax appeals.

IV. AUDITOR OF ACCOUNTS.

The salary of this official should be \$3,000.00. His duties should be confined to auditing the bills presented against the state and further he should act as a member of the board of corporation tax appeals.

V. ATTORNEY GENERAL.

The salary of this official should be \$3,000.00. His duties should be the same as at present. He should not have the right to contract for assistance, legal or otherwise, within or without his office, in behalf of the state, without the approval of the board of control, or for detective service in an amount in excess of \$200.00 in any case without the approval of said board.

VI. BANK COMMISSIONER.

The salary of this official should be \$3,000.00. His duties should be the same as at present. All fees received from investment companies should be paid into the state treasury without being charged with the expense of supervision. The savings banks and trust companies should no longer be assessed with the expense of supervision.

VII. COMMISSIONER OF TAXES.

The salary of this official should be \$3,000.00. His duties should be the same as at present. He should also look after the licensing of peddlers, auctioneers, foreign corporations and fourth class liquor licenses, in fact he should be the sole licensing authority except for the licensing of motor vehicles.

VIII. PURCHASING AGENT.

The results of the conduct of this office show conclusively that it has worked a considerable saving to the state. When the bill establishing this office was originally introduced, it was proposed that the purchasing agent approve all the bills for material bought and forward them to the auditor for audit and payment. As it was uncertain just how the plan would work, it was thought best in the final analysis to permit the purchasing agent to draw on the treasury, pay the bills direct and return the receipted bills as vouchers for the money drawn. I now recommend that this practice be discontinued and that the purchasing agent approve all bills for material purchased and forward them to the auditor of accounts for audit and payment.

IX. DIRECTOR OF STATE INSTITUTIONS.

This officer should exercise all the functions of the board of penal institutions, trustees of the state hospital, trustees of the state school for feeble minded children, and act as a member of the board of control.

X. COMMISSIONER OF AGRICULTURE AND FORESTRY.

This officer should perform the duties now performed by the board of agriculture and forestry, the commissioner of agriculture, the state forester, the live stock commissioner and the state ornithologist, and he should be director of the state schools of agriculture and should be a member of the board of control.

XI. STATE HIGHWAY COMMISSIONER.

The duties of this official should be the same as at present. He should have for assistants a proper number of district highway commissioners at an annual salary of \$1,000 each.

XII. DIRECTOR OF PUBLIC HEALTH.

This officer should exercise all the duties of the board of health, be ex officio chief of the state laboratory, chief of the tuberculosis commission and with two physicians duly appointed, sit as a board of health to issue orders on occasions of public peril, discharge inmates from the state hospital, Brattleboro retreat and school for feeble minded children, and have the power of visitation at all penal and reformatory institutions and at all institutions where the insane are confined. If this recommendation is adopted, the supervisors of the insane will not be needed.

XIII. COMMISSIONER OF INDUSTRIES.

This officer should perform all the duties now performed by the industrial accident board and the factory inspector and should look after the enforcement of the child labor laws and the laws governing the employment of women and the weekly payment of wages.

XIV. FISH AND GAME COMMISSIONER.

The salary of this official should be \$2,000.00. His duties, the same as at present; but he should not be permitted to establish new hatcheries or rearing stations, game refuges or game wardens' quarters without the approval of the board of control.

XV. STATE GEOLOGIST.

The salary of this official should be \$1,500.00. His duties, the same as at present; but he should no longer act as curator of the cabinet, but with the president of the Vermont Historical Society nominate to the board of control for appointment a curator of the cabinet and the collection of the Historical Society, who should be paid by the state.

XVI. STATE ENGINEER.

The state employs civil engineers in connection with the work of the public service commission, highway commissioner, board of health and attorney general. Moneys so expended are amply sufficient to employ an engineer and to provide for his necessary office assistance, and I believe that we should establish the office of state engineer. This officer should take charge of all the engineering problems arising in all the state departments except such as can be handled by the district highway commissioners, the highway department, act as boundary line commissioner and as conservation commissioner.

XVII. THE BOARD OF EDUCATION.

The board of education should remain as at present having the power only so far as appointments are concerned of selecting the district superintendents, the teacher training and normal school force and of nominating to the board of control a commissioner of education

XVIII. INSURANCE COMMISSIONER.

I believe we should establish an insurance department for the examination and supervision of the insurance interests and place in the care of an insurance commissioner the conduct and management of our state insurance and make him ex officio fire marshal with power to investigate all suspicious fire losses.

XIX.

I have made specific recommendations as to the salaries of certain elective and appointive officers, believing that the state should pay a fair remuneration for service rendered, taking into consideration the fact that the cost of living has increased and is not likely to decrease. The salaries of certain other officers should be raised and adequate compensation given the new officials I have recommended.

XX. EDUCATION.

The present educational law and system should be continued in force. The direct appropriation made by the state of \$130,000.00 should be increased to \$225,000.00, but there should also be charged against this appropriation the support of the normal schools now costing \$25,000.00 and the higher instruction now costing \$49,000.00 and the expense of all the vocational courses and of the junior high schools.

XXI. HIGHWAYS.

The appropriation for the support of highways should be increased to \$225,000.00 and should be available to incorporated villages under proper statutory regulations. Some plan should be adopted for extending state aid under state supervision to roads other than selected highways. Since many owners of automobiles do not reside upon selected highways and as our automobile traffic is not confined to such highways, some part of the automobile fund should be available for the improvement of roads that have not been made selected highways.

All the expense of the highway department including the pay of the commissioner and his office force, the district highway commissioners and the maintenance of draw bridges and the Sand Bar bridge should be charged against the highway funds.

XXII. REVISION OF THE STATUTES.

No. 242 of the Acts of 1915, provided for a general revision of the entire body of the public statute law of the state. The work of the commissioner having this matter in charge will soon be submitted to the general assembly under the title "General Laws of Vermont." As hundreds of changes have been recommended by the commissioner, it will be impracticable for any committee to undertake to go over the work without outside assistance and I recommend that by joint resolution the attendance and service of the commissioner before the

legislative committee having this revision in charge be provided for during the session and that adequate stenographic assistance be at once authorized.

XXIII. COURTS.

I believe that there should be elected by the board of civil authority in each town in the state and the city of Vergennes a trial justice for criminal causes who should have authority to bind up to the proper court persons charged with any offence but should only have a limited criminal jurisdiction and should not at any time sit with a jury. This officer should be paid by fees and should make quarterly settlements of his accounts with the auditor of accounts. I further recommend that the civil jurisdiction of justices of the peace be limited to \$100.00.

I recommend that the municipal and city courts be reorganized into twelve district courts covering the whole state and located with regard to business centers be given enlarged criminal jurisdiction and final civil jurisdiction up to \$500.00; that they be empowered to sit with the jury at least once every two months and be permitted to hold court at any place in the district where the business demands. I recommend that the superior court be done away with and that the number of justices of the supreme court be increased to nine, the chief justice and the first and second associate justices not to sit at *nisi prius* unless the business demands it. The chief and first and second associate justices should so arrange the circuits that each justice may remain at least one year in a circuit. There should be two jury terms of county court. The court should be open at all times for the trial of issues of fact by the court, under rules to be formulated by the justices. There should be only three terms of the supreme court, in February, May and November, at Montpelier. Only five of the supreme court justices should sit at each term, the third and fourth associate justices sitting at the general terms to be designated by the chief justice, this designation to be so made as not to conflict with the work of the county courts. If an opinion is not filed at the close of the second succeeding term after hearing, the case should be remanded and judgment of the lower court affirmed. The presiding judge at each term or session of a county court should fix the number of deputies to attend and leave his certificate to that effect with the county clerk to be handed to the auditor of accounts. No bellman or janitor service should be allowed in any county where the state pays part of the janitor service.

I also recommend that in those counties which now contain two probate districts, with perhaps the exception of Windsor and Orange, the probate districts be consolidated into one district for each county.

XXIV. PAROLE SYSTEM.

I have given considerable care to an investigation of our parole and probation system and I believe our present plan will be improved by a state-wide plan in the hands of those who are in full sympathy with the work and who believe it better for the state to endeavor to prevent crime rather than to await its commission and then punish the offender. We now spend about \$1 biennially on this branch of the criminal administration, and this sum I believe would be sufficient to establish a state probation and parole board.

XXV. STATE DETENTION FARMS.

I further recommend that you take some action looking toward the establishment of state detention farms where long term prisoners may be employed but I would not recommend that this be adopted as a fixed policy by the state until an opportunity has been given to try out the plan on a reasonable basis near to those counties which usually have the largest jail population.

XXVI.

Power should be vested in the executive to transfer from one institution to another and from one jail to another and to a detention farm, if one is created, all persons under sentence.

XXVII.

I recommend an appropriation of at least \$10,000.00 for further construction at the industrial school.

XXVIII.

We should also consider the construction at one of our institutions of a woman's ward or prison to which institution all female prisoners should be sent, including those who may be confined in jail or held for want of bail for trial.

XXIX.

There should be a further appropriation for the construction of new buildings for the Vermont state school for feeble minded children, at Brandon.

XXX.

The expense of the appraisal of the lands and property in the unorganized towns and gores should be paid from the taxes therein collected under the provisions of the Act of 1912.

XXXI.

Some fixed rule should be provided by statute for the use by a state official of his own automobile when engaged upon the state's business.

Some legislation has been prepared to carry into effect a portion of these recommendations and this will be submitted to you for your consideration within a few days by the gentlemen who have had this preparation in charge. Whatever action you may decide to take with reference to the recommendations I have made, I know will be the result of your careful deliberation and honest judgment. I shall be glad at any time to discuss with you individually or in such way as you may deem best my reasons for the faith that is in me. In making them I am prompted by one motive only—a better Vermont. By cutting off a few dollars here and a few dollars there, no considerable saving will be effected, but by a united effort, by team work, by supervision and a careful scrutiny of the work of each department as it proceeds and the results accomplished therein from month to month, many dollars may be saved both for the taxpayer and for use where most needed. Duplication of effort will be avoided and in a short time each department of state will be able to show a more efficient management and greater results than we can possibly expect under our present system.

The bright light of publicity, the spur of competition with proper supervision and the advice of a general board will soon place our governmental activities upon a business basis. We shall thus be able to set side by side from day to day our wants and our means and be thus better able to determine those wants that are necessary and, when properly met, will make for a better government.

The Governor having concluded the reading of his message, withdrew and the joint assembly dissolved.

GUY W. BAILEY,
Secretary of State, Clerk.

Inaugural address

of

Josiah Grout

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1896

Thursday, October 8, 1896

Inaugural Address

Gentlemen of the Senate and House of Representatives:

Elected and sworn to be Governor of the State, I humbly enter upon the duties of the office, impressed with the importance of the trust.

In so doing I would gratefully and appreciatingly acknowledge the honor conferred, craving the kind forbearance of all.

Good government depends upon wise laws faithfully executed.

We are assembled in regular biennial session to assist each other in encouraging such government in Vermont, and under Divine guidance let us enter upon the work of such an under taking.

UNITED STATES SENATOR

Among your duties will be the election of a United States Senator for the term of six years from the fourth day of March next, to succeed the Hon. Justin S. Morrill.

FINANCES

This is probably the most interesting subject, all in all, you will consider, and from time immemorial has been instinctively accorded first position among the message topics of my honored predecessors.

Receipts, disbursements, resources, and liabilities are words suggesting the ins, outs, reliability, and emergency of the exchequer.

They are the ways and means language of public financing; four words in the Treasurer's report, to which your most careful attention is directed, standing for revenue, appropriations, dependence, and credit.

The money supply now occupying so much thought invites an equally earnest consideration of its use, wherein lies its value.

In raising and appropriating the public moneys be just and prudent; avoid both extravagance and parsimony; keep the resources secure and the credit firm.

TAXATION.

Our revenue flows into the treasury from various sources and out in various ways. Instead of presenting to you a statement from the Treasurer's report, showing its different features, it seems better that you each examine it for yourselves. It is brief and able, rendering clearer the particular workings of the treasury, than any abridgment of it I can furnish you.

From the resources and liabilities given, you will be able to determine the State tax, additional to the other taxes, necessary to defray the expenses of the State the ensuing biennial term.

This tax should not be larger than was assessed in 1894, assuming list to be nearly or quite the same, and if upon re-adjustment, corporation taxes should be increased and special appropriations are kept at the minimum, so that ordinary expenses can be the expectation, a smaller tax will suffice. This calculation encounters the proverbial IF. It depends upon the work of the session, and before we reach the State tax question you will know by your own conduct how large it should be.

CORPORATION TAXES AND TAX COMMISSIONER'S REPORT.

Thirteen annual taxes have been collected under the corporation tax law; the first in 1883 amounting to \$196,678.51 and the last in 1895 amounting to \$376,723.04. The tax for the last biennial period was \$734,582.81, being \$42,351.62 more than for the preceding biennial period. These taxes, show a uniform increase, are cheerfully paid and are important to the State. They should be so assessed and collected as to deal

justly by the corporations paying them, and at the same time so as to realize for the State in proportion to the protection afforded. An inquiry into the equality of assessment is suggested as a proper investigation.

The assessment and collection of the corporation taxes, constituting nearly 75 per cent, of the State's revenue, is a very important official duty. The faithfulness with which the work is done signifies much to the treasury. Your attention is directed to the Commissioner's report for the information it affords concerning this source of income.

THE FIVE PER CENT. STATE TAXES.

These taxes are equalizers of the school and highway burdens in the different towns of the State. They are drafts upon the stronger in favor of the weaker. Steps in the direction of true democracy calculated to strengthen our education and improve our roads.

This plan for upbuilding the State, always acceptable to the poorer, is generally agreeable to the wealthier towns, for they well know any excess they pay, inures to the benefit of the State as a whole. All, believing in Vermont, recognize that doing it to the least is doing it to the greatest, and so welcome the 5 per cent. State taxes. Whether this step in the right direction should be lengthened is a question for you to decide. Road improvement can profitably use more money and incorporated school districts are reminders that the poorer communities have a right to equality in school burdens.

DOUBLE TAXATION.

The public burdens should be borne by all equally, according to what each taxpayer is worth, yet the grand list upon which taxes are extended does not rest upon such an equitable foundation; until it does there will be uneasiness among the people. The taxpayer who owes more than the appraisal of his personal estate, as the law now stands, pays taxes on his debts or on more than he is worth. Offsets against personal property in making the grand list are an acknowledgment that taxes should be paid upon the basis of solvent worth.

To illustrate: The debts of A. are the credits of B., and B. should pay taxes on these credits unless he is in turn a debtor. If A. cannot offset his debts against his property appraisals he pays taxes on more than he is worth. B. may hold credits secured on A's farm, the full appraisal of which goes into A.'s list. In this case the value for which the credit was given and the credit are both taxed.

B. should pay taxes on the credit, for A. pays him interest with which to do it, but A. should not pay taxes on the value part of the farm covered by the credit, because he pays interest to B. and owes for it besides.

It is conceded that this feature of our tax system is wrong, and that the parties burdened by it are entitled to relief. The indirect remedies heretofore proposed are at the best theoretical. Some of them have been suspected of making a bad matter worse. Remember, it is the debtor that should be relieved. If farm mortgage indebtedness wherever held were taxed against the mortgagee, the tax paid by the mortgagor and deducted by him in settling with the mortgagee and the mortgagor allowed offset against his real estate appraisal, the landed values of the State would pay taxes once and the payment would be by the right parties. Each, mortgagor and mortgagee, would then pay on what they respectively hold in the property. This would by short cut accomplish the desired relief, without changing materially, if in the least, the volume of the grand list of the State.

It is to be hoped you will give this subject your earnest attention and unless satisfied it is a wrong without a remedy, provide necessary legislation.

STATE EXPENSES.

Next in importance to income are expenditures.

A contented treasury must receive more than it disburses.

The income should be sufficient to meet the proper needs of the State. In representing the wishes of the people, you will be safe in avoiding new ways of expense and providing for existing ways with reasonable economy.

The biennial term just closed records an expense of \$1,140,097.56, being the largest in our history. The preceding term cost \$920,397.48 and the term preceding that cost \$1,031,710.92.

These are large biennial expenditures. They should be decreased rather than increased. The expenses of the State have gradually argumented during the last twenty-five years; so have our public gratuities and institutions. The increase of expenses I apprehend has been principally occasioned by the creation and maintainance of the multiplied institutions.

The Reform School, the House of Correction, the Soldiers' Home, the Waterbury Asylum, the Fish Hatchery, the State Board of Health, the Normal Schools, Donations to the Colleges, the Experiment Station, the Railroad Commission, the Grand Isle County Bridges, and the Gettysburg Monument are reminders, in part, of the consideration for which the people have exchanged their money.

To denominate such expenditures, extravagance is a misnomer. The State has value received and in most if not all instances, the investments were wise, patriotic, in the interests of better government and of humanity.

The money was in large part for higher improvements, which mark our progress and adorn our better civilization.

Without prejudice to the past or allowing it to influence the present, let us discriminately consider the various expenses of the State, and according to the times, fearlessly and fairly adjust each item.

Previous to 1880, our State tax averaged about 63 cents for the biennial term, and since it has averaged about 14 cents. The direct tax burdens to the people have not increased, and while we have expended more money it has been for what we needed.

STATE AUDITOR'S REPORT.

The State Auditor's concise and able report is an instructive bill of particulars, showing where and for what, the public money is used. It is not convenient in a message, to mention in detail, the various items accruing, for instance, under the head of court expenses, salaries and the numerous other classes of expense and the Auditor's report showing plainly what you ought to know upon this subject, fortunately, renders such a message unnecessary. I respectfully refer you to it, urging upon your attention, the business it presents, a study of which will assist in reaching an intelligent, economical action upon measures inviting money from the treasury. Your attention is especially directed to court expenses, which it is claimed, have increased without apparent reason. The fees paid by the State in State cases for the biennial period just closed, amounted to \$4,643 and for defending respondents \$9,826. A limitation placed upon these fees might do justice and make a saving.

Expenditures of all kinds are quite in your hands, yet you can depend upon my hearty cooperation in any efforts you make to keep the money flow from the treasury at "neap tide."

Special appropriations should indeed be very special to receive your sanction.

Small appropriations, incidental to State institutions and necessary to their preservation or more economical management, will be expected.

We are committed to care for our own, and an economical provision of a businesslike character, for all State institutions, is an evident duty.

In considering retrenchment ascertain, in the interest of the public welfare, what we can do without, and then do without all such things. Apply the same economy to public, as acting prudently, you would in private life to your own affairs, and the State will be conserved to the best of your ability.

ROADS AND THE STATE ROAD COMMISSION.

Good roads are an index of civilization and poor roads are a heavy tax upon any community. A general interest in road improvement exists throughout the States. Early in our history national appropriations were made for interstate turnpikes, then came railroad building, absorbing all thought concerning traveled ways, and now we are returning to first principles in which the better road figures conspicuously.

Vermont is interested in all her roads alike, and encouraged by the progress made it is hoped she will extend the system of permanent road improvement already so successfully begun. The 5 per cent State tax and any enlargement of it should be exclusively expended in aid of this system. Successful road improvement has been accomplished in other States through individual contribution from the locality to be directly benefited.

A measure authorizing competitive subscriptions from neighborhoods asking the State tax and awarding the tax to the locality offering the largest local contribution would carry out this thought, and would materially aid in realizing the object sought.

Expensive road building should be avoided and the minimum, not the maximum cost of a good road should be the guide in carrying out the reform.

Probably no one thing will attract temporary and permanent dwellers to the State more than good roads.

If the policy of permanent improvement is continued by means of State funds there should be a State supervision of their expenditure and perhaps this can not be provided for any better than to make a permanent State Road Commission, giving it more voice in determining the character and location of the reform. Regarding this subject nearer than almost any other to the material prosperity of the State it is consigned to your care.

RAILROADS AND RAILROAD COMMISSION.

For full particulars showing the condition, business and management of the railroads of the State, reference should be made to the able report of the Railroad Commissioners, where a full account is given of the different systems within the jurisdiction of the State.

The Railroad Commission, born of a right to supervise the doings of railroads, is now ten years old. Its powers are said to be too limited. It is old enough to speak through its record for itself. If it can be strengthened to render the people any better service than they now receive let it be so strengthened. Let it be made complete in all respects for doing in a fair, just way to all concerned, the most good. You will give this subject your attention and consider whether the railroads should not pay a portion of the expense of the Commission.

BOARD OF AGRICULTURE.

This Board is rendering faithful service along the different lines of work it conducts, and doing much good in various ways. Its meetings held in all parts of the State supply food for thought, awaken interest and quicken endeavor among the farmers. It is a State institution that goes about doing good. It has rendered an important service in furnishing statistical information to sellers and buyers of farms and summer tourists.

TUBERCULOSIS.

This dread disease among stock has created a deep interest and incurred not a little expense. The mystery of the disease and uncertainty of its treatment dwell so much in the unknown, that more than ordinary interest has centered in the methods employed to eradicate it.

The tests made upon which slaughters have been based are as convincing as experimental work can be, and undoubtedly point the way to extermination as clearly as present knowledge upon the subject is able to.

After examinations have covered the State, and should they not do so as soon as possible, whether invited or not, a more definite account of presence, progress and control of the disease can be kept. If the present work is in the right direction let it proceed until reduced to a system by which an accurate estimate can be made of what is being accomplished. The compensation for slaughters is perhaps as just as can be devised in such cases. The disease exposed by slaughters, in every instance, so far as reported, whatever it may be, is something common consent pronounces incompatible with healthy animals and healthy food.

This subject invites your attention that the public and the individual may be better satisfied with and feel more secure in what is being done. The slaughters during the last biennial period cost the State \$20,000.

STATE BOARD OF HEALTH.

The work of this Board should not be overlooked nor its needs neglected. That its report will be consulted and the importance of its duties appreciated is the common desire of an interested people.

SOLDIER'S HOME.

This institution, true to its name, is a home for the indigent veteran of the late war. It is filled, the greater part of the time, with those who shared the dangers, endured the hardships of that gigantic struggle and have grown old, feeble and poor. The generosity of a grateful people in 1884 determined at whatever cost the brave preservers of the union, being needy, should have an alternative between a home and the poor house. This determination stands upon the records of State legislation, a monument of patriotic gratitude, to the soldiers of that war, whether dead or living, rich or poor. I need not suggest that you consider the needs of this institution in the same spirit that has always characterized Vermont's bearing towards the old soldier.

INDUSTRIAL SCHOOL.

This institution, in reality a school, such a blessing to so many boys and girls, benefits the State in more ways than at a glance appear. It restrains youthful wanderings, and fits for men and women the wanderers. It discharges its inmates higher in the scale of being than it receives them. Its purpose and management are to be commended. Your attention is directed to the report of the trustees and the recommendations therein contained as to the needs of the school.

STATE PRISON.

This institution having changed the contract for its labor and provided new machinery incident to the change, expects hereafter to be self-sustaining, a desirable condition for a penal institution to enjoy, calling for congratulations to State and management. A small farm utilizing a certain class of the prison labor and a keeper's dwelling should be added to the property of this institution. Such additions would save the State more than the interest on their cost.

HOUSE OF CORRECTION.

The much needed improvements having been accomplished within the appropriation authorizing them; this institution is now a credit to the State.

Short terms of imprisonment prevent as profitable employment of its labor as might be made under longer terms. The earnings, however, compare favorably with similar institutions in other States.

The return by the directors of about \$4,000, the unexpended portion of the appropriation of 1894, is a welcome surprise to the treasury.

PRISON REFORM.

The criminals of a penal institution should be classified according to previous life, offence committed and general character of the individual; which suggests putting prison life under reformatory discipline, so that the inmate will be a better person at discharge than at commitment. The principal being that the State has the criminal in charge simply to secure the public against his vicious tendencies while he is being punished, and not to hinder in any way the development of his better nature and growth in manhood; and in a broader sense that he should, while restrained, be subjected to moral influences so that he will be nearer to, if not absolutely in, a better life when entitled to his liberty. Vermont has hardly kept pace with the other States in legislation, looking to a return of those who have erred to the paths of good citizenship.

If a move should be made in this direction I am sure I need not bespeak at your hands its careful consideration.

THE ASYLUM.

The Waterbury Asylum is the most important of our State institutions. In design and completion it is a model. Humanely and economically administered it is a credit to the State. It has cost about \$350,000, and being exclusively under State control will accomplish an interesting saving in the care of our insane poor.

Under the Poland pauper law, the expense of this unfortunate class became a State burden instead of a subdivided one among the several towns.

This centralization of the burden tends to an equalization of it, and is without objection unless it multiplies the number of patients.

The records at Waterbury casually observed do not show such a tendency. With it in view to protect the Asylum against such possible imposition, I recommend that you investigate this subject and act according to the information your investigation affords. The inmates can be more humanely cared for at this institution with less expense and greater security to society than by the towns.

It is somewhat in the nature of a common cause to provide for the insane poor, which the State is as much interested in as the town. Patients whose condition still invites treatment and those beyond the reach of such a benefit should remain in the asylum, the former class that they may be cured and the latter that the close of an unfortunate life may be made as comfortable as possible. The insane poor of the State should be cared for at the asylum.

SAVINGS BANKS AND TRUST COMPANIES.

These institutions are reported in good condition. Deposit withdrawals have increased of late under the menace to financial security occasioned by political discussion. Trusting the prayer of the people will be answered soon, this disturbance is not expected to last long.

THE PROHIBITORY LAW.

For nearly half a century prohibition has been an omnipresent theme with the people of Vermont, and a study of temperance has become a feature of our educational system. It has stood and stands a bulwark between brutality and home, order and riot, the better and the worse in all things. The prohibitory law has occupied a conspicuous place upon our statutes and signally aided the cause of temperance.

It has not exterminated from our society all disposition to violate its provisions, nor does any law destroy the germ of transgression but it has to a very satisfactory extent restrained the offender, making rum selling unprofitable and a reproach. Violations are the exception and confined mostly to the larger places.

The general temperance of our people is superior to that of any sister State. Our prohibitory law insures a better home for the laboring man and his family here in Vermont than in any other community of its size on the face of the earth.

We have reason to congratulate ourselves upon many things but upon no one thing more than the character which has become a part of our life since prohibition has guarded the avenues of our society.

With these and other considerations in full view we are confronted by the usual biennial inquiry, shall the prohibitory law make way for high license, or shall the law be more carefully enforced? Among the things clear to judgment and conscience is the demand for a more careful, diligent, day and night, everywhere present enforcement of the law.

Such attention should be given the subject as to render it very inconvenient if not impossible to indulge in violation.

Law, however good, not enforced, becomes bad, and soon imparts its character to the people enacting it. The wisdom of the fathers, traceable in our society and our institutions, urges earnest enforcement of all our laws.

Public sentiment in many localities regards the enforcement of the prohibitory law differently from the enforcement of other law, and in my opinion you should provide better pay to the officers called upon to enforce it.

Provide in such way as commends itself to your discretion a better enforcement of this law or public expectation will be disappointed.

Salary the municipal trier and compensate the prosecuting officer according to the fruits of his labor. If prosecuting officers were paid special fees, under a well-regulated system, in cases arising under the prohibitory law, the county courts approving semi-annually their accounts, better enforcement might follow.

Officers cannot nurse crime in Vermont for the fees derivable from prosecuting it unless the people are willing. Interest the prosecuting officer and make it an object for him to do his work, if you would be sure of the best service. Pursuing and punishing crime as a work of love cannot always be relied upon.

EDUCATION.

The strength of our State is in the character of our people, which is determined by our education. The schools are the moulding sand in which the common mind is formed. The best school is none too good. The district school, has outlived its early usefulness, of which we have reason to be proud, entered a transition process, resulting in the present town system, with which some are yet dissatisfied. The dissatisfaction with the district system arose from natural causes, and were a return made to that system the same dissatisfaction would recur. The reasons for the success of the system are no longer a part of our life, and we must use some new plan for conducting our schools. Originally opposed to town schools, yet remembering the disadvantages of the old district and intermediate system, I believe the existing law as good as any change would afford. It should be borne in mind, though, that the incorporated districts prevent in towns where they exist a fair application of the town system. If concessions could be arranged to obviate these complaints contentment might be expected.

COLLEGE.

The colleges are successfully pursuing their lines of work. The University at Burlington reports a prosperous condition and so does the college at Middlebury. Norwich University is progressive. Its Increasing attendance speaks well for its disciplines and the proficiency of its work. The Agricultural College and Experiment Station are conducting a work in which the agricultural classes are becoming more and more interested.

NORMAL SCHOOLS.

These schools in the report of the Commission appointed by joint resolution, number 346, General Assembly 1894, are presented to your consideration for such action as in your judgment suits the facts.

The people wish every school in the State well, and implicitly trust to your wisdom as their representatives, in so disposing of this important question as to not impair the usefulness of our educational system and to so bestow or withhold their money in the premises as to accomplish, in the interest of education, the most good for the greatest number.

FISH AND GAME.

Your attention is directed to the report of the Fish and Game Commissioner and Superintendent of the Hatchery. It appears that the State has an interesting property in this line, costing already quite a little money, and promising to cost more. The fish and game of Vermont properly protected constitute a property of general value to the people. These interests should be fostered.

For a knowledge at the needs in this direction see the recommendations and estimates in the reports referred to.

UNIFORMITY OF LAWS.

Hon. Alfred A. Hall of St. Albans, appointed by my predecessor, Commissioner upon the Uniformity of Laws, has reported his doings pursuant to such an appointment. His commission having expired, if further work in this direction is desired, your action in the matter will be necessary. Uniformity in the laws of the several States as more particularly pointed out in the Commissioner's report is undoubtedly desirable, and can be completed now with as little expense as any other time.

FIRE MARSHAL.

It is requested that an office be created to discover the origin of fires consuming property covered by insurance. Such detective officer would supply a need in which the people and their insurance companies are

mutually interested. His work would lessen the moral hazard of fire insurance risks and accomplish a saving to the companies and a lower rate to the policy holders. Whether it would do this or not, it has the moral recommend of being a proper move to expose and punish a crime somewhat common. A measure creating such an office, the expense to be borne equally or in such proportion as you might consider just by the insurance companies and the State, would receive my approval.

ATTORNEY GENERAL.

It is a very general opinion that the office of an Attorney General would aid the administration of the State's affairs and accomplish an annual saving to the Treasury. I recommend that you inquire into the cost to the State of counsel in prosecuting State cases, and doing other State business for the purpose of determining whether such an office cannot be wisely authorized. If such an office can be created within the cost of what is now paid by the State for legal services, I recommend the proposition to your favorable consideration.

COMMISSIONS.

Commissions or boards are frequently created designed to assist the service in special ways which generally cost much more than expected.

When authorized they should be carefully limited as to expense to the State, so that thousands of dollars are not entailed unawares upon the public expenditures where hundreds are contemplated. Too much care cannot be exercised in this direction.

NATIONAL GUARD.

Our militia consists of twelve companies and a battery of four pieces. Its discipline and efficiency are commendable.

Though the guard is not large, yet military organization being expensive, it is all in these times the State can afford. The officers and men make a very considerable sacrifice in time and money in affording us what we have in this respect. What they receive does not make them whole, so the people should thank them for the patriotism and public spirit they contribute towards the military establishment of the State.

The permanent camp ground near Fort Ethan Allen when completed should accomplish a saving in the current expenses of the militia, and prove conducive to the better equipment of the organization.

SPECIAL RECOMMENDATIONS.

Believing the Waterbury Asylum sufficient to accommodate all our insane poor, and that the trustees and physicians of the institution can properly supervise its administration, I recommend a repeal of the law authorizing commitments to the Brattleboro Retreat, and that you abolish the Board of Supervisors for the Insane.

The pay of the State boards varies from three to eight dollars a day and I recommend that you consider this subject with a view to establish a more uniform compensation, according to the importance of each board and the service rendered by them respectively.

I recommend that the law authorizing the appointment of Railroad Commissioners be amended and the official term of the members of the commission made to expire so that one only will retire from office each biennial period.

VERMONT.

Vermont first, after the historic thirteen, would have been one of a more historic fourteen if the sturdy independence and Puritan patriotism of her early manhood had been properly recognized.

Her sisterhood in the family of States has been harmonious and progressive. By common consent, she occupies a position in the honored galaxy constantly in sight. This prominence is the pride of our people. The assembled wisdom and virtue has always faithfully guarded our honor and inspired our progress. May the legislature of 1896 promote this excellence, so bravely given by the fathers and jealously fostered by

intervening generations. May our associated faithfulness and prayerful endeavor hand unimpaired to our successors this expectation of continuing honor.

CONCLUSION.

Unless Thanksgiving fails to adjourn your deliberations, in an even forty days you will conclude your labors; deduct for an adjournment to vote the presidential ticket and thirty-six or seven working days are the possible length of the session.

When in the exercise of a constitutional prerogative, to outline the business of the session, I have, consulting brevity and abridgment, felt compelled to present thirty or more different subjects, each one of which may have as many or more ramifications, and that you too may have many business matters to offer, I am reminded that the session is short.

When, too, judging by former sessions, I recall the occasional adjournments suggesting a probable ten or twelve days during the session, and that your respective bodies will patiently entertain and pass upon the many corporation measures, the subject matter of which can as well for all concerned be incorporated under the statutes, I am still more forcibly admonished of the shortness of time in which to do so much.

When also it appears that it costs the State fully twelve hundred dollars for every working day, three hundred dollars for every hour and five dollars for every minute, I am sensible of the value of our time.

Therefore I would earnestly recommend:

1st. That all bills be introduced on or before the twenty-fifth day of the session, and that such day be determined early by resolution, after which no new business can be offered.

2nd. That your respective bodies refuse to entertain any corporation measure, the subject matter of which can be incorporated under the statutes.

3rd. That you keep adjournments at the minimum and make them all depend upon some common necessity, bearing in mind that every day of unnecessary adjournment is equivalent to a useless appropriation of twelve hundred dollars from the treasury.

4th. That you begin now, not delay till the closing days of the session, to prepare the business to be considered, so that a better system will attend and assist your labors.

The constitution wisely requires the executive branch, to prepare and present at the opening of the session, its business suggestions, and the legislative branch will find it of great economic advantage to follow the spirit of this requirement so far as practicable in its work.

These recommendations observed and the business of the session is under better system, will receive more careful attention, resulting in more mature enactments and last but not least the rush incident to the last days of the session and especially the jostling confusion of the last night during the weary hours of which the most important measures are frequently considered will be happily avoided.

Impressed with the sense that the time of the session cannot be too carefully accounted for to the State and that our good name for accurate laws cannot be too sacredly guarded, I urge as your present help, the same patriotic purity of purpose and wise discrimination that has from the foundation of our government so kindly led our people.

JOSIAH GROUT.

Inaugural address
of
Hiland Hall
As it appears in the
Journal
of the
House of Representatives
October Session
1858

Friday, October 15, 1858

Inaugural Address

FELLOW – CITIZENS OF THE SENATE

AND HOUSE OF REPRESENTATIVES:

We have come together in obedience to the directions of the constitution to consult upon the condition of the state and to adopt such measures of legislation, within the limits of the people's charter under which we are to act, as their wants and interests may seem to require. In the performance of this duty the labor as well as the responsibility devolves almost exclusively upon you. Our state government is emphatically a people's government, being more purely democratic in its character than any other in America, and probably in the world. To the immediate representatives of the people, of the several towns and counties in the state, is committed the absolute power of annually choosing all the officers, both executive and judicial, who are not annually elected by the people, and of enacting such laws as to the majority of them, assembled in their respective houses, shall seem meet.

To this power of legislation the governor has not, as in most of our sister states, even a qualified negative. His authority is of an advisory character merely. By interposing objections to a proposed measure he may cause a reconsideration of it, but if a majority of the two houses remain favorable to the measure, it becomes a law without the approval of the executive. The successful operation of the popular features of our system is a subject of just congratulation, furnishing the strongest evidence of the wisdom and foresight of its framers, as well as of the virtue and intelligence of those by whom it has been administered.

The past year has been one of unusual depression in the business of the country, in which the people of this state have shared to a considerable extent, though it is believed in a less degree than in many others. Although an immediate restoration of business to its former active and successful condition is not perhaps to be anticipated, we have still no occasion for despondency. The productions of our soil during the past season have been unusually abundant; our people have been blessed with an ordinary degree of health; are in the full enjoyment of civil and religious liberty, and the means of intellectual culture, as well as of comfortable bodily subsistence, are believed to be within the reach of all our citizens. With all those and numerous other blessings so bountifully showered upon us by a kind and beneficent Providence, we have abundant cause for thankfulness and rejoicing for the past, and also for hope and confidence in the future.

Coming newly into office and having had little recent experience in state legislation, I make this introductory communication rather in compliance with established usage, than in any very confident expectation of furnishing you with essential aid in the discharge of your various important duties. I shall however make such suggestions as occur to me on some subjects which I deem worthy of your notice, commending them to your candid consideration.

The report of the auditor of accounts, which, in conformity to the provisions of law, has just been published, shows the receipts and expenditures of the state, during the past political year, and the present condition of our state finances. From this report it appears that the balance in the treasury on the first of September 1858, was \$30,643 71, and that the amount of taxes uncollected was \$60,259 26, making together the sum of \$90,891 97 as the immediate available resources of the state, and that the indebtedness of the state, including orders unrepresented, the bank safety fund and the sums due to towns for United States surplus money, was \$143,904 07, exceeding the current available resources by the sum of \$53,012 10. It is to be observed that there has been expended in the construction of the new state house the sum of \$61,127 70, and that but for this extraordinary expenditure, made necessary by the accidental destruction of the old edifice, the sum in the treasury and the assessed taxes would exceed the state indebtedness by about the sum of \$8,000. The policy of the state from its first organization has been against the creation of a permanent state debt. Extraordinary and unexpected calls upon the treasury, like that now requiring the construction of a new capitol, have occasionally been provided for by temporary loans, but provision for their speedy payment has always heretofore been made. This policy has had a strong tendency to produce a judicious economy in our expenditures, and I trust is not to be departed from.

The report of the auditor of accounts also embraces the reports of the several officers having the charge and inspection, respectively, of the Vermont asylum for the insane, and of the state prison, and also the bank commissioner's report.

The report of the commissioner of the insane is highly complimentary to the conduct and management of the asylum, which, under the direction of its experienced superintendent and board of trustees, appears to be in very successful operation.

The reports of the directors of the Vermont state prison and its superintendent, are also of a favorable character. I would respectfully call your attention to the recommendation of the directors for reconstructing the cells of the prison, which the comfort as well as the preservation of the health of the inmates would seem to demand.

From the report of the bank commissioner, it appears that all the banks in operation in the state are considered to be in a sound condition, though the capital of some of them, by reason of losses, has been reduced below the chartered amount. It would also seem that many of the banks have violated some of their charter provisions. I beg leave to call to your attention to these violations, specified by the commissioner, and to submit to your consideration whether further legislation is necessary to prevent their repetition.

I have reason to believe that the geological survey of the state, under the superintendence of the eminent state geologist, is being judiciously and successfully prosecuted. His report will be laid before you at an early day, with such suggestions as shall then occur to me as important.

Reports are also expected from the superintendent of the state house, on the progress and present condition of the work on that edifice, and from the secretary of the board of education, showing the proceedings of the secretary and of the board during the past year, which reports will be severally communicated to you. On transmitting these reports, I shall take occasion to submit such remarks upon the different subjects embraced by them as shall seem to be required.

The subject of the condition and management of our railroads is one of the very highest importance to the state, but as it will come appropriately before you by the report, which is to be made to you by the railroad commissioner, I forbear to comment upon it.

The militia of the state have lately received more than usual public attention, and the subject will doubtless be before you for consideration. The condition of the militia has heretofore been deemed a matter of great importance. Our ancestors brought with them to this country a strong hereditary dread of standing armies, which successive events in the parent country continually served to strengthen and confirm. It was found that whenever such military force was not engaged in foreign wars, it was generally employed by the government in oppressing and attempting to enslave the people, and this whether the force was controlled by the crown, by parliament or a protector. This conviction of the danger of standing armies, and a belief in the safety and efficiency of a well regulated militia for purposes of defence and protection, were established political principles of our revolutionary fathers, and as such were incorporated into our state constitution.

The early settlers of New England were in the constant daily use of fire-arms for their protection against savages and wild beasts. Such arms were also required in the pursuit of game, which often furnished them with convenient and sometimes indispensable means of subsistence. The frequent attacks which were made upon their settlements by the Indians and afterwards by the French and Indians combined, the threatened dangers from the oppressions of the mother country, which immediately followed the close of the French war, and the actual hostilities of the revolutionary period, all stimulated the military spirit of our ancestors, and made them not only cheerfully submit to frequent and expensive drills and musters for their improvement in military discipline, but to feel an honest and patriotic pride in establishing and maintaining a high character for the efficiency of their military organization. This military spirit continued to prevail to a considerable extent until the war of 1812, during which the militia were frequently called out and often rendered valuable and important service to the country. But after the peace with England in 1815, the character and efficiency of the militia for parade and discipline suffered a marked and rapid decline. This apparent abatement of military ardor is doubtless mainly, if not wholly, to be attributed to the feeling which has extensively pervaded the community since that period, that all danger from foreign invasion had ceased, that little or none was to be apprehended

from domestic violence, and that consequently a military organization was unnecessary and useless. Under the influence of this feeling, our laws, which have required our citizens to furnish themselves with arms and equipments, to appear with them by companies for inspection and drill, and to attend regimental and other musters, have been looked upon as imposing expensive and unnecessary burdens, and all efforts of legislation for some years past, to give popularity and efficiency to such laws, have proved unavailing. I am not now considering the justice and propriety of this feeling, but merely stating the fact of its existence, a fact which ought not to be overlooked in any further attempt at legislation on the subject. For in our republican system, a law in order to be permanent and effectual must be sustained, or at least must not be condemned, by public sentiment.

By our present laws the militia is divided into two classes, denominated the enrolled and the uniformed militia. All persons liable to do militia duty by the laws of the United States and of this state, are to be annually enrolled by the listers of the several towns, and a return is to be made of their enrollment to the Adjutant and Inspector General. The enrolled militia is divided by territory into regiments, brigades and divisions, but its members as such are not liable to drill, muster or inspection.

The uniform militia consists of companies of volunteers from the enrolled militia, of which there may be one, and under certain restrictions, two to each regiment. These companies of volunteer militia are required to serve eight years unless sooner discharged; are, on proper security, to be furnished with arms belonging to the state; are at their own expense to furnish themselves with equipments and with uniform, as directed by the commander-in-chief; are subject to inspection, drill and muster; and each member of such company, who is returned uniformed and equipped, and who has performed three days military service, is entitled to receive three dollars annually from the state treasury.

The sparseness of our agricultural population is unfavorable to the organization of military companies, and it is probably only in some of our largest villages that they may be expected to be formed and supported. Several companies have recently been organized in the state, who met for voluntary drill and muster at Brandon, on the first and second of September, and were reviewed by the commander – in –chief. It is but justice to those volunteer companies to say, that their appearance and discipline were, under the circumstances, creditable to them and to the state.

The success of this muster of uniform militia appears to have in some degree awakened a military spirit in the community. It is understood that several new volunteer companies are in the process of organization, in different parts of the state, and that application for greater legislative encouragement for this class of militia than is now given, is likely to be made at the present session. I have thought it proper to take this rather lengthened notice of our militia history, and of the results of our previous legislation, in order to bring this subject fully before you. I trust you will give the matter a careful and judicious consideration, and that whatever action you may take, will be such as will be permanently beneficial to the soldier and to the community.

I feel it my duty to call your attention to our laws on the subject of the attachment of property on mesne process, and especially to that feature of them which give priority to the first attaching creditor. Whatever may have been the effect of this law at an early day when credit was comparatively limited, its present operation is, in my judgment, unfavorable to the business interests of the community. It operates harshly upon the honest debtor, by offering a premium to such creditor as shall first attach and deprive him of the possession of his property, and perhaps ruin his business; and it is unjust to creditors, by allowing the most greedy and unscrupulous one to obtain his whole debt from an insolvent, to the entire exclusion of all others. It furnishes also to the dishonest debtor a convenient mode of defrauding his creditors, by procuring his property to be secured to himself by a fictitious attachment. I would therefore earnestly recommend the passage of an act that shall provide for the equal distribution of the proceeds of property attached, among all the attaching creditors.

Forming a portion of the general government, we are deeply interested in the measures and character of its administration, and a few words in reference to them will not, it is believed, be deemed out of place in this communication.

The marked general feature of the national government for several years past, has been its entire disregard and abandonment of some of the most important principles, which were considered as political axioms by the framers of the constitution, and acted upon as such in the earlier and purer days of the government and indeed down to a very recent period. This has been more particularly manifested in reference to the subject of slavery. Thus, the principle of non-intervention, which applied the obligations of common honesty and fair dealing between individuals, to our transactions with other governments, has, with a view to the extension of the area of slavery, given place to the detestable doctrine that national convenience forms a sufficient justification for a forcible appropriation to our own use of a foreign territory and its people; and in accordance with which doctrine, countenance and encouragement have been given to the lawless invasion of such territory, and the most barbarous and cruel robbery and murder of its unoffending inhabitants. The power of congress to exclude slavery from the territories of the United States, which had been exercised without question, by frequent and repeated enactments from the foundation of the government down to 1848, has been recently declared to be without the pale of the constitution, and the extraordinary doctrine is now promulgated that the constitution itself legalizes slavery in the territories, and that congress has consequently no authority to prevent its introduction. This doctrine of the present executive of the general government is sought to be confirmed and established by the opinions of a majority of the judges of the supreme court of the United States the highest judicial tribunal of our country. Of these opinions of the judges the legislature of this state at the last session expressed by resolutions their decided condemnation, in which condemnation I fully concur. With a strong habitual reverence for judicial authority, when exercised within its appropriate sphere for the determination of individual rights, I confess I have not a high regard for it when sought to be extended to political questions. The history of our parent country furnishes many examples of judges, learned and eminent, whose extra-judicial opinions were sought and obtained by the government for the purpose of crushing out the rising spirit of liberty among the people. Indeed, for the character of the judicial ermine, it is to be lamented that judges, of distinguished legal attainments, have often been found giving countenance to oppression and wrong by ingenious and fanciful constructions, and that English liberty has been fixed upon its present firm foundations, not by the aid of judicial efforts, but by overcoming them. There is reason to hope that the extra-judicial opinions of the majority of the judges in the Dred Scott case, contrary as they are to the plain language of the constitution, to the facts of history, and to the dictates of common humanity, will meet the fate which has attended those of the judges in the parent country, and that liberty will be eventually established in spite of them.

The extraordinary persevering exertions which, during the past year, have been made by the chief magistrate of the nation to prevent the people of Kansas from excluding slavery from their soil, by imposing upon them a constitution which he well knew they loathed and abhorred, furnishes new and alarming evidence of the aggressive character of the slave power which controlled him, and shows that the principles of justice and of popular sovereignty stand no more in the way of its demands for political domination than do those of the constitution. The near approach to success, by congressional legislation, of this attempt to stifle the will of the great majority of the people of Kansas, is calculated to excite strong distrust in the continued success of our republican institutions; for if the principles of right and justice, by the influence of government patronage and party discipline, can be thus outraged and overcome, our boasted democracy will be but another name for despotism. It is, however, matter of just pride and congratulation, that these efforts to impose a slave constitution on an unwilling people, have as yet proved unsuccessful, and that the people of that rich and growing territory, boldly defying the threats of executive power and nobly spurning the offered bribes of government patronage and lands, have, by an overwhelming majority, declared their love of freedom and their abhorrence of slavery. The people of Vermont, mindful of the history of its early settlers in their struggle against injustice and oppression from without, have deeply sympathized in the extraordinary and protracted sufferings of the people of Kansas in the cause of liberty and right, and now greet them on the favorable prospect of a happy and successful termination of their patriotic labors.

But I must now bring this communication, which has already occupied more space than I had intended, to a close. In the exercise of the extensive powers, both of appointment and legislation, with which you are entrusted, I have no reason to doubt that you will be guided by a sincere desire to promote the happiness and welfare of the people; and bring with you from all parts of the state an intimate knowledge of their situation and

wants, I cannot but anticipate that the result of the labors of the session, which you are now about commencing, will be favorable to your constituents and honorable to yourselves.

EXECUTIVE CHAMBER,
Montpelier, Oct. 15, 1858

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HILAND HALL.

Inaugural address
of
Hiland Hall
As it appears in the
Journal
of the
House of Representatives
October Session
1859

Friday, October 14, 1859
Inaugural Address

*Fellow Citizens of the Senate
and House of Representatives:*

The circumstances under which we are assembled to perform the labors and duties of State legislation, I am happy in believing, are not of an unpleasant character. During the past year the earth has yielded its accustomed store of agricultural productions, our people have been blessed with a common measure of health, and their business transactions and prospects have undergone a marked and decided improvement. The general business interests of the State, indeed, appear to be in a healthy and prosperous condition.

We meet also for the first time in the new State edifice, and can hardly fail to be favorably and agreeably impressed with its fine proportions and the beautiful style of its finish, and also with the convenience of its arrangements, and the appropriate fitness of its furniture and appendages. The building is indeed a noble and imposing structure, and we may justly be proud of it as our State Capitol. I congratulate you on its completion, and I doubt not you will concur with me that much credit is due to those who have been concerned in its erection, as well for the rapidity with which the work has been pushed forward, as for the neat and substantial manner in which it appears to have been executed.

I trust we shall enter upon our legislative labors in a just and commendable spirit, and with a determination to bring them to as speedy a close as the interests and welfare of the State will permit.

STATE FINANCES.

The condition of our State finances will require, and will no doubt receive, your careful consideration.

I think it my duty to call your attention to the fact, appearing by the Auditor's Report, that the State expenditures during the past political year have considerably exceeded the accruing revenue. Such has also been the case for several years past, requiring the adoption of a more rigid system of economy, or a resort to additional taxation, or both, in order to avoid the necessity of creating a new State debt. I am not disposed to recommend a parsimonious course of legislation in regard to proper objects of appropriation, but I deem it worthy of consideration whether some of our State expenses may not be reduced without violating the principles of a judicious economy.

CRIMINAL PROSECUTIONS

Among the expenditures which, I think deserve legislative consideration, are those connected with prosecutions for crime in the several counties. An examination of the Auditor's Reports for the present and former years will show that the expenses in this branch of the public service are large, and that they have been constantly increasing for several years past without an apparent corresponding increase in legitimate criminal business. The accounts of state's attorneys, sheriffs, clerks and others, connected with these expenditures, are adjusted by county auditors appointed by the supreme court, and they are far from following a uniform system of allowances. Charges which would be discarded in some counties as illegal would be allowed in others, and for the like service different rates of compensation are permitted by different auditors, some of them apparently of an improvident character. It seems indispensable that these accounts should be adjusted in the several counties, and perhaps the present system is liable to as few objections as any that could be adopted. But it is respectfully submitted for your consideration whether it may not be improved by further legislative regulation. As one means of accomplishing this object, I would suggest that the State Auditor be required to report to the General Assembly, during the first week in each session as statement of the allowances which have been made by the several county auditors during the preceding political year, which in his opinion are either illegal or excessive in amount, together with such suggestions as he shall deem proper for producing more just and uniform allowances. Such a requirement of the State Auditor, it is believed, would operate as a check upon improper allowances, and by bringing the subject annually to the attention of the legislature, would enable them to apply the proper remedy for any evils that should, from time to time, be found to exist.

In connexion with a provision of this kind, I would also recommend that all fees whatever to state's attorneys, for their services, be abolished, and, in lieu thereof, fixed salaries allowed them from the state treasury. The rates of compensation to the several state's attorneys might be graduated either by the number of senators to which the counties are respectively entitled, or according to some other rule corresponding as nearly as practicable to the amount of business to be performed by each. I am persuaded that salaries sufficiently liberal to ensure a just and proper attention to the duties of the office might be thus paid, and at the same time the expenditures in this branch of the public service be very much lessened.

BANKS, INSANE ASYLUM AND STATE PRISON.

I deem it unnecessary to call to your special notice the various important matters embraced in the State Auditor's Report. The Banks, now in operation in the State, appear, from the Commissioner's Report, to be in a safe and sound condition. The Asylum for the Insane, and also the State Prison, seem to have been conducted during the year in a satisfactory and successful manner. I commend the statements and suggestions of those connected with the examination and administration of these institutions respectively, and those of the Bank Commissioner, to your careful consideration.

GEOLOGICAL SURVEY.

I have received from the Rev. Dr. EDWARD HITCHCOCK, the State Geologist, the introductory part of the final report of the Geological survey of the State, and am happy in being able to say that the whole may be expected to be ready for publication at no very distant day. I trust the report will be creditable to those concerned in its preparation, and to the State. Such part of it as shall have been furnished me will be laid before you early in the session, with any suggestions in regard to the work that shall occur to me as important.

CABINET OF NATURAL HISTORY.

In obedience to the provisions of an act of the last session of the legislature, I appointed ALBERT D. HAGER, to take charge of, and arrange, the cabinet of minerals and specimens of natural history, purchased of the widow of the late ZADOCK THOMPSON, who has removed them to Montpelier, preparatory to placing them in the capitol. These, and also the specimens belonging to the geological survey, will be arranged for exhibition in the room designed for that purpose, as soon as the cases can be prepared for their reception.

BOARD OF EDUCATION.

The subject of education deserves the earnest attention of all who have in view the best interests of the State; for upon the proper educational training of our youth depends in a great measure the preservation of our free institutions, which are the pride and glory of the American people. The Vermont Board of Education has been in existence less than three years, and I think it is not too much to say that it has proved of great public benefit. If it has not answered the full expectations of some, it cannot be denied that the array of facts in relation to the schools throughout the State, which have been gathered through its instrumentality, are in a high degree valuable. The third Annual Report of the Board, with the Report of the Secretary, will be submitted to you in due time, and I trust they will meet with the consideration which their importance demands. It is needless for me to say that the Secretary of the Board has discharged his onerous duties with signal ability. He has been at great pains to compile a summary of the school laws, which, with a copious index, he appends to his interesting report; and this is the more commendable when it is known that the work is done out of the line of his own official duties, and without any expectation or desire of any compensation whatever.

THE MILITIA

In accordance with the provisions of the act of the last session of the legislature relating to the militia, I have caused the uniform militia of the State to be divided into four regiments. Two of the regiments have been called out for drill, inspection and review during the past month, and have shown a commendable attention to military discipline, performing their various duties in a creditable and soldierly manner.

INTOXICATING DRINKS

Our laws prohibiting the traffic in intoxicating liquors have become the settled and approved policy of the State. If any additional legislative provisions to increase their usefulness and efficiency should be found necessary, I shall be very ready to concur in them.

JUVENILE OFFENDERS.

I beg leave again to call your attention to the subject of the establishment of a reformatory school for juvenile offenders. Vermont alone of all the New England States is without an institution of this character, and I deem it worthy of your serious consideration whether legislation on this subject should longer be delayed.

ATTACHMENT LAWS.

I would also renew the recommendation made in my former annual message, that our laws relating to the attachment of property on mesne process, be so modified as to provide for its equal distribution among all attaching creditors.

LEGISLATION BY JOINT RESOLUTIONS.

I deem it important that the boundaries of the powers of the different branches of the State government should be preserved inviolate, and therefore feel it my duty to call your attention to a class of cases in which I think an encroachment has sometimes been made by the Senate and House of Representatives upon the authority of the Executive. I allude to attempted acts of legislation in the form of joint resolutions of the two houses, without asking the concurrence of the Governor.

The constitution (Sec. 15) prescribes the style or form in which the laws of the State shall be passed, viz.: by enactment; and provides (Sec. 11 of amendments,) that "every bill which shall have passed the Senate and House of Representatives, shall, before it becomes a law, be presented to the Governor" for his approval.—The Constitution also provides (Sec. 17) that "no money shall be drawn out of the Treasury, unless first appropriated by act of legislation." These constitutional provisions, I think, have recently been disregarded in several instances. Among others, in the case of a joint resolution adopted by the two Houses at the October session, 1857, relating to the compensation to Henry Stevens, in which Commissioners are named to adjudicate his claim against the State, their compensation limited, the Secretary of State and also the Governor instructed in their official duties, and the Auditor of Accounts directed to appear before the Commissioners as attorney for the State, and to draw an order on the Treasury for whatever balance the Commissioners may find due from the State to the said Stevens. These resolutions do not appear to have been presented to the Governor for his approval, and it is respectfully submitted that they were legally inoperative and void, inasmuch as they assume the office and authority of a law, by prescribing rules of action for the government of those to whom they relate, and also undertake to draw money from the Treasury without an act or legislation. Of like character, as I conceive, is a joint resolution of the last session, relative to the compensation of persons employed by the Sergeant-at-Arms, and another relating to the figure on the dome of the State-House, both of which provide for drawing money from the Treasury without authority of law. I do not object to these resolutions that they propose improper measures for legislation. If the provisions they contain had been passed in the form of enactments, it is very likely they would have met the ready approval of the Executive. But if, as joint resolutions, they are to be considered as precedents for the government of future General Assemblies, it is difficult to conceive of any act of legislation which may not be performed by the two houses alone, without the concurrence of the Governor

THE PARDONING POWER.

A constitutional question has arisen in relation to the pardoning power of the Executive, to which I deem it proper to call your attention in order to avoid any misapprehension on the subject. It has been claimed that the exception in the Constitution of cases of murder and treason from the pardoning power of the Governor is not absolute, but only deprives him of the power until the end of the next session of the Assembly after the passing of the sentence. This construction would seem to be favored by an act of the legislature of 1855, and another in 1856. I have been unable so to understand the Constitution. I can conceive of no reason why the pardoning power of the Executive in these cases should be absolutely prohibited for the few months or weeks that might intervene before the next session of the legislature, and be left in full force forever afterwards. If the legislature

having had an opportunity to act upon a case, should decline to interfere, there would, indeed, seem to be an additional reason why the Governor should not. The object of the framers of the Constitution appears to me to have been to place these two crimes beyond the pardoning power of the Governor, conferring on him a limited authority to reprieve, in order to enable him, if he saw fit, to give to a party convicted, an opportunity of applying to the legislature for relief. If the language of the Constitution be read as printed in the first Constitution of the State, by separating the words "but not to pardon" by commas from the other parts of the sentence, (see Slade's State Papers p. 250,) I think such would be the natural construction of the language.

SLAVERY.

The position of Vermont on the subject of slavery, which has for several years past so much agitated the public mind, remains unchanged. While yielding due obedience to the provisions of the constitution of the general government, Vermont does not claim a right to interfere with slavery in the States where it exists by law, she protests in strong and emphatic terms against its extension into the territories of the Union, which she insists shall be forever consecrated to freedom. And though she does not deny her obligation by compact to surrender fugitives from when duly shown to be such, she repudiates all pretensions of right in the slaveholder to bring his slave into this State and hold him here in bondage; and will never, under any circumstances, permit her soil for a single moment to be thus contaminated by the curse of slavery.

I am sorry to feel under the necessity of saying that a new and most demoralizing manifestation of the progressive and grasping power of slavery has been made during the past year. Not only is the relation of master and slave advocated at the South as the best and most desirable condition of society, but the African slave trade, which a few years ago both the South and North united in denouncing as robbery and piracy, is now openly proclaimed by leading Southern politicians as a commendable species of commerce, and its re-opening even urged as a measure of benevolence and Christian philanthropy. It is unnecessary to say, that any attempt to legalize this horrid and abominable traffic will receive the most decided condemnation of the people of this State.

In closing this my last annual message, I cannot withhold the expression of my grateful thanks to the freemen of the State, for the confidence they have on all occasions so generously manifested towards me; and I beg to assure them, that in retiring from public life at the end of the present political year, I shall carry with me the warmest and most heartfelt wishes for the continued prosperity of the State, and for the welfare and happiness of its people.

HILAND HALL.

EXECUTIVE CHAMBER,
Montpelier, Oct. 14, 1859

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Inaugural address

of

James Hartness

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1921

Friday, January 7, 1921

Inaugural Address

Mr. President and Members of the General Assembly:

Inasmuch as this is the first assembly in which woman has been a member, it seems most fitting to begin by welcoming woman into active participation in representing our people.

Women's coming into full equality in suffrage bodes well for humanity. Women are the most natural representatives of the home, for they come with the first-hand knowledge of the home. Man's work outside has so absorbed his attention that his keenness of sense of home conditions has been dulled. It goes without saying that nothing less than the keenest sense can render the best service. In addition to woman's superiority in this respect we have a thousand other reasons for being glad that woman has been granted equality in controlling and shaping the destiny of our State and Nation.

It will not be possible at this time to refer to all the major subjects that must be considered during the session. I recognize that agriculture, forestry and the live stock interests of the state comprise a great industrial group and I commend the most thoughtful attention to these and other matters that I have set forth in my campaign for the nomination. I shall avail myself of the opportunity to present to the Joint Assembly special messages on special subjects as the occasion requires. My message today deals primarily with introductory matter.

This occasion should be dedicated to keynote expressions that will lead to the maintenance of the best spirit of fellowship and cooperation. This spirit will be the greatest aid to us as we formulate our policies and shape our laws to fit conditions of today.

We are all keenly aware of the great honor that is ours as representatives of the state.

We know that we are intrusted with matters of great import to our people.

We know we have assumed a grave responsibility to the children, women and men of our state, and that their interests must be given prime consideration.

We know that large interests are always ably represented, but the vast majority of our people are those who take the world as they find it and try to make the "best of it". The majority of workers are in that class. They never can have adequate representation because their proficiency is in action and not in the artful use of words.

Just now there is a world wide awakening of the toilers; there is also an awakening of the wordmen – those who talk and write. Both now see that this has been a onesided affair and that now the interests of the workers, in the home as well as elsewhere, must be studiously considered in order to obtain a better basis for understanding so that there will be a government for the people who work with their hands as well as those who talk and write.

The spirit of the day has always been in the hearts of every true lover of democracy. It has been weakened in the routine of life in times of peace and brought into full potency during the world war. It suffered a setback with the beginning of our reconstruction period. Now, it must be brought back to its fullest strength.

At the crisis of the war, when our men and women in the service and their families were bearing the heroic burden of sacrifice, the public acquired the full spirit of fellowship that went beyond the bounds of race, creed and state.

The termination of the war and the celebrations over the heroism of our service men and women and finally the homecoming, all seemed to be a signal for these service people to put on civilian garb and, unfortunately, for all the others to lapse back into pre-war indifference.

This lapse must not be permanent; the hearts of our people have been stirred to a true spirit of fellowship and co-work.

GOOD FELLOWSHIP AND STATE SPIRIT

A general survey of the state reveals that it is impossible to fully set forth any one of our big problems. There is not enough time to consider thoroughly any one of these subjects. Further more, it takes special knowledge of each branch, and that can only be acquired by long experience.

We are here to do all in our power, first to determine in what way we can most favorably affect the destiny of our state, and second to courageously follow that way.

There is a definite and imperative obligation that holds us to making the best use of our energies. We can accomplish this by team work, cordial relationship, state spirit, faith in each other, tolerance of the views of those with whom we cannot agree and recognition that every member has some definite knowledge of some one branch that may be of greatest value. We must recognize that we are here to use our combined wisdom for the benefit of the people, and that our supreme duty is to the homes on which our real Vermont is founded; that we are not here to be swayed by particular interests and we are not here to obtain special favors for our own section or for several sections at the expense of the homes in other sections.

The members composing this Assembly embrace men bringing to it a knowledge of various needs of the state. Each one, by reason of his own experience, has his own unique angle of view, and, naturally enough, each one comes with his home section most clearly in mind.

Our greatest achievement for our home section is to be attained by joining with others to accomplish the best results for the whole state and in the submergence of sectional interests.

A NATION OF SPECIALISTS

At the present time we are a nation of specialists. The principle function of legislature is to provide ways and means by which we can make use of these specialized energies to carry forward the interests of the state, to equalize the opportunities within the state and make it possible for us to compete in the broadest sense with other states; or, to put it in another way, to give to the people of the state the best chance to share in the most beneficial way in modern progress.

Our watches are made and repaired by men especially skilled in that work. When we are ill we call in a physician. We should not depart from the general principle of depending on special ability when we are handling the affairs of the State.

The trend of management of the state is in keeping with this policy, for there is no better way to insure good service for the whole state than by placing in office only those specially fitted by experience for the work in hand. With expenditures of departments running in six and seven figures, it is of utmost importance to get the ablest directors for these expenditures and after having obtained men of best qualification based on natural ability, training and experience, the next thing to do is to retain them in office.

EVERY DOLLAR WASTED IS NEEDLESSLY TAKEN FROM THE PEOPLE

In expending state funds we must keep ever in mind the actual burden that always rests on the people to raise this money. We must know how hard it is for our people to pay the tax levied, and that every dollar wasted is taken from the people who would have otherwise spent it for family needs. With this conception of our state revenues and our supreme obligation to get the best results for the money expended, we will do well to maintain the plan of having specialists in control of each branch of work and see to it that all of our work is wisely and efficiently directed.

The farther removed the executive is from actual contracts with the manual work, the more difficult it is for him to understand the worker, hence the greater liability of misunderstanding. Unfortunately a change of work seems to automatically change the viewpoint, otherwise many executives who have been in the ranks of the worker would be able to hold the manual workers' view.

This separation has made it very difficult to maintain a cooperative relationship.

GROUP EXPRESSION

This is one of the real problems we have before us, especially the effect of the group action of these various interests bringing pressure to bear in legislative matters, not so much in our own state as in the federal government and in the states in which exist very large groups of workers in each of the divisions. We find that more and more is governmental action being swayed by the expression of these various groups through their official representatives. While this seems to be a drifting away from our form of a Republic, it is nevertheless an existing condition that seems essential to protection of those workers who have developed great skill of hand but have not acquired a special ability in the art of bargaining for themselves.

I believe one of the imperative needs of the present time is a spirit of cooperation of the leaders of each of these groups.

In Vermont we should build up a stronger cooperate spirit in our grange and farm bureaus. We should build up a strong cooperation of the people in each of our towns, and to bring it specifically to this legislative body, we must see to it first, last and all the time that we, the representatives of the people, cooperate, having in mind the home interest, and at the same time realize, as group leaders, that we must legislate for the welfare of the whole state. This loyalty to the state has an important bearing on many of the questions that will come before us at this session.

In the same way we must, for the state's interest, see that each group presents its views through selected representatives. It is our duty to see to it that we maintain the freedom of all people, whether in the groups or outside of them. We must take no action that will infringe the right of Vermonters and American citizens not embraced in these groups.

MAXIMUM HOURS FOR MINORS

In the Republican State Platform, under the subject of Labor, there is a paragraph favoring a forty-eight hour week for women and minors employed in industrial establishments. This of course expresses a commendable purpose, especially for minors, but it may not be favorable for women. In times of prosperity and in large organizations, either industrial or mercantile, the question of hours of labor, minimum wage, etc. are less difficult to adjust; but in dull times and in small establishments, whether industrial, agricultural or mercantile, the placing of a limit of hours on the woman's work may actually be against women's interests. I believe this legislative body will find some way of expressing this matter in definite terms that will not run contrary to the women's welfare and to economic law. I have no doubt that a careful consideration of this matter will result in some improvement, especially that relating to minors.

WORKERS COMPENSATION

Another article in the Republican Platform relates to an equitable increase in death and accident benefits under workmen's Compensation. This I am sure will receive most generous consideration, as will also the third article favoring an appointment of a woman inspector for factories.

Under the consideration of Workmen's Compensation the question will undoubtedly be brought up as to what extent this compensation can be made to cover occupational diseases. The manufacturers as a rule have endeavored to eliminate causes of occupational diseases, nevertheless, the enactment of a measure of this kind would undoubtedly spur all manufacturers to use the most healthful methods and means, and this will bring about a great improvement in the working conditions in Vermont.

INTELLIGENT ADMINISTRATION

In the interests of the workers we must take a firm stand for intelligence in administration not only of laws that affect labor but any administration of businesses employing labor. One of the greatest handicaps is the incompetence of those who are directors of work. The workers' interest and the welfare of the country rest on the wise guidance and administration of the affairs of the country, whether it relates to so called labor problems or the more general problems; for, in the last analysis, the workers engaged in essential work constitute the real backbone of the country and must be considered second only to the fighters who defend our homes against hostile nations.

FITNESS FOR SERVICE

One of the finest slogans for the workers is "Fitness for Service". This would insure railways being managed by railway men, and other activities being administered by men of experience in the work.

In the consideration of labor we must maintain the spirit of hearty cooperation so that the net result of our advancement will be an advance of all conditions affecting labor, not only labor in one branch of work, but all the way through, whether it applies to the man whose interest and talents have carried him to a certain point past which he finds it difficult to go, or to those who have gone on from position to position by natural steps through the executive offices.

Organized labor has an opportunity to stabilize social unrest by cooperating in the establishment of the correct relationship between the employee and the employer. In the true sense both are workers and when this is understood by both there will be a better basis for bargaining. The employer must know that his position is one of great responsibility to the worker and those whose savings are invested in the plant. He is a manager and must keep in close touch with those whose work he is directing.

This is an age of machinery, an age when the advance of machinery has been to facilitate man's effort to necessities and comforts of life. As machinery advances man is enabled to turn out a greater product for a given expenditure of energy. With the development of machinery there has come an absolute necessity for coordination of the workers. Anything that in any way interferes with the most congenial and effective coordination is contrary to the country's interest and to the workers' interest.

The most common type of wastefulness is the disregard of fitness for office and its natural product – mismanagement in the disbursement of funds and in the misdirection of our state activities.

CONTINUITY OF SERVICE

The state has a number of its departments already turned over to commissions or boards the personnel of which is never abruptly changed--one slight change being made by each administration. This insures an overlapping of service carrying forward a uniform policy of organization and removes these bodies from the vicissitudes of political disturbance. I can see no greater chance for obtaining higher efficiency in the administration of business affairs of the state than in fostering and extending this policy of administration. It leaves each commission and board free to give its undivided attention to the service of the State and draw plans that in some cases require long continuity of service to carry into effect. Such plans and such service are of supreme importance to the welfare of our people. In view of the value of special experience in each line of work and special knowledge that has been acquired by each commission and board, I commend for your most careful consideration the reports and recommendations made by such bodies.

FUNCTION OF MESSAGE AND PURPOSE

I am fully aware that the General Assembly is distinctly a legislative body and that the governor's message should lay before this body such business as may appear to him to be necessary.

I have a firm conviction however, that we have all reached a point where we feel that there is even a higher service to render than the mere technical meeting of the obligations of office. That higher service in legislation is one that considers the hopes and ambitions of our people as well as their physical needs. It is a service that recognizes the fact that our people have hearts and souls as well as bodies and that our homes are the real centers of government.

MAINTAIN OUR WAR-BORN COOPERATIVE SPIRIT

Notwithstanding the great resources we have discovered and developed, and the great resources that are still within our own state ready for development, the one outstandingly supreme opportunity lies in that fine spirit of cooperation that was born of the war, it is now our rightful heritage. With it we can rise to the demands of the days that lie in the immediate future. We may be facing grave danger or we may soon find ourselves in peaceful and prosperous times, but, in either case, we must hold fast to that war-created spirit of fellowship and cooperation.

It is for us to enlist this same heart interest in carrying forward a work of state development. This must come about by a spirit of industry as well as cooperation in each individual, and then as group leaders we must devote our energies to the best modes of coordination of all activities.

All of this activity demands the most careful consideration, for we must make it possible for each one to achieve the greatest results in personal development and in betterment of conditions of home and family. On the part of the individual it calls for continuity of work, of sticking to it when there is apparently no bright future. It demands first, an intelligent judgment of the best course to take, and then a spirit of carrying on. Mistakes will be made. Combinations of circumstances will arise that will disturb our faith in the plan. Mental depressions will come, but through it all there must be a predominance of the faith in the efficacy of devotion to work after the plan of procedure has been carefully selected.

PRESENT POSSIBLE PROGRESS

We must not be disturbed in our desire for progress by the fact that we are unable to achieve complete elimination of undesirable conditions. The inequalities, for instance, of taxation may not be eliminated in many years, but we must take the world as we find it and move forward as far as possible each session, and through it all maintain a good will and abiding faith in our ultimate success.

SOCIAL UNREST

The conflicting reports that come to us from the outer world, notably Europe, would leave us very uncertain as to the extent Americanism is threatened. Our best defense and our best line of action, regardless of whether or not it is threatened, is to set our house in order by eliminating the unjust inequalities. For instance, there are many whose work is of a character that they have neither time nor special ability for presenting their cause or for enforcing an adequate consideration of their interests. We must give their interests first place in our deliberations.

LEADERS MUST REPRESENT THE WORKERS

In order, as leaders, to retain the confidence of our people, we must give consideration to the welfare of all those who are working in our homes and elsewhere. Let us remember that it is not primarily wealth that we are to protect. We are here to protect the right spirit between people. We are here to protect the interests of those who are doing essential work, whether manual or mental. We are here to encourage the heartiest cooperation and the firmest faith in our government. In this way we will render the best service for all workers, in the home or outside of the home; and, last but not least, we will furnish the strongest possible protection for wealth that is properly administrated.

LAW AND ORDER ESSENTIAL TO LIFE

With a leadership representing the workers we will build up the strongest spirit for the protection of organizations of men in those industries in which the efforts of men are most effectively employed and rewarded. In this way we will make our best defense against any menace that may be creeping towards us, particularly that spirit of anarchy that would break down our organized life upon which we must depend for food, clothing and shelter.

FAITH IN OUR OWN PEOPLE

For our state, we must build up a faith in our capabilities to win success in this world of science and industry. This is necessary to enlist a genuine interest in the active work of rounding out our state's development.

PRESENT CONDITIONS

Let us recognize the plain fact that, notwithstanding Vermont's activities in dairying, agriculture, lumber, marble, granite, machinery building, textile and other branches of industry, the state has not gone ahead in other possible and desirable developments. This is no criticism of those who have been active in the existing establishments. The fact must be acknowledged that there has not been sufficient attention given to other

branches of industry such as are needed to increase desirable opportunities for the work and such as are necessary to augment the revenues of the state and the earning power of the people.

Vermont, in common with nearly all of New Hampshire and Northeastern New York, as well as large areas of other states, has been asleep industrially. While it has been asleep as a state, there has been a sporadic growth of a number of splendid examples of desirable industries. These industries can be multiplied indefinitely.

VERMONT'S INDUSTRIAL FUTURE

A study of the opportunities of this age reveals that Vermont is most favorably situated in its nearness to the great centers of industrial and scientific developments of this country, and is most favorably conditioned by the general aptitude of our people. The great resources of our fertile valleys, our mineral wealth, our water power possibilities are actually secondary to the possibilities in other directions. These other activities will round out the opportunities for our people and will greatly enhance the values of our more material resources. The upbuilding of the knowledge of these opportunities will inspire faith and confidence in ourselves that will release the most potent energies of our people; namely, the industrious spirit inspired by confidence and heart interest.

A study of the elements that are essential to progress will show what have been our stumbling blocks in the past and what must be our course in the future. It will bring out the cardinal principles that must be mastered and from which we must plot our sailing course.

AGE OF SCIENCE AND MECHANISM

We now know the significance of the age of machinery – of the science of mechanism and industrial opportunities for Vermonters in the various professions, offices and trades that are embraced in these modern organizations – that these industries greatly augment the income of the people and the state.

We know that the fertility of the soil of the valleys of Switzerland, Massachusetts and Illinois did not prevent the people of those places from making the best watches. We know that any one of all the desirable industries might have been started in Vermont, so far as any physical limitation exists here, and that this is true of many that are now starting elsewhere.

We must recognize that industrial development is still in its infancy – that the science of engineering is bringing forth myriads of elements that are continually changing the conditions, so that there is now, and will probably continue for many years, a flow and ebb with many eddies of opportunities in this fascinating world of applied science.

WE MUST USE BEST IMPLEMENTS

The history of the human race may be divided into epochs that have been created by the discovery and utilization of new resources. When we speak of the stone age, the bronze age, the iron age, the age of steam and the present age of machinery, we mean the epochs in which man discovered and used these things in providing for his needs.

The discovery and use of each new means for aiding man in his work have resulted in giving the first users a marked advantage. The man who lagged behind found himself inadequately equipped in his contest with the more progressive man.

In this machinery age the intricacies of mechanism have gone far beyond the simple structures of the preceding ages, but, nevertheless, all machinery may be classed as implements. We used these implements to aid us in agriculture, harvesting of food, transportation, production of clothing and shelter and so on through the entire list of human requirements.

The greater complexity of these machine implements has taxed the human mind to its capacity in each branch, and has resulted in so many branches that the human mind is not big enough to comprehend the whole. This resulted in a failure of some men and some states in their attempt to keep pace with the progress. Those who have failed to keep in the forefront of this progress have labored at a marked disadvantage and such is our

present systems of manufacture and business that having once lost a position in the column of progress it is well nigh impossible to regain it.

In this Assembly everyone comes under the head of specialist. It may be agriculture, law, medicine, banking, taxation, economies, and a thousand other heads and subdivisions of these sciences, but as an Assembly, we act as laymen when we consider some branch in which we are not specialists. Therefore the main stress of my message is to commend the most careful and considerate attention to each man and each department in presenting its views, reserving for ourselves the task and responsibility as laymen of coordinating the work of all.

CENTRALIZATION AND DECENTRALIZATION

In these days of extreme views on the question of centralization and decentralization, it will be well for us to review for a moment some of the elements of these two extremes.

The extreme views of each preassumes the maintenance of an all-wise control at the head or heads that will devise a system of co-ordination in which all the workers become specialists in the truest and best sense – specialists whose minds are not deadened by the routine of work, but, on the contrary, whose work is so handled that each one preserves that supreme quality of initiative that brings about a continuous evolution toward greater efficiency and higher spirit throughout.

Such is the ideal, but, unfortunately such ideal is never fully attained.

The advocates of decentralization do not go to the extreme of Bolshevism, but they see that the farther removed a man is from the actual contact to the work the more naturally he gravitates to an indifference to the opinions expressed by those who have gained their knowledge by actual experience in the real world – the working world. They see the great need of a more intimate relationship between the worker and the director of work.

Some of our ablest workers in this country are desk workers. They are able to formulate and present in words, plans for the actual workers in each branch of the work, but the tendency in many cases is to lapse into the routine of the work to an extent that the spirit of initiative – that greatest of all progressive qualities – is lost.

In our own state and in our industries we must get away from the deadening effect of this type of desk director or manager. When one reaches the point of bureaucracy that considers it possible to create the skill of an artist or workman, or the technique in invention or industrial development by the mere use of words, then bureaucracy has gone word, formula and plan-mad.

The object of these statements is to emphasize the need of our steering clear of this deadening effect of mere “office holding”. It is a disease common to both centralized and decentralized control, but the advocates of each assume it is wholly a disease of the opposite plan.

I know of no way by which our country’s progress can be more effectively blocked than through office-holding desk-type of control that kills the spirit of initiative.

The heads of the departments must be in thorough touch with the actual work. The personal observation and contact with the functioning of a department in the field is of supreme importance. It is there that work is directed. All the words in the dictionary, grouped in all possible combination of orders, cannot take the place of personal direction in effective work.

There is just one place to acquire a true conception of the work, and that place is in the work, not merely near it, although that is better than stationed at a desk in a remote office at Washington or Montpelier.

It is not my purpose to suggest any radical or abrupt changes in the administration of our state. A true engineer always builds on habit, cooperating and contributing his mite to the great and valuable working knowledge that is possessed by the people.

I am presenting at this time some reference to the Workers, Industry, and Air Transportation. Other matters will be taken up later, after considering the forth coming reports of departments.

I commend to your most earnest consideration the reports of the various commissions, boards and offices. I believe we can do no better than to give greatest weight to the views and recommendations of these bodies and men who, as a result of close and long application to their problems, are now presenting their reports and recommendations.

It is not my purpose to separate out any one of these for more specific commendation than accorded to others, but, in view of the special interest that may now be centered on the bulwark of our homes – the school system, – I especially commend and urge a careful reading of the State Board's report giving the story of the working of the present law and the proposed climax of its endeavors for the boys and girls of Vermont.

BUSINESS DEPRESSION

Before closing this I find it my duty to impress on this body the seriousness of our present depression in business. At the present writing there should be no appropriation recommended that would not be in keeping with the conditions of prolonged and most unfortunate depression. If the depression continues, some definite action should be taken to meet the exigencies, but, regardless of the outcome, let us guard well our resources. Let us be free from the charge of spending one single dollar needlessly, or of forgetting for one moment that each dollar has been taken from our homes either directly or indirectly.

CONCLUSION

In conclusion of this introductory portion of the message, I wish to assure you of my warm, cordial attitude towards each member of the assembly. While I am fully cognizant that I am a new member of the great political family of the state, and undoubtedly a transient in office, there has been no incident in the whole year's experience in politics that has produced ill feeling towards a single member of the family. On the contrary, the net result has been a heart interest in the work and the workers, and while functions of the executive and legislative branches of the government are distinct, there is a need, and at the same time the strongest purpose and desire on my part, to create and maintain the finest spirit of fellowship and cooperation.

CHAPTER II

THE WORKERS

The title of workers is a broad one that includes all people who are performing some essential mental or manual work. In a narrow sense the public now makes a distinction between the mental and manual. The "labor" problem is one that relates primarily to organized manual workers, or in other words, labor that is organized into trade unions. In a general consideration of the subject we must adhere to the broader aspect, for there is no sharp distinction between the two groups. The manual worker in these days must use his brain as well as his hands, and is therefore both a manual and a mental worker. Furthermore there is a natural drift of the worker toward the executive positions in which the mental work predominates. Nevertheless we must recognize there is a division of work in the skilled trades as well as the unskilled in which it is very natural for men to organize into groups made up of men having a common interest. We have such groups in all professions as well as trades.

These men in such groups see their own side much more clearly than the other side. Now the great problem of statecraft is to bring together men of all factions so that all may get the broader view. This broader view is of greatest value in determining our attitude and action.

Two extreme views that are the hardest to harmonize are the views held by the manual workers in an industry and the views of the executives.

We must establish a better connection between the management and the workers if we are to obtain the highest result in coordination. Let us remember just what we mean when we say the highest result. We mean the protection of this country against enemies in and outside of the country, for it is the industrial strength that makes our military strength – that protects us against foreign enemies – and it is the industrial harmony and good relationship between man and man that will free us from the spirit of radicalism.

EQUAL OPPORTUNITY ERA

Vermont is entering a new era, and that entrance will be facilitated by the intelligent action on the part of the leaders. Labor, for instance, is coming to see that it has a right to demand and obtain special fitness for all men who direct industrial, state or national activities. So-called capital has always demanded that a workman should have special fitness for his job but now the worker as well as all other citizens will demand fitness in its leaders. The people are entitled to have such leaders for only such leaders can lead forward, and only under such leadership can men accomplish the most for a given expenditure of energy, and hence it is such leadership that will make possible the largest pay and progress. This demand for competent leaders is the very best basis for labor and the public in general from which to get other objectives. It may be considered of supreme importance for its attainment brings all other desirable results.

Mismanagement of state and country plays directly into the hands of competing states and competing countries. Our freedom as individuals, as towns and states can be gained and maintained only by conforming to the economic requirements of our day.

The great intricacy of the affairs of the world at the present time is fully illustrated in the bigness of the problems that confront the state, not only the size of each problem, but the diversity and number of problems.

The reports of the heads of the various departments combined with their recommendations form the best basis in considering legislative action.

One of the functions of the executive and legislature is to take the broad and necessary superficial view of each one of these activities and determine the measure of our funds and energies that may be expended in each one of the developments.

CHAPTER III

INDUSTRIAL DEVELOPMENT

The general plan of increasing the industrial activity in Vermont must proceed from the truest conception of the fundamental principles governing industrial life.

Of the distinctly engineering phases of the question I have said nothing. That there is required the highest type of engineer goes without saying, but those engineers are now in our state and many more are growing up in our industries, schools and colleges.

I have said nothing of the science of machine design – of the technique of invention and of the thousand and one problems of mechanical engineering; not that these are not absolutely essential, but that such knowledge must be gained by long study and long experience.

I have emphasized the supreme need of experience as a basis of success as a worker and an executive. The general principles set forth have been those that are most commonly disregarded by our technical engineers, industrial managers and employers.

In all plans that fit this day of most complex mechanism and social life, we must start with the assumption that a certain degree of knowledge already exists; then proceed to set forth those elements that are most commonly disregarded, undervalued or misunderstood. Such has been my plan in setting forth these elements of industrial and human life.

The object of a plan is to get an action that would not otherwise come, hence it is natural that the full significance of the plan may not be understood, but nevertheless it must be accepted tentatively and followed. Hence, since all progressive work must be taken on faith by those who are not in closest touch with the art, I bespeak your confidence and cooperation.

Publicity is necessary. The general principles of industrial development of the individual and the group must reach the workers, the boys and girls in schools, the men and women in all Vermont.

This can be attained by the pamphlet publications of the state. The distribution should be according to the subject matter and the field. The postage could be saved in many cases by local distribution under the cooperation of local chambers of commerce or other civil volunteer bodies. Corporations should cooperate even in their own interests.

SOME PRINCIPLES OF INDUSTRIAL LIFE

In setting forth some of these principles I have selected those that are specially applicable to Vermont.

We are more interested in the betterment of the opportunities for progress for the worker than we are in the mere plan for enriching the few.

We must strive to establish desirable industries. The most desirable industries are those in which there is a natural development of all the workers and a chance for the greatest number to find the best opportunity to acquire special skill and special ability. In such industries there should be the open door of progress so that those who are qualified for advancement can go forward from position to position with no barrier other than their own mental or physical limitations.

Our plan should be to inculcate a knowledge of the ways by which man works most effectively –

How groups of men achieve the highest results in expenditure of given energy.

What is necessary to establish such conditions.

What are the most desirable opportunities.

Why the need of building up habit-action.

How a group of men, through team work, acquires a group habit action by which their product greatly exceeds the product of the same number of men working without cooperation.

How the individual ability and skill, as well as the group ability and skill, is only to be acquired by repetition that establishes habit-action.

Why words cannot make industries.

Why books cannot teach skill.

Why legislation cannot create invention and initiative.

Why industrial managers should know the cardinal principles of invention, of industrial engineering, industrial management, industrial relations and the human factor in engineering and in the industries.

Why a plant may be growing and paying dividends and still be dead so far as the spirit of enterprise is concerned.

Why some men try to manage industrial plants regardless of many of the cardinal principles of progress of workers and the state.

Industrial organizations must compete with the world, and their management must conform to natural laws of engineering, industrial life, individual welfare and economics. They go forward on the fitness of men for service and the congenial nature of each man's profession of work. Each man's energies, both mental and physical, must be employed constructively with the minimum disturbance. His energies must be concentrated on his own particular work. This concentration applies to all workers and executives. This plan is based on the fact that, through continuity of attention and application to a given work, man acquires a special aptitude. It also recognizes that each man on the face of the earth, from the tramp along the railroad to the most highly developed scientist and executive, has a special knowledge and special ability that he has acquired by experience.

HUMAN FACTOR

In the industries every well managed organization takes into consideration the human factor. The consideration of the human factor shows the heart as well as the brain of each man. This interest must be

satisfied, for it is from that source we get the inner urge that controls all energies. It is the basis of the best relation between men. It is back of the desire for gain. The heart interest is nurtured when men are organized in work in which there can be a mutual regard and respect and in which there is a minimum conflict of interests.

It is needless to say that in competition with the whole world there must be alertness every day in the guidance of details of mechanism and business, and that it is not by gathering together a group of men at the end of the year or even once a month or once a week that business can be effectively managed. It is a continued application to the work every day and every hour that counts.

EVERY MAN IMPORTANT

It is also well known that while one man can wreck an industry, one man cannot make one. A successful industry is one in which the whole organization consists of men the fittest for their respective jobs. This fitness for the work is essential, whether it is the work of management, or handling the finances; looking after the sales or any of the other various divisions of present industrial work. This special ability is acquired by experience, and that experience must be obtained in the work itself, and it relates to something more than just skill and ability of its workers into one coordinated whole, and it is the coordination of all those things that makes it successful, so that, while men are fitted into an industry, and while it is growing under the gradual building up of the individual and coordinated ability, the men are developing in many beneficial ways.

In the first place there is a minimum strife, a minimum competition among workers. Each as an individual has his own kind of work to engage all of his energies, and each has the satisfaction of knowing the degree of success he has attained.

DISORGANIZING AGENCIES

We have said that one man can wreck an industry, and it is a painful fact that many industries have been wrecked by well intentioned but incompetent managers. Very little has been written about the supreme necessity of special ability of each man and the complete coordination of all the workers in an industry, and the fact that this special ability and this complete coordination cannot be established except by those experienced in the work itself. It takes years to build up this special ability and skill to its highest point and a long time to get the cooperative action of the group.

The mere change from one building to another is disturbing. The mere change in the slightest feature of details of design is disturbing. And, while there must be progress both for design of machinery and for the men in the work, in order to keep the organization progressing and the men moving forward, it must always be recognized that these changes and progressive methods must be made with full knowledge of the disturbing effect.

Our success will be due to our getting these facts so deeply impressed that there is a definite action produced. It is not unusual to get a verbal acceptance of these statements of principles from some one who in action goes directly contrary.

TYPICAL EXAMPLE

Henry Ford is one who practiced specialization. He would not change the bonnet of his machine for many years, when every one demanded a little different style. It undoubtedly cost millions of dollars when he did make the change. It was Henry Ford who applied the practice of specialization with the full knowledge that the human being was a creature of habit, and whether he was in an executive position or one of the workers he must be given a chance to develop his highest abilities by being permitted to give continued service without disturbance. By practicing these principles we all know what Henry Ford has done towards giving the country the "Chariot of Democracy" frequently called the "Flivver," and by giving a host of workers the highest remuneration.

ECONOMIC NEED OF INDUSTRIES

The betterment of the physical condition of the state requires the expenditure of large funds that are not available under the present conditions, Taxes are always burdensome, but especially so where the income is small. The taxes have already been increased until they have become a very great burden on the people.

What is needed is to greatly augment the income of the people, and increase the amount received by taxation without increasing the tax rate. That this is now possible is of greatest import to our state and people, for it makes it possible to carry forward all good work. It is an all-embracing scheme that meets all the issues that have been mentioned.

The true plan of progress is one that not only provides larger incomes for Vermonters, but also makes better homes and more congenial opportunities.

Some of our problems are made difficult by our failure to go directly to the basic causes. Many of our largest business interests and greatest activities can be conducted by adhering to certain simple yet fundamental principles, and it is to those fundamental principles we must now look, and we must act true to them if we are to avoid the criticism of having mismanaged the interests of the people.

SEEDLINGS AND CUTTINGS

Volumes have been written, advising us how to manage industries, but Vermont should take thought and a rational action that will fit the needs of her people. The scheme for the state would be one by which seedlings and cuttings would be taken from desirable industries in order to start new units.

The handicap that usually prevents the growth of small industries to larger ones has been the lack of understanding of some of the fundamental principles of industrial plant growth. Men who invest their money in such things fail to realize that through the early years an industrial plant needs most careful nurturing, It is a very common experience to see a plant that is growing naturally into a successful organization, yanked out by the roots by a board of directors who wish to examine the thing to see when it will begin to bear fruit.

First of all let us recognize that notwithstanding the complexity of the industrial and the human-industrial problems that there are a few simple rules that settle nearly every fundamental question of industrial development.

Failures in the past in attempts to increase the industrial activities of the state have been due in a large measure to our going contrary to one or more of certain basic rules governing plant creation.

Vermont's best way to create more industries and to speed up the growth of present plants is to give widest publicity to information regarding industrial plant life — how it starts, what helps and what hinders, who are the men who do such things and what has each Vermonter to do to carry forward this plan that increases the welfare of all.

PRESENT ACTION

These things start from the ideas that come into a man's head when he reads about them. The man helps if he passes along hope and faith. He hinders if he sows seeds of distrust. The men who do things are men who have gained experience in successful industries, who have faith in other fellow-men and boost them, and cooperate year in and year out, glad to see everyone gaining ground. They are the ones who start and carry on.

There are many such men. There are also many men without much experience but with a vision, an inventive genius, perhaps crude, but yet of latent value, who can become powers for progress by cooperation or who may become discouraged by ridicule and distrust.

The grandest scheme for the development of the desirable industries embraces directing the energies of young men towards the acquisition of that special knowledge essential to leadership in the industrial line. The most immediate means for establishing new industries is to start with those men who are already in position to understand such responsibilities.

WHAT IS NOT AN INDUSTRY

Perhaps it will be well to state first what does not constitute an industry. Power, transportation facilities, fine buildings, fine machinery and a group of skilled workmen, a complete office staff and an elaborate system of fad management do not constitute an industry. Such an aggregation might be likened to a cargo ship all ready for service excepting that it lacks a captain and navigating officer—some one to determine what kind of a cargo to take, where to go and how to get there.

The greatest value of an industrial plant that has everything but a work to do and a leader to determine its major policies, lies in the skilled workers and able executives in work and office. The buildings and machinery come next in value, but the whole thing is still worthless without the idea, or the occasional vision.

SOME ESSENTIALS

First of all, an industry is an organization having a definite thing to do, like the manufacture, we will say, of a machine of some kind. It must have a stable policy by which all the energies of the entire organization are effectively employed.

It must have good leadership to carry forward the object of aiding in the favorable growth of the industry. This includes leaders for each of its departments or branches of its activities. The branches embrace everything from invention and finance to every essential department all the way through to the final department which observes the functioning of the product in the hands of the ultimate user.

An organization of this kind is in one sense an educational institution. It is continually instructing the public in the use of its product as well as instructing its own workers all the way through the plant. In one sense, the instructors are the men who are the heads of the various departments; they may in that respect be considered teachers. It is an educational institution of the kind that teaches swimming with the pupils in the water rather than in the class room. It teaches men in the organization how to work under the actual working conditions, and it depends, in a larger degree than other educational institutions; on the progress that is worked out by the men themselves each in his respective position. Each man acquires special ability in the work itself.

A successful organization in these days must be one in which specialization of effort is the constant watchword. The whole organization must be kept closely to a scheme of manufacture that calls for a limited line of action, so that there is a larger repetition of thought and action on the part of the workers than may be found in any competing organization. This repetition establishes the habit action which makes the most effective use of the human energies of mind or body, and it is the basis of the greatest progress in the various divisions of science.

VERMONT IS NOT HANDICAPPED

With proper leadership a new industry may be created, either by using existing buildings and machinery of an industrial organization that has gone out of business, or it may be created in some garage building or work shop in any remote part of Vermont. The first thing to recognize is that transportation handicap of the most inaccessible part of Vermont is not necessarily a barrier to success. Let us assume that a plant is to be started for the manufacture of some article and that its competitors are to be found, one or two in England, one or two on the continent of Europe and two or three spread over America at remote distances. The slight handicap of transportation could be more than offset by the many other elements. As a matter of fact, our state is so small that transportation over its length constitutes a very small fraction of the average total travel of many of the articles or machines that might be selected for manufacture. The location of the state is exceptionally fortunate for industrial opportunities. Vermont is very close to the great center of America's industrial activity—the forefront of advance of industrial engineering.

The cost of power in many machinery building institutions is insignificant. Frequently it does not cost more than the cost of sweeping the floors of the plant, but in these days of high tension transmission, power can be taken almost anywhere, and if an industry grows in almost any part of Vermont it may be assured of electric service.

The competition with other companies is of a kind that would bring a certain amount of business to a Vermont company if its product was distinctly superior for certain services. Under such conditions it would cost less for transportation of material in and product out of the plant located on top of some one of our Vermont hills than it would for transportation, we will say, from a company in our middle west to a customer in England.

ENCOURAGE LEADERS

One of the first things then to realize is the need of the right spirit on the part of the leaders of such things, and a better knowledge of what is essential for success. The leaders who grow up at the present time are men who have forced themselves forward even against advice of well intentioned friends. Their inventive schemes were ridiculed and their ideas of management generally discredited. It is time now, however, to begin to realize that many men who are competent to carry forward such projects are kept back from such work by this obstructive and discouraging attitude of public opinion. There are many of these natural leaders now in our desirable industries. Some of them will not go forward against ridicule. Any organizations that they might start would surely go under if not protected from the natural action of the uninformed stock holders. Building up of the proper attitude toward such things will stimulate the men to concentrate their attention along certain lines of invention and thought that will result in the creation of more of these industrial establishments and will start us in the right direction. It is the natural way to go.

CHAMBERS OF COMMERCE

Thus far our activities for increasing our industrial establishments have been promoted mostly by our chambers of commerce. Our chambers of commerce are made up of merchants more than of industrialists and even industrialists frequently forget that industries cannot be moved and that large industries cannot be established in a minute. It is about as easy to transplant a large pine tree as it is to move a "going" industry. The natural way for these industries to get into existence is through the process of transplanting of seedlings or setting out of cuttings.

Chambers of commerce, as a rule, do not understand the elements of industrial plant growth. They think that a lay board of directors can intelligently dictate the policies of an industrial organization. They forget that an industrial organization is founded on engineering principles that embrace the fullest understanding of the laws of mechanism in relation to its use by the human being.

Every machine, whether it is a machine used in the industries or in connection with them, whether a locomotive, an automobile, a watch, a mowing machine, washing machine or whatever it is, is merely something to aid the human being.

The engineer's inventions must fit the human being, and the industry goes forward first by having the best available implements, second by the best coordination of all such implements and human energies.

These statements seem to cover very obvious points, but nevertheless these points are not fully considered in the various attempts that have been made to create industries and to properly value the growing industries within our own borders.

In the growth of fruit trees we do not expect to get fruit the first year, in fact we have the vision that makes it possible for us to understand that a young orchard has a value even before it bears fruit. With the proper conception of the elements of industrial plant growth we must reach the point where we will be able to place a value on young industries. This will keep the stockholders quiet and satisfied and will permit the natural evolution of the plant and at the same time prevent discouragement of many of those men who are competent to carry such things forward but who may lack in those qualities which are essential to work against opposition.

An industry occasionally pays dividends in the first year of its existence. Some, on account of the intricacies of product, require a longer period in which to build up special skill and ability as well as to develop the invention.

EXAMPLE OF IMPORTANCE OF EXPERIENCE

One example of the greater length of time that is taken to produce an intricate machine may be cited by reference to the development of the Liberty airplane engine. The Liberty engine was not a great departure from previous designs. It looked very much like the existing engines on the other side of the water. It did embrace some notable inventions, particularly in structural changes that were essential for quantity production, but while such departures would have delayed the production, we would have been discouragingly slow even if we had copied an existing engine in every detail.

We know that a pianist cannot acquire great ability in three weeks, nor in three years. Paderewski's skill and art were the result of long years of work. The artist's brush as well as the workman's implements will not function to the highest standard excepting through practice. The special skill that is required in the development of a new model, especially of the higher tensioned machines, such as the airplane engine, cannot be acquired in a minute. The special knowledge of adjusting such engines, and the general character and inspection cannot be acquired in a day. It can only be acquired by experience covering years of practice.

Such matters may seem a far cry from Vermont's industrial needs, but it clearly illustrates the conditions of public opinion that must be changed. This change can be brought about by full publicity. This will enlighten not only those most vitally interested but also the public. It is very essential that these facts should be fully understood by the bankers, small investors, directors, workers in the plant and, last but not least, the inventor and those who must be most closely associated with him in the upbuilding of the industry.

GROUP SKILL

In addition to the delay that is due to the working up of the individual skill and individual ability for the various members of the organizations, we have the delay of building up what may be called group skill or effective coordination of all the elements of the whole organization.

Very elaborate systems have been worked up for controlling the flow of the work and the division of the various activities between the men and departments, but the real effective coordination must grow out of experience of the workers. This natural evolution of the groups' effectiveness as a single organization is one of greatest importance. The average theorist coming into an old plant will start in at once to rearrange the order of things irrespective of the group habit-action as well as the individual habit-action.

With the growth of an industry as a whole there is the development of the individuals. Managers, various executives and inventors will make serious blunders; but that is expected in any organization, especially in a new one. The greatest harm may result from a board of directors insisting on some important change in the management, not realizing that the new management will probably make its own mistakes.

One essential thing that cannot be emphasized too much is that interference with the growth of habit-action is disastrous. Changes should be only for progress of men and the improvement of product. Changes in the design of the product must be most sparingly made, with the full knowledge that it is an interference with the habit action of the workers. All people concerned, whether as executives in an industry, or as investors, must remember that in a growing industry, individual skill as well as group skill of the whole organization greatly improves with continued action—that each individual as well as the whole unit acquires high special ability and skill. Under the process of continued action the average man can make a fair showing and with a reasonable degree of moral support will make good, while without it the ablest man will have a hard time and even fail if he is forced to accept changes that disturb continuity of action

WORKERS INTERESTS

The workers' side of this policy is very clear, for by this process the natural leaders come from the workers, and all move forward according to the individuals' ability.

It is useless to ignore the fact that many men are happiest in work in which they acquire great skill, and they are not comfortable if harassed by mental problems. Some of the greatest achievements have been wrought by

such men, who have been highly honored in the past and will have more recognition as time goes on, for we are more and more coming to understand the fact that special ability in the form of skill, whether it is in the surgeon, the instrument maker or any other branches intended to benefit mankind, depends on such men. Such men are not talkers and do not force themselves into spectacular positions. To the outsider it would seem that there was no progress for the surgeon if he cannot become manager of the hospital, nor for the skilled worker if he cannot become manager of the industrial plant, but we know that such men are of greatest importance and as time goes on they will be accorded higher and higher recognition.

The working out of this whole plan keeps an open door from position to position all the way through the organization, so that the ultimate management, in fact the owners of these organizations, is largely in the hands of the worker. Not by unlawful seizure by the workers but through early investment of savings in the young plant. Through sale of patent rights for stock, or any other mode of procedure that is beneficial alike to all investors.

MANUFACTURERS OPPOSE NEW INDUSTRIES

One of the forces that operates against increase in the number of industrial establishments is the fact that manufacturers, as a class, do not realize that for the benefit of their institutions it is best to have a live organization in which men progress from job to job; from position to position and even graduate to join other organizations or to start new industries.

The average manufacturer fails to see this fundamental law regarding the growth of the manufacturing organization, and he seldom realizes the prime necessity of the fundamental law relating to specialization. He overlooks that stagnation in place of progress of the men in the plant is deadly to the organization. He feels that if he gets an extra-efficient man in a certain position that he must be kept there regardless of his own opportunity for advancement. He fails to realize that progress all the way through the organization should be encouraged—that while man is distinctly a creature of habit, his mind as well as his body must be considered, and that only by changes of a progressive nature he develops most favorably.

Many manufacturers are very much opposed to the creation of other organizations by men from his own organization. The average manufacturer is grasping and desires to embrace all the opportunities, when, as a matter of fact, it would be a great deal better for his own institution if he would encourage the growth of other plants that can be created by his own men.

Without something to force us into the scheme of specialization we will automatically drift the way of the vast majority others. In the industrial work we have, unfortunately, many examples of what happens to the organization that is allowed to drift away from the policy of concentration to a limited line of work.

“DEAD” ORGANIZATION

In all cities we can see “dead” organizations. Many of these companies that are actually “dead” seem to have life in them because they continue to move, but in many instances the motion only due to the momentum of a push that was given years ago.

A “dead” organization may show signs of life in its gradual growth in size, but its real character is to be seen in the extent to which it is departing from specialization or by the continued use of antiquated methods and buildings.

The departure from specialization is generally due to either lack of courage to discard obsolete designs or to an inclination to consider the business from the selling end only.

It takes courage to discard an old model and it also takes courage to refuse to build some new invention.

The indifferent management carries the old and takes on the new. This policy covering many years creates a condition that is far removed from the specialization plan.

The management that views everything from the selling side of the business also is inclined to go on indefinitely increasing the line of goods manufactured.

The drift away from specialization may not be disastrous today or tomorrow, especially if there are no competitors who are specialists, but the inevitable result will be the burial of the “dead” organization when a real competitor comes into the field.

The calamity of the existence of “dead” industrial organizations is something more than the ultimate loss to the stockholders, it is the deplorable stagnation in which the workers find themselves with their progress blocked by an unwise management.

WAYS AND MEANS

These facts must be stated to wake up our own industries and also to point out that the inventions coming from men in these organizations should not be buried in a catalog of many other things. Each invention should be the basis of a specializing organization.

The essential work before this General Assembly is to consider ways and means of inculcating the fullest knowledge of best plans of industrial life so that everyone affected by such activity can know how to estimate an industry’s prospect and how to conduct their own course in them.

Impressing these fundamental facts regarding the best modes of progress for man and groups of men will produce a far reaching result. These cardinal principles must be understood by all of our people in the home and in the state.

It is supremely necessary for the workers and executives in our industries to get the fullest possible conception of principles governing life and engineering, so that they can see what must be done to promote their own success and also to know what is deadly to their own interests and the interest of the state.

CHAPTER IV

AIR TRANSPORTATION

Air transportation is coming into extensive use, notwithstanding the first and very natural personal aversion to flying.

There was the same aversion to the steamship and railway and, although most of us have forgotten it, our first automobile ride was taken with some misgivings as to its safety.

But, whether we as individuals ever swim in the air, or continue to remain at the bottom of this atmospheric sea, the fact remains that an important part of our passenger, mail, parcel post and express will be carried by aircraft.

Vermont was handicapped at each stage in the development of new means of transportation. There are practically no navigable rivers to reach its interior and only limited connection with its outer markets by our lake. The beginning of railway development was hampered by our rugged surface and even now railway connection between certain parts of our state is lamentably poor, due to our mountain ranges.

Our cost of road construction and our ever increasing cost of maintenance will more and more force us to use the airway which is all ready for use and cost nothing for maintenance.

There is just one thing necessary to make flying practical and safe and that one thing is the establishment of a chain of landing fields. Each town and city should try to get a field even if it must go five or ten miles to find a suitable flat. The safe flying courses through the state will follow closely to the established fields.

The future growth of towns will depend in a large measure on the alertness of making provisions for safe landings of aircraft. The landing fields are actually air ports. Since flying goes directly from port to port, each town will have practically a direct road to any other port in New England and New York.

By the establishment of facilities of this kind, and with the cooperation of our neighboring states, our flying service will begin without further expense.

There are already fields partially developed at Burlington, Barre, White River Junction, Bellows Falls, Rutland and Springfield, and there are many fields suitable for such purposes in the western side of the state. Poultney, Bennington, Enosburg Falls (near Sheldon Junction), Windsor and Brattleboro have sites that might be developed at low cost to these towns. Many other towns have fields that may be converted into fairly satisfactory fields by clearing away fences, trees and grading over ditches and hollows.

The airplane will come and bring business. The establishment of hangars, gasoline, supplies, etc., may be left to the enterprise of the merchants. A one hundredth part of the money expended for highway work will provide a state activity for selecting the most desirable locations and establishing a few emergency fields in localities where the population is too sparse to warrant the expense by the local interests.

I recommend the investigation of the needs of amending present statutes or enacting new statutes for facilitating the acquisition of landing sites by town or under proper state or town control of private initiative.

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

HARRY A. BLACK,
Secretary of State, Clerk

Inaugural address
of

Philip H. Hoff

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1963

Thursday, January 17, 1963
Inaugural Address

I think things are just a little bit different here today than they were for about the last 109 years and I am reminded of being in New Hampshire recently when Governor King spoke. At that particular time he mentioned something about being Daniel in the Lion's Den and I kind of appreciated that remark, and I kind of appreciated what he had to say that followed, and what he said, in essence, was this – that we would get along just fine. I am looking forward to being with you for the months ahead and I think we *will* get along just fine.

Lieutenant Governor Foote, Mr. Speaker, Members of the General Assembly, the Supreme Court, fellow Vermonters:

I am here today because the people of Vermont have clearly voiced a desire for a bold departure in meeting the pressing problems that face our state. Vermonters have called for change, and their votes have made me the symbol of this demand for a new and fresh approach in the conduct of State affairs.

It is not mere caprice that led the people of this State to place the Office of Governor in the hands of a Democrat for the first time in more than a century. I am here only because the subtle workings of a society in transition last fall finally broke 109 years of tradition and habit.

This break with the past has great meaning, and its significance must be clearly understood. No one should mistake the purpose of our people to challenge the past, evaluate old concepts, and to find solutions, no matter how unpopular, to the host of crucial problems that have placed Vermont at a critical point in its history.

I solemnly accept the responsibility of leadership in this challenge.

This is the time to speak the truth in simple and direct terms. And the truth requires that we look closely and dispassionately at ourselves.

We must not be complacent and blind to the corrosive forces which are working on the structure of our society. We must not let these forces determine our destiny. Rather, we must recognize them and control them so the future of this State can be faced with confidence.

We have all grown familiar with old things that have with time mistakenly become valued as rich traditions. Here in Vermont we have many of these old traditions, systems and institutions which have seized control of our thought and actions. These old things have been treasured as the rich legacy of an honorable past, but if we look at them with a critical eye and an open mind in this time of change, many of them will be seen in their true light. This legacy of the past has created the crisis we must now face.

The crisis we face today is one of obsolescence. Many of our old ways of doing things no longer serve as useful and valuable tools in the efficient handling of our public affairs. In fact, they thwart and hold us back in our search for a better future.

In too many areas we have disregarded the revolutionary changes that have swept across our State and Nation. Our proud rural regions that for so long supplied the lifeblood of Vermont have been allowed to fall victims to new forces that have drained their capacity for growth. In the shadow of our beautiful Green Mountains many of our communities face a future of stagnation and decay.

The land no longer provides as many jobs as it once did, and Vermonters have been forced to move from the farms to our larger communities, or to leave our State in search of opportunity. But opportunity can once again be found in Vermont if we but recognize our potential and have the courage to cast aside those old ways that force us to squander our resources.

For too long we have blindly attempted to maintain the old order in these new times, and it has been this costly effort to defend and preserve the past that has sapped much of our strength and stifled our development.

For too long we have paid homage to the lame argument that by keeping the old ways we can more strongly preserve the independence of our smaller communities. The truth is our towns have not retained their traditional independence of spirit and action.

That cherished heritage has in reality been blown away by the winds of changing times. As the population in our smaller towns has dwindled, their financial plight has increased. Their once proud independence has been replaced by a servile dependency on offerings from State Government. This has lulled our towns and dulled their appetite for action. The Vermont traditions of independence, resourcefulness and initiative must be renewed and revitalized for these are basic strengths. But they have been eroded by our desperate effort to cling to old ways that are now outmoded.

The people of Vermont have clearly said they do not want to continue with the old ways, and if we fail to respond to the forces at work in our society we face a bleak future.

I therefore call upon the members of this forty-seventh Biennial Session of the General Assembly to join me in preparing a solid foundation for a bold departure from the past.

To achieve that end I call for your cooperation to meet with me once again during our terms of office in an adjourned Session.

At that time I shall present to you a detailed course of action that will enable us to steer a more meaningful course for the future.

In the months before our next meeting, I shall call upon members of the General Assembly and other distinguished Vermonters to assist me in clearly delineating the problems of our State and in defining solutions. We shall explore together those problems that are plaguing us in the areas of education, health, welfare, transportation, development, protection, public finance, and governmental organization. When we meet here again we shall act together to transform proposed solutions into programs of action.

A detailed review of all of the problems in these areas would serve no purpose here. The mention of a few of the more crucial problem areas will be sufficient.

The children and youth of Vermont are entitled to equality of opportunity to develop their abilities and to exercise real choice in objectives. We will deny them their opportunities and we will bankrupt ourselves in costly patchwork measures, if we do not redesign and coordinate our school system including institutions of higher education.

Our present road system has reached a point of absurdity. Our assignment of responsibility for reconstruction and maintenance of secondary and local roads must be reexamined in terms of the modern realities of daily travel and living, the needs of our people for integrated road facilities, and the demands of our major highways. We must recognize that our ability to develop and move forward is not only dependent upon better means of communication between various areas of the State but better means of communication with our neighboring States.

Nothing is more important than development of our economy. There is a growing recognition that for many areas of the State this development can be accomplished only on a regional basis to permit effective utilization of available talent and resources. Despite this recognition we remain poorly organized on the State and local level, to give dynamic impetus in efforts to create new and better job opportunities.

We must understand the basic factors that are shaping our economy, do a better job in fostering the growth and effective management of our many assets, and find the means of coordinating the many activities in this vast field. State and regional planning therefore will be given full support and direction from the Executive Office and will be a central function in this overall program of review, assessment, and projection.

In problems of State and local taxation and finance, there are two interlocking questions. In State finance, we must determine our ability to pay for the response to needs, and within this capacity to pay, where we want to put emphasis. This involves questions of selectivity and priorities. A look at the local level also raises

questions about local resources, about our system of appraising real estate, and about our difficulty in measuring relative capacity to support local services.

We must recognize the interdependence of towns, one with another and with the State. We cannot ignore the health of any one unit, because what affects one affects us all.

We must examine carefully our governmental structure both State and local and recognize the costly impact of this structure on Government finance. The recent Commission to Study State Government confined its attention largely to the field of executive organization and management. Its bipartisan effort and the bipartisan response represent only a beginning of what needs to be done. For example, there continue to be many separate agencies operating in the field of mental health and many separate agencies operating in the field of resource management and development. We must face the fact, however unpleasant, that there is a costly excess of Government on the local level.

We must, we will, find the way to enable our communities to grow and flourish once again and to check the drifting course of our economy. Now is the time to determine where we are and where we are going. Our objective in this bold departure is to assess and utilize all our human and natural resources to measure our capacity for growth, and to define the best and most efficient course for promoting development of the entire State.

I am sure you are all aware that at the time that I campaigned for Governor of this State that I talked a great deal about increased state aid to education, and at that time it was felt that there would be available for increased programs in all areas somewhere between \$6 and \$7 million dollars. And when I came to the budget hearings I discovered that there was \$6 and \$7 million dollars but frankly that it was already committed. I then had a choice. I had a choice to increase taxes in some area to provide the necessary increase in state aid to education or I could let it drop, and I looked upon it as a promise. But then when I looked at the prospect of raising additional revenue -- and I think that we all know that it would have had to have been substantial -- I had to consider the fact that if I did this, was I going to be perpetuating a basic evil, and as much as I disliked doing so, I had to consider the cold, hard fact that in all probability I would have been projecting and continuing a basic evil, and that it wouldn't have solved the basic problem at all. And then I had to look to other areas of local government, and I find the same is true of them as well, and I talk particularly about our road system. There is great waste in our local road system, I dislike saying so, I know it's not a popular thing to say, but it is nevertheless the cold, hard truth.

And ladies and gentlemen, we have reached a point in the history of the State of Vermont where we are going to have to face up to these situations. And if you will think about them, and think about them hard, I think you will recognize that this cuts across virtually every area of local government. On the State level, I must say that I am extremely concerned about the drifting course of our economy. For example, I bring to your attention the whole question of bonding. Virtually every person that I talk to who is knowledgeable in this field agrees that we have about reached the limit of our bonding and we have not faced up to a couple of other factors that I think we've passed over too easily. For example, I talk about Federal programs. We have been awfully anxious to match these Federal programs and yet in a very real sense what's happened here is this has committed us to courses of action which, if we had thought about them seriously and forgotten about the State Aid we might not well have followed.

We are a small state. We are limited in numbers of people and yet we are trying to provide essentially the same services that are carried on in states twice, and many, many times our size, and it is terribly expensive and we have limited resources, and the time has come that we just cannot allow ourselves to continue to drift in this way. And what I am trying to say is this: the time has come to sit down and take a good look at ourselves and try to analyze who we are, what we are, what we have in the way of possible revenues that we can raise and still make Vermont an attractive place to live, and once recognizing this, proceed ahead, putting our emphasis on the most needed programs and from there on down. What's happened here in the past, in my opinion -- and I feel very strongly that this is correct -- is that we have not been selective in those things that we would do, and of recent years we've used bonding as a means of getting around it.

Now I'm well aware that there are going to be many people who are going to say, "Well, this is just another study program." Ladies and gentlemen, this is not just another study program, because the problems I am talking about we are going to meet. We are going to have to meet them, unless we want to bankrupt this State. The solutions are not easy and they fly in the face of tradition. I don't like particularly to do this and I'm well aware that it won't make me a popular person, but the time has come to face up to these questions and we will face up to these questions, but I don't want to be in the position of plunging into solutions in areas which have existed for hundreds of years without being mighty sure that we know what we're doing.

In the meantime, of course, our Government must continue to function. To that end I will present to you later this month a budget for the next fiscal year only that will permit our State to move ahead to the very limits of its current ability. I trust you will act swiftly and with a spirit of cooperation in this proposed course of events. We need not improvise during this first meeting of the 1963 General Assembly and we should conserve our energies and our innovations until we meet here again. The full authority vested in the executive office will be used to the utmost in this bold departure and to assist those of you who agree that new ways should be pursued in laying the foundation for the revival of our beloved State.

We cannot afford to pursue the old ways any longer. The risk is too great. True, there are hazards along the way of any new endeavor. But there is also the challenge of opportunity in participating in a great leap forward.

New methods have always been resisted by the timid and by the vested interests. We have too long accepted the belief we cannot change with the times. We have for too long heard only the cries about the risk involved in change. We now must lift our eyes to the opportunities that are within our grasp if we only have the courage to reach out for them.

I have no fear the differences in our political affiliations will hold us from the task at hand. On this day of dedication we know in our minds and hearts that our business is no mere business of politics.

A former Governor of the State said:

"Whatever may be our party preferences, and however strongly we may adhere to the principles we profess, the legislation required for the domestic Government of the State, does not ordinarily involve our political opinions or excite the asperity of party controversy."

These words by Governor John S. Robinson, the last Democratic Governor of Vermont, in his bid for harmony are as pertinent today as they were a century ago.

Our State has faced hours of decision in its past. On each occasion this decision has been met by leadership of candor and vitality. And that leadership has always had the support of the people which is so essential to success.

The people of Vermont have every right to expect us to provide the necessary cooperative leadership in the days ahead, and I pledge my best effort to provide the leadership these times require.

A proud past deserves a proud future, and with the courage the times demand of us, we will forge a future that will see this proud State rally and surge forward.

We can gain strength from our past to embark on this venture and successfully meet the challenges that face us.

With God's help, we will have the courage, the imagination and the will to begin this venture now.

Inaugural address
of

Philip H. Hoff

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1965

Thursday, January 7, 1965.
Inaugural Address

Lieutenant-Governor Daly, Mr. Speaker, President Pro Tem, Members of the Clergy, Members of the General Assembly and my fellow Vermonters:

We are assembled today at the direction of the people of Vermont to chart a new course in the history of our great State.

I am convinced that Vermont is already feeling the stirrings of change that promise the greatest era of progress and development in our history.

The forces at work in our world have created almost unparalleled opportunities for Vermont and it is our responsibility to meet this challenge.

We must act to control these changes and not be content merely to acknowledge them as inevitable.

Today, more than ever before, we must look outward to understand the changes that are taking place within our own society.

Ours is a world of many quiet revolutions going on simultaneously. Some are easily noted. Others, perhaps more difficult to define, give promise of equally dramatic impact upon our lives.

The revolution in communications and transportation has opened Vermont to the world in a way not imagined possible a generation ago. It demands we educate our children for living and working in one world.

Population expansion and attendant problems of urbanization make the open space and untouched beauty of Vermont the envy of countless thousands. It would be naive to think that this population explosion will not have a tremendous impact upon our State. We must prepare now to preserve the untouched quality of Vermont from unplanned and uncontrolled urban growth.

The revolution in technology with its promise of a substantially reduced work week opens a new era where the effective utilization of free time will figure more and more in economic development and growth of our State.

The revolution in knowledge makes education crucial in our planning for the future.

These are but a sampling of the forces at work in our world today that require us to broaden our scope as citizens not only of Vermont but as citizens of a global community.

We are indeed fortunate that we face this challenge as citizens of Vermont.

For Vermonters have a firm tradition of dedication to democracy.

The strength of our democracy has been that it was not conceived to be, nor can we permit it to become merely a set of rules to control public organization and debate.

Democracy is not neutral.

It is not indifferent to the outcome of man's efforts to live meaningfully. It is firmly anchored on hope and faith in man's capacity to build the good life within a free society.

It is an open system of values which embraces change and which weaves new events into the fabric of our life as free men.

With this concept of democracy in mind, let us now consider specific proposals designed to meet the problems and to grasp the opportunities presented by the forces at work in our society.

We have the resources to make Vermont a showcase for democracy. I suggest to you that the people have the will to make our State a laboratory for progress.

Let us declare our determination that Vermont has not faltered and will not be dissuaded from a bold program of action not only to secure the right of every citizen to full and equal representation, but also to assure the right of every Vermonter to a productive life pursued in freedom and dignity.

REAPPORTIONMENT

Our first obligation is to meet the challenge of the 14th Amendment to provide equal protection to all citizens before the law.

The Courts have told us what we all have suspected for many years. That is, of course, that our General Assembly is malapportioned and that we must reapportion it on the basis of one man, one vote.

This then is the Assembly's first and most urgent task.

I urge you all to consider this simple fact ... If this Legislature fails to re-organize itself to extend the franchise so that it is equally shared by every citizen of Vermont, it will be done by the courts.

I am confident that our record as independent and fair-minded citizens will not be stained by failure to accomplish this task.

Thus, our first responsibility here is to properly shape our Legislature, our basic instrument for enactment of public policy, to better meet the demands of our Democratic heritage and the needs of contemporary society.

The United States Supreme Court has decreed it to be the law of the land that legislative bodies of the several States must provide for representation based on population.

This principle cannot and it will not be compromised.

Nothing will better serve notice to the world that Vermonters are again at the forefront in the fight for basic human rights than prompt action on this issue.

Nothing will better symbolize our determination to translate the dreams of our forebears into reality.

We do not seek to defy tradition.

We seek only to breathe new vitality into aspirations that for too long have gathered dust in the public archives.

If there is a single thread that links the world of today with the aspirations of those who charted Vermont's course as a State, it is the idea that government exists to serve the needs of the people when these needs cannot be better met by citizens acting in private concert.

Similarly, it is that government is viable and subject to modification as the needs of citizens change.

Let me quote from a man whose hands held the pulse of our State at its birth. ... Ethan Allen said in an address to the people of Vermont:

All good and wise men, will exert themselves in establishing and supporting good government and order, which are inseparably connected together. Formed constitutions and modes of government may and undoubtedly are, more or less imperfect; Yet they may, in future, be corrected and amended as time of leisure, cool deliberation, and experience may dictate."

Ethan Allen, of course, was not alone in his conviction that government is not simply the instrumentality of majority will, but the government's role is to transcribe public necessity into action to serve the greatest good for the greatest number of people.

To accomplish this, government must be directly related to people, not some of the people, but all of the people.

Equal representation in government does not pit town against town. Neither does it pit urban residents against rural residents, or those over twenty-one against those who have yet to reach their majority.

Bearing this in mind and the many weeks of thoughtful study and planning that have already gone into solution of this problem, I am certain this task can and will be met with speed and with justice.

Differences of opinion still exist on this issue but I am confident that Vermonters as men of reason and good will are determined not to fail in this task.

Rather than to delay or defy what we know must come to pass, I urge the members of this Assembly to

face the task of reapportionment immediately and with determination to get the job done so that we can move forward in other areas where action, as we all know, is so urgently needed.

In doing this I would certainly not oppose speedy submission of a reapportionment plan, or even several plans, to the Courts for review.

CONSTITUTIONAL CONVENTION

There has been public discussion about possible referral of this question to a Constitutional Convention.

Once we have met the order to reapportion, it would be to Vermont's overall advantage for the new Legislature to convene a convention to bring our Constitution in line with the realities of a Court-approved system of representation.

Such a convention would then write into our basic frame of government other long-needed reforms.

These would certainly include provision for:

Annual legislative sessions subject to a cut-off period.

A four year term for Governor, Lieutenant Governor, and other elected State officials.

Clarification and reform of the elective process to eliminate the confusion surrounding past elections which involved the necessity for legislative recounts.

Liberalizing the provisions for amending the Constitution and elimination of the ten-year time lock.

A strengthening of the executive arm through changes in the mode of naming such administrative officers as the State Treasurer and Secretary of State.

Constitutional embodiment of a plan for continuing apportionment of the Assembly in accordance with changing population patterns.

Constitutional provision for a House of Representatives greatly reduced in size.

Elimination of our outmoded system of State's Attorneys.

Prompt compliance with the mandate to reapportion now and provision for these other basic reforms in our structure of government through a convention would fulfill both responsibilities with a minimum of confusion and with no threat to the orderly continuation of the State's business.

STATUS OF COURT ACTION

The Supreme Court has stayed the lower Court's decree that we act on reapportionment and reapportionment alone.

But this cannot be taken as an indication that we will be permitted to procrastinate or that we may ignore our responsibilities to reapportion. At best the Supreme Court will merely extend the time in which to reapportion and allow the General Assembly to act on business other than reapportionment. It must also be borne in mind that the Supreme Court might well affirm the lower Court's original order.

THE TASK AHEAD

We are fortunate at the moment that we can pursue the task of reapportionment while also acting to move Vermont ahead in other areas.

Two years ago I urged that we re-evaluate and reform our program of public services in light of the dramatic changes underway in our society and the people of Vermont have served notice that they want this done.

Vermonters realize that we cannot divorce ourselves from the world, that the events in far-off corners of the globe directly affect our daily lives.

This fact is one we cannot afford to state and then ignore. This fact must be reflected in our approach to education, to the conservation of our natural resources, to economic development and the very organization of our system of state and local government.

Vermont has a strong tradition of town government. Our town boundaries were drawn in colonial times

roughly along lines six miles square. This was done arbitrarily and with the exception of major rivers, natural boundaries were frequently ignored.

In the days of communication no more rapid than a horse and rider, our towns served as efficient and effective units for the control and operation of education, welfare, highways and other public programs.

But over the years these arbitrary town lines have increasingly become barriers to efficient and effective public programs.

This has been recognized and some action has been taken to cross town lines in the administration of certain public services.

Our administrative units have frequently been extended and expanded largely, however, on a haphazard basis and without regard to the overall needs of the people of the State.

Progress in one area of the State has not always been matched in other areas.

A REGIONAL APPROACH

We now have the information available to organize many of these services on a regional basis so that they can be more effectively administered for all the people of Vermont. To this end, I am calling for a regional approach to education, tax assessing, planning, development, probate courts, municipal courts, state's attorneys, and ultimately to our town and State aid system of roads, although here action may have to be deferred until 1966.

This is the key to our present program of reorganization and revitalization of our governmental services.

We aim to organize these services in districts that include the human and economic resources required to support them. This is the only feasible way for us to assure equality of educational and economic opportunity to all Vermonters regardless of the town in which they reside.

With imagination and the determination to creatively utilize our traditions and resources we can set the pace for progress in combating educational deficiencies, poverty, and other problems.

Vermont has the talent and the resources to achieve this goal. We also are small enough so that the magnitude of the problem can be clearly seen and our progress can be easily demonstrated.

EDUCATION

Our greatest resource and our greatest responsibility is the talent of our people.

Two years ago I described education as the keystone to our future development. This is even more true today.

We have made great progress in the past two years. State-aid has been increased and is now distributed on an equalized basis.

Much remains to be done, however, before we can say to ourselves we are meeting the needs of today, much less the needs of tomorrow.

For this reason I recommend an additional 1.5 million dollars in State-aid to local school districts in 1966 and 2.5 million in 1967, or a total of 4 million for the biennium. It is anticipated that the additional million in 1967 will be keyed to quality and/or regionalization.

This will provide for total State-aid of approximately \$9,000,000 in 1966 and \$10,000,000 in 1967.

Besides these increases in State-aid to education under the formula, my budget will provide for 1.8 million in new aid for construction and operation of area vocational centers.

Fifty percent of this money will be Federal grants.

In considering State-aid to education we must also note that Vermont will be required to supply approximately 1 million of State funds to continue the present federally financed manpower retraining program.

Of equal importance in our endeavor to better educate our young people is the reorganization of our school districts so that they more adequately include the resources required for their support.

I will submit to you a plan for regionalized districts that will accomplish this on a voluntary basis but which will not permit our residents to disregard the need for rapid progress in this area.

This task requires additional money to strengthen the Department of Education, to finance more classes for the mentally retarded and the handicapped, for retraining and for vocational education as I will outline in my budget message.

Ever increasing costs for top quality educational programs at the level beyond the high school must also be recognized.

We embarked upon a pilot program of State-guaranteed loans for college freshmen earlier this year. Despite predictions that there was no need for this, the program has already helped many, many young Vermonters finance their college education.

This aid must be expanded and I will recommend that it be consolidated with a program of State scholarships administered on the basis of merit by an independent Board rather than through our individual Senators as is presently done.

Additional funds will be required also to strengthen the quality of educational programs at the University of Vermont and our State colleges.

Authority will be sought to assist private colleges and secondary schools through State guarantee of loans for plant and capital improvements as is now authorized for industrial projects.

You will be asked to inaugurate an educational television network and to increase minimum salaries for Vermont public school teachers.

COURTS

The concept of better organizing our resources in support of public enterprise and private well-being applies to the administration of justice.

A district or regional organization of our Courts has had widespread support for many years.

Certainly, this basic reform of our Courts is long overdue. In this age we need a system of District Courts presided over by full-time adequately paid judges and this should apply equally to our present Probate Courts as well as to our Municipal Courts.

Linked to this should be a network of full-time adequately paid district attorneys supervised by a strengthened Attorney General's office.

No reform of our Court system will be complete without modification of our system for the selection of superior judges. I strongly endorse a method patterned after the Missouri Plan.

PLANNING AND DEVELOPMENT

The concept of district reorganization is also essential for us to follow if we are to promote greater effectiveness at the least cost in the field of planning and development.

We must structure our public services to more effectively reflect our changing population patterns.

Here again, I propose a new program of State assistance to local industrial development groups to stimulate regional planning and zoning. This will involve additional State personnel and grants to regional organizations that meet realistic standards. We must promote increased programs of research and development to assist the residents of every area in the State in reaching their maximum potential. This applies equally if our agricultural growth is to be more than a series of crisis situations. A pilot project is nearly operational and should provide effective guide lines for progress in long range assistance to farmers.

DEPARTMENT OF LABOR

This means adequate paying jobs and a Department of Labor to oversee the operation of day-to-day industrial relations. This also requires a minimum wage tied directly to the national level. I recommend consolidation of the Department of Employment Security and the Department of Industrial Relations into a new Department of Labor. With this should be passed a Little Wagner Act.

The extension of coverage of unemployment benefits as well as a strengthened program of workman's

compensation are directly related to this development program.

So too is continued provision for the manpower retraining program and increased emphasis on vocational training.

NATURAL RESOURCES

Of equal importance to total development of our State is the conservation of our natural resources and the protection of our heritage of scenic beauty from the blight of uncontrolled urban sprawl.

This will require increased State-aid for local pollution abatement programs. It will require broadening the State's land condemnation authority for certain public purposes.

It will require minimum flow legislation and a long range program to assure every Vermonter an adequate water supply.

The cleaning up of our streams, the protection of our wealth of water resources should also include expansion of coordinated recreational facilities. In this regard, I will recommend increased bonding to finance State participation in developing Federal and State outdoor recreation programs.

I anticipate great progress in this area within the next few years. Vermont and the nation are deeply committed to the planned public development of our forests, our parks and our unique natural geographic areas.

This will increasingly involve State-Federal cooperation in multi-purpose development of our resources. It will also require that we move forward promptly to meet our need for regional zoning.

A land use survey is underway. It is an essential step in a regional zoning plan I propose to present in 1966.

HEALTH, WELFARE, SAFETY

In the same manner we cannot separate highway safety and the expansion of our State police force from other programs designed to protect human resources. We cannot treat agriculture apart from the food stamp program we will recommend.

These are merely facets of a single, far-reaching effort to move our State forward so that our people may enjoy a fuller, safer and healthier life.

I will recommend an expansion in our welfare department, an expanded program of highway safety, and expansion of our State Police to include forty-two new troopers during the biennium.

Vermonters as consumers must have more protection through expanded public health programs. Driver training programs merit State support as do projects designed to seek out and retrain persons who make our highways unsafe.

Specifics of these programs will be spelled out in future messages, as will my recommendations for highways and State finances.

GOVERNMENT OPERATION

The competition for progress in an ever-shrinking world has intensified the need for top quality men and women to serve State government. This competition for talent demands that we more adequately compensate those who serve. It also demands that we reorganize our government to assure a full dollar's return for a dollar spent.

I recommend a major revision in our pay scale, and consolidation of more of the executive branch of government as called for by the Little Hoover Commission. Similarly I will recommend creation of a Legislative Council to strengthen the operations of the General Assembly, and this is long overdue.

In this area, as in so many others, we have moved forward. But the steps outlined above should be taken if we are indeed to become the showcase for democracy or the laboratory for progress that I know that we all desire.

It is within our grasp. It merits our full attention and best effort.

STEWARDS OF HOPE

Ours is a time not of triumph but of dedication.

We meet here not as exponents of party but as stewards of hope.

We share a sacred trust, the future of our great State.

Let us draw that future in bold strokes with confidence in our mission and faith that men of reason and good will can chart a course of action that will serve humanity.

Working together I am confident that with divine guidance, we can and we will meet the test of our times. . . . That no man, however humble his origin, however remote his domicile be denied the opportunity to fully exploit and enjoy his status as a member of our free society. Thank you very much.

Inaugural address

of

Philip H. Hoff

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1967

Thursday, January 5, 1967
Inaugural Address

My Fellow Vermonters:

Four years ago, when I first stood before you as Governor, I suggested that we pause to reassess our strengths and weaknesses as a state...that we inventory our resources and needs... that we set realistic priorities for the future.

We charted a course and have moved ahead.

I need not detail our progress here. You know it well. It is a matter of pride to us all.

Yet, the pace of change is such that our progress as a state must be greatly accelerated. We must be ever mindful of our responsibilities not only to ourselves but also to future generations of Vermonters.

We assemble again today to reaffirm the power and authority of free choice in our society. We must address ourselves again to the task of providing direction to the great changes taking place in our state.

The world today demands that we do more than reaffirm our past efforts and rededicate ourselves to the public good.

These times demand continuing reappraisal of our collective objectives as well as of our individual goals.

The forces at work in our state and nation demand that we reexamine the very goals we espouse as a society.

We find our system of values under constant challenge. The law of the jungle – the survival of the fittest – is being replaced by a new humanism which tempers the laissez faire of the human spirit.

We must act today to meet more than mere needs for survival. We have the resources and the talents to plan and work for more than minimum standards. We address ourselves today to creating the conditions for a full life. We now must create policies more on the basis of achieving what we can become than on the basis of what is necessary to merely catch up or keep pace with the world.

In Vermont we have recently capitalized upon this new concern for the common good. This is evidenced by the increasingly active role of religion in community affairs.

It is illustrated by the new awareness of the private sector of the economy that its social responsibilities extend far beyond the cold calculation of a balance sheet. Indeed, our businesses today increasingly weigh economic profit and loss on a social scale. Our academic community no longer screens itself from the human condition with an ivy curtain.

Society has put man into fresh focus within the context of a world community.

This fact alone makes it incumbent upon us to move beyond the myths of the past—myths that we all know are honored in public by those same persons who discredit them in private.

Token action is no more appropriate today than are token words.

Ours is the task to match rhetoric with responsibility and debate with deeds.

We have yet to do many things that must be done if Vermont is to maintain its new rank among our more progressive states. We have yet to do other things that must be done if Vermont's progress is to be meaningful for those who come after us.

Ours is a small state with tremendous and as yet relatively untapped and unspoiled natural resources. Our population remains relatively small although expanding in numbers and talents.

This is at once our continuing challenge and our immediate opportunity.

The challenge will always be with us. But time is running out on our opportunity to blend present resources into future possibilities for an ideal society.

The voters of Vermont have demonstrated their desire to fill in the details of the dream of a better life—a life where every man is provided the means to realize fully his potential and to exploit fully his leisure time.

Vermont has historically been a byway, politically as well as geographically.

This is no longer true. And, despite our respect for the past, we cannot act as though it is still true.

Each day we are more and more threatened by the ever sprawling cities and suburbs to the north and south of us. Our lakes, rivers and streams are increasingly objects of new exploitation.

Just as Vermont was once a corridor for the French and Indians, for the early pioneers seeking new freedom and living space, Vermont today is a corridor, but less for the movement of people than for new population, new commerce and new industry.

Full recognition of the pressures of this population surge must be incorporated in our attack on the problems of Vermont today and for the future.

Ours is the task of meeting today's needs with the vision and foresight required to guide future development at the same time.

To do this realistically, we must break with those social and political vestiges of the past that no longer serve the realities of the present and the known potential of the future.

The progress of the past several years has given us a new base from which to view the future. But, progress is relative and today's vision of our advance has added new dimensions to tomorrow's needs.

We have talked for years about the absolute necessity for updating our state constitution.

It has been found to be in conflict with the supreme law of the land. Yet, efforts to convene a constitutional convention to unshackle us from the long outmoded and ignored covenants failed because a few persons of faint heart but staunch purpose desired time to procrastinate.

Our actions must be considered and deliberated. But, we can no longer afford to cloak delay in the guise of deliberation.

We must act with courage and determination if Vermont is to realize its unlimited potential as a showcase for social and political advance.

Constitutional reform is needed now. It is proposed again as a prelude to the reorganization of state government I will recommend at a special session in 1968.

This is not a recommendation of change for the mere sake of change. Neither is it a threat to our basic institutions.

It is a proposal to revamp and reshape our public resources and instruments of government so that they may be focused more directly on the problems of our people. Government must function efficiently as an administrative instrument if it is to be effective as an agency for social reform.

We have demonstrated in many areas—particularly in the realm of natural resources—that the traditional organization of state executive agencies is inadequate. It does not permit us to deal effectively and efficiently with the challenge of protecting our physical environment and enhancing its usefulness to our citizens.

The same is true in the areas of our human resources. We are concerned with total man and his total environment.

The articulation of this problem was the concern of the early 1960's. Its solution is the challenge we now face. Our opportunity diminishes with each day of delay.

The forward thrust of this program for Vermont and its people has three times been endorsed by the electorate.

It is our duty to keep faith with the people and to build upon the advances of the past several years.

The details of this program will be debated as they should be. Alternatives may be proposed. But, no man or group of men can ignore the necessity for action and action now.

Nor can we permit petty partisanship to stand between Vermont and its destiny.

Dramatic evidence of our determination to accept responsibilities would be given by prompt approval of the proposed reforms of our social welfare program.

This proposal already has been approved by the Legislative Council. I see it as more than merely increasing public services and streamlining the administration of public programs. I see it also as a symbol of Vermont's determination to cast off the mantle of provincialism and of our willingness to shape our institutions for effective action.

Just as we act to meet immediate human needs in the areas of health and welfare, we must build for the future.

Education remains the keystone of our long term advance as a state. No area of public endeavor is of greater importance in our efforts to provide for a quality environment and for personal excellence.

We have made great strides in improving Vermont's educational system. These programs of material aid to education must be continued and expanded. I will therefore recommend significant increases in state financing for our schools and colleges.

This is not enough, however. We must further strengthen our programs to enrich the quality of education.

Re-districting is underway and requires continued effort. The State Department of Education is being strengthened and improved. Here again, emphasis must be placed on the human equation, on innovation and increased assistance to the personnel guiding the intellectual development of our young people.

At the same time we strengthen our internal educational programs, we should act to buttress the state's position in relation to the federal government. I can think of no more effective way of protecting the state's control over educational priorities than full legislative participation in the Education Compact.

Such action would again demonstrate our willingness to utilize all available resources to meet our responsibilities to our young citizens.

I would like to depart from my prepared text here to say that no one believes in the federal system more than I do. But here again I think the key word is state responsibility. Unless we demonstrate the capacity and the willingness to meet our problems, the drift to federal controls will continue.

This same theme of conserving our resources and providing for their maximum benefit to our people is reflected in our continued effort to protect and enhance Vermont's great wealth of natural resources.

Legislation will be introduced to implement recommendations that reflect two years of study and planning in this area. Corridors of scenic beauty along our highways and also along our streams demand public protection. Land use must be controlled if we are to prove our true concern for the beauties of Vermont.

Natural areas, parks, stream improvement and pollution control and other elements of a greatly expanded public recreation program require legislative attention and increased state support.

These activities promoting orderly development of our natural resources and recreational potential are but one aspect of our complex economy.

Our record breaking economic development demands continued attention to promotion of a strong industrial base for a healthy balance.

This can be encouraged through additional liberalization of loan guarantees under the Vermont Industrial Building Authority and through a program of industrial parks.

Additional aids to manufacturing and industry would be futile without concurrent action to increase our minimum wage schedule and to expand and bolster allied compensation and unemployment programs.

We need, too, to strengthen the public's role in the maintenance of industrial peace through a labor relations act.

Vermont cannot afford to penalize persons for living and working in the state. We are at a stage in our economic development where we have to compete for skilled labor just as we compete for new employment opportunities. This fact is above and beyond the moral question of assuring all citizens adequate return for

his or her skills and talents without discrimination on the job or in regard to housing.

The state must meet its own responsibility to its employees through a new classification plan and significant salary increases to its own personnel at the same time it acts to protect those in the private sector.

These programs to enhance living and working conditions in our state can be augmented and expedited through expanded and more efficient services to local communities.

But here again, we must not lose sight of our ultimate objective of extending these services to our citizens through agencies that command the resources necessary to do the job well.

Certainly, all the citizens of the state will share the benefits of increased aid to regional planning and to regional development programs, with those living in the participating towns and cities.

Our own experience has demonstrated the value of this regional approach just as we know the benefits to be derived from district courts with full-time judges. This court re-organization should be fully implemented and the same principle should be applied to our present system of state's attorneys.

Again, the theme is action now to assure that Vermont meets its responsibilities to its citizens so that they in turn can more fully realize their individual potential for a creative and constructive life.

Ours is the opportunity to build our community to unique specifications before we face the necessity of having to tear down vast areas of urban blight and decay.

Ours is the opportunity to protect our wealth of rivers, mountains, forests and lakes rather than having to restore or replace them because of uncontrolled exploitation.

Ours is the opportunity for controlled growth and planned development.

Recognition of this opportunity, however, is not enough. We must meet our responsibility for constructive action.

This, then, is the broad sweep of the task we face together. The lines of attack are more fully detailed in legislation proposed for your approval and in special messages I plan to present to you from time to time. Tax reform, use of the general fund operating surplus, are among the topics I plan to treat in detail in this manner.

I am convinced that with divine guidance and by working together in our concern for the future of Vermont, we can and we will demonstrate the courage and the wisdom to utilize our resources and our talents to enrich and elevate the lives of our citizens.

I am confident that together we will weave the vision of our people into the fabric of our community life. With imagination and initiative, I am certain we can raise the quality of the lives of our citizens so that Vermont is the hallmark of progress for New England and the total U.S.

Inaugural address
of
Frederick Holbrook
As it appears in the
Journal
of the
House of Representatives
October Session
1861

Tuesday, October 22, 1861
Inaugural Address

Gentlemen of the Senate

and House of Representatives: –

It was a great disappointment to me to be disabled by sickness from entering upon my official duties at the opening of the session of the Legislature. Rising so recently from an attack of illness, without the opportunity or physical strength to investigate to any considerable extent the public requirements of the State, I cannot make this communication so practical in detail, or complete in statement, as might perhaps under other circumstances have been realized. The deficiency, however, is of little consequence, inasmuch as Vermonters are proverbial for the good management of their public affairs, and a quick sense of the proprieties of things in all public transactions.

The returning autumnal season has again brought together the General Assembly to consult for the public welfare, and enact laws to promote the same. Looking abroad over the State, we observe that the bounties of Providence have been most generously dispensed, and we are surrounded with the evidences of plenty in mart, in field, flock and herd; that the people have prospered in their undertakings of industry; that we have been exempt from pestilence or the ravages of wasting sickness, and that the domestic security of society has been undisturbed. For these and other blessings, our public acknowledgments are eminently due, and should be gratefully expressed to the great Lawgiver of the Universe.

The inhabitants of Vermont have doubtless preserved as much of our early American character and of the simplicity and purity of free institutions, as those of any State. They are nowhere excelled for the blessings of just and equal laws, by general intelligence well administered, and for a remarkably equal distribution of property, accompanied by that frugality and thrift, which ensures comfortable homes and substantial independence to a large proportion of the population. On somewhat stubborn, but strong and retentive soil, our bracing climate, and the necessity which nature here imposes for industrious, persistent labor, combine to train a people capable of much physical endurance, and of heroic and manly deeds; and the influences of climate, of mountain scenery and the aspects of physical nature generally, stimulate the imagination, refine the sensibilities and exalt the mind. "Freedom and Unity" is their motto, and they drink in the spirit of liberty with the air they breathe.

From a statement by the Treasurer, published in the Report of the Auditor of Accounts, I gather the following facts in regard to the standing of the State Finances on the 45h of September, 1861:

RESOURCES		
Balance in the treasury and due from Banks,		\$36,517 30
Due on Taxes voted before 1860,	\$2,458 87	
" " Tax of 1860,	26,421 25	
	-----	28,880 12
" " " payable Oct. 15, 1861,		90,645 97
Balance due from H.M. Bates,		48,431 74

		\$204,475 13
LIABILITIES		
Due Banks for contributions to Safety Fund,		\$13,125 00
Balance due Towns for U.S. Surplus Money,		5,163 04
Loan of 1857, due Nov. 1, 1862,		100,000 00
" 1859 " Nov. 21, 1864,		75,000 00
" 1860 " July. 1, 1862,		10,000 00
" 1860 " July. 1, 1861,		5,000 00

		\$208,288 04

The Treasurer states that it will be necessary to provide means for the payment of the loan of 1857, of \$100,000 00, at the present session of the Legislature.

In his recent valedictory address, my predecessor states that up to and including the 4th of October, 1861, the amount of Warrants drawn by him upon the Treasury is

\$512,362 59

The Treasurer informs me that since the 4th of October last, warrants have been drawn, in addition to the above, to the amount of

58,904 25

Amount thus far expended in recruiting and fitting out regiments for the service,

\$571,266 84

From this may be deducted the amount reimbursed By the Secretary of the United States Treasury which my predecessor states is

123,000 00

Leaving the sum of

448,266 84

To this may be added the extra pay of \$7 per month thus far disbursed by the Treasurer,

28,920 36

And the amount disbursed on Governor's warrants in aid of soldier's families,

1,866 13

\$479, 053 33

There are other liabilities outstanding, incurred for military purposes, the amount of which cannot now be definitely stated.

In attempting to make an approximate estimate of the military expenses of the current year, I remark that each soldier of Vermont, in the service of the United States by authority of the State, is to receive from this State the sum of \$7 per month or \$84 00 annually. The amount to be paid them the current year will be about as follows:

Five regiments of infantry, namely: second, third, fourth, fifth and sixth regiments, supposed to average about one thousand men each at \$84 each, the year,

\$420,000 00

The regiment of cavalry recruited by Col. Platt, under a commission from the War Department, if by act of the Legislature authorized to come under the provisions of the act for raising six regiments for the service, passed at the special session in April last, and thus counted as a part of the quota to be furnished by Vermont, will add about one thousand men, at \$84 each,

84,000 00

If, in order to make up the State's quota, two more regiments should be authorized, there will be about two thousand men thus added at \$84 each,

168,000 00

Also, the expenses of recruiting, furnishing and fully preparing them for service, say about \$100,000 each regiment,

200,000 00

Making a total military outlay of about

\$872,000 00

To the above may be added the State's quota of the United States tax on real estate, imposed by congress in August last,

211,068 00

Making an estimated total expenditure for the current year, above the ordinary expenses of the State, of about,

\$1,083,068 00

The above expenses may be lightened by further reimbursements from the United States Treasury. In offset, Congress may impose an additional tax at its coming session. Of these matters, however, I am not a present sufficiently informed to speak advisedly; and yet it is deemed proper to direct the attention of the Legislature to them.

From the above figures, not claimed to be an absolutely correct statement, but supposed to approximate thereto, and bearing in mind the amount already expended since the appropriation made at the special session of the Legislature in April last, it will be seen that if more troops are to be sent into the service, a further appropriation by the present Legislature will necessary.

As before remarked, Vermont has now five regiments of infantry in the service of the United States. There is a regiment of cavalry now recruited in the State, by authority of the War Department at Washington, which, if authorized by special act of the present Legislature to come under the provisions of the act passed at the special session in April last, for raising six regiments, will complete the number of regiments then authorized to be raised. There is also one full company of sharpshooters from the State, now in the service; and there are one or two other companies of like character now recruiting. If it is deemed advisable to place these companies on the footing as to extra pay, &c. already authorized for other troops, further legislation will be necessary. The State's full quota of the national army, as at present indicated by Government, is about eight regiments. As but six regiments have yet been authorized, further legislation will be required before additional regiments can be raised and prepared for service. I shall be happy to co-operate with the Legislature in any plans they may adopt in this direction, and respectfully suggest the propriety of raising at least two more regiments for the United States service.

The militia laws of this State are not such as the times demand. They are diffuse, of doubtful construction, and quite too unwieldy and inefficient. Recent events clearly demonstrate that no community, however free, can afford to repose in so defenceless a condition as the people of Vermont have been content with of late years. There is abundant talent in the Legislature to investigate and compare the best known systems, and to perfect a compact, perspicuous and effective law, out of which shall grow a military organization that will be an honor and defence to our State.

In August last, Congress passed an act imposing a direct tax of \$20,000,000 annually upon the United States, to be levied upon real estate, setting to the State of Vermont the sum of \$211,068 00 as its quota thereof. The act provides for the assessment and collection of the tax by United States officers. But it also authorizes any State, through its own officers and in its own way, to assess, collect and pay its quota of the tax into the United States Treasury; and any State which shall, on or before the second Tuesday of February next, and at that time in each subsequent year, give proper notice to the Secretary of the Treasury of its intention to assume, collect and pay its quota of said tax, shall be allowed fifteen per cent. deduction thereon, conditioned that such payment shall be made on or before the last day of June in the year to which such payment relates. I should suggest that you adopt the requisite measures to collect and pay the States's quota of said tax, thereby saving the fifteen per cent. proposed in that case to be deducted by the National Government.

A new census of the United States having been recently taken, articles four and twenty-three of amendment of our State Constitution require the Legislature to make a new apportionment of the Senators to the several counties, and they also prescribe certain rules regarding such apportionment.

I congratulate you, gentlemen, upon the completion of the Statue of Ethan Allen, by our promising young artist, Mead, and upon its safe erection in a fitting place. The superior quality of the material of which the Statute is made, illustrates the riches of Vermont in her statuary marble. It is a rare honor to the State to have furnished from among her sons the genius and talent that conceived and elaborated this finished work of art. We can hardly look at the noble statue without feeling our patriotism kindled anew; and observing the striking and expressive face, the majestic port and uplifted hand of the old hero, imagination pictures him commanding the present enemies of his country to cease their attempt to overthrow its Government, and bidding its benign institutions to descend perpetually to posterity.

The Reports of the Trustees and Superintendent of the Asylum for the Insane indicate that this institution is in its usually flourishing condition. During the past summer the wings of the Asylum have all been raised

another story, by which a large number of cheerful and commodious rooms have been supplied, for the better classification and accommodation of the patients. The unostentatious and untiring devotion of the Superintendent to the interests of the Asylum and the comfort and welfare of its inmates, afford as complete an illustration of active, practical benevolence and sympathy for a most unfortunate portion of society, as it has ever been my fortune to observe.

The Report of the Bank Commissioner gives assurance that the Banks of the State are safely managed. After speaking of the judicious operations of these institutions, in adapting their business to the present times, the Commissioner remarks: "A currency that can withstand such a financial revulsion as that which we have witnessed during the past year, is certainly entitled to great public confidence."

The Report of the Directors of the State Prison informs us of the excellent management of the Superintendent of the institution. It appears from the Report of the Superintendent that, agreeably to an act of the legislature approved October 30, 1860, appropriating \$2,500 for the rebuilding of the east shop of the institution, a substantial brick building, one hundred by thirty-four feet, two stories, with slate roof, has been erected, as a cost of \$2,473 84.

Our free institutions are based upon the virtue and intelligence of the people. They cannot stand upon any other foundation. Hence the Education of our youth is entitled to rank among the first objects of legislative attention. The plan of placing our educational system under the special agency of a Board of Education, appears to be wise, and the operations of the system thus organized seem to have been sufficiently successful to warrant an undisturbed continuance. The zeal and ability with which the Secretary of the Board has discharged his laborious duties, are honorable to him and worthy of our respect and approbation.

In ordinary times I should, in such a communication as this discuss somewhat at length the promotion of Agriculture, the commanding interest of Vermont, and the favorite pursuit of my life. But the peculiar state of public affairs now induces me to forbear entering upon the subject. The same reason causes the omission of several other topics of general interest.

The freemen of Vermont quite generally united recently in a political action expressive of their conviction that party predilections must, in this hour of our country's cause. We may hail their action as the harbinger of that practical union of patriotic men throughout the loyal States, which will ensure the ultimate triumph of our Government in this war.

Failing of an honest, hearty, united political action, the people of the free States would fall ignobly below the grandeur of the issues now upon them, and prove themselves unequal to the defence and preservation of free institutions. Succeeding in such action, they guarantee the success our country's cause; and we of this generation shall have the honor of proving man's capacity for self government. We shall prove that free institutions, so far from being a failure, possess that inherent moral power, and can at all times command that physical and material force, requisite for their stability and perpetuity.

The causes of the war now upon us are so well understood by the people of our State, that it would be superfluous here to rehearse them. They also comprehend the magnitude of the issues involved in the war. They see in the struggle a contest for national existence – for that constitutional liberty and its attendant blessings bequeathed to us by the fathers, and which we are bound by every principle to transmit, unimpaired, to those who come after us. They are willing to expend their blood and treasure, if need be, to the fullest extent of their means, to aid the National Government in crushing this causeless rebellion.

If this war, brought on by those who are striving to introduce in this fair land the reign of chaos and elder night, where all has heretofore been so bright and beneficent, shall ultimately recoil upon themselves, blotting out the institution of slavery, of which they are the apologists and defenders, such an effect may be accepted as a natural result of their madness and guilt.

Senators and Representatives:

Life at the present time is to us indeed a sacred and important trust. Responsibilities of the gravest character fall upon the American citizen in this hour of the Republic's peril. Doubtless we are to be sifted and purified by

the trials through which we are passing, to be purged from the dross engendered by a long period of peace and prosperity, to prize more fully the blessings of constitutional liberty, and feel and give expression to a purer and more earnest love of country, and a more defined and emphatic nationality of view and sentiment, than we have heretofore experienced. Let us, then, trusting in the God of our fathers, courageously welcome the trials that are to prove of what stuff our manhood is made. Let us collectively move forward in concord and unity for the defence of our country, and individually do our whole duty, as becomes citizens living under the most beneficent Government the world ever saw. We are not permitted to lift the veil which conceals the future, nor can we fathom the deep designs of the Almighty in the events now transpiring in our country, but we will not doubt that His overruling Providence is with us now, as with our fathers of old, and in these events is

“From seeming evil still educating good.”

FREDERICK HOLBROOK.

Inaugural address
of
Frederick Holbrook
As it appears in the
Journal
of the
House of Representatives
Annual Session
1862

Tuesday, October 10, 1862
Inaugural Address

Gentlemen of the Senate
and House of Representatives: –

In the present august and momentous crisis in the affairs of our country, the strength, the wisdom, and forecast of man are wholly inadequate to save us and our institutions; and how fitting, therefore, that we seek direction from the eternal Mind, the source of all power and knowledge, imploring His counsels to enlighten, and His providence to guide us. Let us remember that while the Almighty may permit the spirit of discord suddenly to enter and scourge a whole nation with cruel war, it is He, also, who, after correcting a people, restores their wasted land, bringing peace and prosperity out of war and devastation.

Viewing the condition of Vermont during the past sad year, we perceive that we have occasion for profound gratitude to Almighty God, for preserving us from the blight of war within our own territory, for the general prevalence of health, the bountiful harvests, and the prosperity of our industrial interests, for the absence of all tendencies to disorder in the popular mind, and for that prevalent spirit of patriotism and self-sacrifice which has so universally characterized our people, and led them cheerfully to bear every burden which it has been necessary for them to assume, on behalf of their country and the rights of mankind.

It is gratifying to realize that at each and every call of our country, in her hour of peril, thousands of the young men of our State have willingly and eagerly seized arms and have gone, or are going forth to battle for the Union, and to drive back the surges of rebellion. Their valor on every field, and in every situation in which they have been placed, rivals that of the early heroes of Vermont, justifies their noble origin, and proves that the race has not degenerated, but is now, as of old, capable of the most heroic and manly deeds, and may be relied upon in every emergency. Any language I can employ is too feeble to speak their praise; but I may say that it has been demonstrated, and is in high quarters admitted, that, for steadiness, reliability, courage and endurance, the Vermont troops are not excelled by those of any other state or country.

We should gratefully remember the patriotic devotion manifested by those who, unable to bear arms and endure the hardships and fatigues of the soldier, have nobly aided and encouraged others to do so, contributing liberally of their means to provide for the brave volunteers. The lasting thanks of every patriot are due to the women of Vermont, for their devotion to country in so freely giving up their husbands, brothers and sons, for the struggle, and their sympathy and zeal in furnishing, in such variety and abundance, the articles of their handiwork, and the delicacies indispensable to the comfort of camps and hospitals, and to the alleviation of the sufferings of sick and wounded soldiers, lonely, and far from kindred and home.

Thus will it ever be with Vermont to the end of the war; she will never falter nor look back, but will press forward, until, if need be, her last dollar is expended, and her last son falls, upholding in his dying grasp “the flag of our Union,” and with his latest breath ejaculating a benediction upon his country.

Of the many questions of public interest which required the attention of the Legislature, none are more important, in the present crisis, than those relating to the finances of the State. I refer you, gentlemen, to the Report of the State Treasurer, for the full details of the financial transactions of the past year, and of the standing of the State Finances Generally. From this Report, I gather the material to make the following statement:

The receipts for the fiscal year ending Sept. 1, 1862, have been as follows:

Balance in Treasury, Sept. 1, 1861,	\$36, 517, 30
Received on State bonds of 1861, issued since Sept. 1, 1861,	401,00,00
Received on State tax,	538,022,44
Received on tax on Foreign Bank Stock,	2,887,52
Received from sundry State and County officers, Judges of Probate, &c.,	21,445,48

Balances remaining in Treasury, due for allotments and credits of officers and soldiers in service,		57,277, 94
Received of J.W. Stewart, Financial agent, from the U.S. Treasury, in part payment for advances by the State in raising and furnishing troops for the service,	\$123,000,00	
Received of Military Claims Commissioners, from U.S. Treasury, in part payment for said advances,	152,000,00	----- 275,000,00
Credits from all other sources		110,359,03

Making in all the sum of		\$1,442,509,71

The disbursements for the fiscal year ending Sept. 1, 1862, have been as follows:

For Military expenses incurred by my predecessor,	\$273,306,81
Debentures, General Assembly and Council of Censors,	29,723,90
Salaries, State officers, Judges Probate, State's Attorneys,	32,737,49
Court and Auditor's orders,	103,262,70
State pay of \$7 per month, to soldiers in service,	446,955,29

ON ORDERS OF PRESENT EXECUTIVE, VIZ:

For Recruiting, Equipment, &c., of new Regiments, and various supplies for old Regiments, such as Rubber Blankets, Tents, Medical aid, &c.,	104,623,41	
State pay of \$7 per month to soldiers from date of Enlistment to muster,	57,203,83	
Claims allowed by commissioner, on Claims Outstanding	25,045,87	---- 186,874,11
Aid to Families of soldiers,		16,339,38
U.S. Surplus Fund, sundry Towns,		34,529,54
Payment of Interest on various Loans,		56,230,28
Payment of Loan of 1860,		15,000,00
Payment to Agricultural Societies,		1,232,50
Board of Education,		3,211,44
Special appropriations of Legislature,		7,984,79
Hiram Harlow, in State Bonds,		8,000,00
Sundry purposes,		2,871,07

Making in all the sum of		\$1,218,259,30

Balance in Treasury,		\$224,250,41

The Treasurer informs me that "a large portion of this balance stands to the credit of the State, (say \$175,000,00) in the forty-one Banks in the State, and the Suffolk Bank, Boston, - the remainder being cash on hand; and that a considerable portion of this balance will be drawn for by the opening of the Legislature."

The action of the Legislature of last year, in providing for the payment of the extraordinary expenses incurred for war purposes partly by direct taxation and partly by issuing State Bonds appears to have been wise in principle. It would seem desirable, to place a considerable portion of the appropriations necessary to be made for war expenses, in the form of a funded debt. The people should not now be overburdened with taxation, as, in many way, they have large sacrifices to make for the support of the Government and the defence of the Country; and our present sacrifices being even more for posterity than for ourselves, we cannot doubt that those who come after us will be able and willing to share with us the pecuniary burdens now involved.

The whole amount of military expenditures for which orders have been drawn on the State Treasurer, by the present Executive, up to Sept. 1, 1862, as stated by the Treasurer, is.	\$186,874,14
Since that date, and prior to Oct. 1, 1862, orders have been drawn for additional military expenses amounting to	5,114,00

Making in all the sum of	\$191,988,14

This amount is composed, in general terms, of the following classes of payments:

1, State pay to soldiers of \$7 per month from date of enlistment to date of muster into the United States service; also pay of Officers from date of commission to date of muster, and expenses of paying,	\$51,767,17
State pay due Second Regiment, as certified by Commissioners of Claims,	6,177,20
2, Claims allowed by Commissioners to settle outstanding Claims.	25,091,37
3, Equipment, Medical aid, and stores, furnished to the various Regiments now in service, the amount expended for which has already been presented to the General Government and allowed,	71,802,74
Equipment of 5 th Regiment, presented by Commissioners,	813,75
4, Equipment of Regiments quite recently raised, and expenses of recruiting and drilling all the troops raised the past official year, the amount for which has not yet been presented to the Government for allowance, but which is supposed to be collectable,	28,309,43
5, And there remains a balance, perhaps mostly uncollectible, to be considered in the light of State expenses, which is included principally under the head of sundries, in the abstract accompanying this Communication, of	8,026,48

Making in all the sum of	\$191,988,14

An Abstract, stating the above expenditures in some detail may be found in the appendix to this Communication, to which reference is respectfully made.

The advances mentioned under the fourth classification above, would ere this date have been presented in proper form, to the General Government, for adjustment and allowance, but for the many pressing official duties, growing out of the raising of troops in answer to the call of Government, which have occupied my time.

It will afford me pleasure, at any time, to answer such questions as individual Senators or Representatives may desire to ask, whether in relation to matters spoken of in this Communication, or pertaining in any way to State affairs; and as it is certainly desirable that the General Assembly should fully understand how the public moneys have been expended, I shall be pleased to exhibit, to any Committee appointed for the purpose, the requisite accounts and vouchers readily and clearly to explain such expenditures.

The condition of the State Finances, Sept. 1st, 1862, as appears from the report of the Treasurer, is as follows:

LIABILITIES	
Due Banks, for contributions to the Safety Fund	\$13,125,00
Due County Treasurers, tax on Non-Residents' Stock,	2,887,52
Balance due for U.S. Surplus Money,	7,686,61
Balances estimated due to Soldiers for State pay of \$7 per month,	200,000,00
Loans of 1859, due Nov. 21, 1864,	75,000,00

Loan of April 1861, Bonds issued payable ten years from June 1, 1860,	751,000,00
Loan of 1861, due Oct. 1, 1862,	20,000,00
Loan of 1861, due Dec.1, 1862,	3,000,00
Loan of 1861, due Jan. 1, 1863,	35,000,00
Balance in Treasury, due for allotments of soldiers,	57,277,94

RESOURCES.

Balance in, and due the Treasury, on demand,	\$224,250,41
Due on Tax payable June 1 st and Oct. 15 th , 1862,	43,204,82
Due from Poultney,	1,995,12
“ H.M. Bates.	48,428,76

Amount of the bills of the State, against the U.S., for War Expenditures,	\$689,396,76
Of which the General Government has Refunded 40 per cent, or	\$275,000,00
And has offset the State tax due the U.S. in June, 1862, less 15 per cent,	179,000,00
Both sums amounting to	454,407,80

Which subtracted form the whole amount above, leaves a balance still due the State, from the United states, of 234,988,96

It will be readily seen from the above statement, that the indebtedness of the State, in excess of its resources, is funded in State Bonds, payable in ten years from June 1, 1860.

The expenses of the current year cannot be accurately given; but so far as is now known, some of the more important unavoidable disbursements may be approximately estimated as follows:

The three years' troops now in service form Vermont, compose ten Regiments of Infantry, and one Regiment of Cavalry, which, at the maximum, would number in all about	11,000 men
Two Batteries of Artillery, about 125 men each,	250 “
Three Companies of Sharp-Shooters, about 90 men each,	270 “

Making in all, 11,520 men

But as considerable deduction should be made for missing men, by reason of the various casualties of the service, supposed that one quarter of the above number, or 2880 men, are deducted; we then have 8640 men, who will be entitled to receive, each, the State pay of \$7 per month, which for twelve months, should they continue in service for that period, will amount to. \$725,720,00

The rank and file of the five Regiments of Militia, recently raised, amounts to about 4700 men. Deducting one-eighth of this number, for the diminution which may result from casualties of the service, and we have 4113 men, who, should the Legislature so decide, will be entitled to receive each \$7 per month from the State, which, for their allotted period of service, or nine months, will amount to 259,119,00

Ordinary State expenses, about 250,000,00
 Payment of Loan of 1857, due Nov. 1, 1862, 100,00,00

Making the approximate estimate of \$1,334,839,00

It may be necessary, during the current year, to raise more troops in the State, which would, of course, increase current expenses. There may be another tax levied on the State, by the United States; but probably the balance of \$234,988,96, still due from the United States, will more than offset any tax thus levied.

I respectfully recommend that suitable provision be made during the present session for the expenses of the current year.

About the 20th of November, 1861, recruiting agencies were established for raising the Seventh and Eighth Regiments of Infantry, and the First and Second Batteries of Artillery. These fine Regiments and Batteries went into camp early in January following, – the Seventh Regiment at Rutland, the Eighth Regiment and First Battery at Brattleboro, and the Second Battery at Lowell, Mass. The entire outfit of the Seventh Regiment, excepting arms and accoutrements, was provided by the Quartermaster General of the State. The outfit of the Eighth Regiment, and of the first and Second Batteries of Artillery, was, with a few exceptions, furnished by the General Government through the Department of New England. These Regiments together with the First Battery, left the State early in March last, for Ship Island, Miss., to serve in the Department of the Gulf. The Second Battery left Lowell, Mass., for the same destination, in February last.

In the latter part of October, 1861, the third Company of Sharp Shooters, commanded by Capt. Gilbert Hart, was organized, and early in January following, was sent to Washington.

Also, in the month of December, 1861, the First Regiment of Vermont Cavalry, raised and commanded by Col. Lemuel B. Platt, received marching orders, and left camp in Burlington, proceeding to Washington.

During the months of February and March last, four hundred and twelve men were recruited in the State, to fill the thinned ranks of the Second, Third, Fourth, Fifth and Sixth regiments of Infantry. Early in April they were mustered into service, at Burlington, and, on the 21st of that month, sent to their respective Regiments, then at Yorktown, Va.

In compliance with a request received by me from the Secretary of War, the following statement was forwarded to him by the Adjutant General, showing the number of three years troops furnished by the State, and in the service of the United States, on the 16th of April, 1862:

2 nd	Regiment Infantry, Col. Henry Whiting,	1046 men.
3 ^d	“ “ “ B.N. Hyde,	1032 “
4 th	“ “ “ E.H. Stoughton,	1100 “
5 th	“ “ “ H.A. Smalley,	1018 “
6 th	“ “ “ N. Lord, Jr.,	1004 “
7 th	“ “ “ Geo. S. Roberts,	1014 “
8 th	“ “ “ Stephen Thomas,	1015 “

	Making, of Infantry,	7229 men.
1 st	Regiment of Cavalry, Col. L. B. Platt,	965 “
1 st	Battery of Artillery, Capt. G. W. Duncan,	156
2 nd	“ “ “ P.U. Holcomb,	129 – 285 “
1 st	Co. Sharp Shooters, Capt. E. Weston, Jr.,	92
2 nd	“ “ “ “ H.R. Stoughton,	97
3 rd	“ “ “ “ Gilbert Hart,	105 – 294 “

	Total,	8773 men.

On the 21st of May last, the Secretary of War called on Vermont for one Regiment of Infantry, to be raised immediately, accompanied by a request to raise as many Regiments thereafter as possible, within a certain specified time. Under this call the Ninth Regiment of Infantry was raised, and was ordered into camp at Brattleboro; but before it was fully organized, and about the 1st of July last, the call was issued by the President of the United States for three hundred thousand three years troops and the call of the Secretary of War, made in May, for fifty thousand three years men, under which the raising of the Ninth Regiment commenced, was merged in the larger number required by the President. The Ninth Regiment left camp, for Washington on the 15th of July, and was the first Regiment furnished by any State under the calls, first, for fifty thousand, and second, for three hundred thousand three years troops.

Early in July last, recruiting agents were appointed for raising the Tenth and Eleventh Regiments of Infantry. The State was divided into twenty districts, a principal recruiting officer appointed in each, with directions to raise a full company of men, which in nearly every district was accomplished. These two Regiments went into camp at Brattleboro, between the 10th and 16th of August. The Tenth Regiment left camp for Washington on the 6th, and the Eleventh Regiment on the 7th, of September last.

Twelve hundred three years' men, for the old Regiments, were also recruited, mostly in the month of August last, and were sent to fill companies in those Regiments more or less diminished by the casualties of the service. These men were ordered to Burlington for muster and to receive their advance pay and bounty, and each man was allowed to designate the company and Regiment in which he would prefer to serve. The men have been sent forward from Burlington to their respective Regiments, in detachments of from two to three hundred men each.

The quota of Vermont, under the call for three hundred thousand three years men, was made up as follows:

In the Ninth, Tenth, and Eleventh Regiments there were about	3000 men
For filling old Regiments there were	1200 “
Raised under call for 500,000 men,	3773 men
Quota due under do. do.	3100 “
Which subtracted from the number	-----
Actually raised, leaves an excess to be credited of	673 “
These, added to the numbers actually raised under the call	-----
for 300,000 three years' men, make	4873 “

On the 4th of August last, a call was issued by order of the President of the United States, for a draft of three hundred thousand Militia, accompanied by orders specifying the time, and directing the mode, of the draft. Immediately on receiving this call, an Order was issued by the State authorities of Vermont, calling out the organized companies of Militia in the State, to serve for the period of nine months in the service of the United States, directing them to fill their ranks to the legal standard, and authorizing them to receive into their ranks the quotas of adjacent towns till the companies should reach the maximum of one hundred and one men each. An Order was also issued for a new enrollment of the Militia of the State, preparatory to a draft on the 1st of September, should a draft become necessary; and this Order was accompanied by a proposition to the people of Vermont, that, if they should so elect, they might furnish the quota of the State, – forty-eight hundred and ninety-eight men, – by voluntary action, – town officers and patriotic citizens raising the quotas of their respective towns, in their own way, and adjacent towns combining their several quotas in companies of one hundred and one men each, which companies, on being tendered to the State authorities, in lieu of drafted men, would be accepted as such, provided a proper Roll accompanied the tender, giving the names and residences of the men, and binding them by a suitable contract to serve for the period of nine months, in lieu of drafted militia, receiving the pay of militia, and subject to the rules and regulations governing militia in the service of the United States. Knowing that the people of Vermont are proverbial for the prompt, thrifty, economical and efficient management of their affairs, I thought it proper to make them such a proposition, leaving them to raise the requisite number of men wholly in their own way, not doubting that the business would be accomplished with system, order and decorum. It is well known how promptly they accepted the proposition, and that fifty companies, or five Regiments, of nine months volunteers, in lieu of drafted militia, were raised in about thirty days; and that, too, after our State, with a population of about three hundred and fifteen thousand, had furnished about thirteen thousand three years troops for the war. This result is a remarkable demonstration of the unity, patriotic enthusiasm, indomitable and unconquerable spirit of a free people, when their Country is imperiled, and calls for their services in its defence; and the record of their action in this case, will be to their honor and credit so long as the page of history endures.

It is true that many perplexities had to be encountered, and difficulties surmounted, growing out of the imperfect returns on which the acting both of the State authorities and the people necessarily had to be based, inasmuch as there positively was not time to make thorough corrections of either former or recent returns on which the action both of the State authorities and the people necessarily had to be based, inasmuch as there positively was not time to make thorough corrections of either former or recent returns. The report of the

Adjutant and Inspector General will dwell more fully on these perplexities and difficulties. But the general result is so creditable to the State, that we may all with candor and good feeling review the ground, and be satisfied with that result, - the very difficulties experienced heightening its value and effect.

About twelve thousand troops have been raised in the State, since October, 1861. The details of recruiting, organizing, subsisting, clothing, arming, equipping, paying and transporting them, have been numerous, and productive of many cares, responsibilities, perplexities and embarrassments.

Considerable delay has been experienced in getting the Regiments of nine months men into camp, owing to the inability of the General Government to furnish the requisite clothing, arms, and camp equipage with dispatch, from the fact that so large a number of fresh troops had suddenly been called into service. Requisitions were early made on the Quartermaster General of the army for clothing, arms, accoutrements, and camp and garrison equipage; but in place of clothing, the materials therefor were sent forward, with the request that the Quartermaster General of the State should contract for the making of the clothing in the State, for which certain specified prices would be paid by the General Government. The tents ordered could not be supplied and therefore the General Government directed barracks to be erected, and sent an agent into the State who contracted with certain parties to build them, agreeably to specifications furnished by him. The original design of having the five Regiments remain awhile together in camp in the State, was modified by subsequent events, and the State authorities were requested to send them forward, a Regiment at a time, at the earliest practicable moment. Accordingly, one Regiment has been forwarded, and the remaining four will be sent as expeditiously as they can be prepared for marching orders.

The rank and file of the Twelfth Regiment, which is composed of companies of the "Uniformed Militia," are, by an Act entitled "an Act providing pay for the Uniformed Militia," approved April 26, 1861, clearly entitled to the State pay of seven dollars per month, in addition to their United States pay, while "in active service." But as there is, perhaps, room for doubt, whether the soldiers of the other four Regiments of Militia are, or are not, entitled to seven dollars per month from the State, in addition to the United States pay, I respectfully suggest that the doubt should be immediately and clearly solved by some definite action of the Legislature. Perhaps the Act entitled "An Act providing pay for certain soldiers, and in relation to the support of families of Volunteers," approved Nov. 20, 1861, does secure the payment of seven dollars per month to these troops; but it would be well for the Legislature to make some specific declaration in this regard.

In accordance with the directions of an Act entitled "An Act to appoint Commissioners to adjust and settle certain outstanding claims for expenditures for military purposes," approved Nov. 20, 1861, and of an Act entitled "An Act providing for the immediate settlement and allowance of claims in favor of this State against the United States," approved Nov. 21, 1861, I appointed Hon. F.E. Woodbridge, Hon. Geo. F. Edmunds, and Col. George A. Merrill, a Board of Commissioners, with instructions to carry out the purposes contemplated by these two Acts. Early in December last, the Commissioners gave notice of times and places for the presentation and adjustment of such claims. For each claim allowed, the Commissioners gave a certificate indicating the amount thereof, and to whom payable; for which, on presentation, an order was drawn by me, on the Treasurer of the State, in favor of such claimant. The aggregate amount of the claims so allowed was \$25,091,37.

The Commissioners also made up the account of moneys expended by my predecessor, in raising, organizing, subsisting, clothing, arming, equipping and transporting troops for service under the United States, providing and arranging all necessary vouchers therefor, and causing such vouchers to be recorded at length in books prepared for that purpose, which were afterwards lodged in the office of the Secretary of State. The Commissioners subsequently proceeded to Washington, and presented the account and vouchers to the Department of the Treasury, for adjustment and allowance.

In October, 1861, I appointed a Board of Medical Examiners for the examination of candidates for the office of Surgeons of Regiments, consisting of Samuel W. Thayer, Jr., M.D., Edward E. Phelps, M.D., and Charles L. Allen, M.D., who have attended faithfully to the duties of their appointment.

Agreeably to an Act entitled "An Act in relation to Supplies of Volunteers," approved Nov. 21, 1861, directing the Governor, under certain conditions, to supply the volunteers from this State, in the service of the United States, from time to time, as their circumstances require, with clothing, tents, camp equipage, arms,

equipments, provisions, medicines, and all articles required in the medical department," I authorized the Quartermaster General to furnish rubber blankets, whenever needed by our troops, new tents for the Third Regiment, which were much needed, and medicines and medical stores for the Vermont Brigade, which was suffering from sickness in camp near the Potomac. A statement of the expenses of these supplies appears in the appendix to this communication.

I also appointed Edward E. Phelps, M.D., State Medical Commissioner to visit the Vermont Brigade, during the late autumn and early winter, when so much sickness prevailed therein, and advise with the Regimental Surgeons as to the treatment of the prevailing maladies, and report to me what further should be done to alleviate the suffering, and promote the health, of the troops. At his suggestion, medical supplies were purchased and forwarded by the Quartermaster General, and three additional assistant Surgeons were sent to the Brigade, for three months' service, to aid the over tasked Regimental Surgeons. Dr. Phelps was subsequently appointed, by the War Department, Surgeon of the Vermont Brigade. It is believed that much benefit resulted to our troops from these provisions for their relief. The expenses incurred will be presented to the General Government for payment.

In October last, agreeably to a Joint Resolution of the Legislature, I appointed Hon. Joseph Poland Special Agent, to visit the camps of the Vermont Regiments on the Potomac, to receive such portions of the wages of the troops, recently paid them by Government, as they might desire to transmit to their families in Vermont. The expenses of this agency appear in the financial statements appended to this Communication. The duties of the agency were faithfully performed.

Afterwards, and in compliance with the purposes contemplated in Section 3, of the Act entitled "An Act for the aid of the Vermont Volunteers in transmitting portions of their pay to their families and assignees," approved Nov. 20, 1861, I appointed Messrs. John B. Page and John Howe, Jr., Commissioners to visit the camps of the Vermont troops and explain the allotment system to them, and induce them to allot a portion of their pay to their families or agents in Vermont. Soon after the arrival of these Commissioners in camp, the President of the United State, by a then recent provision of Congress, appointed them, together with Hon. Joseph Poland, Commissioners, to perform the duties contemplated in the previous appointment by me. But as Messrs. Page and Howe had incurred expenses under their appointment by me, I deemed it just and proper to refund to them their expenses.

In December last, Col. Frank E. Howe, of the City of New York, was appointed and commissioned Military agent of Vermont in that City. He has well performed the duties of his agency. His services have been literally indispensable to the State, in many ways. On accepting his commission from the State, he prescribed that his services were to be gratuitously rendered; but so many calls have been made upon him, especially in ministering to our sick and wounded men, and in furnishing from time to time a complete record of the names, residences, condition, &c., of our soldiers in the New York Hospitals, that I respectfully recommend that he be liberally rewarded by the State.

Finding that many of our sick and wounded soldiers were being sent by Government to the Hospitals in and near Philadelphia, I recently appointed Mr. Robert R. Corson, of that City, Military agent of Vermont, to exercise a friendly care for such Vermont soldiers as might be there placed. Mr. Corson is a kind-hearted, philanthropic gentleman, who delights in thus contributing to the necessities of the great cause of the Country, and does not claim anything like a compensation for his labors, being content with the bare reimbursement of actual expenses incurred.

Almost immediately upon assuming the Executive office, I perceived that it would be impossible for me to discharge the duties in detail imposing upon the Governor by an Act entitled "An Act to provide for the families of citizens of Vermont mustered into the service of the United States," approved April 26, 1861. I accordingly appointed Mr. John Howe, Jr., of Brandon, agent to perform the services required by that law, his acts to be subject to direction and approval by me. I believe Mr. Howe has discharged the duties of his appointment admirably, reducing the business of that agency to a just and wise system. I have the pleasure of calling your attention to his lucid and valuable Report, herewith transmitted. Some further legislation to perfect

the objects contemplated by the act referred to, seems to be quite desirable, and is indicated in Mr. Howe's Report. I respectfully ask your attention to the subject.

During the past year, the demands upon the Adjutant and Inspector General and the Quartermaster General have been such as to require the devotion of nearly their entire time to the service of the State. It is certainly my duty, as it is my pleasure, to bear testimony to the ability and faithfulness with which they have performed the responsible and arduous duties of their respective offices. As the salaries allowed by statute to these officers, based on their ordinary duties in times of peace, afford no adequate compensation for the extraordinary labors now demanded of them, I respectfully suggest that they be compensated for the services they have rendered.

Full and clear Reports by these officers, of the transactions in their respective departments during the past official year, would have been ready for transmission to the Legislature at the opening of the present session, but for the very onerous duties which have recently engaged, and do still demand, their whole attention. Their Reports, however, will soon be laid before you.

It is proper for me to say that the State is indebted to the Secretary of Civil and Military Affairs for faithful and indefatigable attention to the important duties of his office. He has devoted his time to those duties, and should be suitably compensated therefor. I may remark further, that I am under many obligations to the gentlemen of my staff, for their assistance in the transaction of the business of the Executive Department.

Agreeably to an Act entitled "An Act for the better protection of the Treasury," I appointed Hon. John W. Stewart, of Middlebury, Inspector of Finance; but owing to other engagements he felt compelled to decline the appointment, and Charles W. Bradbury, Esq., of Vergennes, was appointed to that office and has attended to its duties.

At the session of the General assembly in 1860, the Hon. Milo L. Bennett, the Hon. Pierpoint Isham and the Hon. Andrew Tracy were appointed a Board of Commissioners to "revise, re-draft, compile, consolidate and arrange the public statutes of this State, on the basis, plan, and general form and method of the revised statutes, with authority to omit redundant enactments, reject superfluous words, circuitous and ambiguous phraseology, recommend amendments, and to condense the whole into as concise and comprehensive form as is consistent with a full and clear expression of the Legislature, and report the same to the General Assembly"; and the act of 1860 was so far amended by the act of 1861 as to require the Report of the Commissioners to be made to the Governor. Accordingly the Chairman of the Board has transmitted to me a copy of the revision, prepared and printed for the use of the General Assembly, accompanied with a written Report explanatory of the course pursued in making the revision, which will be submitted to you at an early day.

Under the Act of Congress of May 23, 1850, this State was entitled to two Members in the House of Representatives of the Thirty-Eighth Congress. On the 26th of March last I received a communication from the Department of the Interior informing me that "a Law was enacted on the 4th of March, 1862, increasing the number of Representatives for certain States, including the State of Vermont, whereby that State is entitled to three Representatives in the Thirty-Eighth and subsequent Congresses."

Our recent experience in endeavoring to raise troops under the present militia laws of this State, proves beyond a doubt the immediate need of some important changes in those laws. Perhaps that complete and well-proportioned militia system which shall embody the permanent policy of the State, will be the work of a future time, when we can avail ourselves of the experience and suggestions of many able officers now in active service. But at least the present laws should be so far amended as to secure a perfect enrollment of all able-bodied men, liable to do military duty, and a thorough and impartial medical inspection of all enrolled men. And to this end competent Medical Boards should be established in each county, – no Board, however, performing its functions in the county in which it is raised, but in some other county, remote enough to ensure an impartial inspection.

My time has been so constantly occupied with the numerous details of business involved in the military operations of the State, that I have not been able to give that attention to our public institutions and benevolent and educational enterprises, which it would have been my pleasure to bestow. The practical workings of our educational system have been somewhat observed, and I am induced to think that no important changes are

needed, or would, at the present time, conduce to the interests of education in Vermont. I have a high appreciation of the value of the services of the Secretary of the Board of Education, and believe that if the operations of the Board, as conducted by him, are allowed to proceed, they will soon ripen into a permanent, well-proportioned system, finely adapted to our customs as a people, and our peculiar circumstances and wants.

The Asylum for the Insane continues in its hitherto prosperous condition, dispensing healing balm to many a troubled mind or affording a quiet, well-ordered retreat to minds permanently disordered. The Reports of the Trustees and Superintendent indicate the condition and progress of the Institution.

The State Prison has been well managed. It is the good fortune of the State to have in the Superintendent of the Prison, a gentleman of acknowledged humanity, of much practical sagacity and sound judgment, and of decided character. The bearing and influence of such a person are always beneficial and especially salutary in the position occupied by the Superintendent of the Prison.

The Bank Commissioner appointed at the last session of the Legislature having resigned his office, I appointed Mr. Jerre E. Dickerman his successor, whose report upon the condition of the Banks of the State will be before you. It appears from that report that these institutions have been well conducted during the past fiscal year.

It will not escape your attention that among the duties that devolve upon the Legislature at the present Session, is that of electing a person to represent this State in the Senate of the United States, for the term of six years from the 4th of March next, on which day the existing term of the Hon. Solomon Foot will expire.

It is an occasion for renewed congratulation that the people of Vermont have again shown their devotion to the cause of the Union by laying aside almost unanimously, all considerations of a partisan character, and uniting in earnest support of the National Government which is charged with the high duty of defending and maintaining that sacred cause. The position of Vermont in this great life-struggle of the Nation can neither be questioned nor misunderstood. The blood of her sons has reddened many battle-fields, and their valor and endurance have vindicated her historical renown. Her people admit no thought of concession to, or compromise with, the causeless and wicked rebellion now striking at the vitals of the nation, and their determination is fixed to endure and fight, and sacrifice, till the government established by the wisdom, the patriotism, and the blood of our fathers is restored in its beneficent and rightful sway over every portion of our Union.

The struggle in which the Nation is engaged, is clearly one of life or death. Even though the scenes of blood and the night of calamity through which we may be called to pass, shall shake the land to its foundation and try us to the utmost, yet, trusting in the God of our fathers, we will not doubt that life is to be the result, and that the nation is to be purified by its trials and established and exalted even beyond the expectations of its founders. Our fathers found a great evil, which they deplored, but could not separate from the good. Current events are tending to produce that separation, by uprooting the evil. The rebellion, if persisted in may be the means, under Providence, of annihilating the institution of slavery, which all acknowledge to have been its cause. The territory of the United States must be preserved in its integrity. Neither foreign power nor domestic insurrection can be allowed to establish a rival Government within any portion of that territory, and therefore, all necessary means justified by the ultimate law of self-preservation and compatible with Christian civilization, must be applied to the permanent suppression of the present rebellion. The recent Proclamation of Emancipation by the President of the United States is a logical result of the slaveholders' rebellion, and as such it is accepted, and will be sustained by all loyal men. It is a "military necessity," and has the recommendation to our people, of according with both justice and humanity.

Gentlemen of the Senate and

House of Representatives:

Grave and weighty responsibilities rest upon us in this great crisis. Let us show ourselves equal to our duties. Whatever we have to do, let us do it with one heart and one mind. However humble, we are a part of the American Union, and have a vital interest in its preservation. It is a Union consecrated to Freedom, and it falls to our lot and that of our generation to prove the ability of freemen to defend and preserve their birthright. Our institutions are passing through a baptism of blood. They must and will be maintained, at whatever sacrifice;

and in the momentous issue which is upon us, neither temporary reverses will discourage, nor partial successes unduly elate us. Relying upon the incontrovertible justice of our cause, the bravery, patriotism and intelligence of the soldiers of the Union, the unconquerable determination, and the spirit of American liberty actuating the loyal people of the country, we may confidently look forward to, and patiently await, the time when our beloved Republic, under the providence of God, shall be re-established in unity and power, and afford a triumphant vindication of the capacity of a free people to govern themselves.

FREDERICK HOLBROOK.

EXECUTIVE CHAMBER, Montpelier, Oct. 10, 1862.

Executive Speech

of

Silas H. Jenison

1835

Note* A majority of votes not having been achieved from the 1835 election; the Joint Assembly balloted unsuccessfully for Governor from October 9 until November 2, when the Joint Assembly was dissolved, yeas 113, nays 100. So under the Constitution, Lieutenant Governor Silas H. Jenison became acting Governor

No transcript is available to indicate the “Acting” Governor addressed the Legislature.

Inaugural address
of

Silas H. Jenison

As it appears in the

Journal

of the

Senate

OCTOBER SESSION

1836

Friday, October 14, 1836

Inaugural Address

GENTLEMEN OF THE SENATE,
AND OF THE HOUSE OF REPRESENTATIVES:

In a community possessing and exercising the powers of self-government, where all power and authority annually emanate from the people, and by the established usages of the country annually return to the fountain from whence they cam, it is of the first importance that the fountain should be kept pure. The safety and permanency of our free institutions depend solely upon the public virtue and general intelligence of the people. Hence the necessity of that guardianship which the laws assume over the one, and the indispensable duty of the government to secure and effectually provide for the other. Genius is an often found under the humblest roof as in the dwellings of the affluent. It is public property; and provision should be made to educate at the public expense, every child in the state, whose parents are unable to do it.

I would earnestly recommend to the consideration of the Legislature, an examination of the acts relating to the support of common schools. It is feared they are radically defective, inasmuch as they do not sufficiently provide for the employment of teachers in the education of our children of suitable attainments and qualifications. The public monies, arising from rents, income of loans, and the three cent school tax, are now divided among the several districts in each town according to the number of children between four and eighteen years of age. I have no doubt, that the great interests of education would be better promoted, by dividing one third, or some certain share fixed by law, of the public money accruing in each town, equally among the several districts in the same, and the residue in proportion to the number of scholars in each district, as now provided by law. Such a provision would seem to equalize the benefits resulting from the public aid afforded to common schools, enabling the smaller districts to procure the services of better qualified teachers and to continue their schools for a longer period, and lessening the tendency to extravagance and waste, which it is feared may exist in some of the larger districts.

In connection with this subject permit me to suggest, that, although our schools are in many places, able to avail themselves of competent teachers from our colleges and academies, still it is believed that in the state there is a want of well qualified teachers, and it is worthy of enquiry whether it would not comport with, and be the legitimate duty of the legislature to provide for and patronize some suitable institutions for the education of teachers. Public opinion seems to call for some measure of this kind. An opportunity is now afforded through the means of the surplus revenue, soon to be placed at the disposition our state, of making, probably, an effectual and permanent provision for the support of our primary schools, and for the encouragement of other institutions of learning, and also to enable the towns to diminish, what is considered by some, the onerous burthen of the three cent school tax.

A revision of the entire code of our militia laws is earnestly called for. Repeated additions and alterations have so obscured their meaning, and diminished their effect, that they are known in many instances to have failed in the accomplishment of the objects for which they were enacted. They are expensive and unequal in their operation, and perfectly inefficient, so far as subordination and discipline are concerned. A well disciplined militia has ever been considered the surest safeguard in a free government, and well deserves all the commendation which has been bestowed upon it. It is earnestly hoped that the legislature will be disposed to give to this subject that consideration which its importance demands.

In the progress of the session your attention may be called to the consideration of the laws relating to imprisonment for debt. Within a few years they have been shorn of much of their severity. Should the legislature, however, deem it expedient to abolish or change our present system, rigorous measures ought to be adopted for the prevention of fraud; and while the rights of the really poor debtor are provided for by the

humane policy of our laws, the rights of the honest, and in many cases, poor creditor, should be secured by the terrors of criminal punishment.

The pursuits of our people are, at present, essentially agricultural, and being such, we must in some measure, remain dependent for many of the necessities and luxuries of life, as well as for a market for the surplus products of our soil. But from the enterprising spirit manifested by many of our citizens for a few years past, it is very apparent, that we are destined at no distant period to become also a manufacturing people. The facilities afforded for propelling machinery in the immense water power every where abounding throughout our territory, the inexhaustible mineral wealth of our mountains, together with the cheapness of living, will unless discouraged by a narrow and illiberal course of legislation, present such inducements to our citizens, and to foreign capitalists as will lead them to increase their investments in manufacturing establishments, and thereby secure to the cultivator of the soil a more certain and uniform reward for his industry. Although adequate protection for our manufacturing interests cannot be afforded by any legislative action of ours, still, we may and perhaps ought, on all suitable occasions to express our convictions and expectations that the general government will lend its aid.

In connection with the interests of agriculture and manufactures, perhaps I may be permitted the enquiry, whether public opinion does not point, too plainly to be misunderstood, to the necessity of commencing, at some period, improvements in our facilities of communication, worthy of the state and of the age in which we live.

Satisfied, as I am, that it is only a question of *time* when the state shall step forward and do something to encourage this great work, I submit to the wisdom of the legislature whether the time has not already arrived, beyond which it would be a dereliction of duty, and disregard to the prosperity and best interests of the people of our state, to postpone the incipient measure of some system of internal improvement: whether this legislature will not cause surveys to be made, at the public expense, of some of the leading routes, with particular and accurate estimates of the expense, and the probable business which may be done upon them. I am not so visionary as to suppose, that with the present resources of our government, this state will undertake, like some of her sister states, any gigantic system of Internal Improvement:--but after a thorough examination of the several projects, with careful estimates of their expense and probable income, is it unreasonable to believe that some of these routes may be found feasible, and afford fair prospects of profit, and that the energies of our own citizens may thus be aroused to attempt and accomplish some one of them. To one, who has attentively marked the march of improvement, among our sister states, who has seen Canals and Rail Roads formed as if by magic, while no attempt has been made to improve the facilities of communication in our own state, the cause of the daily drain on wealth, and what is of incalculably greater importance to any community, the unprecedented emigration of our best and most enterprising citizens, is not problematical.

By the provisions of the act of congress of the last session, entitled "an act regulating the deposits of the public money," it will become the duty of the legislature to provide by law, some means to enable the Treasurer to receive, on deposit, the amount, which by the terms of the act may be received by this state. It is the money of the people, and it is hardly to be supposed that, when once distributed to the several state, the exigencies of the general government will *soon* if *ever* demand its re-payment. The provisions of this act are deemed wise and salutary. The unexpected and rapid accumulation of money in our national treasury, the evil of placing under the control of government too much of the wealth of the nation, combine to render such a distribution necessary. I would not be understood as being desirous or willing, to place the principal of this fund beyond the control of the legislature: It should be kept, so long as it remains at the disposal of this state, as an inviolable fund. The income only, which to all intents is the property of the people, should be annually applied for the support of common schools, as in that application and in that only can the beneficial effects resulting from the distribution be so fully and equally realized by the whole people.

I am not disposed to remark upon the various projects which will probably be presented for your consideration, but would simply suggest a plan which I consider liable to the least objection. The several towns in the state might be made the depositories of such share of the whole amount received, as by their population they would be entitled:--and be made accountable to the state in the same manner that the state is to the general government.—The selectmen of the several towns, a board, already, by the laws, entrusted with the prudential

affairs of the same, might manage such share as such town should receive, and cause the income to be divided among the several school districts in such manner as might be provided by law.

It is believed that the fund might be managed, the income applied and the advantages more impartially distributed in this manner, than in any other.

During the recess of the legislature, communication have been made to me by the executives of the state of Pennsylvania, North Carolina, Alabama, Kentucky, Ohio, Mississippi, Virginia, Maine, Connecticut, South Carolina and New York, enclosing resolutions of the legislatures of those states upon various subjects, and containing requests that they be communicated to the legislature of this state, which will be laid before you at an early day.

The vacancy occasioned by the death of the Hon. Timothy Merrill, late Secretary of State, was supplied by the appointment of Ferrand F. Merrill, who had held the office of deputy Secretary under the late incumbent.

The recent adoption of the amendments to our constitution will necessarily call your attention to an alteration, in the several acts relating to the passing of laws, to meet the present organization of the Legislature.

I have, as I deemed it my duty, this frankly submitted to you my views upon the subjects alluded to in this communication, relying upon your wisdom and general knowledge of the wants of our state for such legislative action, as will advance the virtue and happiness of our citizens, and secure, in their purity, our free institutions.

I should do injustice to my own feelings, should I omit, on this occasion, to express by grateful and respectful sense of the confidence reposed in me by an election, by a majority of my fellow citizens, to the responsible office of chief magistrate of the state. Aware that the servants of the people should be judged, not by their professions of zeal for the public good, but by the manner in which they shall discharge the trusts, reposed in them, I will barely remark, that in the performance of my official duties, I shall rely on the cordial co-operation of the several branches of our government, and the generous and liberal support of an intelligent people.

SILAS H. JENISON.

EXECUTIVE CHAMBER, }
Montpelier, Oct. 14, 1836 }

Inaugural address

of

Silas H. Jenison

As it appears in the

Journal

of the

Senate

OCTOBER SESSION

1837

Friday, October 13, 1837

*Fellow Citizens of the Senate
and House of Representatives:*

Under the peculiarly embarrassing circumstances which have been operating upon the currency and business of the country for a few months past, it may have been expected and by some has been deemed my duty to have convened the Legislature in special session. My attention has been directed to the subject with anxious solicitude, and could I have come to the conclusion, that any act of the legislature would have afforded relief to our citizens, from the evils consequent upon the deranged state of the currency, equivalent to the trouble and expense of an extra session, I should have cheerfully assumed the responsibility of adopting that measure. But believing the unwise and unauthorized measures of the late executive of the General Government to have been the primary cause of producing the disastrous state of our monetary affairs, I could not flatter myself that any state legislation would cure the evil, or restore to us that safe, sound and convenient currency we had before enjoyed. To the General Government we must look for a remedy commensurate with the evil.

The citizens of our own state have suffered, as yet, perhaps less, than those of our sister states, still the business and credit of the country have received a shock, whose effects, if not averted by some measures of the General Government calculated to restore confidence in community, must result in consequences most destructive to the industry, enterprise and prosperity of our fellow-citizens. Our habits and commercial intercourse are such, that any attempt to transact the business of the country through the agency of the precious metals alone, would tend to unsettle and destroy the present relative value of property, and paralyze many of the great interests of the nation.

The several banks in this state, have, it is believed, rendered themselves liable to a forfeiture of their charters, by their suspension of specie payments. That measure, under the then existing circumstances was, perhaps, the only alternative which a prudent regard to the interest of community could dictate. It was approved by the wise and considerate of all parties.

The question of legalizing this act of the banks, is one of intense interest to our whole people, and I will trust it will be met, discussed and disposed of with all the wisdom, prudence and moderation to which, from its importance, it is entitled. The motive of the legislature in chartering these institutions was the promotion of the public good, and if any legislation upon the subject should be deemed expedient at this time, the interests and safety of community should be kept steadily in view.

A rigid enforcement of the penalties provided in the "act regulating the chartering of banks," would, doubtless, increase the difficulties of an already suffering people. It would destroy of all general and beneficial purposes, a circulating medium, to which an uniform value is attached, and although this medium may be somewhat depreciated below the precious metals, still it is one with which, by common consent, the indebtedness of individuals is discharged and the business of the country transacted.

Although the banks may have been led by the circumstances which preceded the suspension of specie payments throughout our country, to depart from what is considered by the undersigned, the proper and legitimate business of banks, and to make loans for purposes which ought always to be accomplished with real capital, and thereby lessened their ability to afford relief in time of pressure; yet, since the suspension, it is hoped they have been steadily engaged, so far as a due regard to the wants and exigencies of community would permit, in placing themselves in a situation to resume specie payments simultaneously with the banks in adjoining states. In this crisis great reliance has been placed upon the forbearance of our patriotic fellow-citizens, and it is a source of peculiar gratification, to say, that thus far my expectations have been fully realized.

The past season has been marked as one not only of a peculiarly disastrous character, as it relates to the derangement of the currency, and the effects of that derangement upon all the great interests of the country, but it has presented the novel spectacle of a people whose pursuits are mainly agricultural, depending upon foreign nations not only for the products of manufacture, and the mechanic arts, but for bread. This state of things ought not to be. The lesson will be duly appreciated by a discerning people. It admonishes to economy in our public, and industry and frugality in our private affairs.

No community, *exclusively* of an agricultural character, can maintain that independence and high standing, which are essential to the enjoyment of happiness. A dependence upon foreign nations for the *necessaries* of life, is derogatory to a free and intelligent people; and withal has, in times of national difficulties, a demoralizing tendency which, by the wise and provident legislator will be foreseen and guarded against. Considerations of this character fully justify the policy heretofore pursued by our national government in promoting and encouraging, while in its infancy, the mechanical and manufacturing skill of our country, and continue to demand it fostering care. Efficient protection and encouragement, it is true, belong to the general government; still as freemen, as members of the great national family, it is our right, our duty, to express our convictions on the subject.

It will be recollected that a revision of our militia laws was earnestly urged upon the consideration of the last legislature. Another year's experience must have served to convince, if any thing were wanting, all whose attention has been drawn to the subject, of their utter inefficiency to secure the objects they were designed to accomplish. Although I am gratified in being able to say that there are some honorable exceptions; yet, upon the whole, it is believed, subordination and discipline have been upon the retrograde for several years past. Are not our militia laws wrong in principle? If those patriots and benefactors who laid the foundations for our free institutions were not mistaken when they said, "A well regulated militia is necessary to the security of a free state," no good reason can be urged why the burthens and expense of the system should not reach every individual, by whom the benefits of the systems are enjoyed.

The exemption of the polls of those enrolled in the militia from a portion of the annual taxes, is scarcely an equivalent for keeping in their possession and in repair, the arms and equipments required by law; consequently all the time spent in obtaining that instruction and organization necessary to render the militia efficient, is an unjust tax levied upon those individuals who cannot, through favoritism or some other means, obtain a discharge from enrollment. The effect of this manifest injustice in the operation of our laws, has been greatly to increase the number of exempts, and to render those who could not obtain discharges, impatient and dissatisfied under the restraint and burthens to which they were subjected.

Another evil which is deemed subversive of discipline and good order among our militia, is the manner now provided by law for the enforcement of the rules and regulations governing the same, and the collection of fines for delinquencies. Should all questions of this nature be referred to a board composed of commissioned officers, detailed for that service from each regiment or brigade, to whom all delinquencies should be reported by the several commandants of companies, it would secure an uniformity in decisions, which is very desirable.

The law of the last session authorizing the executive to procure the mounting of several pieces of ordnance, for distribution to newly organized companies of artillery, has not been complied with. It was ascertained that two companies, to whom cannon and apparatus were distributed under the law of 1827, had some time since been disbanded, and consequently, the pieces and apparatus were liable to go to decay, not being in the care or custody of any person feeling an interest in their preservation. Orders have been given to the companies recently raised in Stow and Morristown, to take possession of those pieces.

Information has been received from the officer in command at the United States Arsenal at Vergennes, that the arms belonging to this state, deposited there, are in a bad condition, beginning to corrode. That being the case, economy would dictate a small appropriation to enable the Quarter-Master-General to have them examined, cleaned, and put in a good state for preservation.

In compliance with a resolution of the Senate, passed at its last session, requesting me to procure an estimate of the probable expense of a geological and topographical survey of the State, I have addressed several scientific gentlemen upon the subject, the result of which correspondence will be laid before you at a proper time.

Accident and the unaided enterprise of individuals, have developed many sources of wealth, in the mineral treasures of our mountains.

From what has been already brought to light by these means, we are fully warranted in presuming, that, if the aids of science should be brought to bear upon the subject, under the patronage of the State, and a thorough examination were had, with a view to its practical utility, important discoveries would be made, highly

beneficial to the State. A spirit of scientific research would take the place of pretended knowledge in the art of searching for valuable mineral substances, and our citizens saved from the fruitless expenditure of much time and money. Surveys of a similar character have been prosecuted in several of the neighboring states, and are believed to have produced the most satisfactory results.

This is an object intimately connected with the prosperity and best interests of this State, and it is recommended that measures be taken for its early accomplishment. If its consequences should be such as are anticipated, it could not fail of affording profitable employment to many of our worthy citizens, who would otherwise leave the soil of their birth, to people the more fertile regions of the west.

The advantages of a Topographical survey of the State, may not, to a superficial observer, be very apparent, but still the time is not distant when the importance of the measure will be duly appreciated. The state of science calls for it, and its importance for practical purposes cannot be too highly valued. It would afford useful data in the location and survey of rail roads and canals, and if entered upon and prosecuted in the only manner in which a work of this kind should be done, would be productive of great public utility.

In accordance with "an act appropriating the sum therein mentioned for making certain surveys," I appointed, early in January last, John C. Holbrook, Esq. of Brattleboro', and Erastus Fairbanks, Esq. of St. Johnsbury, commissioners. Subsequently, the Hon. David M. Camp was appointed to supply the vacancy occasioned by the resignation of Mr. Fairbanks. The survey is understood to have been completed, and a report of the proceedings of the commissioners under the act will probably be transmitted for the information of the General Assembly during the present session.

Under the joint resolution requesting the executive to exchange copies of the reports of the judicial decisions of this for those of each of the other States, I have caused to be transmitted to the executive authorities of the several state a part of the volumes of the Vermont Reports, and solicited an exchange. The favor will doubtless be reciprocated whenever their legislatures shall be in session.

During the recess of the legislature, I have received communications from several of our sister states, which will be laid before you at an early day.

It became my duty, by an act of the last session of the General Assembly to appoint some suitable person, to superintend the completion of the State House. In compliance therewith, I appointed A.B. Young, Esq., who had been employed s architect from the commencement of the building, whose report, when received, will be communicated to the General Assembly. It may be thought necessary to retain Mr. Young, the whole, or a part of the next season, to complete the building and its enclosures, and to carry out and perfect the original design. The building when thus completed, will prove a source of lasting credit to the taste and skill of the architect, and be highly creditable to our state.

I would respectfully refer you to my annual message to the last legislature, for some suggestions which are deemed highly important to the prosperity and usefulness of our common schools; they are the medium through which we reach the minds, and form the morals of the rising generation. Vermont has been liberal in providing the pecuniary means for the advancement of the interests of education; and it is due to ourselves and to posterity, that a wise and efficient application of these means should be made.

Other subjects may be presented for our consideration, demanding legislative action.

Confiding in your wisdom and prudence, I can promise a cordial co-operation, in whatever may tend to promote the prosperity of our state, or add to the security and happiness of its citizens. Convinced, as I am, that in a government, depending upon the moral power of the people, the best claim to support, is insured by a faithful performance of duty, I take this occasion to express to my fellow-citizens, through you, the deep sense entertained, of the importance of the trust committed to me, and to tender to them my grateful and respectful acknowledgments, for their repeated kindness and partiality.

SILAS H. JENISON.

Montpelier, Oct. 13, 1837

Inaugural address

of

Silas H. Jenison

As it appears in the

Journal

of the

Senate

OCTOBER SESSION

1838

Saturday, October 13, 1838
MESSAGE.

*Fellow Citizens of the Senate
and House of Representatives:*

We have assembled, in behalf of our constituents, to transact legislative business. Ours is a responsible station; and this responsibility constitutes one of the distinctive features of a republican government. Our frequent elections bring into immediate contact legislators and constituents, and enable the people themselves, the true source of all political power, annually to call their public servants to account. Our immediate duties confine us to our own State, not so exclusively, however, as to render us forgetful of the relation we sustain to the General Government.

Providence has smiled propitiously the past season upon the labors of the husbandman.

The favorable change which has taken place in the pecuniary affairs and business of our country, since the adjournment of the last General Assembly, is a subject of sincere congratulation. It may be matter of surprise and wonder to those unacquainted with American character, that we should so soon have recovered from the shock which paralyzed our entire business transactions and threatened with ruin many of our most useful citizens. From the nature of our institutions we had reason to expect the prompt interposition of the General Government, to aid in removing the causes of embarrassment, and restoring confidence throughout the country. These expectations were disappointed. The whole powers of the General Government appear to have been absorbed in their exertions to carry a favorite measure, which, in the opinion of a large majority of our citizens, would have been highly disastrous to our best interests. That attempt has resulted in a signal failure, since which, confidence has been reviving with astonishing rapidity, business is again returning to its accustomed channels, thus unequivocally evincing that the energies of a free people cannot, for any length of time, be restrained, by even the most untoward circumstances. It is but another example to be added to the many which occur in our history, showing the facility with which our people can accommodate themselves to any circumstances, and surmount any difficulties.

Ineffectual attempts have repeatedly been made to abolish imprisonment for debt. Although they have not resulted in the entire accomplishment of their object, they have, nevertheless, led to an investigation of the rights of creditor and debtor, highly favorable to a judicious, equitable and enlightened legislation upon the subject. If it be admitted that misfortune should not be visited with punishment as crime, and that punishment should not be left to be meted out by the creditor,—the person of all others most likely to do injustice in the case,—then the first object of the law should be to mark the distinction in a manner so plain that the unfortunate should never be mistaken for the criminal. The debtor, upon disclosing and surrendering his means for the discharge of his debts, should thereby disarm his creditor of all power to incarcerate his body. Our existing laws upon that subject, it may be said, are not oppressive in their operation; that the really poor debtor may always avoid imprisonment, by making a disclosure on the rendition of judgment. This may be true.—But, it may well be asked, does not our present law unnecessarily place the poor debtor in the power of a vindictive creditor, by permitting him to fix upon a distant day for trial, and, in the mean time imprison the poor debtor, if he fail to obtain the interposition of friends? Would it not be an act of humanity, as well as of justice, to provide, that the debtor, when unable to procure bail on *mesne process*, might demand a trial forthwith, or be permitted, before the proper authority, to make his disclosure and exonerate his body from imprisonment?

As civilization has advanced and the different grades of crime have been defined with more certainty, the rigor of punishment has been lessened. All experience shows that crime has not increased, but diminished, as the criminal laws of a country have become less barbarous and vindictive. Retaliatory punishments have in a great measure ceased, and the only sound and substantial reasons for the infliction of punishment are based upon the reformation of the criminal and the security of the public. That is evidently the policy of our laws in all cases, except in the infliction of the punishment of death. The right to inflict capital punishment is conscientiously doubted by many of our intelligent and philanthropic fellow-citizens. That number is constantly increasing. The right to destroy life, it is argued, does not belong to an individual, and consequently

could not be transferred to government on the formation of the social compact. Be that as it may, still it is feared that the ends of public justice, may, in some cases, fail to be answered; that jurors may, when empanelled for the trial of capital offences in some instances, be influenced to clear the guilty, by the consideration that a verdict of guilty would result in the death of a fellow being. The moral influence upon society, of inflicting punishment to deter from the commission of crime, does not so much depend upon its severity, as upon its certainty.

This is a subject upon which strong feelings and prejudices are known to exist, and I am induced to present it for your consideration from the fact that where convictions have recently been had in the state, a strong expression of public opinion has been put forth to arrest the arm of the law, and has seemed to demand a commutation or mitigation of the punishment. If, on examination of the subject, you should not come to the conclusion that it is expedient to abolish capital punishment entirely, yet it is respectfully submitted whether the demoralizing effects of public executions would not, to some extent, be avoided, by providing that all executions should take place within the walls of the prison.

In former communications to the General Assembly the importance of a geological survey of the State has been urged upon their consideration. The reports and opinions of committees upon the subject have been, without exception, favorable to the enterprise. The report of the committee, to whom the subject was referred at the last session, together with several accompanying communications, containing much useful information upon the subject, have been published in our journals, and very generally circulated throughout the state. It is known to all, whose attention has been drawn to the subject, that our mountains and soil indicate an abundance of mineral wealth, which a systematic and thorough examination can scarcely fail to unfold. A careful analysis of the great variety of soils, spread over the surface of our state, must also result in the discovery of many substances of a lightly fertilizing quality, inevitably adding to the prosperity of agriculture, the great and leading interest of our state. With few exceptions, our sister states have undertaken examinations of this character with the most favorable results. It is our true policy to adopt such measures as will foster the industry of our citizens, encourage the commencement of new branches of profitable employment, by developing the natural, mineral and agricultural resources of the country, and thus, placing within the reach of the young and ardent a reasonable prospect of competence and wealth—check the tide of emigration which is constantly draining us of a very desirable as well as enterprising portion of our population.

Our State House is understood to be fully completed and furnished in accordance with the original plan. For solidity, strength, symmetry, style and adaptation to the purposes for which it was erected, it is believed not to be surpassed by any structure of the kind in the Union. The building itself is the best commendation of the architect. The peculiar circumstances under which the work was commenced and prosecuted, against the expressed wishes of a strong minority in the Legislature, together with the fact that the expense of the building has far exceeded the estimates of the locating committee, have led to frequent enquiries into the manner in which it has been conducted; and the additional fact that committees, raised under those circumstances, have found no cause of censure, notwithstanding their dissatisfaction with the location and expensive style of the building, is the best guarantee of the capacity, integrity and faithfulness of those under whose superintendence the work has been prosecuted. The appropriations for this object have amounted to \$133,500, including \$15,000 paid by the inhabitants of Montpelier, of which, I am informed, a small balance remains unexpended. Mr. Young has apprised me that he will attend early in the session for the final adjustment of his accounts.

The disturbances which have recently taken place in the neighboring Provinces of Canada have caused much excitement among a portion of our citizens. Men of the best feelings and much moral worth participated largely in their sympathies with those whom they deemed oppressed. This state of things was to have been expected. Our institutions, habits and education lead to that result. Under this excited state of public feeling, many who were entrusted with the discharge of official duties were unjustly traduced. The measures, which a sense of duty impelled me to adopt, are known to my fellow citizens. Relying upon their intelligence and candor, and conscious of the purity of my intentions, I can hardly feel anxious for the result.

In compliance with a joint resolution of the last General Assembly, requesting me to appoint some person to investigate the facts, and ascertain whether this state has a claim upon the Government of the United States, for expenses incurred during the Revolutionary War, William Upham, Esq. was appointed, who, on account of ill

health, declined the appointment. The Hon. Asa Aikens of Windsor was subsequently appointed, whose report I have reason to expect during the present session of the Legislature.

In accordance with "an act for regulating and governing the militia of this state," I appointed Major General Francis E. Phelps of Windsor, Brigadier General Green Blackmer of Bennington and Brigadier General Truman B. Ransom of Norwich, a board of officers to organize the militia, and perform various other services connected therewith. Much time was consumed in procuring the preliminary information to enable the committee to commence their labors. A further delay was unavoidably occasioned by the resignation of Brigadier General Ransom in May last, whose place at the board was immediately supplied by the appointment of Brigadier General E.B. Chase of Lyndon, who was prevented entering upon the business of his appointment until June. A partial report of their doings was made in the early part of May, but it was deemed important by the board, in order to complete the business of their appointment in a satisfactory manner, that they should meet the officers of each regiment, to arrange and settle the details of their organization, before making a full report. That service was performed in June and July. Their final report has just been received. The duties of the board have been more laborious than was anticipated. By the force of circumstances, entirely without my control and from which I cannot perceive how blame can justly attach to any one, the completion of the organization has been delayed far beyond the time limited by the law. Under all the circumstances it is probable that the business could not have been satisfactorily brought to a close at a much earlier date, certainly not within the period fixed in the law. Should I omit to mention, in terms of approbation, the able and efficient manner in which the members of the board have performed the various duties assigned them, and the assistance and information which has been promptly rendered by the officers of every grade whom I have had occasion to call upon or consult, I should be wanting in respect to my own feelings. So far as I have learned, the law of the last session, with some small amendments, will be very acceptable to the individuals composing the militia. This feeling is the more to be prized as it affords an evidence of the prevalence of the opinion, that a well regulated and efficient militia is the surest safeguard to our republican institutions.

I feel bound to call the attention of the General Assembly to the condition of the several companies of cavalry which were disbanded by the operation of the present law. Upon the faith of the late law, troops of cavalry were organized in different parts of the State, the members of which, with a laudable and praise-worthy spirit, uniformed and equipped themselves at greater expense than any other corps. The present law not only renders their uniform and equipments valueless, but requires the enrollment of the non-commissioned officers and privates, in the standing companies. Theirs is a case of peculiar hardship and pecuniary loss, and in my opinion, calls loudly for the interposition of the General Assembly, either to provide that they may retain their former organization, with liberty to recruit from the standing companies, or that they be exonerated from further service in the militia.

By the same act it was made my duty to solicit from the proper authorities of the Government of the United States, the transmission of rifles, in lieu of muskets, for the balance of arms due this state under the act of 1808. In March last I addressed the head of the ordnance office on the subject, and, on the 10th inst. Received information that 682 rifles had arrived at the Champlain Arsenal, subject to my order. Measures will be taken to have them inspected and received without delay.

It was also made my duty to cause the state arms in the Arsenal to be put in complete repair. Quarter Master General Rich, to whom this service was assigned, on making arrangements to commence operations, found it difficult to procure a shop in which to prosecute the work. Upon request made to the Secretary of War, for the use of the United State's shop attached to the Arsenal, it was granted. Owing to the size of the building, the number of hands employed has been limited, and, consequently, the business will not be completed the present season. It was thought that the business could be more economically performed by employing hands by the day, than by contract as heretofore practiced. The result fully justifies the propriety of the course, as the arms are put in better condition than they have ever before been, and at less expense.

The result of the attempt to collect the arms, distributed among the several towns under the act of 1812, has shown a lamentable inattention to this species of public property, on the part of the selectmen of many towns. There appears to be a total loss to the state of more than two-fifths of the whole number. Those in the eastern part of the state were ordered to be collected and repaired at Windsor, under the superintendence of Gen.

Phelps, and those in the western, at Vergennes, under the care of Gen. Rich. The reports of these gentlemen are intended to be submitted to the General Assembly at the present session.

In conformity with “an act providing for the revision of the laws of this state,” Robert Pierpoint of Rutland, Samuel Swift of Middlebury, John Smith of St. Albans, Norman Williams of Woodstock and Lucius B. Peck of Montpelier were appointed. They will doubtless make report to you of their progress at an early period in the present session. The importance of having the laws, securing the rights and protecting the persons of individuals, stripped of their uncertainty and ambiguity and expressed in plain and intelligible language, cannot be too high appreciated. Forty years have elapsed since an entire revision of our laws, such as is now making, has taken place: within that time they have probably undergone greater and more frequent alterations than those of any other state in the Union, the certain and inevitable consequences of which are confusion and uncertainty. This confusion has been greatly increased, by the peculiar phraseology of the repealing clause of very many of our laws, making our statutes a book of mysteries, which few, but the initiated, can understand and explain. Laws gain much of their respect from their permanency. Prudent and wise legislators will hesitate before exchanging a law, simple in its provisions, well understood by the people, and which does not manifest injustice in its operation, for one, which, though it may appear perfect in theory, is yet problematical in its effects.

It will become your duty at the present session to elect a senator to represent this state in the Congress of the United States, for the term of six years, from and after the 4th of March next.

Since the adjournment of the last General Assembly, communications upon various subjects have been received by me from the Executives of several states of the Union, which will be laid before you.

It has been well said that “eternal vigilance is the price of liberty.” Our fathers showed their jealousy of overgrown wealth by their legislative enactments. We have no large monopolists among us to exercise a sway; no privileged classes to exert a controlling influence over our popular assemblies: But the inquiry may well be made, whether our institutions are perfectly safe in another direction and from a different class. There is occasion to fear, that the demagogue, under the pretence of sympathy, may urge to a participation in our elective privileges, whose who have sought an asylum among us, before they shall be qualified, either by length of residence, or attachment to our institutions, to exercise sacred right. The purity of our elections should be a matter of frequent and careful investigation.

Coming immediately from among the people, you must be intimately acquainted with their wants, and in the discharge of your duties, I can engage my cordial concurrence in all measures for the good of the people.

The responsible stations to which my fellow citizens have been pleased repeatedly to call me, entitle them to my most grateful acknowledgments; and this renewed mark of the public favor greatly increases my obligations.

SILAS H. JENISON.

Montpelier, Oct. 13, 1838.

Inaugural address
of
Silas H. Jenison
As it appears in the
Journal
of the
Senate
1839

Thursday, October 12, 1839
Inaugural Address

Fellow Citizens of the Senate,

and of the House of Representatives:

In obedience to the Constitution of our State we are again assembled to transact the public business. By diligent attention to our various duties, by enacting such laws as the wants of our constituents require, by electing to office such men as are capable, faithful and honest, by equalizing the public burdens and by administering the government with a due regard to frugality and economy, we give good evidence that we entertain a proper estimate of the responsibilities of our several stations.

The general prevalence of health, the benignant smiles of a merciful Providence on the labors of the husbandman and the prosperity which has attended our citizens in their varied pursuits, demand a grateful remembrance of that Being from whom are all our blessings.

Circumstances, which, a few months since, in a neighboring State, threatened to disturb the friendly relations subsisting between this country and Great Britain, have happily, through the wisdom and moderation of the rulers of the two countries, been put in a train of amicable adjustment. This result, to a nation like ours, whose habits and pursuits make it at all times their interest to be at peace with the rest of the world, and whose inclinations correspond with their interests, is a matter of sincere congratulation.

The continuance of the political disturbances in the neighboring Province of Canada, and that alleged cruelty with which the contest had been carried on, was made the apology for a system of incendiarism of the most reckless and desperate character, on the frontier between this State and Canada. The design of the perpetrators of those mutual acts of aggression, was, evidently, to provoke and exasperate the public mind, and thus bring on a state of feeling between the inhabitants of the two countries which would ultimately result in war. The continued succession of these atrocious acts from December to April, goes far to show that those engaged in them, on both sides of the line, had this object in view. In the progress of this disgraceful business, a number of the unoffending citizens of this State have been subjected to heavy losses, by the destruction of their buildings and other property by fire.

In consequence of the alarm occasioned by these repeated acts of violence, Brigadier General Nason and the civil authorities in that vicinity, deemed it necessary on three several occasions, to call out portions of the militia to protect the persons and property of our citizens, and quiet public apprehension. I was early apprised for the fact, and without delay assumed the responsibility of ordering the delivery of arms from the Arsenal for their use. The first detachment, called out in February, after remaining on duty several days, was, at my request, relieved by regular troops, mustered into the service of the United State, paid and discharged by order of Major General Scott of the Army. Application was made to the officer in command at Plattsburgh, to have the same course pursued with those subsequently called out. I have not yet been apprised of the result.

In February last, one George Holmes, charged with the commission of an atrocious murder in the Province of Lower Canada, was arrested in the town of Burlington, and there detained to await the result of a demand upon the President of the United States for his surrender to the authorities of Canada as a fugitive from justice. The President, in the absence of any conventional arrangement on the subject, between this country and Great Britain, declined interfering or complying with the application; upon which the Governor of Canada addressed me on the subject, and requested that, in accordance with the laws of nations and the comity heretofore subsisting between the State of Vermont and the Province of Canada, the said Holmes might be surrendered to the authorities of that Province that he might be tried for the crime with which he was charged.

Considering the practice which had heretofore prevailed between the authorities of that Province and this State – which, so far as I could ascertain, had been in favor of surrendering, on application, persons charged with the commission of atrocious crimes – and also the consequences which must inevitably result to the

inhabitants of the respective territories from a contrary decision, I was induced to make an order for the delivery of said Holmes to the agent of the Canadian Government. The execution of this order was prevented by a writ of habeas corpus from the Supreme Court of this State. The authority of the Executive to make the surrender, and consequently the obligations of national law on the subject, where by some denied. The legality of the order, I understand, is now in a course of judicial investigation.

This may be a proper occasion to remark, that, if the laws of nations and the comity which is suppose to subsist between countries at peace, whose territories are contiguous, do not warrant the exercise of the power necessary to make surrender of atrocious criminals escaping from one government to the other; if the foreign felon can force himself upon us, claiming protection under our laws from merited punishment, and thus make our country a refuge for the vilest offender; and if, as is contended by some, all laws emanating from State legislatures on the subject are unconstitutional and inoperative, it becomes our *immediate* duty, as a measure of self-protection, promptly to make such representations to the general government, for whom all power and authority on this subject are claimed, as will cause proper measures to be taken, either by legislation of Congress, or by treaty stipulations with neighboring and friendly powers, to enable the proper authorities mutually to demand and surrender persons charged with the commission of great crimes in one government and escaping into the territories of the other.

The policy of despotic governments is to keep their subjects in ignorance of their rights as men, and of their physical and moral power. In this lies the foundation of their security. In a republic, all power is inherent in the people; no individual is entitled to preeminence over his fellow, except for superior moral or intellectual attainments. The happiness and security of the people are the legitimate ends of all free government; and as legislators, we ought to inquire how these ends can be most effectually secured.

The patriots, who established our government and framed the constitution of the State, evidently relied upon the dissemination of useful knowledge as the most efficient means to prevent the commission of crime and lead to the practice of virtue. Among the earliest acts of the State were those establishing, providing for, and patronizing common schools. This policy has been steadily pursued to the present time. Liberal reservations were made for their aid and encouragement in all grants of land under the State government. In addition to the income of the public lands, sequestered from time to time for this object, towns were required to raise and expend large sums of money. A further addition to these means was made by applying the income of the surplus revenue of the United States, deposited with the towns in 1836.

Our whole legislation, from the foundation of the government to this time, shows the importance which has always been attached to the interests of education as a means of adding to the virtue and happiness of the people, and securing the permanency of our institutions. The intention appears clearly to have been, to place within reach of the children of the humblest citizen the advantages of such instruction as is necessary to form their minds to virtue and morality, and fit them for usefulness. This is right; for it is plainly the duty of the State to guard the private as well as the public morals of its citizens. A judicious and enlightened course of instruction is the only effectual way to accomplish this object. If any apology be necessary for urging upon the consideration of the Legislature a careful examination of the existing laws appertaining to our schools, it is to be found in my convictions of the inadequacy of their present provisions to accomplish the greatest good.

Taking it for granted that the public is under obligation to educate every child in the State, it would seem necessary that the burden of supporting our schools – or at least so much of it as is required to defray the expense of teachers' salaries, be placed upon those who have the ability to pay, – or in other words, that the deficiency, after the application of the public money, be raised by a tax on the list of all taxable property in the district. This course, has in many places, been found highly beneficial, and where a contrary practice prevails, it is to be feared, many children are deprived of the advantages which the State designed.

The present mode of distributing the public money, in proportion to the number of scholars between the ages of four and eighteen, does not I apprehend, practically carry out the wise and benevolent intention of the framers of the law. It is respectfully suggested, that, if a certain part of the public funds in each town were divided equally among the districts, and the residue in proportion to the number of scholars, it would enable

weaker districts to employ more competent teachers, and for a longer period, and at the same time tend to frugality and economy in districts of greater ability.

The act of 1836, providing for depositing the surplus revenue with the towns, has received a construction in some places, different from that intended; and caused delay and difficulty in the distribution. I would further suggest whether some system of direct accountability would not have a very happy influence on the prosperity of our common schools.

Should the selectmen in each town, or some other officer designated by law, be required, under a penalty, to make an annual report to some person authorized to receive the same, of the condition of the several schools in the town, the number of scholars between four and eighteen years of age, the number who have attended school within the year, the time a teacher has been employed, the amount of money expended for services of teachers, the amount of public money received, and the manner in which the balance expended over and above the public money has been raised, it would furnish much valuable information upon which to base future legislation. The want of a sufficient number of competent and well instructed teachers, is a great obstacle to the prosperity and usefulness of our common schools, and it may well be asked if the Legislature, as guardians of the public welfare, are not bound to adopt immediate measures to supply this deficiency.

The influence which our colleges and academies have had upon the standard of education and manner of instruction in our schools, by furnishing teachers, has been favorable. But the course of instruction and study, established in those institutions, is not expressly designed to prepare teachers, nor is it suited to call into action all those capabilities and peculiar qualifications so indispensably necessary to that employment.

Normal, or pattern schools, have, in some places, been established, where those intending to engage in teaching are subjected to a thorough course of instruction and training, expressly designed to fit them for that occupation. Were the business of teaching sufficiently lucrative to permit young men to prepare for, and engage in it permanently, this mode would undoubtedly be entitled to the preference. But in the present condition of society, I apprehend that the establishment of teachers' seminaries, or the adoption of a suitable and separate course of instruction in some of our academies, is the most feasible way in which this object can be accomplished. In some States this mode has been successfully adopted, and as the benefits of a system of this character must be generally diffused throughout the state, it certainly has strong claims upon our favor and support.

The question of appropriating and distributing, for a limited term, the income of the State school fund, among the incorporated academies and higher institutions of learning, was proposed during the last session of the Legislature, and a resolution passed the Senate requiring information of the condition of these seminaries. I am aware that the design of those who established that fund was to permit it to accumulate until its annual income, together with the other public funds devoted to this purpose, should defray a large share of the expense of our common schools, and leave upon the recipient of their benefits, little or not burden but their management. This object has, to a great and perhaps sufficient extent, been already accomplished by the recent application of the income of the surplus revenue. Under these circumstances, it would therefore seem the duty of the Legislature so far to vary the application of the income of this fund, for the time being, as most effectually to carry out the beneficent views of its founders. And since the specific object for which the fund was established has been anticipated probably by many years, it could hardly be considered a breach of the trust reposed in us to make the proposed application; always providing however, that the *principal* shall in no way be diminished.

I am led to these remarks by the consideration of the fact that at various times a disposition has been manifested to divert some of the sources from which this fund has been accumulated, and perhaps the fund itself, to objects foreign to the interests of education; and also from the full belief that in no other way can our common schools be advanced and the standard of instruction raised so certainly or speedily as by affording some public aid to our academies. The standard of education has been greatly advanced within a few years. It is at this time as high in this State as in any other. Science, which a few years since, was confined to the learned profession, may now be met in many of our most humble dwellings, extending its benign influence to almost every class, and operating with giant power upon almost every pursuit and interest in community.

It is a source of unfeigned regret that the bill which passed both Houses of Congress, providing for the distribution among the several States and Territories, of the proceeds of the sales of the public lands, for the purposes of education and internal improvement, failed to receive the approbation of the President. And also, that the proposition more recently made in the House of Representatives, to make an increased appropriation of these lands, for the purposes of free schools, academies, and the promotion and diffusion of education in all the states and Territories, did not obtain the favorable action of Congress. The adoption of either of these measures would have placed at the disposal of the Legislature funds wherewith to have made efficient provision for the purposes of education. The consequences would have been favorable, not only from the positive advantages to be derived from the expenditure of funds in the manner provided in the original project, but also from those incidental benefits which would alleviate, in some degree, the distress that our manufacturing interests must experience when the duties on importations shall be reduced to a sum barely necessary for the economical administration of the government. Had the measure first alluded to been adopted, the necessity for the deposit act would not have existed; and the distribution would doubtless have been continued and become the settled policy of the government, so long as the country remained at peace.

The amount which the State of Vermont would have received, on the principles of the bill, in the five years to which its operation was limited, would have been not far from \$1,200,000, or about \$240,000 annually; a sum sufficient to have enabled the State to provide liberally for purposes of education, and perhaps have warranted the commencement of some system of internal improvement.

By the original acts of cession, the United States were made trustees of such portions of the public domain as were ceded by the old States claiming the, to dispose of for the common benefit. A distinction between this portion of public lands and the territories of Louisiana and the Floridas, acquired by purchase and paid for out of the common treasure, has no foundation in equity.

The repeated and pertinacious efforts of some of the new States to acquire such portions of the public domain as lie within their limits; the readiness which has been manifested to favor these unjust pretensions and unreasonable claims, by individuals who have been high in the confidence of the public either by the interposition of their official acts and influence to prevent or delay an equitable arrangement of this immense interest, or by direct propositions to cede the lands in question for a consideration merely nominal, admonish the old States that procrastination of the final settlement of this matter will only tend to increase its difficulties. The attention of some of the States has been directed to this subject, and may it not be our duty to join in endeavoring to effect an impartial adjustment?

Notwithstanding the excitement which at present prevails in regard to banks, and the cry of monopoly with which they have been assailed it may be questioned whether any intelligent individual can be found who is not of the opinion, that, under the existing state of things, when rightly managed, they are indispensable. They were created expressly for public convenience. It is easily demonstrated that some medium, other than gold and silver, is necessary to preserve a sound and health action between the various agricultural, mechanical and commercial departments; – that any measures which should, suddenly, very much lessen the proportion which paper money bears to the specie in circulation, would operate greatly in favor of the creditor, the capitalist and the money lender, and in the same amount to the disadvantage of the debtor, the laborer, and the holder of the property of the country. The abundant supply of a sound circulating medium of uniform value, has heretofore afforded facilities for the sale and exchange of our various commodities, and has done much towards establishing an uniformity in their value, and consequently in the value of labor, the basis of all values. Although banking facilities may at times have been perverted and made to subserve the purposes of the speculator and monopolist, still, were they materially lessened, would they not be liable to be controlled by fewer hands, and consequently the danger to community be greatly enhanced? It will probably be admitted, that, through the assistance of banking operations, all branches of industry and improvement in our country have been essentially promoted, and if so, the inconsistency of a general denunciation of all banking institutions must be clearly perceptible. Wisdom would seem to dictate that we adopt and incorporate into our system such additional securities and guards as will effectually ensure the safety of community, and at the same time not defeat the object of its establishment. Many visionary propositions on this subject have been, and doubtless will continue to be submitted, from various motives, which, though specious in theory, will be found on

examination, impracticable and unsafe in their operation. While deliberating upon a subject so intimately connected with the prosperity and well being of the whole business transactions of the country, it behooves us carefully to examine the whole subject, and to profit by the misfortunes and failures which have resulted in some neighboring States from the adoption of kindred propositions; and to embrace any new and untried measures with a caution corresponding to the magnitude of the interests to be affected.

Sudden expansions and contractions in the currency are evils ever to be deprecated. They are usually induced by the balance of foreign trade being in favor of, or against us. To these evils we must continue subject so long as we remain dependent upon European work-shops for so large a share of the merchandise consumed in this country. We are admonished by this fact as well as by the deprivation and embarrassment we should experience in case of a war, of the necessity of steadily pursuing the wise policy of our ancestors, which was, always to sustain and protect the manufacturing enterprise and mechanical skill of our own citizens. Though this is a duty more directly appertaining to the general government, still, an examination of our legislative history shows that it has been the constant aim of this State to encourage, by every available means, those branches of domestic industry. Hence the discriminations between licences for the sale of foreign and domestic manufactures; hence the bounties and exemptions which, from time to time, have been offered and provided, and hence the many acts of incorporation for manufacturing purposes, enabling a number of persons to associate in the establishment and prosecution of branches of business requiring an amount of capital beyond the means of a single individual, and involving a degree of hazard which no one person would be willing to encounter. To this policy we are mainly indebted for the astonishing progress already made towards supplying the country with most of the necessaries and many of the luxuries of life.

If this policy be wrong, then were our predecessors wrong: – if this be a mistaken course, then were our patriot fathers mistaken when resisting the efforts of the mother country to keep us dependent on her manufactories. The cry of monopoly, when applied to enterprises of this character, had no terrors to those pure patriots. It has been reserved for a later age, – influenced perhaps by different motives, – to discover that they are subversive of individual rights and perilous to public freedom.

In 1837 our militia laws underwent an entire revision. Some of their provisions are deemed unnecessarily burdensome and without any corresponding advantage. A careful examination of the whole subject is urged upon the Legislature as one intimately connected with the peace and security of the country.

The situation of the several companies of cavalry, as they existed under the old organization, was alluded to in my communication to the Legislature at the commencement of the last session, to which I would respectfully refer you for my views.

The committee, appointed in pursuance of an act of the General Assembly, to revise the laws of the State, have informed me that they are prepared to make a report at the present session. The attention which this committee must necessarily have bestowed, in examining and revising the various provision of our statute, will doubtless enable them to make such explanations and suggestions as will materially aid you in deliberating upon a matter of such vital importance.

The report of the Hon. Asa Aikens, who was appointed under a joint resolution of the General Assembly of 1837, to ascertain whether this State has any claim upon the United States for expenses incurred during the revolutionary war, when received, will be submitted to your consideration.

In June last, George B. Shaw, Esq. resigned the office of reporter of the decisions of the Supreme Court; the vacancy was supplied by the appointment, for the time being, of William Weston, Esq. of Burlington.

In former communications to the General Assembly, I have spoken of the importance of a geological survey of the State; my views remain unchanged, and I would beg leave to refer you to documents heretofore laid before the Legislature for much valuable information on this subject.

A number of communications from the Executives of several States, received since the last session, together with the reports of those of our State officers whose duty is to report to me, will at early day, be submitted to the legislature.

I shall be happy, gentlemen, to co-operate with you in any measures, that may serve to promote the interest and honor of the State, confidently hoping that all our honest endeavors for the public good may be crowned with success.

S.H. JENISON

Montpelier, Oct. 12, 1839.

Inaugural address
of

Silas H. Jenison

As it appears in the

Journal

of the

Senate

OCTOBER SESSION

1840

Saturday, October 10, 1840

*Fellow Citizens of the Senate
and House of Representatives:*

Again it becomes my duty to address you upon our public concerns. Our official duties are various and responsible, and we shall best subserve the object of our appointment, and most effectually promote the prosperity of our country by an honest, faithful and wise discharge of them. All legislation, having in view the virtue and permanent happiness of the people, will ultimately result in the common welfare.

Under our happy form of government, the rights of the humblest citizen are as sacredly secured as those of the most favored; and every act, which shall, unnecessarily limit or abridge those rights, in a positive contravention of the letter of our constitution and indirect violation of the spirit of our civil institutions. To encourage the practice of virtue, to prevent the commission of crime, to foster the interests of education, to promote the industry and improvement of the country, and to protect the personal liberty and rights of our citizens, are among our legitimate and proper duties, as legislators.

In popular governments, law depends, for its efficacy, mainly upon the convictions of the people of its necessity and expediency. Without public opinion in its favor, legislative enactment becomes a dead letter upon our statute book, and is not only disregarded of itself, but in some measure weakens the force of salutary and necessary laws, and, consequently, lessens the respect paid to them. We ought, therefore, to pause and examine with great caution, before adopting propositions for altering the principles or details of laws, which have received a judicial construction, and with whose provisions the people have become familiar.

The very careful revision of our laws, at the last session of the General Assembly, brought under examination most of the important provisions of our statute law. Time has scarcely been afforded, since its promulgation, to test the operation of the various modifications and amendments therein introduced, and the necessity of any immediate alterations will, doubtless, be obvious and plain, before you will feel called upon to make it.

Our revenue, derived almost entirely from a direct tax on the people, presents a constant admonition to frugality and economy in expenditure, and should lead to frequent enquiry into the operation of our system of taxation. This system is based, mainly, on income; and it is due to those who defray the expenses of government, that all productive property and profitable pursuits, should bear their relative proportion of the public burdens.

From frequent applications to me for the remission of small fines, imposed by the County Courts, for assault and battery, and other breaches of the peace, I have been led to the inquiry whether an alteration in the law on that subject might not save considerable sums to the State, without weakening the claims of justice or lessening public security. Judging of the character of the offence, by the amount of fine imposed, the presumption is strong, that respondents, in some cases, have been bound over to the County Court by Justices of the Peace, more on account of the inability of the offender to pay a fine and costs, where the town in which the offence was committed might have had an interest, than by reason of enormity of the offence. In a majority of cases, presented for the exercise of Executive clemency, the fine has been five or ten dollars with costs varying from fifteen to sixty. Nor is the payment of enormous bills of cost, the whole charge to the State. Respondents, in cases of this character, being, usually, irresponsible and unable to procure bail, are consequently confined in jail, and the State charged with their support, as State prisoners. On conviction, a sentence to pay a fine of a few dollars and costs of prosecution, operates as severely as a sentence of perpetual imprisonment, to the offender, and a perpetual charge on the State for his support, unless relieved by executive interference. If no other alteration should be deemed expedient, it would better accord with the humane spirit of our laws, to provide that the sentence, in such cases, should be in the alternative, either fine, or imprisonment for a limited time, when the fine is not paid. But I would respectfully suggest, as worthy of inquiry, whether a remedy might not be found, by providing, that, on conviction of certain inferior offences and misdemeanors, the fine should be

paid into the town treasury, and whether it might not be expedient to enlarge the jurisdiction of Justices of the Peace for their trial.

By a salutary provision in the constitution of the United States, any person, committing crime in one state and escaping into another, shall, on demand of the Executive of the State having jurisdiction of the case, be removed there for trial. This provision should be carried into effect in good faith. Some of the States have made the act of procuring goods under false pretences an indictable offence. Cases are believed to have occurred where men, smarting under the loss of property, have been led to make oath to facts, an *ex parte* hearing, which fully justified the commencement of a public prosecution for crime, where the real object was, evidently, to effect a compromise with a debtor, or extort money from his friends in satisfaction of a precarious debt. The executive warrant, when obtained, is used, not to bring a public offender to justice, but for individual benefit. The evil complained of might, perhaps, be prevented, were it made an indictable offence to compromise with, and permit to go at large, any person arrested on an executive warrant, issued at the request of the Governor of the State where the crime is charged to have been committed.

The condition of our common schools and seminaries of learning is always deserving your careful attention. In my last annual message, I urged the application of the income of the State school fund to purposes of education, and beg leave respectfully to refer to the suggestions there made.

We are practically an agricultural people. To the successful prosecution of this pursuit, are our citizens principally indebted, for the necessaries, and many of the luxuries, of civilized life. Although an interest of such vast importance to the prosperity of the State, it has heretofore received but little encouragement from the action of the government. Great improvements have been made, within the last half century, in this important branch of industry, owing, mainly, to the successful application of science in the development of the properties of our various soils, and consequent adaptation of the same to the different products of agriculture. This is a matter, interesting, not only to the philosopher in his inquiries into cause and effect, but also furnishes an object of intense interest to the legislator and political economist. I feel justified in again urging upon the favorable consideration of the General Assembly, the propriety of a geological survey of the State. Much valuable information on this subject may be found embodied in the reports made to the three last sessions of the Legislature.

The difficulties which have beset the business transactions of the country since 1836, are, by a large majority of the people of this State, considered as having grown out of the improvident measures of the general government. Many of our most enlightened and sagacious statesmen clearly foresaw and predicted the result; a majority of the community, notwithstanding, deceived by the plausible reasoning and specious promises of interested and designing men, and by the apparent prosperity and success with which most kinds of business were then pursued, were led, for a season, to give them their support. The people, however, are now engaged in a fearful strife to remove from the administration of the federal government those, who, in the discharge of their official trusts, they believe, have wantonly disregarded the best interests of their constituents. As the struggle progresses, the final result appears less and less doubtful. The recent elections indicate, with a certainty almost unerring, that the great mass of our population, whose only interest in government is, to have it wisely and frugally administered, are becoming convinced of the ruinous tendency of some of the leading measures of the administration. This result is the more to be prized, affording, as it does, indubitable evidence of that honesty of purpose and purity of intention, which have ever characterized the great body of the American people. It can hardly be otherwise, while the interest of the great majority of each of the political parties, into which the country is at present divided, is the same, the greatest good of the greatest number. It furnishes a sure guarantee for the durability of our institutions, and a serious admonition to our rulers, that they will always receive a rebuke at the hands of the people, whenever they make the success of partizan measures an object paramount to the general good.

The subject of the currency will, doubtless, claim a share of your attention. The hostility to banks and a paper medium, for the transaction of the business of the country, has been carried on in an unrelenting, and in some instances, vindictive spirit. While some openly assail, and would at once abolish them, thereby compelling a resort to an exclusive specie currency, others, with a pretended conviction of their utility and necessity, covertly attempt their destruction, by taking from them all their ability for usefulness. Among other

charges, it has been said, that the operations of banks have induced high prices. Has the farmer, the artizan, or the merchant, suffered in consequence? High prices and a ready sale are great encouragements to individual industry and enterprise. Low prices operate to the reverse. It is alleged, that they have given a fictitious value to property. Be it so; under this state of things, and during their existence, immense indebtedness and liabilities have been incurred, in the purchase of property, in investments in manufacturing establishments and machinery, and in permanent and valuable improvements in the condition of the country. Would it be just, ir humane, or honorable, for the same government, which authorized the establishment of banks, and gave them power to exert this influence over the business of the community, by encouraging liberal discounts in aid of these enterprises, at once to annihilate these institutions, or, what is equivalent, to discredit their issues, and thus bring the property of the country to what is claimed to be its real specie value? While thus unsettling the value of property, and the relative condition of our whole population, it must be remembered, that indebtedness cannot be reduced, but, on the contrary, it will be increased in the same ratio in which the price of property is reduced, and the means for payment lessened. The control of the whole property of the country would thus soon be placed in the hands of capitalists and money lenders.

I would not be understood as being an advocate for an irresponsible or unsafe banking system. But, believing, as I do, that the facilities heretofore afforded by banks and the credit system, have eminently contributed to foster and carry forward the great interests of our county, I hold it to be our duty, our imperative, duty, as conservators of the public welfare, to sustain a safe and efficient banking system, as the best, if not the only, means of securing and promoting the pecuniary prosperity of our constituents.

I have no hesitation in saying that banks have been chartered with too great facility, and upon improper principles, in some sections of the Union; perhaps, to some extent, in this State. Much of the prejudice, now existing against these institutions, has arisen from this fact, and from their improper management. Where banks have been established upon solid capital, in places whose *bona fide* business transactions needed accommodations from that capital, and where the stock has been properly distributed and owned by capitalists seeking such investment of their money, I have heard but little or no complaint. Indeed, it is believed, that, in the most disastrous season of the last four years, such banks, instead of being liable to the censure so freely bestowed upon all banks—of crippling and oppressing community—have, uniformly, afforded more aid, and at a more reasonable rate, than would have been obtained, had the same amount of capital been under the control of individuals.

The danger and loss to community have arisen from granting bank charters, where the active business of the country did not require them, and from having them placed in operation upon a fictitious capital, managed by borrowers instead of lenders, their accommodations monopolized by directors of their friends, and embarked in hazardous, not to say, desperate speculations. While the business of the country remains prosperous, the bills of the bank are redeemed and obtain credit; but when a reverse occurs, and money cannot be raised from the particular business in which the borrowers are engaged, the bank fails to meet its liabilities and the bill-holders must suffer the loss; for, whenever an examination takes place, the notes for loans, and the capital stock of the bank, are found to be identical. The history of one of these swindling institutions would require but little variation, to serve as the history of every bank which has failed in New England.

The benefits between the banks and the people should be reciprocal. There would be no apology for granting to capitalists the privilege of associating for banking purposes, were we not fully satisfied, that, at the same time, we were conferring an equal benefit upon the community, among whom a bank may be located, by affording facilities for loans, at a reasonable rate, to such as take the property of the neighborhood market and furnish it with merchandize in return, or to such as add labor to the raw material, and thus render the property of the country a more valuable, as well as more marketable commodity.

Entertaining these views, should this subject come under your consideration, it might naturally be expected that I should ask for them a candid and dispassionate examination. In the absence of all party feeling and every improper basis, the inquiry should be, does the active business of any particular section, asking for the establishment of a bank, need its accommodation? Are there capitalists, who will make investments of the stock?

If the affirmative be true, still we shall have made but a profitless improvement of the example of our predecessors and neighbors, if, when we adopt such salutary restrictions as will effectually secure the public from loss, we should impose such unreasonable and excessive restraints as shall prevent that public from enjoying the benefits of the system.

Copies of resolutions, passed by the Legislatures of several of our sister States, upon various subjects, have been received by me since the adjournment of the General Assembly. In compliance with requests by which they were accompanied, they will be laid before you.

No subject embraced by them is of so grave import, or involves principles so alarming in their character, as those from the state of New Jersey. One of the sovereign states of the Union has been deprived of her constitutional rights. Her Representatives, presenting the ever before disputed and legal evidence of their election, have been refused seats in Congress. Not from any failure on the part of the freemen to elect; not from any fraud or neglect of the Executive of the State to furnish the usual and legal evidence of the result of such election; not through the omission of those holding that evidence to present the same to Congress; not in obedience to any law or precedent, which has heretofore been considered binding in like cases, but in startling violation of all law and constitutional right, and a reckless disregard of all precedent.

Whatever motive may have influenced the decision of the majority in Congress on this questions, still, in a history of the times, it will be difficult to consider it apart from the fact, that the matter was prematurely, and for the time being, settled, during the pendency of a favorite, executive and partisan measure; a measure, which all parties admit, is to exercise an important and controlling, if not destructive, influence on the pursuits and prosperity of the country.

This invasion of the constitutional rights of a State is the more dangerous, from the fact, that it was perpetrated by a body, over whom the injured party can have no control, and before whom it can neither make known its wrongs nor seek redress, except by sufferance.

From the practice, in regard to contested elections, which has prevailed from the foundation of the government until the last session of Congress, little danger could be apprehended. For there is no occasion to fear that any permanent wrong, either public or private, can grow out of any fraudulent or unlawful act of the state authorities, in cases of this character, as the actors, by our frequent elections, are so often brought before a tribunal, from which there is no appeal, and whose reproof few would be willing to encounter. Our present form of government has more to fear from undue assumption of power by the several branches of the General Government, than from any other source. It behoves the States, therefore, as they prize our liberties, to regard with watchful vigilance every approach to the usurpation and exercise of power not delegated by the constitution.

Through the politeness of the Trustees of the "Vermont Asylum for the Insane," a copy of their fourth annual report has been placed in my hands. A lasting debt of gratitude is due to the philanthropic individual, whose liberal bequest laid the foundation for this humane institution. The numerous applications for admission show the wisdom of the legislature making the appropriations which enabled the trustees to open their asylum with the least possible delay.

Many of the patients have been already restored to reason, to their families and to usefulness, and they will ever have occasion to revere the memory and liberality of their benefactor, as well as the enlightened policy which opened this comfortable retreat. Sound policy and humanity alike require that the establishment be enlarged, whenever its present accommodations shall be found insufficient to meet the wants of the whole of this unfortunate class of our fellow men.

The report of the Superintendent of the State Prison, and the report of the committee, appointed by the last General Assembly to make a contract on behalf of the state for the labor of the convicts, have been furnished me, and will be laid before you at an early day. It will be perceived that the committee failed to accomplish the object of their appointment. The Superintendent, on the expiration of the contract with Mr. Hubbard in March last, found himself unexpectedly obliged to make immediate provision for the support and employment of the convicts. This was done, and the report shows, that for about six months, ending on the first day of October

instant, there has been an actual income to the State of \$499,99, after paying all expenses on account of the prison, including the sum of \$568,94 for repairs, nearly all of which were for improvements of a permanent character. This result, flattering as it is to the Superintendent, certainly appears to exhibit the practicability of having the affairs of the prison managed by its immediate officers, without incurring pecuniary loss. If the legislature should be satisfied that the present prosperous condition of its affairs can be maintained, it would certainly appear more consonant with the dignity of the state, to keep the management of its prison concerns under the immediate control of the officers of this institution, than to pursue the policy of farming it out by contract, as proposed by the law of last session. The subject of improvement in the prison buildings, has been repeatedly brought to the notice of the legislature, by the Superintendent, and, since this institution must probably remain as an appendage to our criminal jurisprudence, so long as crime is found among us, any additional buildings, or repairs upon those already erected, if within the bounds of necessity and frugality, could hardly be regarded as a waste of funds.

The report of the moral condition of the prisoners is alike gratifying to humanity, and honorable to those who have the immediate charge of the institution.

The annual reports of the several state officers, which are required by law to be made to me, will be laid before you as early as possible. Any other subjects, which it may be necessary to communicate to you, during the present session, will be presented in special message.

That distinguishing feature in democratic governments, rotation in office, has always been esteemed one of the most efficient safeguards of the purity of our free institutions. Having long entertained the opinion, that the public have a right to command the services of its citizens, in any station in which they may be considered necessary or useful, and that private convenience should always give place to the public will, I have never permitted my personal preferences to interfere with what seemed the public voice. Permit me, however, on this occasion, to say to you, and through you, to my fellow citizens generally, that my desires and wishes are, that they will select some other person to fill the place in which I now am, after the present political year.

Our frequent elections afford opportunity for an expression of the estimate, placed by the people, upon the services of their public servants.

I cannot sufficiently express the profound sense of obligation felt towards my fellow-citizens, for their having so repeatedly elected me to the responsible station of Chief Magistrate of the State. And the recent flattering manner in which they have been pleased to express, anew, their approbation of my humble efforts in their service, has greatly increased my obligations; for no circumstance can be more gratifying, than to meet this unequivocal evidence of the public confidence.

In conclusion, fellow-citizens, I cheerfully tender you my assistance, in whatever you may advance, destined to promote the general welfare; and may that ALMIGHTY BEING, without whose aid all our efforts are vain, so assist us, that we shall ever possess the consciousness of having faithfully discharged our duty.

SILAS H. JENISON.

EXECUTIVE CHAMBER }
Oct. 10, 1840.

Inaugural address
of

Joseph B. Johnson

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1955

Thursday, January 6, 1955
Inaugural Address

To the General Assembly and the People of Vermont:

I undertake my duties today as Governor of the State of Vermont with a sincere appreciation of the responsibilities which have been placed in my hands by the people of Vermont. I realize the task before me will not be an easy one.

In the two years which have elapsed since the General Assembly met here in the Capitol, our country has ended the shooting war in Korea, but is still in the "cold war" with Russia and her Red satellites.

Thus we are spared for a time at least the sad spectacle of our sons shedding their blood on foreign fields, and the terrible costs of all out war. Today the world is normally at peace but it is an uneasy peace, charged with uncertainty, distrust and hatred. Therefore, in order to be ready to defend our country, at a moment's notice, the Federal government still must expend great sums for the national defense.

The change from wartime to peacetime economy has had its effect on the people of Vermont.

There has been a falling off in state revenue and in those cities and towns which have keenly felt manufacturing shutdowns and layoffs, welfare costs have risen to high levels. Tax Commissioner Morrison believes that the fall in tax receipts will reach its lowest point during the fiscal period that ends June 30 of this year, and that from then onward the trend will be upward, but that the rise will be slow.

While state revenues have decreased, expenses of government have mounted until today we face a critical budgetary situation for the next biennium ending June 30, 1957, which the Legislature must tackle with understanding and courage. Estimates now show that on the basis of present state expenses and income, we have a deficit for the next biennium of some \$4,000,000 without any expansion of services.

This is partly due to the fact that the 1953 Legislature, rather than raise taxes to provide additional income for increased operating expenses, saw fit to use \$2,500,000 of the 1953 General Fund Surplus for current expenditures in this biennium. The greatest increase in costs during this period has been for personal services. Vermont can well be proud of its staff of department heads and employees right down the line, who are taking care of the State's varied activities loyally and efficiently. The salary increases granted under the Griffenhagen Plan were justified, but the cost to the State has been considerable. In the fiscal year 1952 the State's payroll totaled about \$8,000,000. Two years later for the year ending June 30, 1954 the total was about \$9,500,000, an increase of \$1,500,000 or nearly 20 percent.

With the pay increases under the Griffenhagen Plan, the payroll continues to increase substantially. Because of greater costs of operation, and the use of Surplus rather than increased taxes to balance the budget two years ago, you and I are now forced to begin our term with commitments against our biennial receipts, which greatly narrow the margins within which we can safely make new appropriations.

I will discuss this financial situation at greater length in my budget message but I want the people of Vermont to realize that if we are to inaugurate some new services which I recommend, we must increase our revenue. The people of Vermont have shown a continuing desire for better services and better government, and I feel that they will understand they must undertake some sacrifices if they are to make Vermont a better state for themselves, their children and their children's children.

INDUSTRIAL DEVELOPMENT

The very serious unemployment situation in several of the cities and towns of Vermont and the need for improvement of state revenues make it crystal clear that the first aim of this administration and the Legislature must be to develop ways and means of providing more jobs for Vermonters.

Now, the state cannot open its own factories to provide these jobs, and any public works projects instituted must, of their nature, be temporary. Therefore the state must throw its energy into cooperation with the town, city and regional development agencies in a great drive to secure for Vermont industries which, I am sure, are

looking toward the Northeast as a profitable place for establishment of manufacturing plants. Every man who secures a steady job becomes a part of our tax base and an increase in employment will be reflected in rising revenues, which will bring relief to the taxpayers of the state.

The Vermont Development Commission can be the dynamic organization in this drive for new jobs, serving as the liaison agency between the private community, regional and state organizations and the prospective new businesses.

To afford the communities a more efficient and aggressive program of assistance in the industrial development field, the Commission will require a larger appropriation for research and planning, and for experienced personnel who are specialists in this most competitive field.

The Commission feels that a sound and productive industrial program requires a most complete inventory of facts and figures relating to the industrial phase of our economy in order to bring about the proper planning which is a requirement of any sound development program. Because of lack of funds the Commission has not had a research and planning department for the past four years, and has had to carry out the necessary functions of an industrial development program with a limited staff. A program which will afford the communities of Vermont these services to assist their industrial procurement efforts at local level will require some additions to the staff, such as an industrial agent who will constantly be in the field contacting industries which may be seeking new locations. A marketing specialist is needed to assist established industry with product and marketing problems

In the past year there has been a decided increase in industrial development at community level, the state now having 28 local groups organized for the purpose of expanding their industrial economy. The research and marketing phase of such an operation must be considered very seriously because it will involve studies on raw materials, new products, new markets and any other phases of such analysis that will lead to greater dollar income and more diversified payrolls than now exist within the state.

The Commission must also lend a hand to our present industries in helping them expand or to solve the problems which now beset them.

I am recommending additional funds to the Development Commission for this highly important job.

VERMONT INDUSTRIAL DEVELOPMENT CREDIT CORPORATION

In this matter of industrial development I am firmly behind the work the Vermont Industrial Development Credit Corporation. I urge the people of Vermont, especially our banks, to help this new agency to develop new industries for the state.

ELECTRIC POWER

The 1953 General Assembly delegated to the Public Service Commission full power to act for and represent the State in negotiations or arrangements with the New York State Power Authority for use in Vermont of electric power developed on the St. Lawrence.

I have felt that since this Commission has long been familiar with the power needs of the State, and has not been lacking in its efforts to gain for Vermont the full benefits of the St. Lawrence development, we should continue such an arrangement. The purchase of energy from the St. Lawrence development will be an inter-state transaction and therefore normally subject to the jurisdiction of the Federal Power Commission. This General Assembly may wish to consider the feasibility of giving broader authority to the Public Service Commission to make contracts for transmission of St Lawrence power. An appropriation may be necessary for the Commission to secure such additional legal and engineering assistance as it may need in procuring our share of the St. Lawrence power, and arranging its transmission to Vermont.

If we are to bring in more industries, expand those which are here, meet the needs of the farmer for more electric power, and supply the increasing domestic demand - all at reasonable rates - the State must at all times be ready to take advantage of those present sources of power which will provide us with electricity at the lowest

possible rates and to stimulate at the proper time, the production of electric energy through the use of atomic power.

CHAMPLAIN CUT-OFF

President Eisenhower has recently issued a directive for a resurvey of the Champlain Cut-off. We will at all times exert the energy of this administration to win support of Congress for the Champlain Cut-off which when the St. Lawrence Seaway is complete, would provide Vermont with a seaport to all the world.

LABOR AND EMPLOYMENT

Vermont is most fortunate in having a reliable, conscientious and skilled labor force. From my own experience and on the frequent testimony of other employers in the state, I know that our skilled type of labor is one of Vermont's chief industrial assets.

I have proposed certain liberalizations in the Vermont Unemployment Compensation and Workman's Compensation programs. I am mindful that costs of both these programs are paid for directly by employers.

The maximum number of weeks for which a claimant can receive unemployment benefits in Vermont is now 20. All other New England states, with the exception of Maine, now provide benefits for 26 weeks.

This extended duration of benefits conforms to recommendations made by President Eisenhower and is consistent with his administration's policy of leaving to the states the determination of legislation consistent with conditions and circumstances within the state.

The Workmen's Compensation laws should be liberalized. I favor removal of the time limit for payment of hospital and medical benefits and repeal of the so-called "aggravation clause" of the occupational disease act.

To aid accident prevention in industry I propose that the state establish an annual State-wide industrial Safety Conference. Our working people are, as I have said, our greatest asset. Our record is good, but we must work to further protect them from accidents at their jobs.

AGRICULTURE

Vermont farmers are now confronted with the alternative of reducing production either by government controls or the low price method – or by selling our increased production in highly competitive markets.

There can be but one choice for Vermont and that is to put into effect a program which will sell all the products Vermont agriculture can produce efficiently. Most of this required program must be initiated and carried out by farmers and farm organizations, but the State government can be of help. Vermont dairymen, on a 12-month basis, are contributing over a quarter of a million dollars to promote the sale of dairy products.

Selling the greatly increased production of our Vermont farms depends on three major factors. These are **first** and most important, **QUALITY**. Under present market conditions, it is hopeless to try to sell profitably anything that is not top quality. **Second**, the price must be adjusted to meet competition and to move Vermont farm products in large volume. To accomplish this, every possible means of reducing the cost of production and distribution and increasing farms' bargaining power must be employed. **Third**, we must advertise and promote the sale of Vermont farm products in every possible way.

I believe that today the supply and demand factors are in better balance in the dairy products market. The Boston blend price of milk is higher than last year and the milk-grain price ratio is favorable.

Our job is to encourage and promote the sale of our agricultural products through encouragement of farmer-owned and controlled marketing, purchasing and service organizations. Their activities should be expanded.

I believe a few additions and a number of amendments to our agricultural laws are required.

To protect our markets for milk and dairy cattle the dairy industry requires a speed up in the program to control and eliminate Brucellosis. Substantial amounts of federal funds are available for the period ending July 1, 1956. The rapid, low-cost method of locating infected herds by the ring test should have legislative

authorization. All reacting cattle should be branded and the State, through the use of funds matching Federal money, should encourage the removal of reacting cattle from our herds.

The poultry industry, Vermont's second largest agricultural enterprise, should be protected and promoted by clarifying the administration of licensing of poultry and egg buyers and by greatly increasing the legal bonding limits. The industry should have study by the Department of Agriculture and the College of Agriculture.

Amendments and additions to our agricultural laws to effectuate this program have been recommended by farm organizations. Some are now in the hands of the legislative draftsmen.

Vermont agriculture is changing fast to meet new conditions. Our laws must be kept up to date with our needs.

CONSERVATION

Protection of our natural resources must always be our aim.

I particularly want to stress that this Legislature and succeeding Legislatures should at all times work for the purifying of our lakes and streams. Some good anti-pollution work has already been done in Vermont but there is much yet to be done.

I have received word that the report of the New England-New York Inter-Agency Committee is now nearly complete. Since October 1950 an intensive survey and study of the whole range of natural resources and their future possible development in New York and the New England States has been carried on by representatives of the states concerned and the Federal government. Hearings on the report will open soon for final recommendations.

I hope the Vermont Agencies concerned will do all they can to see that our interests are represented.

FORESTRY

The forests of Vermont clothe nearly two-thirds of the land area of the state. These valuable resources have a great multiple use -- as a source of raw material, an unexcelled recreation area in summer and winter, an equalizer of stream flow, a home for our wild life and as a tax base.

We must protect our forests from fires, insects and diseases and from bad cutting practices. With more extensive mechanization of our farms, more and more land now pastured will need to be reforested. Studies have been made by the State and by a private Foundation within the state on ways and means to carry out successful reforestation. I believe the Legislature should give this matter study.

In the last few years many towns, villages and cities have established municipal forests. I hope others will take similar action, Along this line may I recommend that in those towns where it has become necessary to remove roadside trees to make way for highway improvements local action be taken to plant new trees.

I believe an oppressive and unjust tax on forest land can mean premature and destructive forest cutting.

For this reason I request your careful consideration of the report of the interim Commission on Forest Conservation and Taxation.

GEOLOGY

If we are to develop industry we must know what we have for natural resources and where these resources are located.

During the past years we have had a small annual appropriation for the state geologist. Because of the limited funds progress in this department has been slow.

It is time that we stepped up our activity on research of Vermont's resources and I therefore recommend that the basic geology mapping program be accelerated in both mineral and water resources. This will require an appropriation considerably above that usually allocated to this most important department.

FISH AND GAME

Fish and game are an important part of our state's resources.

We must protect these resources and improve them so that the thousands of persons who are interested in fishing and hunting will feel they would like to visit our state and the thousands of Vermonters who yearly take out licenses are given their money's worth.

The last session of the Legislature gave certain regulatory powers to the Fish and Game Commission. I recommend that these powers be broadened to permit the prompt handling of local emergency situations.

TOURIST AAND RECREATIONAL DEVELOPMENTS

Vermont today attracts visitors in all seasons of the year.

For this reason I believe the State should extend a welcome hand to all corners of our nation so that people will be encouraged to come here. These folks spend money and this money makes jobs. This will call for expansion of our display advertising budget in Development Commission.

I particularly want to stress that the backing of this Administration will be given to all efforts to furnish access roads to developments in which people, both from within Vermont and from outside the state, have invested their money. These people need our co-operation. They have asked nothing else for their great investment in Vermont.

ROADSIDE BETTERMENT

We have been able to protect the beauty of our landscape by limiting the billboards on our highways. We also have legislation against the littering of our roadsides with rubbish and other objectionable matter. This problem cannot be solved merely by legislation, but it needs education of the general public. A National organization "Keep America Beautiful" has been set up and there is a movement to organize a "Keep Vermont Beautiful" committee, which through publicity and education, will endeavor to clean up our roadsides. I believe it would be well for the Legislature to authorize me by resolution to call a conference of interested groups to give state backing to a "Keep Vermont Beautiful" movement. There must be no trash or litter on our Vermont roadsides.

VERMONT LIFE

One of the greatest pieces of Vermont advertising, either public or private, that we have today is our state magazine Vermont Life. Its standards should be maintained and I hope that full co-operation will be given the editors by our people.

PRIMARY AND SECONDARY EDUCATION

The last General Assembly's major accomplishment, in my opinion, was in the field of Education. While I do not recommend to this Assembly any legislation of corresponding magnitude, scope and cost in this field, I believe there are several matters requiring legislative action to continue the progress already made.

The way is now open for legislation which will enable town school districts to join with neighboring districts in the operation of elementary schools. Such legislation should be permissive, not compulsory. It can be enacted through appropriate amendments to the present union high school district law.

Under the School Building Construction Act of 1953, more than two and one-quarter million dollars worth of state funds have already been granted to local school districts for school construction. While criticism has been heard of the policies of the State Board of Education in administering this act, these criticisms usually appear to be founded on misconceptions or are brought on by local conditions. Surely, if money drawn from people all over the state through taxes is to be turned over to any given locality for schoolhouse construction, the state as a whole has a strong interest in seeing that the money is used to the best advantage.

The state funds to aid in schoolhouse construction have been called for on a matching basis by the towns and cities faster than had been expected two years ago. While the funds probably will not be sufficient for a 10-year period, as was estimated by the last Legislature, there is still ample money on hand to carry the program

through the next three years and the problem of additional funds may well be left to the 1957 Legislature. This is a very important program and should be extended as needed.

The money we put into school buildings, whether from a state or local source, is wasted unless we have a sound and efficient education program going on in the schools themselves. Whether the buildings are old or new, crowded or roomy, the thing that properly causes most concern among Vermonters is what is being taught in them and how well it is being taught. Teachers and superintendents, the teachers colleges and the state of the Vermont Department of Education have been working to improve our teaching. With more and more to be taught and learned, with many groups urging more teaching responsibilities on the schools, it is not easy for busy teachers and overloaded superintendents to sift the more essential from the less essential.

I believe the state should have in its education department someone who will give his full attention to supplying guidance to local school systems in keeping their courses of study up to date.

Good teachers make good citizens out of our boys and girls. I believe the state should do everything it can to see that the standard of living of teachers is comparable to their importance to the community and to the state.

VOCATIONAL EDUCATION

As industrial expansion goes forward in Vermont -- and that is the aim of this Administration -- our supply of skilled labor must be enlarged. Within the limits of the resources of our education system I believe more adequate training programs should be provided to equip our young people for job opportunities in industry and agriculture.

A growing pool of young Vermonters, skilled and trained in industrial techniques help us sell Vermont sites to those industries which consider locating here.

A joint school-industry program at the local level, such has been quite successfully employed for many years at Springfield, is one of the means of meeting this problem. I believe our state apprenticeship programs should be encouraged and expanded. These programs enable a student to prepare for a specific job and they can be geared directly to the needs of individual industries.

For many years Federal appropriations have been available to communities on a matching basis. I believe that the Legislature should appropriate some additional funds to promote and enlarge our vocational education facilities.

TEACHERS RETIREMENT FUND

The State Teachers Retirement law carries a maximum limit or ceiling for the salary average used in computing prior Service Benefits at retirement. The state employees retirement plan carries no ceiling. This ceiling of the teachers retirement plan applies to only a few, who have been connected with Vermont schools for many years. I recommend that this ceiling be removed from the teachers retirement plan, so that these members who taught in Vermont before 1947, and whose salary average is in excess of the present ceiling, may receive the planned for retirement benefit of one-half their salary average.

HIGHER EDUCATION

Senator Justin Morrill of Vermont in 1862 convinced the Congress of the United States to adopt his idea that a good college education should be available to boys and girls in every state at a price which anybody could afford. So far, in Vermont, we have not completely followed his philosophy.

So far our high school graduates have not found it possible to move into institutions of higher learning in as great numbers as have boys and girls in other states. Figures show that only 22.7 per cent of our high school graduates today go on to higher education, as compared with 33 per cent nationally. This is something for Vermonters to think about.

Vermont has been known as an agricultural state, but under present conditions it hardly seems fair to hundreds of our young residents for the State to offer them a college education at a tuition cost of only \$225 a year if they choose agriculture, but ask \$705 if they seek training in other fields.

During the past decade the University of Vermont and the State Agricultural College have become more and more an integral part of our educational system. I believe the time has come to recognize the whole university as "our" University, Vermont's university--worthy of all support which the General Assembly may, from time to time, feel able to contribute.

The trustees of the University of Vermont have carefully studied the problems involved in clarifying the status of the University as a fully-recognized instrumentality of the State. They have recommended certain charter amendments which they consider will most practically, safely and simply achieve the necessary result. I recommend that the Assembly give study and action to these plans, which will help build a program of broad educational opportunity for our boys and girls. As set up by recommendation of the trustees, the State will at all times have a majority on the University's governing board.

All major courses of study should be equally available at the University to all qualified Vermont boys and girls, at a price which will encourage the continuation of their education beyond high school. I propose that the General Assembly make it possible by appropriation of the necessary funds for Vermont boys and girls to attend the University at a tuition fee of not more than \$425, except in the College of Medicine.

The 1953 General Assembly increased the number of Senatorial scholarships to be granted to students attending the University of Vermont, Middlebury College, and St. Michael's College. Each State Senator had sixteen of these scholarships at his disposal. This method of distributing scholarships is not sound and should be changed.

I propose that state scholarships, financed by funds appropriated by the General Assembly, be placed in the hands of a Scholarship Board, appointed in part by the Vermont Higher Education Council and in part by the Commissioner of Education and the Governor. I believe that the present grants of funds to Norwich University and Middlebury College and the scholarship funds to students attending St. Michael's College, Norwich University and Middlebury College should be continued.

I believe the scholarship granted to any Vermont boy or girl for higher education should be used in whatever Vermont College the recipient chooses.

We are now making reciprocal arrangements with our sister New England states for the education of our boys and girls in the specialized courses of their State Universities, and admitting students from those states to our University for the study of subjects, such as medicine. This is an arrangement which will benefit all concerned.

Vermont, New Hampshire and Maine, for example, each have too small a population to justify trying to support courses in all the fields of modern education and technology, which their young people may justifiably desire. It is out of the question to compete financially and for qualified personnel with each other and with the larger universities of the area and the nation. Several concrete steps have been taken during the past two years by the six New England Land-Grant Universities to implement the program. New Hampshire has already appropriated funds for a large portion of the cost beyond the tuition, of students from that state attending the Vermont College of Medicine. We can expect further programs to be developed in the future. However, the process can be materially strengthened and speeded by the adoption by all other New England states of the legislation passed by the Commonwealth of Massachusetts last year. The legislation was written during several workshops attended by state officials of all the New England States. It proposes the establishment of a New England Board of Higher Education whose purpose "shall be to provide greater educational opportunities and services for the persons residing in... New England...". The Board will undoubtedly encourage the development of professional colleges, such as Dentistry or Veterinary Medicine by one or the other of the New England States. The development of such colleges will increase the opportunity for Vermont youth to obtain professional education.

The potentialities of such a board are great for the youth of Vermont and I urge your favorable consideration of legislation ratifying the proposed compact.

SOCIAL WELFARE

I am convinced that the time has come for the State to accept a measure of responsibility in the matter of providing hospital care for the medically indigent. I believe that it is generally accepted that every citizen, rich or poor, should have access to the latest and best developments in surgical care and medical treatment if needed. It seems imperative that our smaller communities be relieved of a share of the heavy burden of the cost of hospitalization of those unable to pay for it.

Many towns have not been able to pay their hospital bills and the hospitals have been forced to absorb the cost of caring for the indigent by imposing higher charges to paying patients and by operating at financial deficits. Vermont's hospitals are not heavily endowed and most of them are seriously affected by unpaid bills. Our hospitals cannot curtail their facilities, therefore we must go to their aid.

The time has come to adopt a state-town plan of financing a program of hospitalization for the indigent. Such a program would receive approximately one-fourth of its cost from the Federal Government's matching funds. Each town could plan and budget for its share of the program. Each town would, in effect, be insured against excessive hospital bills. Such a program on a state level would depend to a great extent on the advice and recommendations of the Overseers of the Poor. The program should be designed and administered to pay the cost of hospitalizing those citizens who are sick or injured, and who can be helped by treatment in a hospital or nursing home, who cannot meet the full cost from their own resources or the resources of those upon whom they are legally dependent.

I am confident that a plan can be devised which will take care of these hospitalization costs more equitably from the pooled payments of all towns and cities and from the Federal aid available. It should not be a heavy drain on the State treasury.

Vermonters have accepted the obligation of caring for our senior citizens who lack financial resources in their old age; have financed methods of strengthening the family, and building future good citizens through services and support for dependent and neglected children; and have given aid to the blind and to the permanently and totally disabled.

The current extension of Social Security to additional groups and increases in benefits will help to relieve the disparity now existing between Vermont and the more highly industrialized states.

The objectives of the Congress are ultimately to shift the support of the aged from Old Age Assistance on the basis of need, to Social Security as a vested right.

Although total caseloads have not increased for more than four years, total expenditures to meet the needs have increased \$800,000 annually. Our Department of Social Welfare has administered its affairs at an expense below those of neighboring states.

I believe the problems of juvenile dependency and delinquency can best be aided at this time by more extensive case work service, family counseling, work on adoptions and closer and more frequent contacts with the Aid to Dependent Children Service. I recommend provision for additional social workers in the Department of Social Welfare.

CHRONICALLY ILL AND AGED

The Interim Commission on the Chronically Ill and Aged has submitted an outstanding report to the members of this General Assembly and I trust you will give it careful consideration.

AID TO HANDICAPPED

War injuries, industrial and public accidents make it impossible each year for many of our citizens to continue at their jobs or to enter their chosen profession. These disabled persons ask only that they be given opportunity to work, following suitable preparation. This is a program on which the President has taken suitable action. At a recent meeting with the President's Committee on Employment of the Physically Handicapped Mr. Eisenhower said: "There must be an increase in the dedicated volunteer work of many citizens now serving our State and local committees on employment of the handicapped." I hope to expand the present Governor's

Committee on Employment of the Physically Handicapped so that government and private agencies now engaged in this work may be capable of carrying out their fine work of finding jobs for disabled veterans and handicapped people.

Several state agencies are helping handicapped people to become self-supporting and more self-respecting through making useful and attractive articles by hand. There appears to be a need for a marketing outlet for these products. I believe we can establish a Vermont State Shop for Handmade Articles, operated under the joint auspices of the state agencies most concerned, Provision must be made for suitable quarters and a necessary staff. In the long run I believe it will pay for itself.

VERMONT ASSOCIATION FOR THE BLIND

There are many private voluntary associations which are unselfishly and devotedly doing fine work for groups of our people. Among these are the Vermont Association for the Blind, which should have some additional funds made available by the State.

PUBLIC HEALTH

The Vermont State Department of Health has steadily expanded in recent years. It is supplying outstanding service to the people of Vermont. There are many worthwhile ways in which the program might be extended and certain inadequacies corrected. I believe the state must improve its psychiatric services but I cannot recommend any great expansion of our Health Department at this time.

DEFENSE

In a world which could be at war tomorrow, we must be strong enough to repel attacks by our enemies and to protect our citizens.

It is gratifying to know that we have a strong Vermont National Guard, supported by an efficient Air Army. These units have over 2500 members and are constantly growing.

I commend the officers and men of our National Guard for their conduct and attainments.

There is a need for more armories to house our military units. The Federal government is co-operating in the building of armories on a 75 per cent Federal and 25 per cent State basis. Under this formula one armory has been built in Ludlow. Another at Winooski is nearing completion. Many of our units are crowded in rented facilities which are inadequate. I recommend the building of two armories in this biennial period; I believe we should, thereafter, build one armory a year until our military units are properly housed.

The State of Vermont owes a vote of thanks to Brigadier-General Murdock A. Campbell, who retires this year as Adjutant-General after a long period of faithful service.

PUBLIC SAFETY

The maintenance of a strong and alert State Police Force is essential to the well being of our state.

The State Police have helped Vermont maintain an enviable national low crime and accident rate status.

The continuance of the present State Police Force, and its eventual strengthening when funds permit, will insure that Vermont is able to take care of its own people on the highways and in their homes, and also protect those hundreds of thousands of persons from outside the state who each year partake of our hospitality.

FIRE PREVENTION

I am in favor of an appropriation of reasonable amount for fire prevention law enforcement. Such an appropriation should allow for the employment of sufficient additional fire investigators and building inspectors to enforce state laws pertaining to fire prevention.

CIVIL DEFENSE

New weapons of war today bring Vermont to the edge of the battlefield. We must be ever ready for the test.

For that reason I believe that we should continue a strong Civil Defense Organization, financed by the state and participated in by the municipalities. The Civil Defense law should be revised to include a clause which will make it possible for this organization to be ready and able to act in case of natural disasters.

To those good citizens of Vermont, who faithfully stand by their posts to help protect us against an enemy attack, I say: "Well done."

VERMONT STATE PRISON

The majority of the Legislative Commission, appointed to study the Vermont State Prison situation, has recommended a new prison to be built at the prison farm three miles from Windsor village. Since extensive repairs are necessary at the prison and we must act to solve the serious problem of associating young offenders against society with hardened criminals as is now being done, I believe it would be wise for this Legislature to make provision for the construction of a modern prison, financed by a bond issue.

I believe that rehabilitation of a prisoner is the important factor the State must seek in its carrying out of justice. Without separating minor offenders from more hardened criminals this cannot be done. Our state prison today does not permit this separation.

HIGHWAYS

To survive economically Vermont must have better roads.

With the decline of railroad service we in Vermont have become more and more dependent on the use of trucks, busses and private cars to carry on our every day way of life.

The result has been the use of our highways far beyond the expectations of our early planners.

This situation is not peculiar to Vermont. The National Congress has recognized the serious situation and has increased the appropriation for federal aid for highway construction.

Highway transportation occupies a place of ever-increasing importance in the economy of Vermont. The development within the past few years of the four-lane freeway type of highway has opened up a new conception of what long distance motor travel may become. The President has asked the governors of the states to present plans whereby an extra 50 billion dollars may be spent in the next ten years by the Federal Government to make the nation's highways adequate for today's needs. It is expected that the Congress will early in this session authorize a national road building program, which will include a series of throughways for Vermont. It has been announced that this program concerns the Interstate highway system and fits in with National defense plans.

Whatever action the Congress does take, Vermont should be prepared to take fullest advantage of this and any other Federal aid for highways. To this end legislation should be enacted to enable the state to acquire the full control of access on rights-of-way for such highways and wherever else in the state it is needed.

The importance of the arterial highway should not warp our judgment as to the needs of our highway system as a whole. We have main highways other than Interstate to widen and straighten, gravel gaps to fill, State aid highways to construct, and two highways to improve.

I propose a \$22,000,000 program of highway construction in Vermont, to be carried on in the next three years. \$3,000,000 of these funds would be used for more rapidly closing gravel gaps on the secondary system. This is a modest beginning of what I hope will be a continuing program of improving Vermont's roads.

I recommend that the Legislature approve a \$12,000,000 bonding program to finance this construction, which will take advantage of all matching Federal funds.

Current highway revenue is not sufficient to maintain the present program and also finance this proposed bond issue. There will be some increase in highway funds due to the presence on our roads of more vehicles using more gasoline. But this normal growth of tax income will not suffice. At least a half million dollars of additional revenue annually will be required to meet the problem on a businesslike basis.

AVIATION

The Vermont Aeronautics Commission has done well in keeping the state abreast of aviation developments.

We now have air passenger and freight service in Burlington, Rutland and at the Montpelier-Barre field, and soon Northeast Airlines will add Newport to the list of its summer stops.

Airports in Springfield, Bennington and other towns have been improved for private flying, including use by many business planes.

With other transportation methods decreasing their service to Vermont, we must continue to develop the use of aircraft to assist our people in solving their transportation problems.

RAILROADS

Railroads are still an essential means of transportation, both for freight and passengers. Their interests should be considered in any legislation affecting transportation.

PERSONNEL

At the present time the expenses of the Personnel Department are pro-rated among other departments of the state. I recommend that this procedure be changed to simplify the accounting and that we follow the same procedure as for other departments. I also recommend that the Personnel Director's term of appointment be for six years rather than for two years as at present.

On July 27, 1953 the Personnel Board and the Governor made effective the recommendations of the Griffenhagen Associates relative to salary adjustments for employees whose positions are classified under the Personnel Act, or substantially so. These recommendations were made in a report to the Governor prior to the 1953 Session of the Legislature. During that session some adjustments were made in salaries of Departmental Heads but such salaries were not adjusted to the extent recommended by the Griffenhagen Associates. Consequently certain state salaries continue to be on the low side.

In view of these circumstances the Legislature may wish to give consideration to the Griffenhagen recommendations heretofore made, regarding salaries for Department Heads. This would be no more than fair in view of the favorable action previously taken by the Governor and the Board in adjusting salaries of classified employees.

RECREATION

Vermont has been most fortunate in being able on a state level to assist in the development of a number of successful local community recreation programs. I believe that this work should be continued.

Recreation in a community helps our young people to attain self-expression in normal and healthy ways. These same youths, deprived of such a program, grow restless and sometimes turn to bad habits or crime.

Boredom also weighs heavily on our senior citizens. It is encouraging to note that many Vermont communities are providing recreation for them in their leisure hours.

The state provision for services to the communities through our Recreation Board is broad in functional coverage. It pays off in dividends from citizen participation in recreation activities--health, education, physical and mental fitness, good citizenship and character building.

I regard it as an important part of our Vermont way of life.

HISTORIC SITES

I believe we should continue the good work of the Historic Sites Commission.

Our biggest responsibility is the Bennington Battle Monument, now badly in need of repair. This monument, once privately supported and maintained, must not be neglected.

VERMONT SYMPHONY ORCHESTRA

The State of Vermont can well continue to encourage those things which help to raise the cultural standards of our way of life. The state has received wide recognition for the accomplishments of the Vermont Symphony Orchestra. I hope that the financial support to this worthy endeavor may be increased to meet rising expenses.

STATE BUILDING COUNCIL PROGRAM

The State Building Council has included in its report for the two years ending December 31, 1954 a recommendation to the Legislature that funds be provided for 17 projects with a total estimated cost of \$1,819,000. There are 20 additional projects listed for consideration by the Legislature, which are not so urgent, whose combined estimated cost is \$1,783,000.

Since 1947, over \$9,000,000 has been appropriated for new construction or additions to existing structures. I believe that it is important that the State of Vermont continue a sound forward-looking building program financed by a bond issue. I would especially recommend for your consideration at this time the long needed addition to the State Library and the Auditorium and Cattle Showroom for the State School of Agriculture at Randolph.

This Building Council Report will be discussed further in the Budget Message.

BUDGET

For nearly two months as the Governor-elect I have had the responsibility of working out a financial budget for the next biennium. In recent years the business of the State of Vermont has multiplied to such an extent, and the expenditures of the State have mounted to a point where it is unwise to leave the preparation of the biennial budget to a few weeks' effort on the part of the Governor-elect. This has become a stupendous task. This year with the fine co-operation of the State Departments, and the help of our experienced state officials, the State Treasurer, State Auditor and Tax Commissioner, we present a budget which we hope will meet with your approval, and which we trust will be for the best interests of the people of Vermont. However, a better job could be done if a practical way could be found to have the necessary detailed information, needed in budget planning, ready for the Governor-elect immediately after the election. I plan to present a recommendation relating to this matter for the consideration of this Legislature.

LEGISLATIVE PROCEDURE

The Legislature has before it a report recommending changes in legislative procedure designed to expedite the work of this and future sessions. I commend the Commission to Study Legislative Procedure for its accomplishments.

In this connection I appreciate the efforts of Legislators and Department Heads to get bills in early so work can be started at once. To further this cause I plan to deliver the Budget Message to the General Assembly a week from today, which will be earlier than usual.

THE FUTURE

The State of Vermont has made sound progress through the years but it is not yet as prosperous as we can make it.

Far too many of our young people still leave Vermont to give their quick minds and vigorous energy to the rest of the Union.

So far we have not been able to influence establishment within our boundaries of a considerable number of industries, able to give our people employment and keep our youth at home.

Too many farms have gone back to the woods. Too many of our streams and lakes are polluted. Too many of our trees are being carelessly forested. Too few of our resources are being properly developed.

I urge you, as representatives of the people of Vermont, to help me shape a program which will improve this situation. We are a small state and our income is not what other states have, but we must move forward in this

age of progress. If we expand or increase the state's services, we must get the money to pay for them. Let us do it wisely and well.

There are some among us who at the first sign of economic slowdown seem to lose courage and show no faith in the future. The pioneers who settled among these hills met hardships and adversity and yet did not falter or become downcast. They continued in spite of all obstacles to look upward and forward, and they kept clear vision of a better and more abundant future. We should do no less. The present may seem uncertain and at times even grim. But Vermont, established on a solid foundation, is not a poor state and we need not be discouraged. I believe that we are on the threshold of vast material developments. We must plan with prudence, act with courage and with boldness build for the future. We need the faith of our fathers and the willingness to sacrifice for that faith.

To those whose memory of government affairs goes back a generation, or even less, the growth of governmental expenditures on the national and state levels cannot help but be astounding. I am opposed to any unnecessary centralization of government, believing that controls should be kept as close to the people as possible. But this modern industrial age has brought vast changes, with new problems in government. Many services which the people need and demand, are now beyond the capacity of the individual and the local community to provide. The state with its broader authority and taxing power is called upon to regulate or take over more activities. This appears inevitable but even big government has the obligation to operate for the best interests of the individual citizens, with prudence and economy.

It is impossible in these few minutes to cover all the details and ramifications of our state government. But in these closing sentences I have tried to express something of my basic philosophy.

Even under a system of liberty and free enterprise such as we still enjoy, there will always be failures, misfortunes and sorrow.

But whether we have generations of American citizenship back of us, or have but recently come to this land of promise and of plenty, the beacon of hope for people the world over, we must remember that we cannot live merely for the present. We all owe a great debt for the heritage which we enjoy, and we can do no less than do our best to try to pass on to those who follow us, opportunities for better health, broader education and a fuller life, spiritual as well as material.

Let us, working in harmony as true Vermonters, develop a program here that will accomplish for the State the Prosperity and Happiness of Our People.

We can approach nearer these goals, but it will take the combined and earnest planning and labor of all of us.

The citizens of the State, you the duly chosen representatives of the people, and I elected as Chief Executive of this proud State of Vermont, working earnestly together for the common good, ever remembering the importance and power of spiritual values, with a real trust and faith in God, can overcome the obstacles and accomplish much for the present, but more important we can build well for the future.

Inaugural address

of

Joseph B. Johnson

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1957

Thursday, January 10, 1957
Inaugural Address

To the General Assembly and the People of Vermont:

It gives me great pleasure today to welcome the members of the Legislature, who during the months ahead must plot the course which Vermont will follow in the next two years, and even beyond. Your task and mine is bound to be a difficult one, but with a determination to find solutions and with the co-operation of our people, we will work together to make a better State.

As I undertook my duties as governor two years ago, I asked the Legislature to help develop a program that would accomplish for the State the prosperity and happiness of our people. Looking back briefly today to the accomplishments of the 1955 Legislature, I believe that we have fulfilled in some measure many of our aims.

No individual nor any group of individuals can claim sole credit for these achievements. Unselfish efforts of all of us, regardless of background or political beliefs, have mainly been responsible for our gains.

The progress we have made is real—and beneficial to all Vermonters.

We have added 100 miles of new highway which will aid the future growth of our agricultural, industrial and recreational activities.

We have helped more young Vermonters than ever before to have access to a college education, and state aid has helped our communities to erect new primary and secondary schools.

A tremendous addition to our electric power capacity—100,000 kilowatts of electricity from the St. Lawrence development—will soon be available to us.

Employment in Vermont is at an all-time high. Agriculture has demonstrated it can and will overcome the burdensome obstacles of revolutionary change. Our recreation business grows with every season. Industry has prospered in nearly every area, and new plants have sprung up around the State. We have the good economic climate needed by Industry and its most valuable component, Labor.

These results are gratifying to all of us, but the job is far from done. Bearing in mind the needs of all Vermonters and particularly their ability to pay for programs to meet these needs, we now must face the problems of the future.

I believe we have reasons to have faith in this future. We may not be able to do all things needed at once, but we can plan prudently and intelligently for greater opportunities and a better life for our citizens. As members of the General Assembly you are the architects of Vermont's future.

AGRICULTURE

During the past two years Vermont Agriculture has made remarkable progress. Present indications are that total sales of Vermont farm products in 1956 will be in the vicinity of 122 million dollars, the highest on record for peacetime. Our great dairy industry accounts for about three-fourths of this total.

Agriculture contributes greatly to the total economy of our State. The impact of technical and mechanical revolution in agriculture on Vermont farms is far reaching. Our farms are adjusting to changes with reasonable speed, but much more must be done and the farmers must have the sympathetic understanding of all the people of the State.

Our great problem is to increase the sale of our own top quality Vermont farm products in highly competitive markets. This can best be done by farmers themselves through their own sales promotion organizations, such as the American Dairy Association, Dairy Councils, June Dairy Month Committees, Dairy Festivals, Maple Festivals, the Poultry and Egg National Board, the New York-New England Apple Institute and others of like nature.

I commend the Vermont farmers and their organizations for the outstanding work they have accomplished by helping themselves. But farmers' bargaining power must be increased through better-supported, better-coordinated marketing and service co-operatives.

Maple products, poultry and cull dairy animals are the commodities most in need of better marketing facilities. As these facilities are developed, additional employment will be furnished to Vermont people.

While the solution of the problems of agriculture depends chiefly on action by the farmers as individuals and through organizations, the state government can do much to help.

Specifically, large portions of our considerable volume of agricultural laws are outdated. Obsolete sections should be repealed. Other sections need revision to improve service and reduce costs of administration.

The brucellosis eradication program provided by the last Legislature in co-operation with the United States Department of Agriculture is going well. But complete eradication requires 100 per cent participation. The Vermont Department of Agriculture should have authority to require all livestock owners to come under the test vaccination plan, when the owners of 75 per cent of the cattle in the State have signed up on a voluntary basis.

The present state program for control of Dutch Elm disease has, for the past ten years, retarded the advance of this disease in some of our villages. But now that the disease has spread statewide from all our borders and is likely to be found anywhere in the State, the present plan should be revised.

Backed by the ability and the initiative of Vermont farmers, the cooperation and assistance of the Vermont Department of Agriculture and Extension Service, and the Federal agencies, Vermont agriculture will successfully meet the many problems confronting it today.

HIGHWAY IMPROVEMENT

Highway improvement continues to be the very core of Vermont's future development. We have made considerable progress in this field the last two years.

In my previous inaugural message, I recommended a three-year highway construction program. Since the start in 1955 much has been completed. The Highway Department expects that the whole program will be under construction prior to July 1, 1957—in other words, within a two-year period. I believe this is one of the most progressive programs accomplished in Vermont's history.

Yet, there remains much to be done.

The Federal Congress last summer approved a gigantic national road building program to cost 41 billion dollars. To Vermont this means the construction of 343 miles of high-grade interstate highway at a total cost of approximately 200 million dollars. Vermont's share of this would be roughly 10 per cent or about 20 million dollars.

Let me stress again that this is a long-range program, not one which will be completed or financed overnight. At the present time it is believed it will take from 13 to 15 years to complete the 343 miles of interstate highway within the boundaries of Vermont.

We cannot afford for one minute to sit back and let 47 other states take advantage of this national highway program, while we falter because of doubt and uncertainty of our future. The importance of modern highways to the future of Vermont is much too great to risk timid or delayed action.

Because of the large federal participation, the financing of the interstate system will not be our chief highway problem. The big problem facing us at this crucial turning point in our economic history is one of making sufficient funds available at the state level to modernize those main trunk lines in the areas of our State which will not be serviced by the interstate system—but which nevertheless will benefit indirectly from it. All sections of Vermont must be provided with good, modern highways, not just those sections through which the interstate limited access road will pass.

Progress rides on wheels today. Hopes for our Vermont future are closely tied to the use of the automobile, the truck, the bus and other highway transport. Therefore we must have an adequate system of safe highways.

I therefore recommend to this Legislature a further expansion of our highway development program. In 1955 I recommended, and the Legislature approved, a \$12,000,000 bonding program for new highway construction. I now propose an additional \$25,000,000 bond issue for the same purpose. This will match federal funds for the interstate system, match all federal funds for other state highways and provide several million dollars additional for construction work in the next four years beyond the point where federal funds are available. I shall have specific recommendations concerning the financing of this program in the budget message.

Although the present highway program has progressed faster than anyone anticipated two years ago, a great many projects have been held up by what appear to be unnecessary delays in our court. Vermont law allows an appeal of the necessity of building the highways, as well as the compensation for taking a man's property. It also provides that work on the project cannot start until these questions are settled in the courts.

I recommend that this General Assembly pass legislation that will eliminate or reduce the delay in highway construction caused by court procedure to prove "necessity." This must be done without jeopardizing the rights of the individual property owner to obtain just compensation.

Failure to enact such legislation could block the expanded Vermont highway program, with resultant loss of federal aid appropriations, since there is a time limit beyond which these funds will no longer be available.

I also recommend that you give serious consideration to approval of a method of simplification of the Highway Department's accounts.

Bear in mind always that the highways of Vermont should not be regarded as a political football. They are much too important to our way of life.

In regard to keeping the highways free of litter, I favor the recommendations of the Highway Litter Commission which you have before you.

INDUSTRIAL DEVELOPMENT

Work for the industrial development of Vermont must be accelerated during the next two years. St. Lawrence power, the possibility of construction of the Champlain cut-off, development of four season recreation potential in every section of the state, speeding up of our highway construction program, plus the always-recognized fact of the productivity of our workers, are among the factors which today make Vermont attractive to industry owners seeking a new site. Also these factors are encouraging those industries already with us to expand their factories and other operations.

Two years ago as I delivered my inaugural message, there were serious unemployment problems in many sections of Vermont. The picture was not good.

Since then we have made extensive gains in employment which last September reached an all-time high. The outlook for this year is for an even greater number of jobs for our people.

These gains have in most cases been accomplished through the activities of community, regional and state development programs, plus an expansion of the industrial promotion work of the Vermont Development Commission. Since January 1955, 28 plants have begun new operations in Vermont, and 17 other existing industries have expanded their facilities.

As I pointed out earlier, we have a good climate for business in Vermont today. But only through understanding of the problems of business and industry can we maintain a healthy atmosphere for industrial expansion.

You will be asked to enlarge the industrial program of the VERMONT DEVELOPMENT COMMISSION. I hope this Commission will give careful consideration to co-operation with various regions of Vermont in setting up areas for location of industrial plants which can take advantage of the rapid development of our new highway system.

The Development Commission has made good headway in setting up an industrial research division. Already this division is able to report progress in bringing new business into the State. Industrial development does not come easy, but it can come to those who work for it. We must work for it.

DEVELOPMENT CREDIT

Under present-day conditions bank credit is needed for the expansion of valuable industries now operating in the State, or for development of new industries, and I would urge Vermont banks to operate under a forward-looking policy of aiding in every way possible to help in this development of our state's economy. It is unfortunate that there has been such a long delay in getting the Vermont Industrial Development Credit Corporation into operation. This Corporation, authorized by the 1953 Legislature, has not yet been organized to the point where it can function. It is hoped that the banking interests and others will get behind this Corporation, as I am sure that it will be one method of assisting in providing more jobs in Vermont.

ELECTRIC POWER

Electric power at a reasonable rate is a prime requisite for industrial growth, as well as being needed by our farmers, householders and recreational interests.

During the last two years the people of Vermont have witnessed the successful procurement on the part of the State of the contract for 100,000 kilowatts of St. Lawrence power from the New York Power Authority. This was accomplished by careful, detailed planning and negotiation by the Vermont Public Service Commission. The Commission deserves congratulation from the people of Vermont for the job it has done.

The state of Vermont is involved, to the extent of being the purchaser of 100,000 kilowatts of energy which it will be necessary to distribute, making sure that the power is delivered to Vermont consumers at the lowest possible rates, as it must be according to the contract.

The members of the Public Service Commission have lived close to the problem of the St. Lawrence power supply for two and one-half years. They have the authorization from the State Legislature to carry out the job. I feel strongly that it will be much safer and in the best interest of all the citizens of Vermont to leave the allocation of the power and arrangements for distribution lines with the Public Service Commission.

Our State now uses 170,0000 [sic] kilowatts. When one realizes that projections predict the demand for electric power in Vermont in 1985 at over one million kilowatts, it is hardly necessary for me to point out that we must be looking for new sources of power. Thus Vermont will watch with interest the work now underway in development of electric power from atomic energy.

LABOR AND EMPLOYMENT

The labor and employment picture in Vermont is tied directly to further progress in the fields of industrial development and an ample supply of power at lowest cost possible. Right now employment conditions in Vermont are good and we expect them to continue so.

The 1955 General Assembly approved several measures to liberalize Unemployment and Workmen's Compensation benefits, all of which have helped our working people considerably. Liberalization of such laws pertaining to employees' welfare should continue, ever having in mind the ability of industry to absorb the cost and with due regard to the success of the program as related to the morale of the worker.

Specifically, I believe the occupational disease benefits under the Workmen's Compensation Act should be liberalized to allow increased disability benefits beyond the present \$300 maximum. The possibility of increasing the maximum weekly Workmen's Compensation benefit should be carefully considered.

I recommend that the Legislature review the Unemployment Compensation Act and if there are certain inequities in its present disqualification and eligibility provisions, that they be eliminated.

I also propose that an amendment permitting municipalities to have local control over coverage under the Unemployment Compensation law be enacted.

RESOURCES

I believe it will be helpful to the future development of Vermont that the Assembly approve the establishment of a Vermont Resources Committee, which will make a study of our state resources in all fields and make recommendations for their use and development.

Our water resources could easily prove to be a valuable key to future development. Today many areas of our country are suffering from a shortage of water and are forced to go long distances for an adequate supply.

We still have an abundance of water. But because of this abundance, many persons have felt that the supply was inexhaustible and have used it carelessly. We should conserve, clean up and develop this natural resource so that it can be used to its fullest extent.

We must continue to give attention to our streams to provide needed protection against the ravages of flood, as we are now doing in many sections of the state in cooperation with other New England states and the Federal Government. The recent destruction in southern New England warns that floods are an ever-present threat to this region.

The GEOLOGICAL studies of the resources below the surface of our earth have been stepped up considerably during the last two years, as the result of approval by the 1955 Legislature of my recommendation for expansion of this work. I strongly recommend that the Legislature continue to support this work so that we may be able to issue a complete geological mapping of the state by 1961, the 100th anniversary of the issuance of our last geological map.

The State should also co-operate to the fullest with private individuals and organizations, in determining the value of certain minerals which we know exist within our boundaries.

TOURIST AND RECREATION BUSINESS

Our fast-growing tourist and recreation business, whose income rise yearly is measured in millions of dollars, must have the co-operation of every department of the State able to extend assistance.

We must continue to give co-operation to people both inside Vermont and those from outside, who wish to help us develop recreational sites.

I have asked for expansion of the activities of the Vermont Development Commission in helping to develop this valuable source of state income.

The STATE PARKS of Vermont are an integral part of this tourist and recreational development. During the last two years we have continued our extension of state parks and recreational areas. Six summer camping and picnic areas have been started or considerably improved. Five ski areas have been provided with approach roads, parking areas, warming huts or a combination of these facilities.

As our recreation business grows, there is an increasing demand for camping space at these state park areas, and we must increase these facilities. This can be done through the receipts taken in from our state parks.

FORESTRY

Our forests are of tremendous importance to the farmers and other citizens of Vermont, both present and future. During the past two years, more and more land owners have co-operated with the Department of Forests and Parks in the practice of selective cutting of their timberlands. Many large companies have put their forest lands under sustained yield management.

The question of equitable forest taxation still remains to be solved, and I hope this Legislature may be able to come up with the solution.

I have approved the state's co-operation with the U. S. Department of Agriculture under the Soil Bank Act. In two years the annual production of seedlings for reforestation of our idle lands will be increased from 2 million to 12 million trees.

FISH AND GAME

Fish and game are a valuable part of our natural resources, providing our own citizens with food and recreation and also attracting thousands of visitors from out of state who are interested in fishing and hunting.

In this respect, I caution against any move to raise non-resident hunting and fishing licenses simply to retaliate against our neighboring states. More than 55 per cent of our license funds comes from the non-resident group, and I believe that by leaving the license fees at their present rate we can encourage thousands more visitors to come into Vermont.

I also believe that the Legislature should give careful consideration to the Fish and Game Service's program of acquiring public access to our lakes and ponds, and that an expansion of this program would be justified.

EDUCATION

The needs of Primary and Secondary Education in Vermont will be among the vital issues facing this Legislature. Nothing is more crucial for the future well-being of the State than the education of its citizens.

While education is, in strict legal terms, ultimately the responsibility of the State, the vigor of our school system requires a large measure of local initiative and responsibility. It is proper, therefore, that our laws delegate a considerable degree of both of these to the local school districts.

The people of the State, through their legislators, specify orderly ways for school business to be carried on, and provide for broad minimum standards. The educational level in each community is properly the concern of the State as a whole.

But I am concerned by the trend of events in which more and more local school districts are needlessly allowing the State to take over school matters, which were once pridefully claimed as the responsibility of the local community. Now we hear the cry for more federal participation in our school problems, especially schoolhouse construction. Any move in this direction should be taken only after most careful consideration of all factors involved. We should remember that the growth and maintenance of our individual freedoms and our development as a nation can be attributed in large measure to local interest in, and local management of our schools.

The key element in any school is the TEACHER. We have in our Vermont schools, on the whole, a corps of devoted and effective teachers, but we are fast losing them to other states. The pace of our loss is quickening because of the widening gap between Vermont salaries and those paid in the rest of the Northeast.

The only way to check this loss is by paying higher salaries ourselves. I recommend revision of the minimum salary law to put these principles into effect, and I shall cover this recommendation specifically in the budget message.

In the three and one-half years since the SCHOOL BUILDING aid law was passed, nearly 50 Vermont towns have erected new school buildings with state assistance. Others still need them, and construction proposals are in the process of being studied or prepared for a vote. If recent rates of building continue, the original authorization of funds will be used up before the next Legislature meets. I therefore recommend added bonding be authorized to take care of this important need during the next few years.

Our laws relating to the accounting for school funds by local districts have for many years been difficult to interpret and have from time to time caused embarrassment and misunderstanding among local school officials. It is essential that all moneys allocated to schools be used for school purposes and that a clear understanding be possible among all officials concerned. I therefore recommend that the laws governing local school funds be amended so that they are more clear and realistic.

Vermont TEACHERS COLLEGES have shown a marked growth in enrollment—37 per cent in the past three years. These institutions serve their own regions in valuable ways as well as the State as a whole.

Until we have a clear-cut, long-range program for improvement of our over-all teacher training system, I do not feel we should make any large capital expenditures at any of the present teacher colleges. This long-range program should be formulated as soon as possible.

The VERMONT SCHOOL OF AGRICULTURE at Randolph Center has trained Vermont farm boys for many years and has done a good job. The times are changing, however. Enrollment has dropped off considerably at this school in the past three years, and now there are 35 boys attending this institution, 25 of these from Vermont.

We still need trained young men on our farms, but we also need trained workers in industry. Until such a time as a program can be developed for greater use of the facilities of this school, not only in agriculture but in other fields, I would recommend its closing. This proposal is to be taken as no reflection on the school, its faculty or its administration.

We have made considerable progress in the last few years in the fields of SPECIAL EDUCATION and vocational rehabilitation. I urge this Legislature to carry on these important projects, which include the training in their own communities of many of our retarded children.

Turning to HIGHER EDUCATION, it has been nearly two years since the action of the Legislature provided lower tuition at the University of Vermont for all qualified Vermont boys and girls. Whether this lower tuition has been effective is perhaps best shown by a brief comparison of enrollment figures.

In 1954-55 when Vermonters enjoyed tuition preference only in Agriculture, Medicine, Elementary Education and Junior High School Education, the number of Vermonters in undergraduate and graduate college courses at the University totaled 1047 students.

This figure was increased to 1204 during the 1955-56 school year, and to an estimated average of 1320 this school year.

It will be gratifying to many to know that this increase is NOT at the expense of other Vermont colleges, but represents instead—as was the hope of the 1955 Legislature—an increase in the number of Vermonters going to college. It also means that fewer of our young people are going out of state to acquire an education.

The lowering of tuition for Vermonters and the increase in the number of Vermonters attending the University has, of course, meant a sharp reduction in revenue from tuition payments. This loss of revenue must be made up somehow, and I shall recommend that the Legislature study this matter carefully in order that the State may assume the share of this responsibility which can be justified without too great a tax burden.

Again, I recommend that state scholarships paid out of the General Fund be placed in the hands of a State Scholarship Board, to be used by the recipients at whatever Vermont college he or she chooses. I am in favor of continuing the present grants and scholarships to the other institutions of higher learning in the State.

PUBLIC SAFETY

All of you know that Vermont has had a terrible record on the highways the past few months. The mounting highway death toll was in spite of many measures taken to curb this trend.

I urgently request this Legislature to give this subject its most careful attention. There is no single panacea which will stop traffic deaths. It is a nation-wide problem which has reached the proportions of a national disaster. We cannot ignore the needless loss of human lives. I recommend that this Legislature amend the laws relating to driver license suspensions so as to provide for longer suspension periods. I also urge that stiffer penalties be enacted for major violations of the traffic laws. I suggest a review of driver education in our schools with the object of expanding the program.

I recommend that the STATE POLICE force be maintained at its present strength, which includes 10 additional troopers approved last fall. I also believe this Legislature should give careful consideration to the setting up of a permanent state-wide Safety Council, in co-operation with private organizations to work on a long-range educational program of highway safety.

The MOTOR VEHICLE DEPARTMENT also should be given the right, I believe, to inaugurate a driver improvement program whereby drivers could be re-examined to determine if they are still fit to retain the privilege of having an operator's license.

BUILDING PROGRAM

A number of state departments find they are faced with the problem of the lack of working space. Some of them are occupying rented space, which in the long run is costly to the taxpayers of Vermont.

The State Highway Department is badly in need of additional space and is now renting outside quarters. The Social Welfare Department also occupies considerable rented space in Montpelier.

The Unemployment Compensation Commission had completed plans this past summer to erect a building for its own use, to cost approximately a half-million dollars. Efforts have been made in several of the past sessions of the Legislature to provide for an addition to the State library, to take care of the expanding needs of the Library, the Free Public Library Commission, the Public Records Commission and the Vermont Historical Society—the cost of this addition being estimated at close to \$700,000.

Now we believe we have a feasible, economical solution to this critical problem.

The National Life Insurance Company needs more office space for its growing business and is considering the construction of new facilities in Montpelier, in which case its present building, adjacent to the State House, would be available. Their proposal to sell this building to the State for the sum of \$850,000 is considered to be a fraction of the value of the structure and a fraction of the cost to erect a similar building. I also might point out that the price is not much greater than the estimated cost of an addition to the State Library.

The Unemployment Compensation Commission has agreed to rent, in the event of purchase by the State, approximately 40 per cent or two floors, of the space in the National Life Insurance Building. The Commission, in turn, will pay out of funds derived from the federal government 40 per cent of the heat, lights, maintenance and other expenses incidental to the occupancy of the building.

The State Building Council is unanimous in the opinion that the State should acquire the National Life Insurance Company Building.

As governor I have given this proposal many hours of study and recommend that the State purchase this building; also that the Unemployment Compensation Commission be housed in it, along with certain departments now occupying the State Library Building and the present State Office Building. It is important that the Legislature consider and act on this proposition as soon as possible.

Also before you is a list of recommended proposals for new construction from the State Building Council, to which I urge you to give careful consideration.

WELFARE

Vermont continues to give careful consideration to the welfare of all of its citizens.

Under present economic conditions and the extension of Social Security coverage and benefits, public assistance caseloads are on the downward trend, especially in Old-Age Assistance. During this administration, I am proud to say there has been the greatest improvement in the assistance programs since their inception more than twenty years ago.

Payments in Old-Age Assistance, Aid to the Blind and Aid to Dependent Children have all been raised during the last two years and are all above the federal maximums. I believe the Legislature should approve a similar increase in the Aid to the Permanently and Totally Disabled program.

PUBLIC HEALTH

Public health and the care of our chronically ill and aged are again fields where the State must accept a reasonable portion of responsibility. The value of the services rendered by the State Department of Health can never be measured in dollars, but we know it is of immense importance to all of the people of the State.

During the last year and a half since the program started, Vermont has been one of the leaders in the vaccination of young people under the Salk polio program. I believe the necessary money should be provided to carry on this program and that the public should take full advantage of it.

Another noteworthy achievement in the field of Public Health is the establishment of the State Rehabilitation Center at the DeGoesbriand Memorial Hospital, which will soon be under construction. This will serve as a pilot center for possible future expansion of the program.

The entire field of chronic illness and the aging is one which deserves the most careful consideration and study. I recommend that the State Department of Health should explore the extent of the state's responsibility in this matter. This should enable us to work out a definite program in this most important field of health in co-operation with the communities, voluntary agencies and the medical profession.

STATE EMPLOYEES

Our state employees are giving fine service to the people of Vermont, and we must always be concerned with keeping their salaries and other benefits in line with what is fair and what our economy can support.

There is, I believe, one critical group of employees whose salaries and working hours must be adjusted if we are to continue to carry out important programs for the people of Vermont. These are the employees of our state institutions.

Faced with shortages of experienced technical and professional personnel, the staffs of our institutions have thus far responded to demands of the public for increased services by working extra long hours regularly. In our plans for expansion of treatment and corrective programs, we must realize the need for reducing the work week of institutional employees along with additions to the staff.

I therefore will recommend that funds be provided to allow these institutions to cut down the working hours of employees and to add the additional employees needed to cover this cutback in the work week.

While inequities should be eliminated, I do not believe that the State can afford at this time, nor can it justify, any across-the-board salary increases for all state employees. I believe such an across-the-board increase would be unfair and is unwarranted. I have already approved the upgrading of many positions within our regular classification plan, resulting in pay increases for a considerable number of employees. Also, many more employees have received salary increments within the classification plan. In a three-year period from 1953 to 1956 our state payroll has increased by 2 million dollars. I will speak further on this subject in the budget message.

NATIONAL GUARD

The Vermont National Guard has attained an outstanding record during the past two years. It has increased its unit strength and, as a result of legislation approved in 1955, five new armories have been built or are in the process of construction. The Air National Guard has increased its facilities at Burlington. This last summer at Camp Drum the Vermont National Guard was given the highest rating of any defense group in training there. We have every reason to commend the officers and men of our National Guard for their fine performance.

CIVIL DEFENSE

I believe it most important that the State continue to support a Civil Defense organization.

Also, I recommend that the Civil Defense law be revised to include a clause which will make it possible for this organization to be ready and able to act in case of natural disasters.

I thank all those Vermonters who are giving of their time to keep a good Civil Defense organization in being.

AVIATION

The requirements of aviation in Vermont must be given increasing attention. The fact that about 60,000 persons traveled to or from the State last year on the airlines alone is a matter of great importance. In addition, the small plane is rapidly coming into everyday use as a mode of travel for business purposes. We must continue improving and developing airports and air navigational facilities within the State.

LOOKING FORWARD

Our course for the future is set. To follow this course we must steer straight ahead, for only by going forward can progress be attained. In these days of dynamic growth throughout the nation, Vermont must stay abreast of the times or sink into the doldrums.

Yet we must proceed with caution lest we be caught up in the swirl of high and unjust taxation which could bring disastrous consequences to our economy. I therefore caution you to move steadily but at a safe pace.

There are many programs which will be presented to you for consideration during this Legislature. Some of these I recommend for your approval. However, it is for you to decide, as representatives of the people of Vermont, what we can afford in the next two years.

If, in your wisdom, you feel it is necessary to step up the rate of expansion beyond the point which I shall recommend in my budget message, then it is for you to decide also how to finance this additional expansion.

For the welfare of our people and the future of the State we cannot, and I shall not, attempt to attain progress under the disguise of long-term deficit financing. We must pay our way wherever possible so as not to burden our children and our children's children with an insurmountable task.

We must have the courage of our ancestors to proceed with determination and vigor. We must also have in mind the ability of our people to pay for the programs which we adopt.

Acting with the independence and prudent foresight which is our heritage, and with faith in the future, we shall march forward to build a richer and more glorious Vermont for all of our people.

Inaugural address
of

F. Ray Keyser, Jr.

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1961

Thursday, January 5, 1961
Inaugural Address

To the General Assembly and the People of Vermont:

Each of you, as members of the 46th Biennial session of the General Assembly, have taken your oath of office. I have now received that investiture of my office. It is a heartfelt occasion set in the mood of awareness of our responsibility for guiding the destiny of our State in the ensuing biennium. The authority thus placed in our trust, when used, may well be felt long beyond our term of office. In another sense we are but temporary residents of a perpetual office. Our term is but one link in the unending chain of history. The authority and responsibility entrusted to us has been exercised by our predecessors since 1778 and will be exercised in the future by our successors.

Thus the historian studies the action and charts the course that the role of government has taken. You stand on the threshold of history. As your predecessors' actions have charted history, thus will you indelibly inscribe the pages of history.

Before stepping from this threshold, it is proper to pause and review that history, consider the basic concepts and discuss the role of government. Indeed, that is the duty of leadership.

Men everywhere, in every age, have lived under some form of government. But they have very different opinions as to the amount of control that government ought to be allowed to exert over their affairs.

In this consideration, we should keep in mind one basic fact. Because this is a government whose programs and policies are determined by the winners of free elections, their actions reflect the demands of the society which elected them. Hence the role of government in a particular period of history reflects the needs and beliefs of the society of that period. We are the masters of our own government.

A century ago the structure of society, even in the most advanced countries, was relatively simple. In Vermont, as in most of America, large centers of population, cities, were relatively non-existent, and the foundation of the society lay in the farm family. None of the problems existed attendant to the gasoline engine, public utilities, transportation, communications, and the tensions between countries. These people, our ancestors, living on the land were self-sufficient, existing almost independent of the production and endeavors of others across the country. In that society of individual self-sufficiency and independence, little was asked of government. Government was considered a practical necessity and largely confined to preventing people from injuring one another and property; that is, the role of government was policeman and umpire. In this period of history, the concept of the role of government can be called basic government.

Thus what we know today as the Omnibus Bill, making the appropriation for the support of government, in 1860 contained a page and one-half, only seven sections and appropriated Fifty Thousand Dollars for the General Assembly, Lieutenant Governor, Governor's salary, Treasurer; Eighty Thousand Dollars for the Court System; Fifty Thousand Dollars for the salaries of other state officers; relief for the poor at the asylum, the militia, the Board of Education and other miscellaneous items; and Fifty Thousand Dollars for the purpose of paying any debts of the state not otherwise provided for. A total of two Hundred Thirty Thousand Dollars raised by one tax of twenty cents on the grand list of the towns and cities of the state. For our population of 315,116, it represented expenditure of seventy-three cents per person.

On the heels of this society of simplicity came the Industrial Revolution. A complete utilization and development of such things as railroads, telegraphs, telephones, automobiles, airplanes and submarines. Through these new instruments, government could assert authority instantly at any distance to mobilize a nation almost overnight, make war with machine guns, tanks, submarines and airplanes. It brought to us a world of engineers and machinists, electricians and aviators, scientists and technicians, of huge industries and businesses, professions and crafts undreamt of in an early age and molded us into a nation of mechanization, concentration of population, urbanization and individual specialization. It made each individual's life dependent on and affected by the lives of others. There sprang a society with a complexity of economic, social and moral problems.

The effect of the evolving new society was to open to government not only great international responsibility, but an ever-widening domestic realm of novel obligations, duties, tasks and challenges. Society demanded of government a wide variety of controls applying to industrial production, agriculture, trade, transportation, communication, banking, insurance and what-not; and thus evolved a broadening concept of the function of government. It has been called regulatory government.

It would serve no purpose here to detail each of the acts and amendments thereto, embracing the new fields into which government ventured with controls and regulations. Suffice it to say, they were numerous and included making the Public Service Commission a full department in 1923. In 1910 the "Act to Provide for the Support of the Government" had risen to one Million Nine Hundred Twenty-three Thousand Dollars or Five Dollars Forty cents per person with our population at 355,959. It contained two pages and twelve sections. In 1925 it contained twelve pages seventy-eight sections and appropriated, including highways, Five Million Five Hundred Eighty-two Thousand Seven Hundred and Sixty-three Dollars or Fifteen Dollars Eighty Cents per person with our population at 352,956.

We are all acquainted with the tremendous impact of the depressed 30's on our society. The problems of mere existence during those times are still vivid in the minds of men. Those were drastic times; society demanded drastic measures. You are aware of the actions taken as recorded in the pages of history. Collectively they show the great broadening in the concept of the function of government in the development of measures designed to meet the tremendous economic problem of the nation.

On the heels of the 30's came World War II of the 40's. Unification and mobilization of all our resources to produce the products and means by which we could preserve our nation resulted. This meant the unavailability of necessary funds for domestic needs such as education and highways. Hence at the close of the war we emerged a nation of prosperity facing many domestic needs neglected during the war effort.

These events resulted in a new concept of the role of government. The experiences of our times gave birth to the belief that government should take systematic and continuous measures to promote and protect the education, health, comfort, security, general well being of the mass of people. Implicit in today's view of governmental function are newer ideas of social justice, strongly tinged with humanitarianism. In pursuance of them we find steadily widening public provision for education on all levels, public owned and operated utilities, multiplied facilities for public recreation, compulsory sickness and accident insurance and retirement plans, old age pensions, maternity and child welfare legislation, unemployment insurance, social security and the recently enacted limited hospitalization, nursing home and medical care for the aged, to mention a few.

A major tendency of government in our generation has, indeed, been to become less purely political and more socio-economic. This has resulted from the demands of the electorate on their elected representatives.

The impact of the taxpayer is indicated by the fact that in 1947 biennial appropriations, exclusive of highways, was Twenty-One Million Dollars, in 1959 Fifty-Four Million Dollars. In 1961 I will be recommending Sixty-One Million Dollars; or Seven Million more.

This latter concept of government is relatively new, still in the stage of development. It envisions government as an active, aggressive, expanding, regulating force ever seeking new ways not merely of protecting people, but of advancing their economic, social and moral well being. The extent to which government can go within that concept is unlimited. It embraces every area of our existence. I welcome this concept of the role of government as necessary to the preservation and progress of our way of life. Yet implicit within that welcome is the knowledge that no greater period of history demands leadership in development of the means and methods by which that concept is exercised. It will be determinative of the truth or falsity of the communist world's charge that our grandchildren will live under socialism.

During the historical development of government to date, we continued to maintain as the foundation of our economy the free enterprise system, capitalism. This economic philosophy holds individual freedom inviolate and has its roots sunk in the incentive of individuals to attain financial success. The ownership of the instrumentalities of producing and distributing goods rests in private business.

I am convinced that no other economic system would have attained such rapid technical advance as has our free enterprise system. I am equally convinced that no other system holds the hope for progress in the future as does that system. This is becoming of greater and greater importance because of the necessity to maintain the capacity to defend ourselves and to remain the progressive picture of hope if we are to maintain our position of world leadership. Our society must be more progressive and dynamic than that of communism.

To date, our concept of the role of government, has remained generally consistent with our economic foundation of free enterprise. The broadening of the role of government has been chiefly to refine and improve our economic system by social and stabilizing economic legislation.

The future development of this newest concept of the role of government is of great concern to me. Proper development based upon an irrevocable dedication to consistency with the free enterprise system can lead to new horizons for Vermont and America. Development which does away with private ownership of the instrumentalities of producing and distributing goods with the eventual installation of the state as owner, employer and manager, thereby turning government into a veritable colossus of managerial authority, would be disastrous. That is one possibility, that is socialism.

This concern does not spring solely on the basis of patriotism or that the word "socialism" is associated with something bad. I use it in its theoretical meaning. Rather I fear it as a system, incompatible with individual liberty, incompatible with maximum incentives hence maximum progress, incompatible with human nature. But I fear it most because it would mean death to the free enterprise system. A system compatible with individual liberty, compatible with maximum incentives—in short—the only economic system by which we could have obtained the standard of living and position of world leadership which we now enjoy.

This is the greatest ideological and practical problem facing this nation. The problem of what course the development of the role of government will take. It must take a course consistent with free enterprise, its development must be to refine and improve that system, not to destroy it.

You now embark upon your deliberations which will determine the role of government for the next two years, and even perchance, beyond. We deal with practical problems whose solutions should embrace broader thoughts that new horizons be not dulled.

We meet in an age of revolution. Humanity is restless, moving. It sits on the powder keg of international relations and scientific discoveries. It gropes for a moral and spiritual life among the atoms. Vermont has the basic ingredients in its way of life to satisfy the hunger of humanity.

We can hang in suspension or move ahead. We can paint a picture of quaintness or a picture of pioneering. There is but one choice. We must create a true national vision of Vermont reflecting ideas, imagination and action. We must be bold and adventuresome to meet the challenges of both the present and future. We must and will venture beyond our borders with the finest weapon -- a briefcase full of ideas and methods of accomplishment.

It means nothing to say that Vermont is entitled to a share of this great nation's wealth. We must earn whatever gains we seek. We must admit that we have no rightful place in the ranks of greatness unless we think optimistically and positively about ourselves. Our tradition is not something to merely bask in. It is the foundation upon which to build.

Let us continue the deep-bred tradition of responsible ideals, reliable goals and a better life with leadership, imagination, action and hard work. Let this be the image of Vermont.

Our immediate concern is to underwrite the specifics of a program during this legislative session which will mean that type of progress for Vermont. To do this we will have to look well to the programs, total expenditures, the resulting taxes, and the areas in which these programs strike.

The budget for the next biennium will be our greatest concern. The amount which is appropriated requires you, as it has me, to make an educated guess as to the probable revenues from taxes during the period July 1, 1961 to June 30, 1963. Based on those estimates it will represent a 13% increase in expenditures over the last biennium. No new general fund taxes are recommended or needed under my budget.

You will be beset by many persons advocating spending beyond a progressive budget which will be presented. Totalled it can only mean new taxes -- none of which is required in my budget.

As a guide to your determinations and deliberations, you should keep in mind:

First; Vermont's population has risen only slightly and if we are to provide job opportunities whereby people may live here—your children, my children—a favorable business climate must be created and maintained.

Secondly; presently Vermonters are third in the nation in the amount of taxes paid per thousand dollars of income. Where this fact may attest to the willingness of Vermonters to maintain needed services, the conclusion is inevitable that any increased taxation will have a stagnating influence upon new job development and creation of a favorable business climate.

Thirdly; refusal to impose new taxes will be done in the knowledge that your state government will be providing a vast and varied program of service of which you can be proud.

Fourthly; experts tell us that we are in a period of mild recession and unemployment, our action should encourage the forecasted recovery.

This information should lead you to the conclusion, as it has me, that no program including new general fund taxes can be considered progressive. New taxes will stagnate and could destroy our potential development.

The budget which will be presented to you was not lightly considered. It involves each department filing their request for funds, the Budget Division of the Department of Administration holding lengthy preliminary hearings to substantiate the requests and a second period of almost three weeks of budget hearings which I personally conducted. Only after these extensive considerations were decisions made. I am convinced that it represents a financial plan of progress for the ensuing biennium. I am satisfied that the needed services contained within it are consistent with the economic welfare of the people of Vermont. I am equally convinced that increased taxation would be disastrous to the overall economic progress of Vermont.

The budget I shall present to you will not require any new general fund taxes. I will present it in detail later but now urge its eventual adoption. It is a plan of progress and of fiscal responsibility.

The program this administration proposes has four main objectives:

One, to effectively use the Department of Administration, the Reorganization and other recommendations of the "Little Hoover" Commission to make our state government organizationally sound and the most economical and efficient possible. *Two*, to create and maintain a favorable business climate, to actively solicit new business and to satisfy needs of existing business. New jobs will be the first order of the day. *Three*, to make capital investments in projects best calculated to develop the economy of the state and thus provide new jobs and higher incomes. *Four*, to be humanitarian in its approach to social problems.

May now I turn to a discussion of the means of accomplishment.

No. 329 of the Acts of 1959 popularly known as the re-organization bill, takes effect March 1, 1961. The purpose of the delayed effective date was to give you an opportunity to review the act. I most strongly urge that any review be done early in the session and that this reorganization take effect as scheduled.

The new Department of Administration has been operating since July 1st. Already policies instigated by its personnel have resulted in substantial savings to the state. There is much yet to be accomplished. The management function of the department has not yet been activated. We have under consideration the establishment of central data processing, both of which, it is my hope will be commenced early during my administration.

It will be my purpose as Chief Executive to devote all needed time to the administrative responsibility of the office.

A state may possess all of the essential ingredients creating the desire of people to want to live there; yet without a job this becomes an impossibility. A state may possess the finest educational systems; yet without

jobs its youth will necessarily leave the state. The happiness and the welfare of its citizens are related to the ability to earn a fair standard of living.

In this space age Vermont's potential is the greatest ever. Our endeavors in development should be directed to the attainment of growth in all areas of our economy. Vermont wants industry, Vermont wants recreation, Vermont wants farming, Vermont wants all associated business. Not one but all.

The problems of spearheading economic development are many pronged. It involves restoring natural assets which we have abused on the one hand, and developing those which we possess undeveloped on the other. In some cases it even means creating natural assets. It comprehends creation of a favorable climate in which to do business, a modern transportation system and good schools. It demands competitive solicitation to sell business and tourists on Vermont.

In short, it means an interwoven dynamic program given coordination and direction from the Governor's chair. This I promise to do.

The underwriting of the cleaning up of Vermont streams; a million dollar bond issue for state funds for sewage treatment plants; a million dollar bond issue for park improvement and expansion; increasing non-resident hunting license fees to provide an expansion of stocking access areas, creation of ponds; a new program in overall state research and planning; enactment of a State Industrial Building Authority to provide financing for plant construction; balancing the general fund budget without new taxes; matching all available federal funds to continue our dynamic highway program; a \$375,000 bond issue for Airport construction; providing of the funds for the eradication of brucellosis; amendment of the milk bonding laws; approval of increases in the V.D.C. appropriations are a part of such a program.

They are needed as the basis of an interwoven vital program of total development. To these I pledge, as your Governor, to give coordination and direction and to personally and actively solicit business for Vermont. Thus the new horizons and potential can become actuality.

We have assumed no greater responsibility than the responsibility to our youth. Not only to each as an individual but collectively to the generations which will lead our state and nation in the future. Meeting that responsibility focuses on superior educational opportunity.

To discharge our obligation we must act in the knowledge that we have provided the physical plants, teachers and comprehensive and broad educational program to meet the many and varied talents of youth.

That we may do so there will be submitted a Four Million Dollar bond issue to provide funds for elementary and high school classroom construction. A four million dollar bond issue for construction at U.V.M., to include a gymnasium, engineering building and remodeling of the Billings Library. I am told this will conclude the construction needs at U.V.M., for at least 10 years.

In addition I recommend construction of a gymnasium at Johnson Teachers College and a men's dormitory and dining hall at Castleton Teachers College. The latter being the beginning of a long range development of Castleton to accommodate one thousand students. The new Vermont Agricultural and Technical Institute is an expanding and valuable program and construction of new classrooms is recommended.

I endorse the recommendation of the Teacher College Study Commission. The recent accreditation of Castleton was a most welcomed event. Appropriations for teacher education contemplate further accreditation.

A study of the budget to be presented to you will reveal it provides expansion of comprehensive and broad educational opportunity.

It will provide Vermont youth with elementary and secondary education, higher education, a growing State University, accredited teacher college education, education in agriculture, electronic, highway and mechanical technology; on the job apprentice training programs leading participants to certification as master electricians, plumbers, and other skills. In special education, schools for retarded children, unfortunates at the State Hospital, the blind and the home bound.

Thus we can provide superior educational opportunity, the soundest investment in the future.

One unknown factor exists, the probability of a new educational program at the Federal level, its extent and effect on Vermont. I will maintain close contact with our Congressional delegation and recommend that our final considerations in the field of primary and secondary education be had later in the session when Federal action becomes determined.

I anticipate that you will be called on to consider revision of the State Aid to Education Formulae. Much has been said about the inequalities of the present method of distributing this aid. There will be distributed in this biennium \$10,270,000. I am recommending \$11,020,000 for the ensuing biennium, an increase of \$750,000. This is both a liberal and substantial sum of money; it represents 18% of our total general fund budget and the total of one year's collections from the income tax. I strongly oppose any revision which calls for an appropriation over that recommended. Any revision must be tailored to fit the sum recommended or it will be your task to raise Vermont to first or second in total taxes paid per \$1000 of income. This would be a dubious distinction. It would dramatically encumber our drive for an expanding economy and hence our ability to provide financing of educational programs in the future.

I have previously discussed the impact of mechanized, specialized and urbanized society on obligations of government. Vermont is no exception. Our programs to advance the welfare of our citizens have become and are a vital part of government. Pressure will develop on you to greatly expand or embark on new programs. Here, as in all areas, decisions must be made on degree, that is, the extent of old programs, need of new programs and the taxation resulting therefrom.

Within my budget recommendations you will find provisions for public assistance involving poor relief, child welfare services, aid and services for the blind, aid to dependent children, children committed to the State, nursing and limited hospital program, the state hospital, Brattleboro Retreat, Brandon Training School, Weeks, Vermont Sanatorium, retarded children, Community Mental Health, various vocational rehabilitation programs, alcoholic rehabilitation, aid to the permanently and totally disabled, old age assistance, multiple services in the Department of Public Health. This review is not intended to be entirely comprehensive. It does fairly indicate the multiple and excellent social programs to be provided for in the ensuing biennium.

One of the important problems facing us today is that of our senior citizens. This has resulted from the great medical achievements adding years to our life span on the one hand and society on the other drawing the arbitrary line of old age at 65. There are 40,000 persons over 65 in Vermont, and I am told this increases 2,500 annually. Many are able and willing to work and remain self-supporting; many should; all must have the opportunity, help and encouragement to work and remain active beyond the "legal" retirement age. This is of concern to all of us because shortly each working person will be supporting himself and a retired person. I recommend and will draft introductory legislation to meet this need. My budget provides for the appropriation.

I strongly urge the adoption of the social program listed in my budget so Vermont can continue its outstanding work in this important area. Vermont's greatest asset is her people.

Here then lies a course of progress. It is broad, it is optimistic, it is ambitious. Let these words be the eventual description of your actions.

In recommending a course and concept, I am mindful that our partnership was patterned by the framers of our Constitution. By that pattern, if the programs and ideals which I have discussed are to live, then you must give them birth by legislative breath. I do not propose to trespass upon your legislative prerogative, yet I look forward to working closely with you in these common goals for the common good.

May we forever assemble as free men governing ourselves. May our actions make us worthy of that privilege and responsibility.

Inaugural address

of

Madeleine M. Kunin

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1985

Thursday, January 10, 1985
Inaugural Address

Mr. President, Mr. Speaker. Mr. Chief Justice, Members of the General Assembly and Friends:

As I stand here before you — the solemn words of the Oath of Office echoing still in my mind — we know that we have opened another chapter in the proud and independent history of the Green Mountain State.

I am the first woman to serve as Governor of Vermont, the third Democrat since the Civil War and the second Governor of European birth.

But I do not stand here alone.

I stand with my husband and children, with members of my family who are a source of my strength — and my joy.

Their love and support are essential to me.

I stand with the memory of members of my family who are no longer with me — my mother, my aunt, my grandmother — the strong women who could never have dreamt I would be in this place on this day, but who, through the courage of their own lives, give me the stamina to stand as tall as they did in their time.

It was my mother, who as a widow, came to America from Switzerland with two small children, aged 6 and 10, in 1940, as war was spreading over Europe.

In addition to a limited knowledge of English, she carried with her to these shores a limitless dream of what this country could offer her and her children.

And she talked to us about the dream, but it was not until many years later, that I fully understood her.

Her dream enabled me to strive, to reach, and to touch some horizons I was certain were beyond my grasp.

— That dream must continue to beckon to the next generation.

I thank this country, which welcomed me here, greeted by the Statue of Liberty, which, despite layers of scaffolding, continues to send a message of hope, just as it once did for us, and for the generations of Irish, Italians, Polish, French, and Canadians, who came to work in the granite sheds, woolen mills, railroads, farms and factories of Vermont.

My immigrant roots, while more recent than most, are not extraordinary.

It is that immigrant spirit of hope which I wish to bring to state government — a spirit which instills in our children the belief that anyone can achieve anything in this country with hard work, an education, and a fair chance.

It doesn't matter where you came from.

It matters where you are going.

That has been the unique opportunity offered by our country and by our state. And our system of government has been specifically designed to help bring that about.

We have not accepted for ourselves the harsh theory of "Survival of the Fittest."

Social Darwinism was specifically rejected in the years of this country's evolution when we opted for public education, for public health programs, for social security and unemployment compensation.

But the debate about the proper role of government, which was lively at the time our Constitution was framed, has in fact become more vigorous today.

How much are we our brother and sister's keeper?

It is a question which we must ask of ourselves, and then, answer through our public policy decisions.

From my personal experience, I believe that because this nation has been generous to me, in providing me with a public education, with opportunity to achieve my potential, that I have something to give back.

We all have something to give back.

And what we can give, is the same chance that we were given.

There are many Vermonters who are waiting for that chance.

For some it is a second chance.

A second chance to get an education.

A second chance to get off welfare. A chance to obtain child care, a chance for job training.

We know that for each generation it must be different. In the 60's, it was thought that government could solve any social problem as long as there was money enough to do it. These beliefs must be tempered, re-examined, and in some cases, set aside.

In 1985, we must do it our way.

And our way has to be more selective, more creative.

We know today that for people to be given a second chance in life, they have to fully participate in the process and work for success, instead of merely being on the receiving end of public generosity.

And we know that the private sector must also be involved. Government cannot do it alone.

But we also know, just as I did as a child, that what this nation must continue to offer to the next generation, is both hope and opportunity.

Without both, we not only deny the next generation a chance to reach its full height and breadth, but we also deny ourselves our own humanity.

As the first woman to take the Oath of Office of Governor of the State of Vermont, I recognize that I was able to raise my right hand before you this afternoon, only because so many women had raised their voices, long before my words were spoken.

It was Susan B. Anthony, after all, who told us, "Failure is Impossible."

And if we listen, we can hear the voices of Vermont farm women, who in the pioneer days of this state, worked the soil with rough red hands, alongside the men who cleared the land.

I stand here because of the women who worked in the mills in Winooski, who taught in the one-room school houses in Alburg, and who entered this Hall of Representatives in Montpelier before me.

Clarina Howard Nichols, the first woman to speak in this Chamber, grew faint from fright when she spoke in favor of a bill which would have given women the right to vote in school district meetings in 1852.

It was Edna L. Beard, from Orange, whose portrait hangs outside these doors, who became the first woman to be elected to the House of Representatives in 1921. Peals of laughter rose from the floor when finally a man found the courage to take the seat next to hers.

She was alone. I am not.

I, and the 44 women in the House and 4 women in the Senate, stand here in the shadow of Consuelo Northrop Bailey, the only woman to become Speaker of the House, and the first to be elected Lieutenant Governor.

We all paved the way for one another, knowingly and unknowingly.

As a Democrat, I have a special bond with the two Democratic Governors who are here, Philip H. Hoff and Thomas P. Salmon. Both served this state with distinction.

As I stand here before you as your new Governor, I walk in the path charted for the last eight years by Governor Richard A. Snelling — a man who has shown both strength and courage in leading us.

I will build on his foundation.

We all step on ground that has been walked before, even as we make our own imprints, as I intend to make mine.

I stand here today, not only because of the Vermont men and women who paved the way for my own election, but also because of the 233,753 Vermonters who went to the polls last November.

Once again, we showed our fine independent spirit.

Regardless of the tide, we set our own course, as Vermonters have always done.

And now we must ask:

What are our expectations for the next two years?

What is my mandate as your Governor?

That today, is my task to define.

I have *four* goals:

- A strong economy,
- A first-rate education system,
- Property tax relief,
- And a clean and healthy environment.

In order to achieve these goals, we must add a *fifth* objective — to retain and strengthen our faith in government itself by making Vermont government both more open and more responsive.

Vermonters always have had faith in our ability to govern ourselves.

We continue to believe that government can and must be a force for good.

We know that state government must take a leadership role to get the job done.

There is a difference between a Vermonter's view of Montpelier and the national view of Washington.

In Vermont, government is not "they".

It is "us".

Because we are small, we meet one another on the main street of our towns, where we do, in fact, discuss the issues of the day.

There is even more trust here than in the rest of the nation in both the political process and in those who carry it out.

But even here, where we can be proud of our government involvement, we can do better.

I am committed to achieving a new level of openness, accessibility, and responsiveness in state government.

It will occur on all levels.

The highway engineer who designs a local road, the health department inspector who tests water quality, and the tax department official who asks you for just a little bit more — each one of them will make a renewed effort to serve the public to the very best of his and her ability.

And we, in turn, must recognize and respect the difficulty of their tasks. They are state employees. They are trained to give their best, and often their best goes unnoticed.

I intend to build good morale, reward excellence, and put a recognizable face on what has been called a “faceless bureaucracy”.

State employees will recognize you, the Vermont citizen, for who you are — their most important customer. And you in turn will be asked to recognize them as hard working and successful public servants.

There will also be a new openness *within* state government.

We must establish new and more open lines of communication between the executive branch and state employees, as well as among agencies and departments.

Problems know no neat and tidy boundaries, despite the best efforts of public officials to put them in little square boxes. When we address job training, a clean environment, and unemployment, we have to adopt a plan of action that disregards the usual categories and shapes new entities to meet our needs.

Our human service programs depend on the success of our economic development programs, and they in turn, depend on the quality of our education. The best way to get off welfare is to get a job, and the best way to get a job, is through education.

Neither can we delude ourselves into believing that there is a choice between economic growth and a clean and healthy environment. The two are inseparable.

The five agency secretaries who were recently appointed fully recognize their interdependence and will work collegially to achieve our mutually-shared goals.

They bring much energy, a new vision and special skills to their tasks. You will be proud of their achievements.

But as they begin their work, they know, as we all do, that in this year of the deficit we must be prudent managers.

The deficit will be retired as planned. I am committed to adhering to the schedule which this body has established.

In Vermont, we have always known, here in this state of hard scrabble hill side farms, that we live a world of limits.

Living on the margin, we learned to husband our natural resources.

The stones in the field were not merely moved into a pile — they were carefully placed, one on top of the other, forming perfect walls of protection.

As we learned to become stewards of our natural resources, so must we now learn to be stewards of our financial resources.

It will be neither a simple nor a painless process.

We will face difficult choices.

We will have to recycle limited tax dollars, just as we have recycled limited natural resources.

Our challenge in the next two years is clear -- we must learn to live in a world of financial limits, while moving forward on the problems of our time.

But, we must distinguish between financial restraint and political paralysis.

We cannot afford to stand still, because that too, has a cost. In fact; if we do not invest now, despite the sacrifice it will demand, in a sound education and a clean environment, we will pay a greater price years from now.

Within the restrictions of financial limits, there are exciting possibilities. Under these pressures, innovation and fresh thinking are in high demand.

Our challenge in 1985 is to balance responsibility and hope.

We must also think beyond this year, and plan our long term future.

In my dictionary, the future is defined through our children.

It is their education and well-being that we must assure.

In that sense, all Vermonters are parents for the next generation.

Raising the drinking age to 21 is one step we can and must take to make certain our young people are spared from being victims or perpetrators of drunk driving accidents.

I appeal to this body to make that a *first* priority in this legislative session.

Secondly, I ask you to work toward a goal that I sense we already share — quality education and property tax relief.

Increased state aid, access to kindergarten, coordinated job training for adults — these are education priorities for this session.

In my budget address, I will spell out the details of these proposals, as well as programs geared directly to property tax relief: a property tax deferral program for senior citizens and a revenue-sharing program for local government.

Access to higher education, both public and private, is another investment we cannot postpone. We must look for innovative partnerships between the public and private sectors and higher education, to enhance the economy of Vermont and bring it into the vanguard.

To further bolster our Vermont economy, and to shield us from later economic downturns, I ask you to make a renewed effort to provide more jobs to those areas of the state where it has been most difficult to create new jobs.

We cannot accept the *status quo*. We can and we will do better.

I will propose two pieces of legislation which will move us in that direction.

— A Vermont Venture Capital Corporation and Job Zones.

Both initiatives will create economic growth by using the resources of the public sector to stimulate private investment.

In keeping with the accessible spirit of this administration, I will direct the Secretaries of Development and Community Affairs and of Environmental Conservation to streamline rules and regulations affecting business.

We will continue to be regulators, but let us assure ourselves that the regulations are necessary and serve the purpose of promoting the public good, rather than promoting a burgeoning bureaucracy.

Our commitment to our children's future begins with our support for parents. The focus of the Agency of Human Services in my administration will be to strengthen the Vermont family in several ways:

1. We will establish clear goals to measure our success, such as increased incidence of healthy birth weights, increased number of parents who complete high school, and decreased cases of verifiable child and spouse abuse.

2. We will establish a working group to define how to better coordinate and organize the Department of Social Welfare and the Department of Social and Rehabilitation Services, with one goal in mind, to provide better services to Vermont families.

Under the leadership of the new Secretary, the Agency will also keep a watchful eye on services for the elderly, and those who are most vulnerable in our society. We must be certain that they are not ignored as the federal government proposes drastic cutbacks.

But the Agency alone cannot meet all needs.

Greater cooperation with private social service agencies and with the private sector will characterize this administration.

In this spirit, I will call a child care conference for Vermont employers to assist and encourage them in providing child care options for their employees.

The private employer has not only much to give in the area of child care, but also has much to gain — better morale, increased productivity and lower turnover.

In former years, a Governor could turn towards environmental issues and separate them from human service issues. One seemed to concentrate on “objects” and the other, on “people”. The environment was largely an aesthetic issue —“Keep Vermont Beautiful.”

That is no longer true. The environmental issues of our time are health issues and very directly affect the lives of people. This creates a new sense of urgency to act in a responsible and expedient manner to protect the public.

It is the point where nature meets technology which has turned into an unknown quantity.

We know we have taken uncalculated risks, which we have yet to define and contain.

To help us cope with consequences of our actions, as well as to prevent future environmental problems, I will propose that we create a mini-superfund to clean up hazardous areas and to set standards for those who produce, transport and store these materials.

I will strongly support right-to-know about hazardous materials in the workplace, either through regulation or legislation.

In keeping with our collegial spirit, a sub-cabinet, dealing with environmental issues, will be formed, and will include the Health Department, sections of the Environmental Agency, and the Department of Labor and Industry.

A policy of reasonable growth will characterize my administration. Our task will be to protect and share our natural resources without mandating arbitrary restrictions on growth. Such a policy often can be achieved through negotiation and technical support. Legislation and regulation may be necessary to augment that — options which I will fully explore.

As we know the limits of nature, we also know of its abundance. Our Vermont farms must continue not only to survive, but to thrive.

As Governor of the State of Vermont, I assure you, I will not stand idly by if Washington believes it can starve out the family farm.

I will fight for our survival because the farm is the center of our rural way of life, it is the foundation of our tourist industry, and it gives us our basic character.

It is our agricultural heritage which guides Vermont today, even as many Vermonters no longer themselves till the land.

Ira Allen wrote in 1798: They are all farmers and again every farmer is a mechanic in some line or other, as inclination leads or necessity requires. The hand that guides the plow frequently constructs it, and the labors of the axe and the plane often evince a degree of genius and dexterity that would really amaze you.”

This sense of ingenuity is our source of strength. It enabled us to survive as we carved these farms out of the hillside.

It will enable us to survive today, and to set an example to the nation.

Our environmental conscience in the early 70's helped stir the conscience of the nation.

Our nuclear freeze resolutions in the early 80's at town meetings set a national movement in motion.

Today, we have such an opportunity again.

Our ability to deal fairly with the harsh realities of living within a world of financial limits can set an example to the nation which is struggling to achieve that goal.

Our task is to be both prudent and humane.

I ask this General Assembly to join me in a bipartisan effort to achieve our shared goal.

I grew up in this Chamber. I know it well. I respect it. There is a special feeling of warmth and familiarity when I look across the span of this room.

I ask you to share in the task ahead, as we jointly work to achieve more with less.

I look forward to the challenge of leadership which Vermont has placed before me.

I have faith, not only in my ability and in yours, but in our mutual resourcefulness.

In Vermont, we have grown up with the knowledge that nature indeed may be harsh and unpredictable, but also with the assurance that each season brings its own renewal and each year follows a certain rhythm. We know it is not only possible to blend austerity and optimism, but it is part of the human condition, and it is essential to our survival.

It was Governor George Aiken, whom we particularly miss on this day, who wrote in 1938:

“Day after day I have occasion to thank God that I am Governor of Vermont. Of all the Governors of the United States, I think I have the best opportunity to observe the general good which may be effected by cooperation among groups. I don’t mean that we don’t have differences of opinion in Vermont . . . I want to say here and now that although our folks differ in the means, they all aim at the same ultimate end — and that is the welfare of our state.”

I, like Governor Aiken, thank God that I am Governor of Vermont. It is an awesome task.

It presents wonderful possibilities.

With your help, and the blessings of the Almighty, we will succeed.

Let us begin.

Inaugural Address
of
Madeleine M. Kunin
As it appears in the
Journal
of the
JOINT ASSEMBLY
BIENNIAL SESSION
1987

Thursday, January 8, 1987
Inaugural Address

Mr. President, Mr. Speaker, Mr. Chief Justice, distinguished guests from the executive and judicial branches, Members of the House and Senate, Friends:

It is with much anticipation and a deep feeling of honor that I stand before you, ready to shoulder the responsibilities of serving the State of Vermont for the next two years.

Thank you for giving me your trust.

As the oath of office echoes in my mind, I confess that I am once again deeply impressed by the power of the office and the democratic process by which we govern ourselves.

From one perspective, our democratic system seems so untidy, raucous, and unpredictable. Yet today, our democratic tradition has produced an orderly and fair system, truly representative of all Vermonters.

On a personal level, I thank my husband, Arthur, our children, relatives and friends. They have sustained me and I am exceedingly grateful to them.

Quite simply put, your love and affection has given me the courage and determination to emerge triumphant.

I thank my staff, the cabinet, the men and women who work in state government, and the members of the Legislature for their part in enabling us to look back on this first term with a proud sense of achievement.

Our first task, as we embark on this new biennium, is to decide where to continue existing policy and where to make a break with past practice to set a new course.

Today, I depart from the tradition of thematic inaugural addresses and ask you to rivet your attention on a single subject: Education. I view this as the most important issue this Legislature has to resolve.

Some one hundred years after the State of Vermont first struggled to resolve the inequities of education financing, I believe we are about to break new ground and begin an historic session. I am determined that we move boldly forward to a new and fairer method of funding education.

I promise you I will use all the power granted to me in this high office to bring about the changes necessary to achieve equal educational opportunity through equal spending and equal tax burdens. Our ability to come to terms with this issue will not only determine the outcome of this legislative session, it will dictate the future of education and the quality of life beyond the year 2000.

The problem is simple: today in Vermont, the quality of education a child receives depends on where he or she resides. This is neither fair, nor good for the future of our state.

Allow me to be specific and compare two elementary schools to illustrate the problem. What would we see if we were given a look inside the Hiawatha School in Essex Junction and the elementary school in Charleston?

In Charleston, the science textbooks are worn and out-of-date. Not every child has one. They must be shared with another class.

The library is sparse, reference works and computers are non-existent, as are recent maps and globes. The arts, health education and physical education are not offered by teachers certified in those fields. There is neither a librarian nor full time principal.

At the Hiawatha School, there is an abundance of instructional material. Each child has not only his own textbook, but computers are readily available. There is a computer club.

The library is rich in materials. Art and music instruction are provided weekly in rooms especially designed for that purpose. The list could continue.

The differences are dramatic and not hard to explain. In fiscal year 1985, the Charleston school spent \$2005 per pupil, less than half of what was spent at Hiawatha, and \$1300 below the Vermont average.

Why the disparity? Is it because the parents in Charleston don't value education as much as the Hiawatha parents? On the contrary, their effective tax rate was almost the same.

But there is a dramatic difference.

Charleston's grand list produces only \$802 per student, compared with Essex Junction's \$4,563, almost six times greater.

I ask you, is this fair?

No, it is not.

It is time for change.

The level of contrast between these communities does not exist because people do not want the best for their children.

These differences exist largely because people at the local level are basing their education decisions on how much money is available, which depends on the size of the grand list.

The growth in grand list, unfortunately, does not follow families. In fact, it might be argued, it detours families.

Our challenge is not only to erase geographic limitations. We must make the State of Vermont a showcase for excellence.

We are the envy of the nation for our environmental quality and are known for our readiness to take up arms against any person or interest who would despoil our environmental heritage for purely selfish reasons. I dare say there is no one in this room this afternoon who does not instinctively understand the importance of the environmental imperative in Vermont.

I ask you to seek and achieve educational excellence with the same zeal.

Education has historically been government's greatest responsibility and expenditure.

The U.S. Supreme Court addressed this in its historic 1954 case on race discrimination: Brown v. the Board of Education. In a unanimous decision, the court wrote:

"Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the armed forces. It is the very foundation of good citizenship. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity for an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms."

No one in this chamber disagrees with these words.

But let us examine these words closely. The court has said: "Education is a right which must be made available to all on equal terms." Our Vermont Constitution echoes this principle.

In Vermont, we have said "Yes" in theory, but "No" in practice to the principle of equal educational opportunity. In fact, through a combination of ignorance, market forces, and allegiance to localism, we are fostering a dangerous policy of greater inequality of educational opportunity.

The gap between rich and poor school districts is becoming wider each year.

On average, the grand lists in Sherburne, Stratton, and Stowe grew by 42 percent between 1983 and 1985. But Bristol, Craftsbury and St. Albans City averaged only 5 percent growth in their grand lists during the same period.

We must recognize that the state aid solution does not lie in any particular formula alone. There are no magic formulas waiting to be discovered. The solution lies in mustering the political will to resolve the contradiction between continued local funding as we now know it, and equal education opportunity for all of Vermont's school children.

The time has come to recognize that if the principle of equal educational opportunities is to be honored in practice, property tax capacity, the key factor which influences the quality of a child's education, can no longer be exclusively apportioned according to school district boundaries.

We must muster the will to acknowledge the statewide interests of education, while continuing to respect local values.

I am aware of the arguments used to avoid this basic philosophical decision.

Some say property wealth and school expenditures do not guarantee educational excellence, others argue those towns that have the wealth deserve to keep it because they worked to obtain it, and still others claim that we do not have to address the property tax question as long as we raise funds through other taxes to finance a redistribution formula.

All those arguments contain an element of truth, but they do not contain enough truth to solve the problem we face nor do they give us an easy way out.

There are not any comfortable, incremental, non-controversial ways to reach the goal we espouse — equal educational opportunity through equal spending and equal tax burdens.

I ask you, in fact, to risk discomfort, to seek controversy, and to take bold steps to achieve success. Future Vermonters will thank you for it.

Vermonters have been willing throughout history to put aside parochial interests for the greater benefit of the state.

It took courage to offer the first bond issue in our history in the aftermath of the 1927 flood. This was a momentous state initiative, considered perilous in its time.

It took courage for Democrats and Republicans to work for reapportionment in 1965. Their efforts ended forever the long-cherished principle that every town could send one member to the House of Representatives.

It took courage, as many here will remember, to abolish the local overseer of the poor. It was only 20 years ago that we created a new, humane, and progressive social service system.

In each case, as a matter of conscience, we recognized that every Vermonter must be treated equally. Just as every Vermonter has equal representation in this chamber because of reapportionment, and every Vermonter in need has equal access to welfare benefits, I call upon you to make certain that every Vermont school child has access to an equal education.

Through the anvil of compromise and bipartisanship, we can achieve a fundamental restructuring of the way we finance public education in Vermont. The task will not be easy. Many have tried before us.

In the last 100 years there have been six different proposals to reform education financing. In the late 1800's the Legislature first provided funds to assist school districts which paid teachers more than 15 dollars per week.

In 1935, there was, as you might surmise, a study commission, which reported to the Governor. It stated that a school finance aid formula be based on a philosophy of equal educational opportunity for students "regardless of their locations in the state."

There once was, in fact, a statewide property tax in Vermont, and a foundation plan.

Our task is not a new one, but in one sense, it is different. More than ever before, the times in which we live demand a higher and more sophisticated level of education than required of earlier generations of Vermonters.

For a moment, I ask you to personalize the principle of educational opportunity into the specifics of your own life. What has education, or in some cases, the lack of it, meant to you? What do you wish for your children and grandchildren?

I know, from my personal experience, what education has meant to me. When I came to this country as an immigrant, with my brother and mother, not speaking English, it was the educational system of this nation which opened every important door to us. Without it, we would have deprived ourselves of the upward mobility which gave every immigrant and every American, no matter how humble his or her beginnings, the genuine hope for a better life.

Without access to education, the dream would have died.

What was true for my brother and me, is true for the next generation of Vermonters.

It must also be recognized that regardless of the allure of "local control," the phrase turns into a cruel joke when all there is to control is continued poverty.

It is genuine local control to say that our schools can decide how to use the funds provided them to design and implement local programs. But it is a perversion of local control to say that they must do so with inadequate funds because they don't happen to have a mountain, lake, or large industry to bolster their tax base.

In the public hearings on this subject, we have heard much about the price exacted by changing the present system.

There is, I strongly believe, a greater price to be paid by inaction.

If we continue the present trend of permitting, in fact, encouraging the rich to get richer and the poor poorer, the inevitable result will be a greater number of high school dropouts, lower achievement scores, and decreased ability to compete worldwide.

All those who fail in school will have to be supported, to one degree or another, by our tax dollars. That cost will be borne to a large extent by those very same communities, who today protest sharing any percentage of their tax resources with poorer communities.

I believe it is a question of invest now and help prevent future economic dependency, or pay later. We cannot afford to institutionalize, through superior and inferior school systems, a two-tiered, two-class society in Vermont. Neither can we accept on moral grounds such economic injustice.

Viewed in this light, education financing reform is the most significant economic and social issue facing this state.

You will be asked as you debate this issue: how can we be sure that spending more money translates into educational excellence?

Today we have data which shows that Vermont's best schools are located in the districts that spend the most per pupil and have the greatest property wealth.

Let us compare Williamstown and Stowe.

Williamstown High School sends 30 percent of its students to college, has a dropout rate of 5.8 percent, and meets 31 percent of the state standards.

Stowe High school sends 55 percent of its children to college and has a dropout rate of less than one percent.

In fiscal year 1985, Williamstown had a tax rate of \$1.80, and spent \$2935 per pupil after receiving \$589 in state aid.

Stowe had a tax rate of 72 cents and spent \$4801 per pupil, after receiving \$100 per pupil, a floor town.

Unquestionably different results, different spending, different tax burdens.

It is fair to ask, why is Vermont's problem so great? The reason is simple. We have the smallest school districts in the nation with the greatest difference in property wealth of any state in the nation.

Other states long ago addressed this problem by having larger school districts, so that the benefits of development are more widely shared.

Each district in Vermont averages 300 students. In New Hampshire the average is 1000 students. The U.S. average is 2,500.

Larger districts, for taxing purposes only, is an issue that must be revisited. I have asked Senator Phil Hoff and Elbert Moulton to chair a committee to recommend more equitable districts, a task Senator Hoff initiated during his term as governor.

To guarantee that Vermont does indeed become a showcase for educational excellence, I have proposed the following initiatives:

- A report card for each school district, with input from a community advisory board.
- Twenty new community-based early education programs for disadvantaged four-year-olds.
- A second-chance program to reduce the dropout rate to zero in five years and bring dropouts back into the school system.
- A school improvement fund.
- Regular school audits for all districts.
- Regular evaluations of how school districts apportion spending between administration and teaching.
- Establishment of a central purchasing system, anticipated to save more than three million dollars.

I deliberately delayed my own recommendation on state aid funding until the commission, created by the Legislature last year, completed its task. In the past nine months, they have done a tremendous amount of diligent work on the state aid problem. I commend them for their effort and their commitment to the principle of equal education for all Vermont children.

The time for study is over. Now is the time for action.

Today, I seek your support for the Vermont Foundation Plan, as developed by the State Aid Commission. The Legislative Pages will put a detailed explanation of my proposal on your desks immediately following this address. I will present you with legislation next week.

The Vermont Foundation Plan has many advantages. It achieves my twin objectives of education and taxpayer equity.

Simply put, each school district will be guaranteed the financial resources to provide its students with a good basic education at a reasonable property tax rate. A good basic education is one which fully meets the state school approval standards. This has been estimated at \$3,400 per student.

The Vermont Foundation Plan will guarantee each district the capacity to raise \$3,400 per student at an equalized tax rate no higher than \$1.25.

The fully-funded plan will cost approximately \$120 million, \$31 million above the current appropriation.

I also propose that property-wealthy communities share with poorer districts. This would require communities that can raise the \$3,400 per child with less than an 82 cent equalized tax rate to assist poorer districts.

I do not endorse the Commission's proposal to give towns the local option to raise taxes. This provision would be a significant benefit to only a few towns and simply increase the unequal tax burdens which now exist.

Most significantly, under the foundation plan, we will guarantee that no person shall pay more than five percent of his income in property taxes, regardless of income.

I recommend that this plan be phased in over a five-year period.

I fully recognize that the task I have placed before you is not easy to achieve. In fact, there are many who will claim immediately after I conclude my remarks that it is impossible.

We cannot afford such pessimism. Nor should we lower our sights and adjust to what is considered "politically popular." The children of Vermont are our constituents, and it is to them we are ultimately responsible. The future of this state will be in their hands, and we are in a unique position to shape that future.

I tell you today that I will continue this fight until it is won. I will not accept the status quo. I will oppose efforts to simply extend the Morse-Giuliani formula.

The Morse-Giuliani formula was an important step in its time. It allowed us to put new state funds into education in a more equitable way, and I am glad we did. But the gap in resources available to the wealthiest districts and the poorest districts widened under Morse-Giuliani.

There is another critical reason why Morse-Giuliani is inadequate for today's challenges. Many communities do not have and will not be able to raise, without unacceptable pain, the funds necessary to comply with the school approval standards. Unless we change our education financing method, we will be called upon to choose between repeal or dilution of the standards or a massive tax increase.

If we abandon the standards, our generation says, in effect, to the next generation, we do not care about your future enough to provide you with a good basic education.

The Vermont Foundation Plan offers another option that faces squarely the needs of our students while being fair to our taxpayers.

I will call upon the people of the state of Vermont, beyond the walls of this chamber, for help.

Business men and women, farmers, parents, factory workers all have a stake in the outcome of your deliberations.

This is an issue, above all others, which will determine the future business climate of this state, and which will determine the future welfare of the people of this state.

Think for a moment, how will we introduce good high technology jobs in the Northeast Kingdom if we cannot support a first-rate school system in that region? The answer is obvious.

What is required of us is more than a formula change. It is an act of moral courage which reaffirms our belief in the fundamental democratic principle of equal access to education.

To achieve it, join me in seeing beyond the bounds of your own legislative district and recognize the overarching responsibilities we have to all the people of this state.

We can surmount our differences. We can work in concert, as Republicans and Democrats, for the common good.

That is why we are here.

We will freely and vigorously debate the pros and cons of this proposal. The final law will benefit from that exchange.

But let us not disguise debate as action, nor permit ourselves to use complexity as an excuse for delay.

I stated the problem at the outset. It is straightforward.

In Vermont, the quality of education a child receives depends on where he or she resides. That is neither fair nor good for the future of our state.

Our goal is clear: to remedy this inequity by restructuring the way education is financed in Vermont.

The charge I have placed before you is worthy of your total dedication. I ask for yours, and pledge you mine. I am determined that we will succeed, and as a result, we will be proud of our lasting contribution to the people of this state.

Thank you.

Inaugural address

of

Madeleine M. Kunin

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1989

Thursday, January 5, 1989

Inaugural Address

Mr. President, Mr. Speaker, Mr. Chief Justice, Constitutional Officers, Governors, Honorable Members of the General Assembly, fellow citizens of the Great State of Vermont:

It is a high honor to be sworn into office to serve you -- the people of the State Vermont-- for a historic third term.

It's a great pleasure to be joined by my husband and children, and other members of my family and friends, who add a special dimension to this day. Its official importance is apparent: we are inaugurating both a new term and a new agenda for the State of Vermont.

But this day is also significant on a personal level. As I have repeated the words of the Oath of Office, taking it for the third time, let me assure you that the art of governing the State of Vermont is never done by rote.

Yes, I am strengthened by our achievements in the last four years, and I know, more clearly than I did the first time I raised my right hand what lies ahead. I also understand enough about the demands of this office to know that each day is an adventure, with new problems requiring fresh solutions.

Quite simply, I look forward to this biennium with anticipation and enthusiasm.

Today is the day we begin to define who we are and what we hope to achieve in the next two years.

MAKING CHOICES FOR THE 21ST CENTURY

As we begin to look ahead to Bicentennial year 1991, we find ourselves poised between two centuries -- about to leave the 20th -- one that we know, to enter the 21st, one that tests our powers of imagination.

1989 is not too soon to begin to prepare ourselves and our children for life in the next century; to assure ourselves that we are addressing the right questions in the most effective manner.

What kind of a state do we want to become in the next century, and how do we assure that our vision is realized?

It is precisely the ability to accurately envision the future that prompted Vermont to request statehood in 1791. This rough wilderness, wedged between New York and New Hampshire, faced a choice: Join the Union or continue to stand alone.

Join it did, and thereby achieved both military and political security. As a result, Vermont's population grew from 85,000 in 1791 to 154,000 in 1800--a short space of nine years.

Today, we require similar talents -- the ability to foresee change and adapt to it, so that Vermont will continue to be strong and evoke pride in its people.

History is a fine teacher, and we can learn much about ourselves as we explore our colorful past, an adventure I encourage all Vermonters to share as we prepare to celebrate our Bicentennial year in 1991.

Geography is also a teacher. We often learn about who we are, when we travel to other countries and are asked to explain ourselves and our form of government.

During our recent visit to the Soviet Union to establish a sister state, I thought about the very nature of our democratic system and why it has survived for 200 years.

FUNDAMENTALS OF DEMOCRACY

"We are not very experienced in democracy," our Soviet hosts told us.

I asked myself, what in our experience as Vermonters and Americans has enabled us to uphold democracy for 200 years?

I concluded that strict adherence to some fundamental principles protected us from abuses of power:

1. A respect for the rule of law.
2. A government which administers the law in a responsive and fair manner.
3. A value system which is compassionate and respects the rights of the individual.

Our respect for the rule of law is reaffirmed here today, as the three branches of government -- Executive, Legislative and Judicial -- gather under our golden dome. On this day, by our joint presence here, we recommit ourselves to the sanctity of our Constitutional form of government.

This structure has provided equal protection, as well as equal opportunity, for all Vermonters. The tension between the branches -- known to every schoolchild as "checks and balances" has been the public's safeguard, allowing not only for rule by the majority, but also protection for the minority.

In contrast to an authoritarian form of government, we constantly make certain that government exists to serve the people, rather than having the people serve the government. That concept, too, was expressed to me as a new idea in the Soviet Union.

As I compared their system to ours -- as it was, as it is today, and as it hopes to become -- I concluded that above all, our form of government is distinguished by a basic respect for the dignity and worth of the individual and a belief in the perfectibility of all human beings.

VERMONT RECOGNIZES GLOBAL INTERDEPENDENCE IN 21ST CENTURY

As we enter the next century, it will become increasingly important to reaffirm our democratic values, to express our humanity, and to recognize our interdependence on this planet.

Vermont's 18th and 19th century isolation has ended, and we have become a part -- an inseparable, vulnerable part -- of the larger world. Increasingly, we find Vermont's triumphs and Vermont's problems linked with those of people around the globe.

Vermont alone cannot cure the problem of acid rain, nor can it eradicate the scourge of homelessness by itself. But we can join hands with others across our nation and around the world who are working to do so.

Just as Vermont made the decision to link its destiny with the United States in 1791 when it joined the Union, today Vermont must make a parallel decision to link our destiny with the world; we must be full participants in the new political, economic and environmental structures which are developing.

Two hundred years ago the threats to our existence were easily identifiable -- Yorkers to the west and New Hampshireites to the east. Today's dangers are more elusive, but no less lethal. If we are to plan for life in the next century, we must meet them head on.

The greatest threats to life in the 21st century are twofold: nuclear war, and environmental destruction, either of which would make our planet uninhabitable.

It will require both political will and moral force to achieve global agreement that the possibility of nuclear war is obsolete and that continued environmental degradation is intolerable.

All of our plans for the next century will be irrelevant if we do not succeed in structuring government policies which reflect these life-sustaining, rather than life-destroying, values.

There are signs of change. Let us hope that Mikhail Gorbachev's speech to the United Nations, promising a diversion of resources from military to domestic purposes, will be remembered as the day the Cold War came to an end.

A new spirit of optimism has surfaced, and fragile as it is, we must work to support it. A lower level of hostility and a higher level of trust will also allow our new President to pay greater attention to our domestic

needs by limiting the growth in our military budget. Only by shifting our priorities can our nation and our state fully act upon the humanitarian values upon which our democracy is based.

We know the price Vermont has paid to support our military budget; we have had to increase our expenditure for domestic programs by \$58 million in the last four years to compensate for federal cutbacks.

Despite our generosity, too many Vermont children experience poverty, too many elderly Vermonters face insecurity, too many of our families find housing and health care are beyond their reach, and too many of our high school graduates discover they can't afford a college education.

It's essential that the federal government not abdicate these responsibilities. We must redirect our nation's resources to address these critical domestic needs.

If the new dialogue between the United States and the Soviet Union contributes to this shift, the small State of Vermont can be proud that we have played a useful role in establishing international ties through individuals involved in Project Harmony, Bridges for Peace, the Sister City of Yaroslavl, and most recently, our mission to establish a sister state relationship with the autonomous Republic of Karelia.

The second threat to our existence is environmental destruction.

One example of national and international cooperation is our agreement for the protection of Lake Champlain. The memorandum of understanding for our lake can become a model for protecting other resources.

It is critical that such international agreements are forged to mitigate global environmental problems. Equally important, is the adoption of a universal environmental ethic which will equate devastation of the environment with the destruction of life itself.

Here also, Vermonters have taken the lead, enacting some of the toughest environmental laws in the country. But now, we must take our case into a larger arena and demand prompt national and international action.

Vermont will have an opportunity to be heard through the National Governors' Association, where I will chair the Committee on Energy and the Environment. We will co-sponsor an international conference in February on the critical subject of global warming.

Meanwhile, there is important work to be done here in Vermont.

GETTING TOUGH ON DWI AND DRUG ABUSE

I ask you to join me in an all-out effort to reduce the tragic highway deaths due to alcohol and drug abuse.

One evening this fall, returning home on Route 7, we were passed by a speeding convertible. Five minutes later, we saw a burning wreck; the driver was dead, other passengers seriously injured.

It all seemed senseless and preventable. Many Vermonters share the strong belief that we must get tougher on drunk drivers and reduce these tragedies.

I will ask you to:

- . . enact a seat belt law
- . . suspend a driver's license on the spot for DWI or failure to submit to a DWI test
- . . increase penalties for DWI and drug offenses
- . . enact a felony charge for repeat DWI offenders
- . . purchase new infrared DWI testing equipment and add 10 state troopers to crack down on DWI and drug offenders, and
- . . take steps to rigorously enforce truck safety.

The evidence suggests that no single step can have a greater impact on saving lives and reducing injuries than the passage of a seat belt law. A recent study on seat belt usage in the Journal of the American Medical

Association concludes that only 6.8 percent of seat belt wearers required hospitalization after a motor vehicle accident, compared to 19.2 percent not wearing seat belts.

Use of seat belts significantly cuts health care costs; people wearing seat belts incurred bills of \$534, compared to \$1583 for those without seat belts.

It is society, not only the individual, that pays the price for these needless deaths and injuries. It's time for Vermont to join the 31 states who have seat belt laws.

STRENGTHENING OUR ECONOMY

As we move towards the 21st century, we must plan ahead to maintain our excellent economy and record low unemployment rate. To achieve those goals, I will ask you to make these investments:

- . . approve a \$45 million package to fund a "Bridge 2000" program, provide more aid to towns, and restore the balance in the Transportation Fund
- . . enact legislation to make more affordable housing available
- . . pursue expanded trade with Canada
- . . simplify the current use tax program
- . . support family leave legislation
- . . enhance child care services
- . . ensure health care quality, cost control, and provide increased health insurance coverage, and
- . . improve child support collections.

TIME TO ASSESS EDUCATION

Let us turn to education, the key to the long-term vitality of the Vermont economy. The time for assessment is here. Therefore, I will ask you to:

- . . support a system of accountability and evaluation of all schools, and support grants for innovative school leadership programs.

THE ENVIRONMENT: CONSTANT VIGILANCE

The protection of the environment needs our constant vigilance. The passage of laws is not enough. We must take further steps to:

- . . improve enforcement, risk assessment, and management within the Agency of Natural Resources
- . . improve the administration of our water quality laws
- . . fully implement Act 200, and
- . . enact a siting law to dispose of Vermont's low level nuclear wastes.

RELEVANT AND EFFECTIVE BUREAUCRACY

In addition to the economy, education, and the environment, I ask you to focus on a fourth category -- efficiency. We have never singled it out, assuming efficiency was incorporated into other programs. But after four years of new legislative initiatives, it is time to put the spotlight on improving the process of governing itself.

As I observed at the outset, one test of a democracy is the relevance and responsiveness of its government.

We must assure that our existing laws are working and that government services are delivered efficiently.

This task will demand as much creativity and attentiveness as starting new programs; it is imperative that we improve the productivity of government services to meet increased demands.

We have an excellent framework upon which to build -- a seasoned administration ready to join you in this undertaking, and dedicated Vermont state employees.

Therefore, I will propose:

- . . a private sector management review team to recommend efficiencies in state government
- . . a senior executive corps to better utilize our top managers, and
- . . further investments in automation.

TRADE WITH OUR CANADIAN NEIGHBORS

Now, I would like to focus on the economy. As we envision new centers of economic activity in the next century, increasingly, we will look northward to our Canadian neighbors for markets and as trading partners. To build on the spirit of the trade agreement between our nations, I will appoint a six-member Vermont Commission to work with our Quebec counterparts to establish stronger educational, cultural, and economic ties with the Province of Quebec and all of Canada.

Trade with Canada is not new to Vermont. In 1784, the General Assembly recommended the adoption of measures “. . . for opening a free trade and commerce with the Province of Quebec upon terms of reciprocity.”

More than 200 years later, we are fulfilling that legislative intent.

HEALTH CARE: QUALITY, AVAILABILITY, COST

Today, at this particular juncture in our history, an issue which has far-reaching economic and social impact for Vermonters is the quality, availability and cost of health care.

The problem of providing health insurance for the 31,000 Vermonters who are uninsured needs to be addressed, and I remain firmly committed to reaching that goal. But this objective cannot be isolated from the fact that our existing healthcare system is out of control, its costs rising at a rate of three and four times the rate of inflation.

These costs are hemorrhaging the state budget. It is essential that we develop a strategy to assure quality and contain health care costs before we expand health insurance coverage.

There is a sense of urgency to this mission because, as scarce state dollars are drained off by high health care bills, we lose the ability to invest in innovation and prevention.

Today, 73 percent of Vermont employers provide health insurance coverage for some of their employees. It is essential that all employers contribute a fair and affordable share of health insurance costs and the federal government has to be a partner.

I remain confident that we can develop a system which provides quality care at a price we can afford.

I ask for your patience and for your participation, so that we can develop a system which works and which may be a model for the nation.

To achieve that goal, I will take two steps:

. . One, appoint Hamilton Davis to be my special counsel for health care, and charge him with the development of a quality assurance system that for the first time will distinguish appropriate from inappropriate care. It is estimated that a 20-40 percent reduction in costly inappropriate health care services may result

I am grateful to the Hospital Data Council, the Vermont State Medical Society, the Vermont Coalition for Health, and the Vermont Hospital Association for beginning a private-public partnership to achieve this goal.

This system should be in place a year from now. If it does not result in significant changes, other immediate cost containment steps will be taken.

Mr. Davis will also review problems in related areas — including Medicaid, nursing home reimbursement, and the Certificate of Need process.

. . The second step will be a series of modest but important initiatives to expand health care coverage for the uninsured:

- * require that all insurance policies cover maternity care
- * limit insurers' ability to exclude individuals from employer group policies
- * fund a one-year technical assistance program to make it easier for small businesses to implement insurance benefits
- *implement a college student health insurance requirement
- * require employers to report the amount and cost of health care benefits they provide, so a useful base of information can be established, and
- * continue to fund the Vermont Health Insurance Plan Board.

This is a first step toward our eventual goal of assuring that all Vermonters have health insurance.

Next year, if sufficient progress is made on a quality assurance system, and if the private sector makes a solid commitment to help solve the problem of the uninsured, I will propose extending health insurance for prenatal care and for children.

If we move forward, one step at a time, I am confident we will achieve our goal.

WORKING FAMILIES

In the year 2000, the two-wage-earner family will be a growing trend. Two-thirds of the new entrants into the labor force will be women, making it essential to meet the needs of working families.

Therefore, I ask you to enact a family leave law to give these families the opportunity to combine their roles as breadwinners and responsible parents.

QUALITY EDUCATION

Let us turn to education. Vermonters have shown unprecedented support for public education, increasing state aid by 84 percent in four years, providing kindergarten for all children, and starting a program for three- and four-year olds at risk. That emphasis on education was well placed.

Now it is time to concentrate on quality. We have made an assumption that if school districts have a sufficient amount of money to spend, consistent educational quality will result.

It is essential that we test that assumption. That is why I strongly endorse a system of accountability, as proposed by Commissioner Mills and the State Board of Education; one that focuses on math and writing skills.

We are not the first generation of Vermonters to make these requests. In Samuel Williams' 1794 HISTORY OF VERMONT, he wrote that parents wanted their children "acquainted with the rules of arithmetic, so far as shall be necessary to carry on any of the most common and necessary occupations of life. Nothing would be more dishonorable to the parents or to the children, than to be without it (education)."

To keep us from dishonor, even today, we must make strong demands on our educational system, our children, and parents to assure that the "necessary occupations of life" may still be carried out.

Just as Vermonters recognized 200 years ago, we again acknowledge the powerful link between educational excellence and economic well-being. On a global scale, we know that those nations which produce the most highly educated workforce will out-produce the rest.

And we must look beyond high school. Our institutions of higher education, both public and private, are one of our valuable Vermont resources.

In preparation for the year 2000, when post-secondary education will become increasingly essential, I recommend a review of Vermont's higher education.

IMPLEMENTING ACT 200

Last year at this time, I focused on a single subject -- managing growth. The result was Act 200. My belief in this law's importance has strengthened as Vermont continues to experience extraordinary growth and change. Our task now is to make the law work, both within state government and at the community level, by encouraging our citizens to become enthusiastically involved in its implementation.

Too often in the past, state government has made decisions which have either ignored local priorities, or which have been in conflict with other agencies. This era should come to a close with the successful implementation of Act 200.

As Act 200 gains in stature, the regulatory aspect of Act 250 will diminish. Towns and regions with approved plans will be able to shoulder many of the decisions now assumed at the state level through Act 250.

Some problems remain to be addressed, and the most critical of these is the loss of farmland.

Through our well-intentioned desire to help our farmers, we have created overlapping and sometimes confusing programs. I ask your help to create greater simplicity and clarity in this area.

We must continue to seek ways to keep our farmers working the land. There is no single solution; and there is no cheap solution. Necessity and prudence demand that we evaluate what we do, and that we continue a diverse strategy, including the current use tax, the Vermont Housing and Conservation Trust Fund, improved marketing, and programs provided through the University of Vermont.

With the implementation of Act 200, we have another tool at our disposal: planning. Vermont is once again in the vanguard of growth management.

I strongly urge you to resist changing Act 200; give it a chance to work.

I know no other way to shape the future than to think about what it might be like, and then to try to make our best vision of that future happen. That is the basis of planning.

In a democratic society, some have resisted planning, fearing that it might inhibit our spontaneity, our entrepreneurial spirit, and our very freedom.

We all feared the heavy hand of bureaucracy needed to make it function.

Some of these fears are well-founded, since we know that societies which are highly planned are often paternalistic, and have a tendency to become overbearing, dull, and unresponsive to the public.

Worst of all, they can stifle economic and intellectual vitality.

Our challenge in Vermont is to make planning a grassroots democratic process, reflective of the diverse and sometimes contradictory interests in our communities. To succeed we must plan without curtailing individuality and entrepreneurship.

I believe we can do it. This small State of Vermont can be a model of how to plan for the future, of how to help steer ourselves into the next century by making the right choices on transportation, education and the environment -- here, within our borders.

VERMONT IN THE YEAR 2000

Further, we can be a model state by acknowledging that our destiny is intertwined with others on this globe, dependent on decisions made far beyond our boundaries. And we can help shape these decisions as well, by continuing to make our voices heard on the issues of arms reductions, environmental agreements, and the emerging world economic system.

What will Vermont be like in the year 2000?

On this Inauguration Day, as we dream about the future, we feel confident that we have the capacity, the courage, the tools and the imagination to shape the future.

Our respect for human dignity, our allegiance to the rule of law, and our commitment to a fair government will help us to guarantee that Vermont will retain the qualities we admire most -- our fierce defense of the environment and aggressive determination to achieve greater economic opportunities for all of our citizens.

Now, it is time to get to work, as you inaugurate this 60th biennial session of the Vermont General Assembly. I look forward to sharing this adventure with you. Let us begin.

Inaugural address
of
John Mattocks
As it appears in the
Journal
of the
House of Representatives
October Session
1843

Saturday, October 14, 1843
Inaugural Address

*Fellow – Citizens of the Senate and
of the House of Representatives:*

FIRST of all, as it becomes the agents of a religious people, let us publicly acknowledge the Divine goodness in continuing unto us our liberties, as a state, and as a nation; for the good measure of health enjoyed by the people of this commonwealth, and for the abundant productions of the earth; and ask wisdom from above, that we may fitly perform the duties for which we are assembled.

The legislation of this state has generally been characterized by so much prudence and intelligence, that any advice or caution by me, of a general nature, would be quite superfluous.

The condition of the inhabitants of this state is, upon the whole, probably as good as that of any other people. We are an intelligent, moral and law-abiding people; we have institutions, securing the liberty and rights of the citizens; we have a fertile soil, a healthful and invigorating climate, and industrious habits, which enable us to surpass any other state in the Union, according to our population, in the value of our agricultural productions.

The subject of education, in all its branches, is of such vital importance to a free people, so intimately connected with the individual welfare of the members of a state, and so indispensable to the very existence of the blessings flowing from free institutions and representative governments, that it is not surprising that it should annually have attracted the attention of both the Legislative and Executive departments.

Common school education is perhaps as generally diffused, among all classes of people in this state, as among any other community, in the United States or elsewhere; yet the system now in operation is far from realizing all the advantages which ought to be expected from it. It is doubtless susceptible of great improvements; and the efforts which have been made in several of our sister states, within a few years to investigate and obviate numerous evils and to introduce a greater degree of uniformity and more efficiency in common school instruction, have not been without their beneficial influence. Let us profit by the example of others.

Valuable suggestions on this subject are contained in successive reports, made by legislative committees, during the two past years. Our higher institutions of learning, connected intimately, as they are, with our common schools, and exerting an immense influence upon the intellectual condition of our citizens, ought also to receive the fostering care of the Legislature. No system would be perfect which should exclude these from consideration. Whether the creation of a Board of Education, with the powers and duties contemplated in the legislative report of last year, will not prepare the way for the introduction of great improvements, is submitted for your mature consideration.

The Militia, without which there would be no safety to our government or country, are too apt to receive an annual compliment and then be neglected. Whether the law for the improvement of their condition which had been prepared with great care, and passed at the last session will prove useful and satisfactory to that numerous and patriotic body of citizen soldiers, for whose regulation and benefit it was made, I am not able at present to determine; and perhaps there has not been sufficient time, since the passage of the act, to test its utility.

By an act passed at the last session, relating to Capital Punishment, it is directed that if any person shall commit any crime, which by the law of this state is punishable with death, such person shall be sentenced to solitary confinement in the state's prison, until the punishment of death shall be inflicted; and also, if any person shall hereafter be convicted of any crime, punishable by death, such person shall in like manner be sentenced to solitary confinement, until the sentence of death shall be inflicted. By the act it is further provided, that no sentence of death shall be executed until after one year from the time of passing such sentence, nor until the whole record of the proceedings in such case shall be certified to the Governor; nor until a warrant shall be issued, by the Governor, under the seal of the state, with the record annexed thereto, directed to the Sheriff of the county where the state's prison is situated, commanding said Sheriff to cause execution to be done upon the

person, upon whom sentence had been passed. It is understood that there has been one conviction and sentence under this law, which it will be my reluctant duty to pass upon, as the law appears to me to be objectionable.

I cannot believe for a moment that it was the intention of the Legislature, by this act, to prepare the way for the total abolishment of capital punishment, even in cases of murder; for such a measure, in my opinion, would be fraught with evils of a most direful kind: – but this law, which changes in some measure our long established mode of administering criminal justice, may give occasion for a belief in the public mind, that after conviction there will be less certainty of punishment.

Although this statute may be open to some other objections, that part of it which relates to the issuing of a death-warrant by the Governor, is perhaps the most so. It is not sufficiently explicit, to show distinctly, whether it is a mere discretionary power, that he may or may not exercise, after examining the record of conviction, or a duty to be performed as a ministerial officer. If it means the first, it is in effect a power to pardon or commute, which is not given him by the Constitution, and cannot be conferred by the legislature. If it means the last, why impose this ungracious duty upon the Chief Magistrate, who in most governments, and in this to a certain extent, is entrusted with the privilege of releasing from punishment, and not the stern duty of inflicting it. But if he is to order a convict to execution, the most solemn of all official acts, it should be done by express authority of law, and not left to inference or construction. It is submitted to your consideration whether this law should not be repealed or at least revised.

The sad existence of Slavery in many of the states of this Union, should be the cause of deep humiliation to the moralist, the patriot, and the Christian; but the continuance of this ineffable curse in the District of Columbia, and in the Territories, should excite our warmest indignation. There thousands of human beings are in perpetual bondage; and a slave market is openly held at the seat of the freest government upon earth. This is a spectacle fit only for tyrants to behold; and to make this state of things not only permanent, but as if also to fasten the awful responsibility of its upon the citizens of the free states, there have not been wanting representatives in the Federal Government, from those states, (happily none from our own,) who have refused, where Congress has clearly the right to act, to let the oppressed go free, and to abolish a traffic, which, by the spirit of the laws even of that government, is ranked with piracy itself. Nay, more: they have silenced remonstrances of sovereign states against these grievous wrongs, and excluded the petitions of the people.

A state may not infringe the compact as it exists on the subject of slavery, any more than other parts of the Constitution. We have all sworn to support that instrument; and to attempt to evade or repeal the oath, by casuistical sophistry as to its binding force, would be neither just nor wise. But whatever legislative powers the states do possess, should be exercised as occasions arise, so as not to give one scruple more of living flesh than the bond requires.

An unhappy decision of the Supreme Court of the United States, made in January, 1842, in the case of *Prigg vs. the State of Pennsylvania*, it is believed will occasion some danger to free colored people who may be found in this state. In that case it is understood to have been decided that the Federal Government have an exclusive right to regulate the mode in which the claim of a master over his fugitive slave shall be made; that congress has already exercised that right, in a perfectly constitutional manner, through the law of 1793; that all legislation on the part of the several states, which directly or indirectly limits or restrains the right of recovery of fugitive slaves is entirely null and void; that no state can pass a law in any way interfering with the power of summary removal from its territory of an individual claimed as a fugitive slave, – provided that this power be exercised under the sanction of the United States Courts; but it is not obligatory upon any state to suffer its own magistrates to exercise the same power.

The law of Congress of 1793 confers the same power upon state magistrates as that given to judges of the United States Courts, and upon that statute the Court says, that their magistrates may, if they choose, exercise the authority thus conferred, “unless prohibited by state legislation.” This decision is at present the law of the land, and the danger is, that among our great number of magistrates, some may be found who are not well informed as to their duty, and may act unadvisedly, and thus, upon a false claim, consign some unfortunate being forever to hopeless slavery, – for from the decision of the magistrate there is no appeal.

I therefore recommend to the legislature to pass a law prohibiting all magistrates, acting under the authority of this state, from taking cognizance of, or acting under, the act of Congress passed the 12th July, 1793, relating to fugitive slaves, or any other law that may be passed of similar import. This would seem from the aforesaid decision to be perfectly constitutional and proper, and indeed almost invited by the court, by the language before quoted. By such an act, the evil consequences of the decision may in some degree be mitigated.

I also recommend a law prohibiting all executive officers of the state from arresting, or detaining in jail, any person who is claimed as a fugitive slave; believing this to be a proper mode of exhibiting the determination of this state to do not act, which she may constitutionally omit to do, to countenance the institution of slavery. The commonwealth of Massachusetts has recently passed such a law, and the example is believed to be worthy of imitation. If the passing of the statute proposed shall incidentally tend to prevent the recapture of fugitive slaves, may we not well exclaim in its defense, in the language of the sage of Monticello – “shall distressed humanity find no asylum!”

There are strong reasons for anticipating that an attempt to will very soon be made to annex the Republic of Texas to the United States, as well for the purpose of creating a perpetual market for slaves, as, from that large territory, to carve out slave states enough to give a preponderancy in the Union to the slave power. If such an attempt shall succeed, then woe betides our unhappy country. Who then can hope that the wrath of Heaven can be longer restrained?

I have spoken perhaps too freely upon this exciting subject; but at the capitol of Vermont, unlike that at Washington, there is liberty of speech upon all public topics.

In our expenditures the utmost economy that is consistent with the maintaining and promotion of the public interests, should be constantly practiced. The just medium between parsimony and extravagance, in public transaction, it is not always easy to discover, and it is to be found only by the good sense of those who make the laws; and this was one reason why our Constitution declares that the House of Representatives, which originates all appropriation bills, shall consist of men most noted for wisdom, as well as virtue. In this state, where the only permanent source of revenue is direct taxation, profuseness of the people’s money should be carefully avoided.

It appears by the Report of the Auditor in the Treasury, that the State School Fund amounts to \$200,234 95, and that of this sum \$173,154 is due to the fund from the state, and the remaining \$26,080 95 is due from individuals on loans. In one view, the state is in debt in the first sum; and in another view, it is a creditor in the last sum. The Auditor Accounts has given very cogent reasons why the debt of the state to the fund ought to be cancelled; and if those reasons appear to the General Assembly, as they do to me, convincing and unanswerable, the debt will, as the fund is under the control of the state, be cancelled.

That a Tariff of duties upon importations, sufficient to supply all the reasonable wants of the national Government, and shaped with a substantive and *bona fide* intention to give adequate protection to home industry is absolutely necessary for the true independence and prosperity of the country, is believed to be a fundamental political truth, which ought on all suitable occasions to be proclaimed. It is a doctrine, too, which should be put forth in no ambiguous terms, but ought distinctly to embrace the idea of protection for the sake of protection, that thus there may be but two sides to the question, and no cover for hypocrisy on either.

The last Congress found that the sliding scale of the Compromise Act had descended so low that the revenue was not sufficient to support the Government; and that the low rate of duties had caused excessive importations of foreign goods, and consequently immense indebtedness and large remittances of specie abroad, while at home there results were, great injury to our manufacturers, as well as to those who furnish materials, labor and subsistence, and an almost universal depression of the business of the country. In this state of things, the majority of that Congress undertook to enact a new, and it was hoped, a better Tariff; and after the strong opposition of the great body of the minority, and with the reluctant votes of a small number of that minority, the present Tariff was passed. Although it is but about a year since its passage, its operation has already been most beneficial. Business is now uncommonly active in the commercial cities; the important manufactories are in lively operation; the demand for the great staple of our state is revived, and the price has somewhat increased; and it is believed that if the present Tariff can survive the attacks of its opponents in the next Congress, the

business of the country will be in a permanent state of prosperity, and, consequently, our agricultural productions in good demand.

If, as has been alledged, it shall turn out that the protection afforded to every interest, except that which is peculiarly our own, is too high, while the protection to that is inadequate, it is surely consolatory to reflect, that the portion of the people, from whom this complaint arises, may control the majority in the next Congress; and I may add, reasonable to expect that that majority will raise the duty on wool to the necessary point. The correctness of this expectation, however, time will determine.

It should be remembered that the present Tariff was not secured without a great sacrifice. The overweening opinions of the President, and the opposition of the minority in Congress, compelled the postponement, and perhaps the final loss, of the distribution of the proceeds of the sales of the public lands among the several states, to which they have a just right. This was done, lest the want of a sufficient revenue should oblige Congress to pass a Tariff highly protective; thus inflicting upon the states a double injury – the loss of their portion of the money accruing from the sales of the public lands, and the risk of having the present Tariff demolished or impaired. While we have yielded to the necessity of suspending the Land Distribution, in order to secure Protection, I conceive it to be our duty constantly to insist upon Distribution, as, a measure which cannot be denied without trampling upon the sacred rights of the states.

I have thus used the common privilege of every citizen to speak upon some of the questions of national policy which now engage the attention of the public, meaning of course no disrespect to those who entertain different views. My opinions may be of small value, yet frankness requires that they should not be withheld.

I thank you most cordially for the honor you have conferred upon me, and I will assiduously co-operate with you in promoting such measures for the good of the people as your collective wisdom may devise, and aid you, so far as it is my province, in bringing the session to a close with all convenient dispatch.

EXECUTIVE CHAMBER,
Montpelier, 14th Oct., A.D. 1843

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JOHN MATTOCKS

Inaugural address
of

John McCullough

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1902

Friday, October 3, 1902

Inaugural Address

Gentlemen of the Senate and House of Representative:

We have come together in obedience to the requirements of the Constitution. This Government is, however, essentially a people Government. In Vermont the Governor is the titular head of the State. He is expected to represent her at public functions. His duties, unless in some great national crisis or convulsion, are neither many nor arduous.

In Vermont, too, we are fortunate that the powers of the Legislature itself, the law making department of every representative government, are only called into exercise in the mildest degree.

The people govern themselves.

A State whose citizens have mastered the problem of self government is best governed when least governed.

From its first settlement, through the stormy period of its Colonial life, during the Revolutionary era, as an independent Republic for thirteen years, as a member of the Federal Union for over a century, Vermont has been educated in a school of self-reliant manhood. That the majority should rule, that the rights of the minority must not be infringed, that liberty regulated by law must prevail, are the lessons that have been so well learned by the citizens; of Vermont as to be, and have become, a part of their very being.

The civilization of this people that had its origin in Lower Germany centuries ago, that crossed the Channel and sprouted and grew slowly with the ages amid and against countless obstacles from within and without on the British Isles, that budded at Hastings and Runnymede, at Lewes and Naseby, that blossomed at Bunker Hill and Bennington and Yorktown, at Gettysburg and Appomattox, needs no guiding hand to instruct its subjects in the matters best suited for their welfare and government.

Your ancestors who founded this little mountain commonwealth struck off your first Constitution in 1777 in the midst of war, and with the enemy upon your borders declared Vermont a "free and independent State." And under its rule and as revised in 1786, for thirteen years maintained an independent existence; and after admission into the Federal Union established the Constitution of 1793, under whose beneficent provisions, and the amendments from time to time adopted, you and your ancestors for over a century have enjoyed the blessings of free government; and, so far as human wisdom can foresee, you and your posterity will continue for other centuries to enjoy the multiplied and multiplying blessing of even a freer government.

The very conservative method, too, providing for its amendment insures against any hasty innovation from popular impulse, and assures that liberty regulated by law shall continue to be the rule of Anglo-Saxon development.

The provision of the National Constitution that requires for its amendment the concurrence of two-thirds of both Houses of Congress, or two-thirds of the States, and then the subsequent ratification of three-fourths of the States, has received the highest encomiums of modern political philosophers as one of the wisest guarantees of good government.

The provision in our Constitution is equally, if not more, conservative and yet in practical working there is little difference.

These provisions insure solidity and security, and, as is well said, these are the most vital attributes of a fundamental law.

Our town system existed before the State. It is the inheritance and the growth of the ages of Anglo-Saxon uplifting. It was simply recognized in our Constitution.

These republics in one form or other have always had their Legislatures. In their annual March meetings, or at other sessions regularly called, they select their rulers for the year and discuss all public questions and decide what is for the best good of the community and the State; and that judgment expressed at the general election is

reflected in the persons of the two hundred and forty-six Representatives standing for these little republics, and in the persons of the thirty Senators representing the counties.

The duty and the responsibility of any needed legislation rests almost wholly on you; the function of the Executive being advisory.

The retiring message of my predecessor, delivered yesterday, is so full and exhaustive and gives such a comprehensive review of the affairs of the State for the past two years, accompanying the same with most valuable suggestions, that it only remains for the present Executive to add his recommendation to the General Assembly to give these suggestions their most careful consideration.

The reports of the various State officers and of the boards of trustees and superintendents of the State institutions furnish you with full information upon which to exercise your intelligent judgment in formulating such wise and prudent legislative action as the requirements of these different institutions and departments demand.

While keeping your appropriations safely within your revenues, I bespeak for all the State institutions, for your whole educational system, your common schools, your normal schools, your colleges and universities, your libraries, for your Home, your Boards of Agriculture and Health, for your Insane Asylum, your Industrial School, your House of Correction, your State Prison, just and liberal treatment.

Wisely and generously administered, such institutions, are the best evidence of an advance and advancing civilization.

TEMPERANCE LEGISLATION.

The verdict of the freemen of the State on September 2d last was in favor of the General Assembly framing a local option and high license law and submitting the same to the people for their adoption or rejection.

This duty will require the very best efforts and the most intelligent consideration of the members of the Assembly.

For fifty years prohibition has been the policy of the State. The mandate comes up now from the people to their legislators commanding them to formulate and to submit to them for their decision some other system.

This the Anglo-Saxon, the American method. It is the rule, of the majority.

And primarily, on this subject, it must be borne in mind that all sumptuary legislation must be supported by public sentiment to be effectual.

In framing a statute the General Assembly will have the benefit of the legislation on the subject of eight or ten of the other States. Experience is the very best guide.

In every State the difficulties arising from the United States internal revenue laws, from the freedom or interstate commerce guaranteed by the National Constitution, and from the medicinal and industrial demand for alcohol will always embarrass the enforcement of any law.

Different States and different parts of the same State may require different treatment, Unlike most of the States, Vermont has few manufacturing centres or large municipalities; the great majority of her towns are rural and agricultural.

Massachusetts is more nearly similar to Vermont than any other State and from her legislation probably more valuable suggestions will be derived than from any other source.

But in the legislation of no one State, only, should we look for the best and wisest provision and those most suitable to the circumstances of our people.

In any local option or license system, it is worthy of consideration whether the vote on License or No License should be taken in any town or municipality oftener than once in three or five years; whether it should not be taken at elections specially called for that purpose and not at any regular election. State or local; whether if License be voted, it would not be wise to require the petition of a majority of the property holders in any

block or square of a municipality before issuing a license whether a majority of the legal voters of any town or sub-division of a city should not be allowed to remonstrate against licensing or continuing the license of a specified person whether any license should be granted for more than a year; whether the number of licenses where authorized should not be limited to one for every 1,000 inhabitants, and prohibited within a limited distance of any church, school house, theater, opera house, public building, park or other public place; whether all licensees should not be required to give am bonds, and every applicant for a license furnish evidence of citizenship and good character.

As to the licensing body or authorities, it has been well said that judicial purity and reputation for purity are far more important than discreet licensing.

It is of the utmost importance that courts and judges should be kept as far removed from politics as possible.

This matter of licensing, therefore, should be entrusted to some other department or to boards specially raised up for that purpose, and which boards should have stability and independence.

There should be several grades of license fees depending on the size and population of the towns or cities; and the traffic should be made to raise large revenues for both the State and the towns or municipalities.

Every licensee should be restricted from selling to minors or intoxicated persons, or on Sundays, election day or any legal holidays, nor should he be allowed to furnish musical entertainment of any kind or billiards or cards or any game whatever; and the place should be wide open to inspection from the street or highway and the hours should be strictly limited, and the shorter the better, provided public sentiment supports these restrictions.

If druggists' licenses are to be granted at all, they should be entrusted only to registered pharmacists who should be authorized to sell only in small quantities and only on the written prescription of a physician not interested in the store.

These suggestions, gathered from many sources, may be of some value in formulating a proper statute to be submitted to the people for their adoption or rejection.

PRIMARY ELECTION LAW.

Many of the other States have such laws, and the enactment of a similar statute by Vermont would tend to secure purity in nominations.

The caucus should be surrounded by the same safe-guards as the election. The primary election should be held on the same day and hour throughout the State; check lists should be provided; the choice should be by ballot; and all the precautions of the general election law should be extended to the primary election.

GOOD ROADS.

In view of the agitation on this subject for the past ten years or more in this country, and of the advanced action taken in many of the States, and of what has already been done in this State, it cannot be necessary for me at any length to urge consideration on your part.

Nothing can add more to the prosperity of the State, nothing can serve to lift farm values so materially, nothing can bring summer tourists and residents to settle and beautify and enrich our valleys so much as permanent road building.

I would not only urge the continuance of the present State tax, but I would advise an increase of the same, and even more liberal treatment.

And in this connection, and as a corollary, I would recommend that the State begin a system of elimination of grade crossings of both steam and electric roads and the highways.

The laws of Massachusetts and New York furnish desirable methods. Proceed slowly, but make a beginning.

REVENUE.

It seems to me, without unjustly or improperly burdening any interest, that all the expenses of the state government can be raised by indirect taxation, and relieve real estate entirely, and I commend this subject to the intelligent consideration of the Legislature.

In conclusion, permit me to express the hope and the expectation, that you will prosecute your legislative labors with all diligence, and that the results may be the passage of a few wise and well considered measures redounding to the welfare and prosperity of the state whose best interests we are all anxious to promote.

JOHN G. McCULLOUGH

October 3, 1902.

Inaugural address
of

John A. Mead

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1910

Thursday, October 6, 1910

Inaugural Message

Gentlemen of the Senate ad House of Representatives.:

In accordance with the custom of our fathers and in harmony with the constitution of our State, you are convened in General Assembly for the performance of a sacred duty, for the faithful fulfillment of which you have each taken a solemn oath.

The conditions of society are of such a nature in our State, that certain restrictions or laws are necessary for the betterment and happiness of mankind; that justice, honor and fair dealing should govern, so far as possible, the affairs of the people of our State. It is for the consideration of such laws that you are convened. It is a solemn obligation which you have sought and which has been delegated to you by your constituents.

The most perfect system of government the wisdom of the ages has devised, is that contained in our own constitution, which expressly provides that the three co-ordinate departments—the “law-making power,” the “law-executing power” and the “law expounding power”—shall be kept separate and distinct, and that neither shall attempt to exercise the rights which belong to the other.

To you, the chosen representatives of our people; is delegated the high duty and exclusive privilege of all legislation.

At this time, we should bear in mind that Vermont has no seaports or deep waterways, but, strictly speaking, is an inland State, and that certain rules or laws which might greatly work for the betterment of conditions in other communities differently situated, might prove unfortunate for the government of our people.

On the other hand, I feel that Vermont is blessed to a greater degree than any other of the New England States, and, indeed, it may well be said that Vermont, considering her size, is favored to as great a degree by nature as any state in our Union. Nature has dealt with our State in the most generous manner.

By referring to the report of our Commissioner of Agriculture, we are informed that Vermont nearly equals all the other New England States together in the production of dairy products, being the only State whose cows near equal in numbers it in habitants.

In the splendor of our scenery, our mountains and valleys, our rivers and lakes are unexcelled in variety and beauty, and these afford an asset which should be fully appreciated by our legislature, that our people may be enabled to realize all the benefits which should easily and naturally inure from this source.

In addition, we should not forget the natural wealth and extent of our stone products.

The General Assembly is the supreme law-making power of the State and within its jurisdiction there should be no interference by the Executive nor attempted influence by private interests.

A time-honored custom, however, directs that I submit for your consideration a few suggestions concerning some of the larger questions and more important problems, which as experience has demonstrated, and changed conditions now demand, should require your attention at this session, and it is in obedience to that custom that I now call your attention to and recommend for your serious and patriotic action the subjects that are to follow.

AGRICULTURE.

This small territory in which we live and which we love so dearly and of which we feel so justly proud and call Vermont, is greatly blessed in many respects, and especially in the wealth of her soil. As farmers we are just realizing this inheritance, but surely we have not availed ourselves of the best knowledge of agricultural life, for the reason that it has not been easily available.

Large sections of our State testify to this fact.

The agricultural products of our State in certain large areas can be easily doubled, but this can only be done by a greater knowledge of agricultural pursuits

Agricultural life occupies nearly two-thirds of all our people and thus is by far the most important of all our industries, and yet, if I read our legislative history correctly, less has been done to encourage and further the wellbeing of the farmer than any other considerable class.

The Agricultural College is rendering special assistance to agriculture, but its service is crippled by absence of an opportunity to illustrate fully its wisdom to the farmers; still, much has been accomplished by our college. But, if I am advised correctly, very few of its students ever return to the old farm for permanent employment. The college has been and is doing a good work, but there is a general desire on the part of our progressive farmers for some provision for more general and practical instruction. I am informed that Vermont is the only State in our union largely interested in agricultural pursuits which has not even one agricultural school where thorough, practical farming is taught. If agricultural life is in fact the most important of all our pursuits—the corner stone of our prosperity—and absolutely essential to our growth and continuance, no effort should be spared to better these conditions, and to encourage and lighten the burden of agricultural life in our State. Much has been accomplished but there are ample opportunities for improvement along these Lines.

That you may realize more fully the vast importance of agricultural life in our country, I quote briefly a few statistics, referring to the volume of farm products in these United States, which are simply beyond human comprehension.

The corn crop of our country in 1907 was worth, at the market price \$1,350,000,000; our hay crop, \$660,000,000; our cotton crop, \$675,000,000; our wheat crop, \$500,000,000, aggregating over 3000 millions in one year.

We hear fabulous reports of the wealth of our gold and silver mines, but if our statistics are correct, either one of the four leading agricultural products of our country exceed in value all the gold and silver produced in all the world each year. Such are only a few of the many facts which are available, but they are sufficient to illustrate the value of agricultural life in our country, and if two-thirds of the people of Vermont are engaged in these pursuits such facts should stimulate this legislature to attempt the most progressive legislation along these lines.

Not only would an agricultural high school course more fully develop the rich resources of Vermont and thus largely increase the agricultural products, but for those who would engage in an agricultural life it would lead to an education thoroughly practical. By this means we should in one short generation develop a class of practical and scientific farmers.

I therefore recommend that the present General Assembly establish one or more agricultural schools, with all the necessities and advantages which should pertain thereto.

THE WORTHLESS DOG.

While considering agricultural life, I cannot refrain from referring to one of the special evils or pests of farm life, viz., The Worthless Dog. Personal experience of a most disappointing character and a careful study of farm life conditions in our county for the last eight years, have convinced me that the worthless dogs of our towns and cities have driven the sheep from our hillsides and forced upon our farmers the keeping almost exclusively of cattle. One of the most successful breeders of Spanish Merino sheep in our section, after having spent twenty-five years in perfecting his flock, was compelled to dispose of the remnant and substitute cattle though not till he had shot on his premises the seventy-fourth dog chasing his sheep. This may be an unusual case, but with us there are many others suffering from the same evil.

The result of this plethora of cattle in our State has forced most of our farmers to the production of dairy products wholly, and in such quantities that less than one-third are consumed at home, and the remaining two-thirds must seek a foreign market at a greatly reduced price..

The farmer working on a large scale realizes fully the difficulty of obtaining proper help for dairy purposes but he too often is forced to this task, as he cannot safely devote his energies to the raising and herding of sheep.

The results of this evil may be more severely felt in certain sections than in others, but my attention of late has frequently been called to this subject, and the farmers in Rutland County are earnestly asking for relief.

Our laws do not and should not permit the keeping of dogs or other animals that may be a cause of serious financial injury or damage to our people.

I would recommend to this assembly the serious consideration of this subject; the continuance of a reasonable tax on dogs, the compelling of wearing a collar as at present, with the owner's name plainly marked thereon, and, in addition, requiring each owner of a dog to deposit a bond with the city or town clerk of \$100, more or less, which must be maintained at this amount with one or more sufficient sureties. Thus an injured party could at once realize for his loss, so soon as he could prove the ownership of the offending dog.

Some statute to this effect drawn properly and fearlessly enforced would rid our state of the more undesirable half of our dogs at once, and if this law could be made effective it would inure greatly to the benefit of our farmers, and to the large increase of sheep herding in our State.

In this connection, it may not be out of place for me to call attention to the failure of local officials to enforce our present laws requiring the killing of all dogs not licensed and collared. No law can be effective unless it is enforced.

FORESTRY.

During the last few years the subject of forestry has been attracting increased attention from those citizens who have the best interest of our State at heart.

No argument is necessary at this time to convince our people of the great good to be accomplished by the practice of forestry, so called. The only question is, in what manner can the best results be attained? Our first forestry Law of any importance was enacted in 1904, designed to protect our forests from fires. This law has served its purpose reasonably well, though it is thought that amendments could be made which would help to more thoroughly accomplish this object.

Our people may feel justly proud of our advancement, in this held as, with only four years' experience, there is only one State with a larger nursery than has Vermont. I learn from Professor Hawes and Mr. Hitchcock, of Pittsford to both of whom I am indebted for many facts, that there are now growing on land furnished freely by the State University about three million seedlings. It was in 1906 that the law was passed establishing this nursery for forestry seedlings, and not until 1908 did the State obtain the services of a professionally trained Forester.

In addition the State has 250,000 seedlings growing at Sharon, on land generously donated to the State by Mr. Chas. Downer for forestry purposes, and about 250,000 were sold and transplanted in 1909, and 375,00 in 1910, and it is expected that 600,000 of these young trees will be distributed in 1911. These trees are sold to our people at their cost, which is about one-half of what they would cost from any other source. They are scattered all over our State and the results in a few years will be most beneficial and far-reaching.

Our State has two reserves, and it should be the policy of the Legislature to provide a method by which the State can acquire, through the State Forester, additional lands, by gift if possible, and occasionally by purchase.

Our people do not appreciate as they will, the influence of these reserves upon the public health, upon the local lumber market, upon the beauty of our scenery and upon our water supply. They serve all these purposes and others, whose influences will be potent in the development of our State.

I respectfully ask your consideration to two practical questions relating to forestry.

First. Can the method of taxing the timber lands of our State be revised, so as to encourage the preservation and growth of our forests?

Second, Shall the State share in a small way in protecting our larger lumber tracts from fires?

The suggestion has been made that the State should establish fish and game preserves in different parts of the State, upon which fish and game can be allowed to propagate freely scattering thence over the surrounding country. I see no reason why some of the money available for the protection of fish and game and some of the money appropriated for forestry cannot be united in the establishment of forest reserves which shall at the same

time be “game preserves,” and under the joint control of the State Forester and the State Commission of Fish and Game.

CATTLE COMMISSION

One of the most difficult problems of state government is that which pertains to our Cattle Commission and more especially to tuberculous cattle, as the vast amounts of money being paid to the owners of cattle slaughtered by order of our Cattle Commission during each biennial term is an enormous drain on our state treasury and there are grave doubts as to the amount of benefit that has been realized.

During the year ending June 30, 1909, there was expended by this Commission nearly \$100,000, of this nearly \$80,000 was paid to owners of tuberculous cattle killed by order of your Commissioner. By the Auditor’s report I note also that for the fiscal year ending June 30, 1910, there was paid on orders by your Cattle Commissioner \$50,128.67. This second amount is much less than for the previous year, as the Legislature of 1908 limited the amount that could be used annually for this purpose to \$40,000 and the amounts received from the slaughtered animals, making the total expenditure for this period, as stated, \$50,128.67. These expenditures have continued for twelve years, and still the amount expended during the fiscal year ending June 30, 1909, exceeds any other for a like period.

The details of this Act of 1908 are without doubt familiar to you and I will not further consider them. The thought which prompts my reference to this subject is, are you exterminating this dreaded disease by the means now employed? The figures taken from the Auditor’s report would not indicate this result. Are you not continually spending this large amount annually without any apparent results in diminishing this disease? You are all aware that in this age human beings are made immune to certain diseases. The vaccine virus is used the world over as protection from small pox. Antitoxin obtained from the horse an animal immune to ditheria, has saved thousands of human lives. Is there not some form of virus that can be obtained which, under favorable conditions, may render our cattle kind immune to tuberculosis? Many of our progressive farmers are already advised that there is such a virus, that is being thoroughly tested at this time, and in fact a few in our State are using a virus with very satisfactory results. If our efforts to eradicate the “white plague” from our cattle kind by the methods adopted and executed during the last fourteen years, and after an expenditure of many hundreds of thousands of dollars in killing the old cows, have not proved effective, is it not opportune for you to consider some efforts beginning at the other end of the line? If the calves can be made immune and kept so, in a few years the conditions as to this affection ought to be greatly improved and the disease nearly eradicated.

Common business sense demands that this enormous annual expenditure shall cease unless it can be demonstrated more conclusively than has yet been done that we are obtaining commensurate results.

There is another thought which I wish to present and which is intimately connected with this subject, viz., the care of our cattle. Are our present methods the best, realizing how susceptible cattle are to tuberculous infection? The custom generally prevailing is to confine the cattle in stables too often poorly ventilated and with deficient light, and in sufficient numbers to be most injurious, so that if there was the slightest opportunity to contract the disease, they would all become affected.

Cattle were evidently created for outdoor life; their hoofs, thick skins and heavy coats all indicate this fact. It is a well known fact that cattle kind readily contract tubercular disease; and why should not the same treatment be applied to them that benefits human kind? It is now a well established fact that the most efficient remedy for this affection in human beings is pure air, and should not the same conditions apply to our cattle? Our progressive farmers are awakening to this fact and more good sheds opening to the south or east are being used every year. If our State is to join with the farmers in an effort to free Vermont cattle of this plague, should they not exercise good judgment and the care of their cattle?

I therefore recommend to this assembly that your Cattle Commissioner be authorized to thoroughly investigate the subject of rendering calves immune, with power to furnish and use the virus until a thorough trial has been made, at the expense of the State.

I also recommend that you clothe such commissioner with authority to prescribe rules regulating the care of cattle where the State furnishes aid, particularly in requiring the use of comfortable sheds, well—ventilated

stables and pure water. If the State is to assume some portion of the expense of keeping cattle free from disease, it should have a certain supervision in the care of these animals.

I have tabulated and hereto attach a detailed statement of the expenditures since July 1, 1898, by the Cattle Commissioner.

APPENDIX

EXPENDITURES BY CATTLE COMMISSION FROM JULY 1st, 1908, TO JULY 1st, 1910

	Paid to Cattle Commissioners and Expenses	Paid to Sec. of Board of Cattle Commissioners	Paid for Testing Cattle	Paid for Cattle Killed in Vermont	Paid for Cattle Killed in Massachusetts	Protection of Butchers of Killing Cattle in Vermont	Total Expense
July 1, 1898 to June 30, 1899	\$1,401.14		\$3,323.63	\$3,475.50			\$8,200.27
July 1, 1899 to June 30, 1900	1,126.52		3,877.25	4,399.75			9,403.52
July 1, 1900 to June 30, 1901	682.57	\$1,107.84	3,664.97	12,646.58			18,101.96
July 1, 1901 to June 30, 1902	586.71	1,637.80	1,498.83	20,289.75			24,013.09
July 1, 1902 to June 30, 1903	849.93	1,102.39	1,718.50	13,865.40		\$160.59	17,696.81
July 1, 1903 to June 30, 1904	1,491.43	1,502.17	1,195.40	22,683.37	\$2,209.42	582.87	29,664.66
July 1, 1904 to June 30, 1905	2,279.96	1,566.50	1,342.82	23,948.80	2,847.23	1,183.53	33,168.84
July 1, 1905 to June 30, 1906	1,269.94	1,810.48	2,895.54	38,618.01	1,914.08	2,021.49	48,529.54
July 1, 1906 to June 30, 1907	3,155.26		1,289.80	23,406.33	3,463.31	2,111.20	33,425.90
July 1, 1907 to June 30, 1908	3,114.63		1,1639.68	48,670.69	1,974.84		65,399.84
						Cattle Killed for beef	
July 1, 1908 to Feb. 1, 1909	2,715.61		1,3930.32	65,931.44	1,244.46		103,018.83
Feb. 1, 1909 to June 30, 1909	1,562.74		110.34	16,773.00	191.70	559.02	
July 1, 1909 to June 30, 1910	3,848.97		10,055.13	30,301.70	1,632.77	3,713.69	49,552.26
	\$24,085.41	\$8,727.18	\$56,542.21	\$325,010.32	\$15,477.81	\$10,332.39	\$440,175.52

HIGHWAYS

The subject of better highways is fast becoming one of the most important factors in our state government and the last four years have demonstrated to a certainty the wisdom of the state's assuming the control of the betterment of our roads, It was predicted by many when Act No. 111 of the Laws of 1906 was passed creating a State Highway Commissioner who should in effect have almost complete control of our highways, that the towns would lose their interest in their roads but the contrary has been the result. The annual appropriation of Fifty Thousand Dollars by the State for highway purposes in 1906 was increased to Seventy-five Thousand Dollars in 1908; and for the towns to benefit by this appropriation, they must contribute a like amount. This fact has stimulated the town officials to greater endeavors than ever before.

Our people are fast learning that our public highways are the avenues of travel and of commerce, and are nearly equal in their importance to our railroads. They are, as it were, the arteries of our social and commercial system, reaching out into our country and gathering the products of our farms and mills, and transferring them to our rail way stations and to commercial centers.

It is becoming more evident every day that good highways are indispensable to our commercial growth and wellbeing. Our people are fast learning that it is the surplus from our farms and mills which we sell that increases our wealth; it is not that which we consume; and thus the cost of transportation and distribution is an important factor; and if it is too expensive, the products of our farms and mills are valueless.

The discussion of this subject could be continued indefinitely.

The effects of good roads upon our educational life is self evident and too apparent to require discussion, Easy and cheap transportation to and from our schools is of the greatest importance and the same arguments pertain to our churches and to all social life.

The automobiles have come to stay and must be reckoned with in highway problems, and they are contributing largely to the construction and maintenance of our roads.

Great as are the benefits of good roads, I can but feel that we are adopting a safe and businesslike method in dealing with this subject. I cannot feel that our people are ready to bond our State for trunk highways, so-called. The improvements during the last four years are great and another two years will certainly show still greater progress along this line, and if the appropriation could be quite considerably increased, and I think it can be, with no fear of a State tax, the improvement will be that much the more.

The report of our Commissioner of Highways has been published and is before you, and I urge your careful consideration of the same, and especially of Mr. Gates' recommendations, the first of which refers to a larger appropriation by this legislature; and in this I earnestly concur.

TAXATION.

The effort to devise a more satisfactory system of taxation than that now on our statute books, has occupied the time of your last two legislatures to a greater extent than any other subject and still but little or no advancement has been attained. The Commission appointed in 1906, after two years of careful consideration, gave your assembly a most complete and instructive report, and this was submitted to the Legislature of 1908, but no definite results we attained, and again we find the same plank in the Republican State Platform, demanding further consideration and action as to tax reform—more particularly to remedy the evils of double taxation, so called, and, again, to “impose the burden of support of the government equitably among all men.” Surely every gentleman present has promised to use his best endeavors to accomplish this purpose. You are all agreed that some changes should be made, but it is difficult to determine how far and in what manner the evil can be remedied.

The levying of a tax upon real estate on an appraisal representing its fair cash value is generally considered as equitable, but the system of taxing all personal property at the same rate as that levied upon real estate is subjected to severe criticism. Modern authorities on taxation favor the division of personal property into such classes that varying rates may be imposed thereon.

In States wherein such classifications have been adopted, tangible personal property like live stock, stocks in trade, lumber and machinery, are usually subject to the same tax rate as the real estate; and intangible personal property like loans, bonds, mortgages and credits, which are simply an evidence of property and nothing more, are taxed at a much lower rate.

Many states have constitutions that prohibit such varying classifications, and a general movement is being made to eliminate those constitutional provisions, requiring that all property, personal and real, must be taxed at the same rate and in the same manner,

The constitution of Vermont contains no express provisions requiring an uniformity of taxation; but the question of whether or not the effect of the language employed therein prohibits uniform taxation is raised in the case of *State vs. Clement National Bank* now pending in our Supreme Court.

For nearly thirty years our State has reserved for its own revenue certain classes of property and taxpayers, and exempted them from town and county taxation, e. g., deposits in savings banks and trust companies; and the property of railroad, transportation, express, car, telephone and telegraph companies. No two of these corporations are taxed upon the same basis, and yet each contributes approximately in fair proportion to the support of the State government.

The increase, during the past ten years of substantially one hundred per cent in the amount of bank deposits subject to the State tax of seven-tenths of one per cent, or seven dollars per thousand, demonstrates the advisability of allowing a lower rate on intangible personal property than is imposed upon real estate.

A like tax on notes, bonds and other securities held by individuals would doubtless materially increase the amount reported for taxation and largely increase the revenue derived from this source. In thus reducing the tax rate on notes secured by mortgage, from the local rate to seven-tenths of one per cent, or seven dollars per

thousand, it would to that extent more than one-half relieve the evil effects of double taxation; and should also affect materially the rate of interest at which loans from individuals might be obtained.

It should be the policy of Vermont to keep her taxation laws as nearly as possible abreast of the times; to correct any feature therein that works injustice or permits evasion of taxation; and to invest listers with such reasonable powers and support as will enable them to obtain just and fair results.

Too radical legislation would be unwise, but earnest effort to bring about some of the most needed reforms in methods and administration are demanded by our people.

I do therefore recommend that the same rate of taxation be imposed upon intangible personal property like loans bonds, credits and mortgages on property within our State as that levied upon deposits in our savings banks.

I would also recommend that our statutes be so amended as to “provide for State central authority in some form that shall have a proper degree of authority and oversight of the administration of the laws in our cities and towns.” relating to taxation. Your Commissioner of Taxes might be invested with this authority or a special commission be appointed for this purpose.

LEGISLATION PERTAINING TO WAG EARNERS

Both of the dominant parties of our State have promised certain forms of what is known as labor legislation, and this Legislature will not, I trust, fail to make good these promises. I do not favor what is known as class legislation, but if the Assembly has enacted laws favoring the farmers, and the members of all the professions, there is no good reason for refusing the same or similar benefits to the wage earners, who are far less able to endure the misfortunes of life. If it is your wish to avoid the worst forms of socialism and anarchism, let us treat all classes alike—for these and many other reasons I trust the “ten dollar” exemption bill will receive your favorable consideration. Both parties are committed to the same promises as to the Employer’s Liability Bill. I will not detain you by repeating the arguments advanced in behalf of this measure. The public press has reiterated them time and again, and during the last campaign both parties were obligated to this measure, and I earnestly recommend that this obligation be kept, and that the legislation promised be enacted.

There is another labor question, so called, which I trust will receive attention by this assembly, viz:, a law providing for some equitable form of arbitration in labor difficulties, and my suggestion would be, some enactment similar to the Canadian law. I believe that some effective legislation along this line would inure greatly to the mining and manufacturing industries of our State, and to the laborers as well.

The question may arise as to the constitutionality of this latter measure, and, if so, this would be an opportune time for the consideration of this subject.

EDUCATION.

There is no subject of more vital importance to the welfare and betterment of our State than that of the education of our children. A State is not esteemed most for its wealth nor its rapid increase in population, nor for its physical attractions or natural resources, hut it is prized and respected above all for the intelligence and character of its people. That they might better promote these and render each succeeding generation better equipped for its life work than its predecessor, our fathers provided for a system of free public education.

For many years every Legislature has, endeavored to do something to strengthen our educational system, and it remains for the Assembly of 1910 to contribute to the work and offer to the children of our State the best advantages possible along educational lines.

The children are the subjects of our ambition, and the teacher is the instrument for their betterment. If the teacher is not fully equipped for the task, what are the results? My fear is that our system is the weakest where it should be the strongest, namely, in its teachers in our rural schools.

Vermont employs a larger percentage of untrained teachers than any other New England State, the percentage being about 78 percent, more than three-fourths of our teachers, then, are untrained. In Rhode Island, on the other hand, less than one-third of the teachers are not trained for their work.

Our fathers were proud of the fact that as to the education of her children, Vermont of all the States in the Union, was second only to Massachusetts, but today we have fallen to a discredibly low rank and are on a level with some of the Southern states.

These facts do not make pleasant reading, but they are facts, and we cannot alter them by closing our eyes. The time has come when we must look the situation squarely in the face; find out the trouble and begin to remedy it *at its source*.

Upon one thing, all who have investigated the educational conditions in Vermont are agreed, viz.: if we are to keep pace with the progress of other States, and indeed if we are not to actually retrograde, the standard of our rural schools must be decidedly raised. And the standard of these schools depends largely upon the efficiency of the teachers in them,

The trouble at present is not in the character and natural ability of the teachers in our country schools, but in their lack of training. Reference has already been made to the very large percentage of untrained teachers in our schools today. In this age of special training for every pursuit, there is not another walk in life here such a condition would be tolerated, and yet the education of our children lies at the foundation of all progress

The difficulty with our present situation, which at once presents itself, is the lack of training facilities for those who wish to become teachers.

Our normal schools, three in number, draw their pupils to a large extent from the communities immediately around them, and the effect is shown in the percentage of trained teachers in the rural schools in different parts of the State.

For example, in Rutland County, where one of the Normal Schools is situated, excluding the city of Rutland and West Rutland, the percentage of trained teachers is four times as great as in Windham County, which has no normal school excluding Brattleboro and Rockingham. A large percentage of the pupils in attendance at each of the Normal Schools is drawn from the town in which they are situated and the towns immediately around them.

It is no more than fair, then, to other parts of the State, and it is absolutely necessary, if we are to bring our schools throughout the State up to anything like an even standard, provision should be made for training teachers in each section.

Excellent results have been obtained in other States by establishing training courses in connection with high schools and academies under the supervision and direction of the State Department of Public Instruction.

I therefore recommend that the Legislature appropriate a sufficient sum to establish training courses in the principal high schools and academies, where the towns' are willing to co-operate by contributing in a proper proportion to their maintenance, giving to the State the immediate control and supervision of these courses and the power to determine where they shall be installed and how long continued. With but little expense, the number of trained teachers in the rural schools by this means can be easily doubled, if not increased fourfold. School Boards will pay better salaries, if they are sure of competent teachers, thus helping to overcome another difficulty we have to contend with in the low wage scale for teachers. Our people will be only too willing to pay for results when they can be obtained.

But these teacher training courses should not be our only reliance. We need to supplement these with a high grade normal school, centrally located, and completely under state control one which will set the pace for the entire State, and which will take rank with the best schools of the kind anywhere. The best is none too good for us where the education of our children is concerned.

The State is at present contributing to the support of three normal schools in different parts of the State and has been doing so for more than 30 years. From 1870 down to 1908 every committee appointed to report upon the matter, so far as I have been able to learn, has unanimously found that the present system has proven inadequate to the State's need,

In 1870, only three years after the establishment of the first school, the *board of education*, composed of Governor Hendee, Hon. Merritt Clark, Rev. William A. Robinson, D. D., Hon. Jonathan Ross, L. F. Ward and Prof. George Webber, made a comprehensive report, from which I quote as follows:

“It became obvious to the Board that the present system, while accomplishing all that could reasonably be expected of it, was proving itself entirely inadequate to the wants of the State, and as a permanent system was unworthy of any State that aimed to make liberal provision toward public education.

“In fact it seems to have been taken for granted from the outset that the present plan was to be only an entering wedge and that something larger and better was of course to follow,”

Thirty-six years subsequent to this report the Legislature of 1906 appointed a Committee, consisting of Hon. Frank L. Green, Supt. Clarence H. Dempsey, Bert L. Stafford, Hon. L. Ethelbert Sherwin and Willis N. Cady, to investigate and report upon the present condition of our State Normal Schools. To their report I would respectfully call your attention. Their conclusion was:

“The present Normal Schools do not adequately meet the educational needs of the times.”

Following this the Legislature of 1908 passed an act providing for a commission to investigate and prepare plans for a central normal school. The commission for some reason was not appointed, but the act shows the conclusion of the legislature.

It is apparent that the State needs something more than the present normal schools can give.

The appropriations have doubled in the last ten years and now amount to \$30,000 a year, yet the number of graduates for the *decade* has not appreciably increased and in two schools has in fact decreased.

In considering the question of increasing our normal school facilities, it should also be borne in mind that the plant and buildings of the present normal schools are owned and controlled entirely by self-perpetuating boards of trustees in two instances, and by the *principal of the school* in the other. The State has no ownership in or control over them. This is probably one thing that has held back their proper development, or common business sense forbids the State to make any large investment to improve property which it does not own and control absolutely.

I recommend that this Legislature appropriate a suitable sum for the establishment of a centrally located State Normal School to be entirely under the control and ownership of the State, and that a board be appointed with power to locate and establish the same. For this board, we should be content with only the very best qualified men in our State in educational matters who will make their decisions entirely unmoved by *partisanship* or *local prejudices* and with an eye solely to the good of the whole State.

The question is not, as it has often been made to appear, the abolishment of present normal schools, but the increase of normal facilities. It stems to be the consensus of opinion that the State ought to be doing more than it is, and that the first step is the establishment of a *State “Normal School.”* The present normal schools may also be continued, if they can prove their efficiency and fill a place in our educational system, as I hope they can.

The school at Randolph, by reason of the lack of pupils near by, is the least able to do good normal work and has the least prospect of improvement. On the other hand, it is admirably situated for an agricultural high school, and, if the State could obtain ownership of the property, I should favor the establishment there of a completely equipped first class agricultural school,

I leave these matters to your careful consideration and simply ask that the subject be approached with an open and unprejudiced mind and in a broad and patriotic manner. Being careful to do no injustice, let us see to it that nothing prevents us from giving our children the very best advantages that can be had,

CONSTITUTIONAL AMENDMENTS.

Some few weeks since, in accepting the high honor which the last Republican Convention conferred upon me, I referred briefly to the proposed constitutional amendments, and, at that time, fully concurred with the suggestions submitted by the committee appointed to consider this important subject.

It is not my purpose at this time to discuss in detail the eight amendments proposed. They have been fully dealt with in the public press, during the last two months, and the arguments pro and con must be too familiar to you all to warrant further reference at this time.

I appreciate fully the sacredness of our constitution, of how carefully it should be guarded and with what wisdom and deliberation we should act in changing the same. I also realize that we are living in another age from that in which our constitution was framed and thus subject to changed conditions—that the constitution is the work of man and not infallible, I earnestly recommend a careful consideration of each of the eight amendments.

I would also recommend an amendment that would so govern our election of town Representatives and county Senators that, at each session of our Legislature, at least one-third or one-half of their number shall have had legislative experience. I know of no amendment that would more efficiently hasten the work of the General Assembly.

PRIMARY ELECTIONS—WEIGHTS AND MEASURES

These are subjects which should receive your earnest attention. They have been kept before the public most industriously in our State for many months past and it is unnecessary for me to detain you with a recital of the arguments pertaining to these measures, stating in what manner proper legislation on each of these subjects would inure to the betterment of our people or for the commercial interests of our State.

CONCLUSIONS.

I wish to emphasize the importance of early consideration of such questions as are of state-wide significance.

You will serve best the freemen of Vermont if you at once undertake the solution of those broad questions, which will promote the interests of the great body of our people.

The work of the session ought to be accomplished as quickly and speedily as is consistent with a good understanding and deliberate consideration of the problems you attempt to solve.

You will accomplish most in my judgment by undertaking little. In the short space of a single session, you will find it impossible to correct all the mistakes of the past and enact all the wise legislation which the present and future require. Let me advise, then, that from this day until adjournment you direct your entire attention to a few large matters that imperatively demand your consideration and action.

I believe I voice the sentiment of the State in asking that your efforts be so continuous and so well directed that this General Assembly may complete its work and adjourn before Thanksgiving Day.

During your service here, those you represent expect you to put aside all personal considerations and bend every energy to serve in word, thought and deed, the public weal.

Irrespective of party affiliations, the men of Vermont have given expression to their views upon many questions about which there is a general consensus of opinion. They will expect from you nothing less than that you see these measures written into the laws of this session. They will exact from you little more. If you fulfill their expectations, they will approve your action, and the coming years will demonstrate that Vermont through your efforts has made substantial progress, political, moral and material.

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

GUY W. BAILEY,
Secretary of State, Clerk.

Inaugural address

of

Ebenezer J. Ormsbee

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1886

Thursday, October 7, 1886
Inaugural Address

GENTLEMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES, IN JOINT ASSEMBLY CONVENED:

We are assembled, in accordance with the provision of the constitution, as the chosen representatives of the freemen of Vermont, in the several legislative departments of state government – each and all by our several oaths of office bound to faithfully do and perform every duty. In aid and furtherance of our individual determination to sacredly keep those oaths, let us ever remember that, in and of ourselves only, our best endeavors are liable to come to naught; that abiding strength and unerring guidance come only from Him who rules the universe.

The people, whose servants we are, demand of us prompt and efficient action in whatever comes to us to do or consider as their representatives. The time and money spent here in their service is theirs, not ours. Duly impressed with correct views of duty, let us proceed to a performance of it with as much dispatch as is consistent with candid consideration and safe and wise conclusions.

The biennial reports of the several state officers, as to matters under their charge, will be before you. To these you will look for details and itemized accounts of current state affairs, and also, for information and light as to how well or ill the affairs pertaining to the welfare of the state have been, and are being, performed by your selected and trusted servants – for the state officers are but the servants of the people, and their reports an account of their stewardship.

It is a part of the duty of these respective officers by their reports, to make suggestions and recommendations, and coming from persons most conversant with the details, and more familiar than most of us with the workings, as well as the needs, of their respective departments, such suggestions and recommendations are entitled to, and doubtless will have, your careful attention and consideration.

The report of the treasurer presents an itemized statement of the financial affairs and condition of the state. The subject of the finances of the state usually does, and always should have, the most rigid and careful scrutiny, and the public does and should require this.

TREASURER'S REPORT.

From this report it appears that, at the close of the last fiscal year, July 31, 1886, the state

LIABILITIES.

were as follows, viz.:

Due towns, U.S. Surplus Fund.....	\$13,397 62
Due soldiers, unpaid balances.....	8,557 46
Due Agricultural College Fund.....	135,500 00
Balance due on appropriation for state library.....	22,706 55
Balance due on appropriation for bridge from North Hero to Alburgh.....	19,062 00

	\$199,224 13

and the

RESOURCES.

were as follows, viz.:

Cash on hand and in banks.....	\$160,974 97
Estimated amount of tax from corporations for 1886.....	200,000 00
Estimated proceeds from sale of balance of Huntington Fund Securities	15,000 00

	\$375,974 97

Of the items making up the liabilities, the following are not subject to call, and no present provision is required to meet the, viz.:

U.S. Surplus Fund.....	\$13,974 62
Balance due soldiers	8,557 46
Agricultural College Fund	135,500 00

Amounting to	\$157,455 08

which sum deducted from the total liabilities leaves, subject to be paid presently, \$41,769.05, showing an excess of resources over current liabilities of \$334,205.92. This excess of available resources is about equal to the expenses of the state in a session year, when no extraordinary appropriations are made or unusual expenses incurred.

STATE EXPENSES.

This subject has received much attention and consideration at the hands of the legislature within the last decade; many abuses have been remedied; many sources and avenues of unnecessary expense have been effectually closed; important streams of revenue, that had ceased to flow, partially or wholly, have been made to pour again their hidden or diverted contents into the state treasury.

This is a just cause for congratulation and thankfulness. That so much has been accomplished, my predecessors, in their biennial messages have uniformly given much credit to the faithful and intelligent service of our present auditor of accounts, and I take this opportunity to express like sentiments, not as a compliment merely, but to give public and official recognition and appreciation of faithful and intelligent performance of duty.

Turning to the report of the auditor of accounts, we find that he has given requisite attention to the transactions of the state treasurer, and of him he says that "all transactions in this department are correct." This is gratifying, but not unexpected intelligence. The auditor in his report, dwells at some length on the fruitful subject of "court expenses," and your careful attention is solicited to the information there given, and the suggestions and recommendations there made. The want of uniformity in existing laws, wherein it consists, and a proposed remedy therefore, are so plainly set forth, that there is no occasion for me to dwell upon the subject further than to express a confident hope that such legislation may be had as to provide that *all* costs, accruing in criminal prosecutions, should, in cases of conviction, be taxed against the respondent. So far as may be reasonably possible, let the violator of the criminal law of the state, as a part of the penalty of his crime, be required to pay the costs and expenses of the state in bringing him to justice. The remarks and suggestions of the auditor, bearing on expenses and costs in criminal cases, merit, and I trust will have, your careful and patient attention.

That abuses have been corrected and that misapplied or withheld funds of the state have so largely found their way into the treasury is, as I have said, cause for congratulation, but not an excuse for relaxation of vigilance. You will not forget that it often happens that there is the greatest danger in fact, when quiet and seeming prosperity abound. An empty treasury is far from being an unmixed evil; it prompts and encourages care and economy, while an overflowing one often leads the way to extravagant appropriations and waste of public funds.

Akin to the subject of state expenses, is that relating to the means and measures provided for meeting them, and this can only be accomplished by some of the varied modes of taxation. And I assume that, for the present at least, it will be the policy of the state to look for its revenues mainly to the provisions of act No. 1 of the session laws of 1882, entitled "an act to provide a revenue for the payment of state expenses," and acts in addition thereto, or amendment thereof, familiarly known as the corporation tax law. The adoption of this method, was, as you know, a wide departure from former ones, and, in no limited sense, an experiment. The experiment has been successful, probably beyond the expectation of the most sanguine of its promoters, and, what is more surprising, and not less gratifying, this success has been brought about without friction, or disturbance of the large business interest involved; and the law has, I believe, the cheerful acquiescence of all parties and persons made to contribute by it. Too much commendation cannot be given to the framers

promoters of this law. The state at large has been greatly benefited, and I am not aware that any of the contributing parties now complain. The wise and fortunate selection of a tax commissioner, to apply and administer the law in question, and the wisdom and marked discretion with which he has performed his new and complex duties have done much to secure its success, and merits this recognition at my hands. From the report of the commissioner, we learn that the taxes *assessed* under this law in 1884 amounted to \$205,221.76, and in 1885, \$200,685.70, and from the report of the treasurer it appears, of the taxes assessed in 1884 there was paid into the treasury the sum of \$205,225.33, and of those assessed in 1885 there was paid the sum of \$200,685.70; and the treasurer estimates the receipts in 1886 under the law at \$200,000.

The tax commissioner by his report makes certain suggestions and recommendations concerning the correction of some seeming inequalities in the application and working of the law, and the removal of claimed doubts as to its application, to which I solicit your considerate attention.

By the report of the commissioner of taxes, we learn that statistical inquiry, under the provisions of act No. 2 of 1884, fixes the average rate of property taxation in the state in 1884 at about one hundred and twenty-three cents on the dollar of the grand list of that year, and at about one hundred and twenty-five cents for the year 1885. This information should prompt watchfulness and economy.

REPORT OF THE INSPECTOR OF FINANCE.

Among other important duties imposed upon the inspector of finance is that of examining and making report to the general assembly as to the condition of the savings banks and trust companies in the state. This alone makes this office one of grave importance to the people.

In 1860 the various savings banks of the state held deposits to the amount of about one million dollars; the amount now held (June 30, 1886,) including deposits in trust companies is *fourteen million, two hundred fifty-three thousand, nine hundred sixty-three dollars and forty-seven cents*, and the number of depositors (at same date) is 49,453. To a very large extent, these deposits are the savings – and in many cases the little all – of the poor, the widows and orphans of the state, and it is your duty to encircle them with every safeguard and to protect them with every reasonable limitation and restriction as to investment. These deposits are in the highest sense *trust funds*, of which the directors, trustees and managers of these savings institutions are but *trustees*. In the matter of the management and investment of these funds, every other consideration should be secondary to and yield to that of safety. Any departure from this rule is highly censurable. And bearing on this subject, I quote from the concise and able report of the inspector, with my unqualified approval. He says: - “The great underlying principle which should, it seems to me, govern the management of trust funds – and savings deposits are nothing more nor less than trust funds – is that safety should be the first and strongest consideration actuating and governing trustees.” “Savings banks were instituted for the purpose of affording an absolutely safe place for the deposit of the small earnings of widows, minors and others, who are not sufficiently versed in matters of finance to care for their own savings. And this purpose is wickedly perverted when trustees become ambitious to build up great institutions by paying large dividends and thereby attracting the capital of the wealthy.”

These plain and well-pointed remarks of the inspector find application and meaning in what is reported by him as to investment of these funds in “Western farm mortgages.” The importance of the subject, and the desire on my part that the views and recommendations of the inspector be more widely disseminated lead me to quote further from his report. He says:– “Strictly choice municipal bonds, a class of investments upon which our savings banks have heretofore largely relied, now rarely pay more than four per cent net, and many of our savings bank managers have deemed it wise to discard largely this class of securities and to correspondingly increase their investments in Western farm mortgages, which pay a much larger rate of interest.

I call your attention to the recommendation of the inspector that the present limit (58 1-3 per cent) within which savings deposits may be invested in Western mortgages, be reduced to forty per cent. I recommend that the law limiting and restricting the investment of deposits be so amended as to meet the recommendations of the inspector. Some of the present restrictions are seemingly unjust, or at least unwise. The well known financial ability and standing of the inspector, and his large experience, are I am sure, quite sufficient to secure your

earnest attention to his report. His evident solicitude – not to say anxiety – is fully accounted for by a careful study of his report.

In the report of the treasurer you will find an itemized statement of the several trust funds in his hands for which the state is accountable, and the official certificates of the auditor of accounts and inspector of finance that they have examined these funds and found the same correctly set forth in said statement of the treasurer.

EDUCATION.

Few, if any, subjects are equal to this in importance, and I am pleased to be able to say that no subject has received more thought and attention from the general assembly and also from the thoughtful people of the state. And I venture to assert that it has been a long time, if ever, since there was more thought given to the subject than at the present time, and it is probable there has never been a period when there was more, if as much, anxiety and solicitude concerning it as now. The importance attached to the subject is easy to understand, as *intelligence* of the *masses* is absolutely essential to the *prosperity* and *existence* of our form of government and its free institutions. But why the present unusual interest, anxiety and solicitude? The answer to this enquiry is found in an assertion or proposition not pleasant to entertain or contemplate, yet forced upon us by seemingly unquestioned and unquestionable facts – an assertion promulgated by my predecessors and also by the constituted heads of the educational departments of the state, both past and present, and corroborated by the national census bureau. It is, that the people of our commonwealth are increasing in illiteracy – that she is losing rank with, and falling behind, her sister state in that education and intelligence that can come only from the common or public schools. The proposition is as unwelcome as it is alarming, and I would gladly refute it could I see my way clear to maintain my position.

Assuming that this is correct, I am led to repeat the inquiry of my earnest and accomplished predecessor, ex-Governor Pingree: “Wherefore are we being left behind?” This is certainly a most important inquiry, and I address it to you in all possible earnestness, trusting you may be able, not only to answer it, but to find a cure, and by early legislative action make vigorous application of it, even though it should involve radical changes in our educational system. Pursuing the subject, I put the further inquiry: Has there been in the past, or is there now such a want of proper pecuniary support and encouragement by the state for the common schools as to account for the trouble? If so, and you should unlock the treasury and provide the proper aid, it would have my approval; but I understand the reverse to be true. The trouble is evidently not here.

Looking further, let me ask you as to the condition and efficiency of the colleges, academies, normal schools, high and graded schools, and the larger and more central of the district schools of the state. My observation and information is that these as a whole compare favorably with like institutions of learning elsewhere and have a corps of instructors, teachers and managers as competent, efficient and well equipped as any. This being so, we must look further for the difficulty.

Outside of the schools particularized are about sixty thousand of the school children of the state, exclusive of those who attend private schools – or about three-fourths of the whole number of scholars attending any and all schools. It is said, and I do not understand that it is questioned to any considerable extent, that the trouble is in the smaller schools, schools more or less remote from the villages and central schools. Having located the trouble, (if I am correct in my information and conclusion) you can more readily search out the disease and apply a cure, and this is *your* special province.

In pursuing your investigation, you will doubtless find that the average number of scholars in these outlying districts does not exceed one-half that of thirty or fifty years ago, the territorial dimensions of the districts remaining substantially the same. The assertion or proposition that a small school fails to keep alive or awaken the interest of the pupil and is accompanied by the comparative indifference of the community where such school is located, will very generally, I am sure, receive your assent. We are told by the superintendent of education in his report, that there are in the state *one hundred and three* schools with not over *six scholars* each, and four hundred and seventy having more than six and less than twelve. After a careful consideration of this subject, I am compelled to conclude that the trouble mainly lies in these small schools; that, so long as old district lines are held too sacred to be disturbed, the trouble must, from necessity, not only remain with us, but increase rather than diminish. And, notwithstanding the adverse expression of the voters of the several towns, I

should fall short of a full performance of what I conceive to be my duty, should I omit to say that it is my earnest conviction that adequate and lasting relief can come only by an adoption of the "town system," or some other system by which the same end can be accomplished or arrived at. I am not, however, wedded to this or any other particular system, but I earnestly submit that the importance of the subject is quite enough to call forth your best efforts and unbiased action in search of a remedy and in providing for an application of it.

I solicit your attention to the report of your devoted and painstaking superintendent of education. The opinions, conclusions and recommendations of one so well versed in the subject, and who has given it so much patient study and attention should be of great weight. If, in treating upon this subject at such length, I have trenched upon your province, or invaded the field of argument, the importance of the subject and my anxiety concerning it must be my excuse.

STATE BENEFICIARIES.

This subject and the expense of the state having reference to its, is treated at length by my predecessor in his retiring message, and I therefore only call your attention to it. It has become the fixed policy of the state to make ample provision for the education of its deaf mutes, blind and feeble-minded. And I doubt not it will be your pleasure to continue this policy and make such provision for carrying it out, as will enable all who should to share it.

STATE PRISON.

The report of the directors and superintendent shows a prosperous and harmonious condition of things at the prison, and it does not appear that any unusual event has transpired there within the period covered by it.

As to the *needs* of the institution, beyond current expensed, I cannot do better by way of calling them to your attention than to here quote from the directors' report, wherein they say;

"We cannot too strongly urge the construction of iron stairs too; and walks around the cells, to take the place of the old worn-out wooden ones. This construction would render the prison safer from fire," etc. And they also suggest, in the way of a desired improvement, the enlarging of the front windows of the prison.

The well-known conservative character, and safe, business qualifications and habits of the directors give unusual value to their recommendations and suggestions. They have my concurrence, and will I trust, received careful consideration from you. If repaired and improved as suggested, we are assured by the report of the directors that the prison will not suffer by comparison with any of its size in New England. I learn from the directors that the prison has sufficient capacity to comfortably accommodate 150 inmates, and the superintendent's report shows that the present number, (July 31, 1886) is 88, indicating that there is much spare room in the prison – a condition of things not likely to lamented.

HOUSE OF CORRECTION.

This institution has now been in operation about eight years, and, as was said by my predecessor in his incoming message, "is universally admitted to be a success of its kind," and from the report of the directors, which will be before you, the institution is seen to be *popular* as well as successful; and from the same source comes the gratifying intelligence that the institution has no special needs.

You will, however, I am sure, agree with me that this institution should have attention and relief, as we are told by the director that it is burdened with a class of prisoners that, by the construction of its buildings as to safety, it was not designed to accommodate; and they add, "convicts sentenced for high crimes and long terms are not as secure as at the state prison, and no better cared for." It also appears that with a capacity of only 76 cells for males, it has at times been crowded with 120 male prisoners. And further, in their report, the directors say "We receive more for labor at the state prison, and the work is much neater and the prisoners more secure," and ask that you prescribe a remedy.

I invite your attention to this matter, confidently believing that you can and will by appropriate legislation relieve the institution of its burdens and difficulties, and at the same time provide greater security for the more hardened criminals with pecuniary advantage to the state.

THE REFORM SCHOOL.

The object and purpose of this institution is indicated by its name and too well understood to call for any elaboration. From the nature of things, its work and the occasion for its existence may be considered to be perpetual. The frailties and forwardness of humanity furnish its patrons, and the hopeful, generous impulse of a Christian people asks its intervention and aid in wresting and saving from a life of degradation and crime the waifs and the unfortunate, homeless and criminally inclined children of the state. As the result of a long and watchful official connection with the school, I entertain no doubt that the hopes and expectations of the most sanguine of the originators and supporters of the school have been, and are being, more than realized, in the good work accomplished. For the successful and beneficent results, very much credit is due to the faithful Christian labor and influence of Mr. and Mrs. Fairbank, for a long time and until lately the superintendent and matron of the school. I note with pleasure and approval the remarks of Governor Pingree in his retiring message as to Mr. and Mrs. Fairbank. They are richly entitled to, and I doubt not will have, the tanks of the state for their long and faithful service; and its good wishes in their enlarged field of usefulness in a like relation to a similar institution in a sister state.

I bespeak for the institution the continued ungrudging and liberal support and encouragement of the state.

The state is to be congratulated upon the fact that it has in the state prison, house of correction and reform school, for superintendents and subordinate officers, men and women excellently adapted to their work and devoted to its best interests.

INSANE ASYLUM.

The condition of the insane persons of the state at the asylum, the work being done at the asylum, the condition, character and management of the institution, also well stated and set forth in the excellent report of the supervisors of the insane, that a perusal of it will be quite sufficient to enable you to legislate properly as to any and all matters connected with this subject requiring your attention.

I invite your considerate attention to this subject, and to the report of the supervisors. The insane are the unfortunate wards of the state. In the treatment of them and providing for them there should be no such uncertain or insufficient action as to even tend to the foundation of a charge of neglect. The supervisors in their report treat at length on the subject of "The criminal and convict insane," and recommend that the state make provision for them away from the asylum, and give such reasons as to make it seem a matter of necessity to take action in the direction pointed out in the report. You will, I doubt not, give the subject such attention as it demands.

STATE LIBRARY.

To provide for a "need that had become a positive necessity," the legislature of 1884 passed act No. 227, and thereby for the erection of a "building for the use of a state library, and other like purposes," and created a commission to carry out the will of the state in that behalf. From the report of that commission and the retiring message of Governor Pingree, we learn that the undertaking has been substantially accomplished. Modesty forbids me to say anything characterizing the work of the commission. The result of their labor and of the appropriation of the state is before you, and will doubtless receive your inspection and attention. I invite your attention to the report of the commission, which will be before you.

It will be in order and incumbent upon you to provide for properly furnishing the building.

INTEMPERANCE.

It has for more than thirty years been the policy of our commonwealth, as expressed through its legislature by very many acts, both original and amendatory, to *prohibit* the sale of intoxicating liquors for beverage. And this has been, and now is, supplemented by the earnest prayers and never-tiring efforts and endeavors of very many of our best and most conscientious people of both sexes and of every creed and condition. That such has been the policy of the state and the past and present aim and endeavor of so many good people needs no apology nor explanation. The wrecks of naturally noble manhood and womanhood made by the excessive use of intoxicating liquor, the vice, crime, degradation, tears and sorrow directly traceable to the same cause, are more

than sufficient to justify appeal to the, strong arm of rigorous law for help, and to call forth the utmost and constant efforts of individuals to check, and so far as may be possible, to stop the fearful ravages of this monstrous evil.

That the law fails to accomplish all that was expected and hoped by the sanguine promoters of it will hardly be questioned by any. But, that it has had, and now has, the effect to prevent or at least to correct the evil in a large measure outside of the centers of our larger towns and villages, and to greatly regulate and control it generally, I fully believe. That the laws of the state on this subject are in many places openly violated and flagrantly disregarded is an open secret; and that in some instances—too numerous to be contemplated without concern—those upon whom has been, or is imposed the sworn duty of its faithful execution, are its violators, and are blind or indifferent to its violation by others, is also but too well known. This is indeed a sad commentary upon the law and subject under consideration, and demoralizing to the citizens generally, as tending to lessen proper regard, if not to create contempt, for all laws.

By some it is claimed that the penalties provided for the violation of the law are too severe; by others that they are not severe enough; by others, that the administration and execution of the law is lax; and by others, that the trouble lies in the *subject*, and that the law does not have the support and approval (as a prohibitory measure) of the people. I do not assume to myself that degree of wisdom requisite to solve these questions, or to point the way to a solution of them, further than to call your attention and consideration to the distance, the shifting, the maneuvering, the display of ingenuity and the escapes between a first and second conviction under the law and, to say, if it is the sentiment of the people at large, that this law, or the laws on this subject, should be treated and made to operate as a prohibitory law in fact as well as in name, rather than to operate as a license law, the end desired would be nearer reached by so amending the law that the penalty provided for a first conviction should include a short term of imprisonment as well as a fine.

There is no occasion for apology for calling your attention to this that subject at such length. Its paramount importance cannot, be over stated; and there is no subject about which the thoughts of the people are so much exercised, and upon which so much depends the public weal, or which will more demand your attention and consideration, during the session.

The treatment of this subject is especially within your province, and any proper legislation in the direction of curing or abating the evil of intemperance will have my personal approval and official sanction.

AGRICULTURE.

It has well been said that upon this interest all others largely depend. And, with the tact before me that a very large portion of this presence have been life students in the school of practical husbandry, I may, I assume, be justly excused from advising or even suggesting, what ought, or what ought not, to be done for the advancement of this subject.

While it is true, as to this state at least, that upon this all other interests and industries largely depend, it is true, as a general proposition, that whatever tends to truly and permanently aid or advance the one will have a prosperous effect upon the others. And while the agricultural interests of the state have many and varied just demands upon you, by way of providing and disseminating instruction and information, by furnishing various aids to progress and advancement, and by removing and preventing the growth of obstacles and hindrances—all of which I trust will be acceded to and provided for—yet the greatest grievances can be redressed and the heaviest burdens removed only by national legislation. And this applies to other industries as well as to this, and naturally suggests the propriety of a legislative reminder and appeal to our congressional delegates to strengthen their hands and increase or encourage their zeal in their efforts to secure relief through the enactment of what is known as the interstate commerce bill, and in their resistance to the further modification or repeal of the tariff laws, by which several of the industries of the state have already suffered severely, and by which their existence is now jeopardized.

Although commented upon elsewhere, I desire here to call your attention to the report of the trustees of the state agricultural college, and especially to the subject of providing for this department of the state university an experiment station. Such a department properly equipped and liberally sustained would, if I judge correctly,

meet and provide for a want of long standing and of vital consequence to the agricultural interests of the state. The tillers of the soil in the East, in their competitive race with those of the West, in their efforts to live and thrive are at a great disadvantage in many respects and may well call to their aid the service of intelligent and scientific experiments. I feel assured that you will find the report referred to of great interest.

BOARD OF AGRICULTURE.

The report of the board of agriculture has not come to my hand and therefore I am unable to speak of its work. I am not aware what, if any, legislation is desired or desirable in the way of continuing the work of the board, or of giving it greater efficiency. The importance of the matters it has in charge, and is intended to promote, is so vital that you cannot fail to give its consideration a prominent place. I ask your careful attention to the suggestions of Governor Pingree on this subject. His familiarity with the doings of the board during his term of office and the manifest interest he has in the subject make his retiring words of such value as to secure from you that attention I have asked you to give to it.

FISHERIES.

Impressed as I am that the propagation and protection of fish is a subject of great and growing importance to the people of the state, and that it is an interest deserving and requiring legislative aid and protection, I confidently call your attention to it trusting you will give it such fostering care and oversight as will best promote the public good.

HIGHWAYS.

This as a subject of such general interest that I feel more than warranted in calling your attention to it. The means provided for maintaining and repairing the highways of the state are liberal, and if properly expended, would undoubtedly be ample. I venture to say that greater abuses and short have existed, been practiced, and in a measure submitted to, in connection with this department of public duty than of any other. This was the natural, and perhaps unavoidable, result of the so-called labor tax practice—an easy way to pay or avoid payment of the tax, but grossly inadequate in results. The public generally are to be congratulated that this inadequate way of performing a public duty has no longer the sanction of law. I am pleased to be able to say as a result of observation, extended inquiry and common report, that the present condition of the high ways throughout the state is as a whole, very satisfactory, except as shown by very general complaint that the duty of erecting or constructing barriers or safeguards at points and places of special danger to travelers is very generally disregarded. Should your understanding of the matter be in accord with this alleged fact, I suggest the propriety of so amending the law in that respect as to impose a liability for damages upon towns, as is now provided for insufficient bridges, culverts and sluices. As was said by one of my predecessors—ex-Governor Farnham—“towns should be required to keep their highways in a safe condition.”

My attention has been called to the proposition to so amend the laws as to provide (as was formerly the ease) that towns should be liable in damages to part injured or damaged by reason of *any* insufficiency of highways, but I am not prepared to say that this would be wise legislation, and cannot, therefore, advise that towns should be further liable than under the present law, except as contingently expressed above. Frequent changes in general laws should not be encouraged.

In the further consideration of this subject, I call your attention to act No. 11 of the session laws of 1884, entitled “an act relating to highways and bridges.” After having considerable familiarity, professionally and officially, with this act and its workings in its present form, I am led to characterize it as an instance of loose legislation on an important and meritorious subject. If it is to remain in its present unguarded form, it might well be commented upon and considered under the head of “state expenses,” and its title changed to that of “an act to test the capacity of the state treasury.” The end sought by the framers and promoters of the act in question was, I have no doubt, a just one, the object being to equalize the important and imperative public burden of building and maintaining high ways. Excepting a comparatively few towns. I am convinced that there is no such unequal burden as to justify a call for state aid. The temptation offered to towns by the unguarded provisions of this act, to bring themselves within its terms is very great, and it is, I submit, in its present form liable to so much abuse as to demand amendment or, failing in that, repeal.

In this connection, I desire to call your attention to what I believe to be a fact, that there is in the state a class of so-called mountain towns, through which pass main highways, used largely by, and indispensable for, through travel, not unfrequently mail routes, and expensive to keep in repair. Many of these towns are overburdened and unjustly so in keeping these highways in the possible and safe condition demanded by the public and required by law. Such towns usually have but a small grand list, their land being of little value compared with other towns, and their people poor in purse. I submit that for such or similar instances of plain and unquestionable inequality of this public burden as to such through lines of travel, remedial legislation, properly guarded, should be had.

THE MILITIA.

The National Guard of Vermont consist of one regiment of infantry—ten companies—531 officers and enlisted men and one separate or detached company of infantry at Newport, of 51 officers and enlisted men one light battery—four twelve pounder Napoleon or brass guns—located at Brattleboro, and when full numbering 80 officers and men; and one “section of battery”—two six-pounder brass guns—located at Northfield and organized from the students at Norwich University.

To be of any practical efficient use, the force cannot well be less. I am however, unable to concur with the adjutant and inspector-general in his recommendation that it be increased, but the views of General Peck on this subject, expressed in his report, merit your careful consideration, and their source should give them great weight.

The character and efficiency of the National Guard is now excellent and reflects great credit upon both officers and men, and they are entitled to, and should have, our thanks for so fully and creditably meeting that constitutional declaration that “a well-regulated militia is necessary to the security of a free state.”

Efficiency of the guard is secured and maintained by the expenditure of much time, and, in the aggregate, of a large pecuniary outlay by both officers and men, not reimbursed by the state. And wanting in efficiency in any large degree, the existence of a militia is would be of more than doubtful expediency and its expense a waste. The militia is expected and required to be always ready to serve the state, and to respond with alacrity to the call of the commander-in-chief and is the chief and final reliance of the state in times of public peril, when the arm of the civil authority is paralyzed or over come by unusual emergencies in state or nation. That they may not be needed is the earnest wish of all that they may never be wanting in disposition to respond, in personal efficiency, or in serviceable arms and suitable equipment, is equally desirable and important.

We are told that, while the *personnel* and the drill of the guard is excellent, its *arms* are substantially worthless, and I submit if they are as worthless as represented, they would in time of need and peril be more dangerous to the command than to the opposing force and it is said that, in other minor respects, they are very poorly equipped. This should have prompt attention. The arm that the soldier is required to bear is either his pride or his shame, as it is serviceable and satisfactory, or otherwise. And I recommend that provision be made for such change or renewal of the arms and equipment of the guard as to secure the highest degree of efficiency, and such as will satisfy and promote the commendable pride of our citizen soldiers.

The reports of the adjutant and inspector-general and quarter-master-general will be before you, in which many minor matters in reference to the militia are set forth and commented upon in detail. These reports merit, and I trust will have, your attention. in these reports, the Light Battery is referred to and denominated “Fuller’s Battery,” not particularly because it is commanded by Captain Fuller, but chiefly and properly because the efficiency of the organization is largely due to the intelligent attention and generosity of Captain Fuller. This has been long continued, unostentatious and unselfish and deserves this public official recognition.

UNIVERSITY OF VERMONT AND STATE AGRICULTURAL COLLEGE.

The University of Vermont, bearing as it does the name of our commonwealth, and, without disparaging any other, being the leading institution of learning in the state, as well as for other good and substantial reasons, must and should be the subject of lively interest to the thoughtful people of the state and any needed aid would in my opinion be well directed and deserved, if bestowed upon it.

The real and abiding prosperity of a state or community can be correctly measured by its means, provisions and interest for and in the cause of education and intelligence. I am happy to report that the university is in the enjoyment of liberal patronage and is prosperous. It has, as you know, been richly remembered in the past by the generosity of the late John P. Howard and of Mr. Frederick Billings, by which the state at large, as well as the institution, has been greatly benefited. Too much commendation and gratitude cannot well be bestowed for these acts of public generosity in the cause of refined and higher education.

But, with these lavish gifts and the expenditure of them as directed by the donors and the construction and completion of the work to which they were especially directed, comes to the university new and enlarged duties, increased and increasing expenses. Several of my honored predecessors have in their messages to the general assembly made eloquent appeal and earnest recommendation that the state should render to the university pecuniary assistance to encourage and strengthen its hands in the noble work of human advancement. I am pleased to call your attention to these appeals and recommendations, with my approval. The cause of the higher education would be thereby aided and encouraged, and also of education generally. As has been well said by one of the most earnest and intelligent friends and supporters of the common schools of the state, "Our common or public school system can be lifted from above more effectually than it can be pried up from below."

Under the head of "state scholarships," the trustees in their report point the way to a mode or method that might well be adopted by the state to assist and advance the interests of the university, and at the same time "furnish assistance to gifted and ambitious young men of limited means." These suggestions are worthy of your earnest consideration.

The State Agricultural College is a part of the University of Vermont and made so by an act of the legislature of this state, approved November 9, 1865. It is sustained by the income of a fund given to the State of Vermont by the general government, by virtue of an act of congress, approved July 2, 1862. And this act provides that the income of this fund shall be used for the support of at least one college, "where the leading object shall be, without excluding other scientific and, classical studies, and including military tactics, to teach such branches of learning as are *related* to agriculture and the mechanic arts, in such manner as the legislatures may respectively prescribe in order to promote the' liberal and practical education of the industrial classes in the several pursuits and professions in life."

As bearing more particularly on this department of the university, I solicit your careful attention, to that portion of the report of the trustees under the head of "Professor of agriculture" and "The farmer's class" and also to that portion of their report that consists of a statement by Prof. W. W. Cooke as to the work in this department. The report as a whole is replete with matters of more than usual interest, and I bespeak for it more attention than is usually bestowed upon official reports. I have always referred to the subject of an experiment station, a subject dwelt upon by the trustees in their report. To the end that this subject may have due attention and consideration, I beg your indulgence in again soliciting your attention to it and also to the entire report.

The terms of office of Hon Justin S. Morrill, Hon. E. P. Walton and Henry James, M.D., of the trustees, will expire on November 15, 1887, and it will be incumbent upon you to elect their successors.

RAILROAD COMMISSIONER.

In compliance with the requirements of law, the railroad commissioner has made his report, and I invite your careful inspection of it for the ascertainment of many details pertaining to one of the leading and important—and in some respect, the most important—interest of the state.

As part of his report, the commissioner says, "In my judgment some additional legislation is required to order to make the office or the railroad commissioner of practical use to the public;"—implying, at least, that this office, under existing laws, is of no practical service to the public. This conclusion is doubtless in accord with the popular sentiment on the subject but I am unable to fully adopt the proposition. The report of our able commissioner is in my opinion of great value, and this office has secured it to you. This much, at least, has been gained by and through the office.

Under existing laws prescribing the duty of the commissioner he is required to "report what further legal provision should in his opinion be adopted in relation to railroads." in the performance of his duty in this behalf,

the commissioner makes several important suggestions, which may be properly treated as recommendations, and in view of their official source they are entitled to great weight, and merit, and I doubt not will have, your earnest consideration.

In connection with, and as a part of this subject, I call your attention to the not unvexed one of

RAILROAD LEGISLATION.

There has been much legislation in reference to or connected with this subject of railroads, mostly, however, I venture to say, in aid or protection of them, yet in the main, necessary, wholesome and just. The idea that at this time there is occasion for further legislation, on the subject, and that, too, in the interest of the public, prevails very generally. And by consulting the report of the commissioner, you will notice that his suggestions or recommendations are numerous and important. This report did not come to me until very late; consequently my opportunity for consideration of it has been quite insufficient to enable me to do more than call your attention to it, and to impress upon you its importance. Should you so legislate as to meet the recommendations of the commissioner you will, in my opinion, accomplish much towards meeting the proper demands of the public. These recommendations have my approval.

But it is said that further legislation on this subject cannot be effective save by creating a

RAILROAD COMMISSION.

and investing it with enlarged powers and authority over railroad affairs, even to the extent of fixing and regulating the toll or rate of transportation. And I believe that the object and ends of further desirable legislation can be best secured through a commission, and that the existence of a commission invested with such powers and authority as are given to like boards in several of the states – Massachusetts and New York for instance— would go far towards curing or removing a real or fancied grievance. And experience in other states has demonstrated that where competent commissioners, properly empowered, have made examination as to alleged grievances, and upon finding them real and well-founded, have made such recommendations to the railroads complained of as the board deemed called for, there has been, with rare exceptions, a prompt and ready compliance with the recommendations of the board, and this too, where the board is powerless to enforce its recommendations.

The commission, if one should be created by your legislative action, should doubtless be empowered and required to report to future legislatures, as to all complaints received, examinations and recommendations by it made, and also what, if any, further legislation is required.

Another question about which there is some diversity of opinion, is: Should the commission have power given it to apply to the courts for the enforcement of its recommendations? In my opinion such power should not be given without providing that the court applied to shall not enforce such recommendations, unless, or only so far as it (the court) shall find them just and reasonable. That the legislature has power in the premises to the extent suggested I have no doubt, but this alone is no reason for exercising it.

While I believe that the interests of the public require legislative action in the direction above suggested, I feel certain that many of the honest grievances of the people against our railroads and their management are not well founded, and that some of the most important of their complaints cannot be successfully reached short of, or without, national legislation, such as was sought through the interstate commerce bill. In confirmation, I quote with pleasure from the message of my accomplished predecessor, ex-Governor Barstow. He said upon this subject: “No board or legislature can reach outside the state, and much that is wrong in these matters is the result of the great national and continental system, controlled by immense and consolidated wealth, a system in which Vermont roads are as a drop in a bucket, a link in a chain. It is a power so great that small corporations, like those in Vermont, are forced to join or strengthen it or perish.”

Legislation on this subject by you will be, I am sure, entered upon and considered without any feeling of antagonism. Our railroads are managed and controlled, perhaps without exception, by some of our most public-spirited citizens, men as zealous and earnest in whatever promises to be for the good of the state, as any, and who are thoroughly loyal to her every interest.

TRUSTEE PROCESS.

My attention has been called to act No. 130 of the session laws of 1884, and, in turn, I call your attention to the same; and ask you to consider if the public good does not require the repeal of this act, or such legislation on the subject as will better accord with a liberal and humane disposition toward the debtor class.

GETTYSBURGH.

The battle of Gettysburgh was fought on the first, second and third days of July, 1863, and it has come to be considered as the pivotal battle, of the war. Its field was, as it were, in front of and at the very portals of the nation's capital and of the gates of the large cities of the North. The results of this battle were more than glorious to the Union cause. The army of Northern Virginia under Lee was then and there turned back, routed and defeated, never again to make or undertake an aggressive campaign. And in the result, of that battle was buried the last hope of the confederates of foreign intervention; and in the possible realization of that hope lay the greatest danger to the Union. Thence on to Appomattox there was scarcely a doubt as the final result.

The Intrepidity, the valor and the blood of the Union army at Gettysburgh went very far towards placing the seal of ultimate success and safety upon the national banner; and of all that noble Union army of about eighty thousand men, none bore a more valiant or significant part than our own bravo boys – three regiments that were in action, of what was best known as “Stannard's Brigade.” My words are entirely inadequate to fitly portray their valor then and there displayed, and I need not here undertake to tell you further of the potency and importance of their action. It will suffice for me to say that historians and accredited writers give great prominence and credit to the part taken by “Stannard's Brigade.” Many of our sister states have erected on this field of blood monuments to mark the spot or place and to commemorate the valor of their sons. I am credibly informed that there now are on this field nearly or quite a hundred monuments and tablets. In April last, the State of Ohio by an act of its general assembly authorized and made provision for the “erection of suitable memorials and monuments commemorative of the deeds, of the soldiers from Ohio who fought on this battle field,” at an expense of about \$25,000. And inquiry has been made from within and without the state why Vermont has not and does not there erect such monuments.

The noble Stannard who there won imperishable honors as the commander of the organization, and two of the three regimental commanders, Colonels Randall and Nichols, have, as you know been finally mustered out, and only Colonel W. G. Veazey remains of the commanding officers to point out the spot and tell the story.

I recommend that liberal provision be made for the early erection of a suitable monument on the battle field of Gettysburgh to mark the spot where the soldiers of Vermont rendered such signal service to state and nation, that it may not be a matter, of doubt and to commemorate and perpetuate their patriotism and valor.

BENNINGTON BATTLE MONUMENT.

To avoid repetition, I ask your indulgence and request you to look o the retiring message of my predecessor for a history of this patriotic undertaking. Looking to this source you will find, I assume, reasons sufficient to prompt on your part any proper action that will tend to forward the work and hasten its completion.

I am informed that a site for the proposed monument has been agreed upon and selected by the association. It is also represented that in order that the work may go on without delay, further legislation is necessary in the direction of securing to the association or to the state a legal title to such and as may be required for a site. I trust that you will give this matter such consideration as is necessary, and that you will have in mind the fact that the patriotism of the state is somewhat involved in this seemingly sluggish enterprise.

UNITED STATES SENATOR.

It will be your duty, and to which I invite your attention, to elect a United States senator from this state to succeed the Honorable George F. Edmunds, the present incumbent, whose term of office will expire on the 4th day March, 1887.

The laws of the United States providing for the election of senators require that this election should be made on the second Tuesday of the session.

CONCLUSION.

Gentlemen: In conclusion I am moved to again impress upon you the importance of the duties that devolve upon you as the chosen representatives of the people and to earnestly request you to bear in mind how desirable and consequential it is that you should as early as possible enter upon the practical work of the session. Heretofore much complaint and many murmurings have been heard because of frequent adjournments. This practice should not be encouraged. Intended measures of legislative action and consideration should be matured and presented as early in the session as possible, and be supplemented by as much dispatch of business as is consistent with that care and caution necessary to secure correct and wise results. This course of action can be best secured by giving to our business here the same industry, watchfulness and faithful service and attention that we give to important affairs at home.

EBENEZER J. ORMSBEE.

EXECUTIVE CHAMBER,
MONTPELIER, VT., OCT. 7, 1886. }

Inaugural address
of

Carroll S. Page

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1890

Thursday, October 2, 1890 Inaugural Address

GENTLEMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES:

The constitution of our State requires the governor to prepare such business as may appear to him necessary to lay before the general assembly.

An examination of the several interests of the State, made with as much care as the limited time at my command would permit, has profoundly impressed me with the magnitude and the importance of the work before you.

Inasmuch as the whole system of State taxation must be readjusted to conform to recent decisions of our supreme court, grave constitutional questions will present themselves for your consideration. The increasing scale of State expenditures, at a time when the leading industry of our State is abnormally depressed, makes it especially incumbent on you to approach the question of taxation with more than usual determination to lighten the burdens of the people. The unsatisfactory workings of our present school law and the largely increased responsibility resting upon you, because of recent liberal grants by the national congress, in aid of the agricultural department of our State University, are both subjects of the highest importance.

Invoking the guidance of Him without whose aid and direction all our labors are vain, let us approach the work of the session with a firm resolve to discharge the great responsibilities resting upon us as the representatives of the people, fearlessly, impartially and faithfully.

STATE FINANCES.

By reference to the report of the State treasurer, it appears that the receipts and disbursements for the 23 months ending June 30, 1890, have been as follows:

RECEIPTS.

Sundry sources	\$	5,461 46
United States government for Soldiers' Home		6,544 35

LICENSE FEES

Commercial fertilizers	\$	2,500 00
Foreign insurance companies		7,959 00
Circuses.....		2,000 00
	-----	\$ 12,459 00
Sale of Huntington fund securities.....		14,402 70
On account of towns, highways and bridges, act No. 16, 1886		14,628 94
Interest on bank balances	\$	4,895 05
Interest on agricultural college fund		16,260 00
	-----	\$ 21,155 05

CONVICT LABOR

States prison	\$	19,870 50
House of correction		8,753 99
Reform school		2,675 41
	-----	\$ 31,299 90
Judges of probate	\$	25,572 00
County clerks		58,273 94
	-----	\$ 83,845 94
Temporary loans		333,165 00
Taxes, State	\$	353,412 01

“	513,461 61	
	-----	\$ 866,873 62
Cash on hand and in banks, August 1, 1888		88,062 30

		\$ 1,477,898 26

DISBURSEMENTS

Appropriation for Robert’s Vermont Digest		\$ 1,600 00
Sundry small appropriations		2,840 80
Agricultural experiment station		5,250 00
Soldiers’ home		6,544 35
Gettysburg appropriation		15,880 00
Interest on Huntington fund	24,858 79	
“ registered loan, 1890	16,260 00	
“ temporary loans	4,803 85	
	-----	\$ 45,922 64
Debentures of general assembly		55,442 30
Temporary loans paid		333,165 00

AUDITOR’S ORDERS

1889	\$ 452,729 54	
1890	440,832 89	
	-----	\$ 893,562 43
Cash on hand and in bank, June 30, 1890		117,708 74

		\$ 1,477,898 26

The financial condition of the State, June 30, 1890, as appears from the treasurer’s report, was as follows:

RESOURCES.

Cash on hand and in bank	\$ 117,708 74
Estimated amount of tax due from corporations, 1890	250,000 00

	\$ 367,708 74

LIABILITIES.

Due to towns, U.S. surplus fund	\$ 12,916 37
Due to soldiers’ unpaid balances	8,367 37

	\$ 21,183 74

Leaving available for the current fiscal year, July 1, 1890,
to June 3, 1891

	\$ 346,525 00
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STATE EXPENSES.

One of the most important subjects demanding your consideration is the largely increased cost of conducting our State affairs. With the single exception of our Legislative Assemblies, every department shows a growing expense to the State, and yet the growth has been so gradual that it is only by a comparison of biennial periods that the unpleasant fact is brought home to us with proper force.

A comparison of the biennial period ending August 1, 1882, with that ending August 1, 1890, shows that whereas \$568,000 paid the running expenses of our State for the first biennial period of the decade, it took \$951,000 for the last biennial period; and this too, notwithstanding the fact, that in nearly every department of business, the legitimate returns of labor and capital have been upon a constantly descending scale.

I ask your careful attention to the following table which has been prepared with considerable care, and is, I believe, substantially correct; it shows the expenditure in each department in each of the biennial periods as reported by the State auditor comprises only 23 months, I have added one-twenty-third in some cases in order to arrive at correct conclusions:

TABLE.

DEPARTMENT.	BIENNIAL PERIODS.				
	1881 – 2	1883 – 4	1885 – 6	1887 – 8	1889 – 90
State Institutions	\$164,715	\$136,176	\$127,901	\$151,242	\$216,554
Special Appropriations,	25,896	16,793	33,312	62,812	172,330
Courts,	93,728	89,417	130,543	107,935	147,188
Salaries,	96,967	99,118	107,076	109,465	113,782
Debentures of the General Assembly,	64,080	54,035	54,181	48,500	55,424
Legislative expenses,	50,185	34,392	40,836	46,145	43,648
Militia,	24,694	37,487	36,548	48,713	57,884
Edctnl expenses,	27,069	18,407	19,488	47,647	46,475
Official expenses,	10,661	11,962	12,942	28,015	29,787
Highways & bridges,		7,000	10,337	56,950	28,932
Sundries	10,194	11,464	17,147	32,754	39,762
	<u>\$568,189</u>	<u>\$583,261</u>	<u>\$670,321</u>	<u>\$720,218</u>	<u>\$951,766</u>

To legislate with that wise discrimination which will do no injustice, and at the same time fearlessly cut off every extravagance in whatever quarter it may exist, is a labor to which the people of Vermont look to you to devote yourselves, always keeping in view the ability of the people as a whole, in their present condition, to bear the burdens imposed upon them.

SPECIAL APPROPRIATIONS.

The tendency of each succeeding Legislature for the past ten years has been to guard the treasury with less and less care against the demands made upon it in the interests of special objects.

The entire sum paid out on acts of special appropriation for the two years ending July 31, 1882, was only \$25,895.77, while the special appropriations made by the Legislature of 1888, or paid during the last biennial term under former acts, make the unprecedented aggregate of \$192,330.25, as appears by the following detailed statement:

Middlebury College	\$ 4,800 00
Gettysburg Monument	15,880 00
University of Vermont and Experiment Station	17,250 00
Grand Isle Bridge	20,000 00
Soldiers' Home	26,544 35
New Insane Asylum	100,000 00
Miscellaneous	7,855 90
	<u>\$192,330 25</u>

In the general statement of total expenditures, the item of special appropriations for the last biennial period includes \$100,000 for new insane asylum, which, although exhausted by contracts already let, has been only in part paid over to the contractors.

The time will never come when a multitude of patriotic and charitable objects may not properly appeal to us for assistance, and I should regret to see any evidence of a disposition to withhold needed support. The present tendency is, however, toward prodigality, and I urge that you scan carefully every bill, asking for an appropriation for special and extraordinary purposes, giving your approval to such only, as clearly appear to you to be demanded by the honor and welfare of the State.

TAX ON CORPORATIONS.

The supreme court of Vermont has decided that our statute, taxing earnings of transportation companies, received from interstate traffic, is in violation of the constitution of the United States. It will therefore be your duty to enact a law by which these corporations may be legally called upon to bear their share of the public burdens. The satisfactory solution of this problem will demand the exercise of the greatest care, in order that the courts may not again decide unconstitutional such a law as may be enacted.

To no other subject considered in this message, have I devoted so much thought, but inasmuch as the honorable commissioner of State taxes has given the subject an exhaustive investigation, I conclude to offer no definite suggestions at this time. I visited Commissioner Martin at his home where he was confined by sickness, and received from him assurance that he would, early in the session, submit for your consideration a bill which he believes will avoid the constitutional objections which render our present law inoperative.

Having settled the constitutional question, it will be your duty to consider whether the amount which corporations have been paying under the existing law is their equitable proportion of the public burden. Taxation should be just and equal, bearing upon each industry and each class of property alike, considered with reference to its ability to pay. Since the passage of the corporation tax law in 1882, the amount to be raised annually by taxation for State expenses has been continually increasing, while the ability of the farming lands of Vermont to pay, has been constantly diminishing. I submit that a re-adjustment is only a matter of justice to the end that the arbitrary rate, established in 1882 under favorable conditions, be made to conform to the present largely increased measure of expenditure. Railroad corporations now pay from two to five per cent of their gross earnings; transportation, steamboat and car companies two per cent; express, telegraph and telephone companies three per cent; savings banks and trust companies six-tenths of one per cent on their deposits. I think these corporations can be asked to contribute one-fifth more than they now pay without doing them an injustice.

DOUBLE TAXATION.

When the burdens of taxation are not equitably apportioned there is just cause of complaint. The taxation of real estate and at the same time of the mortgage indebtedness thereon imposes a double tax which is clearly unjust. Equity demands that the mortgagor and the mortgagee should be taxed according to their respective interest in the land,

I have been unable to formulate to my own satisfaction any statute by which it is practicable to effect the needed change in our present law, but it seems clear to me that, if some method could be devised to remedy the evil, it would lift a burden from the real estate of Vermont which can be removed in no other way.

You should consider the question in all its bearings under the light of such full discussion as the importance of the subject will doubtless command.

COURT EXPENSES.

This is a subject which the State auditor has considered so fully in his report, which you will have before you, that he has practically exhausted it. The unpleasant deduction from the figures given by him is that this branch of State expense for the past two years has been \$147,000 as against \$107,000 for the biennial period ending July 31, 1888. The average annual expenditure in this department for the first four years of this decade, 1880 to 1884, was only \$46,000. The auditor points out specifically the causes for this increase.

You will examine this matter, with that care which its importance demands, and I trust that with the data found in the auditor's report, and such personal information and assistance as he will be able to give you, you may find some way to check this alarming increase in the cost of our courts without impairing their efficiency.

OFFICIAL SALARIES

I recommend that you give this branch of State expenditure a thorough investigation, and if you find that salaries have been raised from term to term, without a corresponding increase in the labor or responsibility attached thereto, you should reduce them fearlessly, and without favoritism, whether the incumbent affected thereby be the governor or the doorkeeper.

Service for the State should receive the same pay which like service is able to command in other departments of labor where the same degree of ability and responsibility is required, and when the remuneration of any official becomes so attractive that the position is sought after by many because of the salary attaching thereto, the salary should be reduced.

STATE'S PRISON AND HOUSE OF CORRECTION.

The discipline seems to be excellent at both these institutions. At the State's prison, both the total and per capita expense has been diminishing since 1880 until the last biennial period, which shows a marked increase over the two just preceding. Since 1884, the average annual expense of maintaining each inmate at the State's prison has been \$68.46; at the house of correction, \$27.01. The difference in favor of the latter is owing to the fact that the fines and costs received at this institution are used to reduce the net cost to the State.

I append the following details of cost of support of the inmates of the State's prison for the past ten years:

	23 MONTHS				
STATE'S PRISON.	1880 to '82	1882 to '84	1884 to '86	1886 to '88	1888 to '90
Officers' salaries	\$ 13,791 43	\$ 12,045 32	\$ 12,137 68	\$ 12,829 03	\$ 12,464 32
Subsistence of Prisoners	8,949 88	6,318 22	5,152 74	5,970 71	5,663 79
Fuel and lights.	4,028 10	5,447 84	5,323 24	6,073 38	5,644 23
Board of officers and guard. . .	6,157 36	5,961 44	4,409 97	4,248 01	4,188 68
Clothing.	1,287 67	1,617 98	1,162 63	1,356 91	1,539 45
Improvements and repairs. . . .	18,658 48	1,908 40	824 97	1,644 30	733 64
Sundry expenses.	<u>4,365 61</u>	<u>4,435 32</u>	<u>3,250 27</u>	<u>3,325 93</u>	<u>3,042 17</u>
Total expenses.	\$ 57,238 53	\$ 37,734 52	\$ 32,261 50	\$ 35,448 27	\$ 33,276 28
Less received for visitors fees and convict labor.	\$ 20,110 27	\$ 20,272 62	\$ 20,353 00	\$ 23,675 50	\$ 20,056 60
Net expense for each biennial term.	\$ 37,128 26	\$ 17,461 90	\$ 11,908 50	\$ 11,773 77	\$ 13,219 68
Average number inmates.	120	88	85 1-2	98 5-6	86 3-4
Average annual per capita expense.	\$ 154 70	\$ 94 21	\$ 69 64	\$ 59 56	\$ 76 19

	Total Expense	Total Receipts.	Net Expense.	Av. No. Inmates	Av. Annual Ex. Per Capita.
1881 and '82	\$19,772 03	\$14,329 30	\$5,442 73	78 3-8	\$34 82
1883 and '84	16,851 12	12,400 31	4,450 81	57	39 04
1885 and '86	19,222 97	15,390 65	3,832 32	81 1-2	23 51
1887 and '88	18,226 99	14,433 62	3,793 37	69 4-7	27 26
1889 and '90	16,324 02	12,501 64	3,822 38	63 1-8	30 27

The following table shows a comparison of the receipts and expenditures at the house of correction for the past ten years:

Your attention is called to the reports of the officers of these institutions, which will give you such information touching their management as you may require. It does not now occur to me that any legislative action in their behalf is needed.

REFORM SCHOOL.

It is unpleasant to communicate to you any facts which seem to indicate an unwarranted measure of expenditure in the management of any institution drawing its support from the State treasury. But in my opinion, one of the highest duties incumbent upon the executive is to carefully ascertain all important facts touching the management of our State institutions, and communicate them unreservedly to you, whether such facts are pleasant or unpleasant.

I have made as careful computation as the figures at hand would permit and find that the not expense, including the expense of trustees, for each scholar cared for at the Reform School has grown from \$115 in 1880 to \$187 in 1889.

The exact figures are as follows:

1880	\$115 80
1881	119 00
1882	207 10
1883	208 23
1884	123 51
1885	165 36
1886	139 86
1887	137 36
1888	142 13
1889	187 53

The extraordinary expenses incurred in 1882 and 1883 were for permanent repairs. I am pleased to be able to say that the figures for the current year will show a reduction of something more than ten dollars per scholar as compared with 1889.

By reference to the report of the superintendent it will be seen that more than 58 per cent of the entire number of girls were of the ages of 13 and 14 years at the time of commitment, and more than one-third of all commitments over eleven years of age were for gross lewdness. Statistics show that in these cases reformation is effected in only a small proportion of the whole number. With no suitable facilities for separating the girls according to their offences, it seems evident that the result of this intermingling, viewed from a moral standpoint, must be harmful. The superintendent informs me that he does not see how this association can be avoided with the small number to be provided for, without, incurring, unreasonable expense. The highest average number of girls ever in the school was 21 in 1889. There were 17 in 1885; 15 in 1887, and 12 in 1889; very likely one-half of these girls might have been cared for quite as well at home, and the remainder could be more satisfactorily provided for at some other institution, even if located out of the State. The superintendent gives it as his opinion that the expense per scholar, in the girls' department is now nearly or quite double that in the boys' department, or nearly one dollar per day for each girl cared for.

I recommend that a careful investigation be made into the system upon which this school is conducted, to the end, that the expenses thereof may be lessened, if it can be done without interfering with the welfare of the scholars; and unless a better method can be devised for caring for the girls, I believe you will deem it advisable to abolish this department of the school.

SOLDIERS' HOME.

The directors of the soldiers' home will lay before you a detailed statement of the condition of this institution. I see no reason for anticipating an outlay on the part of the State in excess of \$100 per annum, for

each inmate of the home, as the United States government divides with the State the expense of supporting our veterans there until such expense reaches \$200 per annum.

I do not recall any other institution in Vermont receiving State aid, whose directors do not receive pay for their services from the State. This institution, however, is managed by a board of Vermont veterans, who appear to take sincere pleasure in its management for no other reward than the consciousness of having performed a patriotic duty; and I am unable to observe any evidence of less judicious management than is bestowed upon those institutions whose board of direction are paid.

I am led to make these suggestions, not because I would have the State parsimonious in dealing with her public servants, but because it occurs to me that we establish many commissions which could be filled by a class of our best citizens who, having their expenses paid, would be pleased, without remuneration and purely as a matter of patriotism and State pride, to give the State the benefit of their judgment and experience.

I believe no better institution of the kind exists in this country than the Vermont Soldiers' Home.

THE NEW INSANE ASYLUM.

The Poland pauper law of 1886, so called, with amendments thereto since made, has operated to change the burden of support of many paupers from the town to the State. Under this law it is only necessary for overseers of the poor to prove that their idiotic non-compos, and demented paupers are dangerous, to enable their towns to relieve themselves of the burden of support, by sending them to the State insane asylum.

The State's attorney of each county represents the State in these matters, and, presumably investigates carefully all applications for commitment of this class of persons. But as a matter of fact investigations are often practically exparte and the towns, with the shrewdness proverbial in such cases, too often find, little or no difficulty in making such a showing as will secure the commitment of its paupers to the asylum.

The supervisors of the insane are supposed to correct the evil growing out of this tendency to shift the burden from the town to the State: and, to their credit be it said, they have been faithful defenders of the treasury, an a large number of the paupers, improperly committed, have been returned to the towns from which they were sent. It is however undoubtedly true that a large number of the inmates of the asylum would be cared for at home were it not for the fact that by sending them to the asylum the towns avoid the expense of their maintenance.

I am not prepared to say that, from a humane standpoint, it is not right that many of these unfortunate persons be taken care of at the asylum rather than, at home; but unless some additional safeguards are provided, we must squarely meet the only alternative, to wit, the expenditure of a half million dollars within the next five years in the building and equipping of an asylum capable of caring for five or six hundred patients. This unpleasant fact was brought to the attention of the legislature of 1888, an appropriation of \$100,000 was made for the purpose of building and equipping a new asylum.

Under the act of 1888, a site was selected at Waterbury, and a contract let for the erection of the buildings, the aggregate cost of which, including the site and, architects' charges, has been in round numbers, \$98,000. An additional appropriation will be immediately required to heat, light and furnish this new asylum, the estimated expense thereof being \$50,000. When the \$50,000 shall have been expended the institution will be in condition to care for from 125 to 150 patients.

After consultation with the supervisors of the insane and the trustees of the asylum at Brattleboro, it seems clear to me that no further addition to the new asylum should be made during the next two years. They are of the opinion that the relief, which the new asylum with its present capacity will afford, will enable them to care for such patients as shall be properly cared for by the State until the legislature of 1892 can make further provision therefor. I therefore recommend that a sum not exceeding \$50,000 be appropriated to finish and furnish the new asylum, and if, at the end of two years, it is deemed expedient to make further appropriations for the purpose of enlarging the institution it can then be done.

The annual expenditure on the part of the State for the insane was in round numbers \$20,000 in 1875, \$30,000 in 1880, 34,000 in 1885, while the bill just paid to the Brattleboro asylum for the support of the insane the past year is \$72,697.

STATE BENEFICIARIES IN FOREIGN INSTITUTIONS.

During the past two years the State contributed to the support of its beneficiaries at foreign institutions. \$12,829.61, as follows:

American Asylum for deaf and dumb, Hartford, Conn.	\$5,106 13
Clark Institution for deaf and dumb mutes, Northampton, Mass	1,040 88
Perkins Institution for blind, Boston, Mass	6,147 82
Massachusetts School for feeble minded, Boston, Mass	534 78
	<hr/>
	\$12,829 61

The aggregate of our expenditures for these different classes of unfortunates varies but little from year to year, the largest expense during the last fifteen years being \$7,193.99, in 1882, the smallest \$4,991.16, in 1876. The average cost per year for fifteen years has been \$6,303.02.

I know of no reason why the policy of the State with reference to the support of these persons should be changed. We cannot afford, to practice economy in this direction, and yet good business, prudence may suggest to you the propriety of at least a biennial inquiry as to the reasonable of the prices paid for maintenance, and whether the, beneficiaries are not persons whose other means of support are such that the State should be relieved therefrom.

AGRICULTURAL COLLEGE FUND.

In 1865 the University of Vermont and State Agricultural College became the recipient of an annual income of \$8,130, from what is known as the State Agricultural College Fund. In 1887 the National congress passed what is known as the Hatch bill, by virtue of which the State agricultural college has since received annually, for the benefit of the experiment station, the sum of \$15,000. In August of the present year another bill, introduced, by our own senator, Hon. J. S. Morrill, was passed by the National congress by which the State is to receive the further sum of \$15,000 annually, this sum to be increased \$1,000 each year until it reaches \$25,000.

The spirit of these various acts of appropriation clearly is that these sums, amounting in all to \$38,130, to be increased as above to \$48,130 annually, shall be used for the purpose of building up an industrial and agricultural school, where those who desire to engage in agricultural or industrial pursuits may obtain as nearly free from cost as possible, a higher and more distinctively agricultural or industrial training than can be had at our ordinary schools.

I urge upon you the necessity of careful and earnest consideration of the needs of the agricultural department of the university. It seems to me that the cause of Agriculture in Vermont should receive a wonderful impetus from the wise expenditure of the munificent sums which will hereafter come to us by virtue of these several grants.

I know of no body of men more competent than the present legislature of Vermont, composed as it largely is of practical farmers and business men, to consider and mature wise plans calculated to secure the important ends which are attainable under these most liberal appropriations. It is a matter which should receive your immediate and careful attention, to the end that ample discussion may be had before the hurry of the closing days of the session shall divert your attention to matters of infinitely less importance.

In the development of any project, connected with this important subject, even a larger sum than will come to us under present grants is necessary, it should be remembered that legitimate and judicious expenditure in the cause of agricultural education is wise economy in a State like Vermont, whose material welfare is largely dependent upon its agricultural prosperity.

I hope that in what I have said I shall not be understood as reflecting upon the University of Vermont. It is an institution which stands deservedly high in the affections of every lover of higher education in our State, and to President Buckham as its honored head, the State is in large measure indebted for its high standing at home and abroad. For Professor Cooke, as the head of the experiment station, I have received from leading

agriculturalists, with whom I have been in correspondence and consultation, only words of highest commendation for his thorough and conscientious devotion to the work he has in charge.

EDUCATION

The school law of 1888 effected a radical change in our educational system. It was to be expected that in putting the new machinery in motion there would be more or less friction. After trial of but a little more than a year, it would seem unwise to pass judgment upon the practical working of the new system, or to hastily condemn a law which in its general features has proved so successful and beneficial in other States. We cannot conceal the fact, however, that in many portions of the State the system is regarded with disfavor. Its unpopularity undoubtedly grows out of the additional expense which it involves the effect of the law has been to raise the standard of qualifications and, as a result fewer teachers of the required standard have been obtainable, and these at largely increased wages. While a poor teacher at any price is undoubtedly poor economy, still the greater increased pay which teachers demand under the new law makes a burden which falls too heavily upon the small districts in our agricultural communities. A tax of 75 to 100 per cent, of the grand list for the port of schools in addition to other taxation will not be cheerfully borne by any community.

I should very much regret however, to have these suggestions construed as advocating a return to the old system. Our present school law is, without question, a step in the right direction. While economy should be our watchword in most branches of our State administration, we should not forget that reasonable liberality is the only true economy in matters of such vital importance as that of education. Our schools are not better than they ought, to be; but such an adjustment of the burden of their support should be made, as will enable the poor to enjoy their blessings without being taxed beyond their ability to bear. The law as it now stands should be so amended as to still further equalize, the burdens of taxation for the support of schools in town where the district system is still adhered to. The report of the State superintendent of education is full of valuable suggestions on this subject. You will: also have for your guidance the reports of the several county supervisors, and your legislative committees will get from consultation with the State superintendent and the county supervisors much valuable information touching this matter, In this connection I earnestly urge the enactment of a statute which shall provide for the furnishing of free text-books. I know of no single item of expenditure, which, in my judgment, would yield a greater measure of good for the limited outlay required.

MILITIA .

Your attention is invited to the biennial report of the quarter-master-general and the adjutant and inspector general. They give the necessary details to enable you to judge as to the expenditures required to maintain the militia. There can be no question that the condition of the National Guard of Vermont has been materially improved during the past ten years, and now compares favorably with the favorite regiments in the larger states. The people of Vermont have reason to be proud of the organization, but just how far they are willing to go in its support is for you to decide. I make no recommendations. The question is rather one of State pride than of State necessity. The expense of militia for each biennial period during the past ten years has been as follows:

1881—2	\$24,694
1883—4	37,457
1885—6	36,448
1887—8	48,713
1889—90	57,884

SAVINGS BANKS.

You will have before you the report of the inspector of finance, giving a full detailed statement of the condition of each of the institutions under his charge, together with valuable facts touching the workings of our savings bank laws. The information which he gives us, "That the tendency to send money west and south has reached its climax," will I am sure, be exceedingly gratifying to you; and yet we are confronted with the unpleasant fact that the investments in mortgages out of the State have increased from one and a quarter millions in 1879 to seven and a half millions in 1890. The inspector's suggestions that "Investments in foreign real estate certainly ought not to go beyond the limit now fixed by law," meets my hearty approval, and I am of the opinion that the interests of the State as well as the interests of the depositor, would be better subserved if

the amount which any savings bank could invest in western mortgages was limited to 40 per cent of the entire assets of the bank, and I recommend a statute making this limit. I endorse all he says with reference to school savings, and hope some action may be taken to encourage thrift among the children of Vermont.

I would call your special attention to his suggestions concerning the inspection of western land companies. I believe the law of 1888, making the examination of these companies a duty of the inspector, has not resulted beneficially to our State. I have no doubt that the inspector has been as faithful in his examination of these institutions as the limited time at his disposal would permit, but from the very nature of the case, the value of these brief examinations must depend largely upon the integrity of the officers of the institutions examined. Expert bookkeeping on the part of unscrupulous officials makes it possible for all loan companies, both good and bad, to come into our State armed with a certificate of good character from the inspector, and we have only to examine the columns of the State press to see how quick these institutions are to avail themselves of this advantage. One western company advertises itself as "A banking corporation under the jurisdiction of inspector of finance of Vermont, and examined by him yearly," and it is well known that the agents of these corporations quite generally claim this for their institutions, I submit that the State cannot afford to stand as sponsor for the soundness of institutions over which it has no jurisdiction, and thereby open up new avenues through which the money of our people, so much needed to develop our industries at home, may find its way out of the State.

The savings banks and trust companies of Vermont are the custodians of more than \$19,000,000 of the peoples' money. They should be a bulwark against financial stringency upon which our people may securely rely, and the tendency to a smaller measure conservatism in carrying actual money is to be deprecated. I recommend the passage of a law requiring them to carry not less than five per cent of their assets in cash or in some approved depository in Vermont, New York or Boston, with the further requirement that not less than one-half of this sum shall be carried in cash or in Vermont banks.

RAILROAD COMMISSION.

You will read carefully the report of this commission, to the end that you may judge as to the advisability of conferring upon it additional powers. While it is questionable whether the people of Vermont have received that substantial benefit from this commission which was anticipated when it was created, still I should regard it as a step backward to abolish it. I believe it rather to be your duty to give to the commission a measure of vitality which it does not now possess.

Its expense to the State is something more than \$4,500 per year, and unless additional powers and a higher measure of responsibility is conferred, I believe a less expensive board will meet the requirements of the State. Should you, conclude to enlarge its powers, an examination of the report will suggest to you the direction in which such enlargement should be made. For instance, touching upon local passenger fares, they speak first of the greatly reduced rates—two cents per mile—afforded to many citizens of the State by the purchase of mileage tickets or books, and then add as follows: "But there is a large class which includes those who, for want of pecuniary means, and for other good and sufficient reasons, are unable to share in the benefit of these reduced rates, but are compelled to buy a single ticket and pay therefor three to four and one-half cents per mile—a rate of fare almost equal to the stage coach rates of fifty years ago. It is needless, perhaps, to remark that this latter class includes all who are the least able to pay. It (the board) entertains the hope that all the railroad companies will see their way clear at an early day to make such reductions in local passenger rates as to remove this alleged inequality, and this in the interest of their patrons who are, for reasons above stated, unable to avail themselves of the present reductions."

The point may be raised that the regulation of the railroads of Vermont should not be in the hands of a commission, but experience shows that the practical workings of a law permitting the commission to stand between the public and the railroads has not been found to work unjustly in those States in which the commission is clothed with power to give vitality to its suggestions.

We confer upon these corporations valuable franchises, and in return they should extend to all the people of the State reasonable rates of transportation; and I know of no more equitable manner of reaching an adjustment of these matters than through a railroad commission clothed with reasonable powers such as are given them in many of the other States of the Union.

RAILROAD PASSES.

In February 1887, the congress of the United States passed what is known as the inter-state commerce law, which provides substantially that in commerce between States, railroads shall not receive from any person or persons, a greater or less compensation for the transportation of passengers or property, than it receives from any other person or persons for the same service under similar conditions. The act is suitably guarded by proper exceptions.

At the risk of quoting too liberally the views of another, I take from the first annual report of the inter-state commerce commission—a commission including among others, an honored son of Vermont, Hon. Aldace F. Walker—giving its views of the statute above referred to, after having observed its workings. Speaking first of favoritism in the transportation of freight, they then proceed in the following emphatic language:

“The evils of free transportation of person were not less conspicuous than those which have been mentioned, concerning freights. This, where it extended beyond the persons engaged in railroad service, was commonly favoritism in a most unjust and offensive form. Free transportation was given not only to secure business, but to conciliate the favor of localities and of public bodies; and, while it was often demanded by persons who had, or claimed to have, influence which was capable of being made use of the prejudice of the railroad, it was also accepted by public officers of all grades and of all varieties of service. In these last cases, the pass system was particularly obnoxious and baneful; for if any return was to be made or expected of public officers, it was of something not theirs to give, but which belonged to the public or to constituents. A ticket entitling one to free passes by rail was often more effective in enlisting the assistance and support of the holder than its value in money would have been, and in a great many cases it would be received and availed of, when the offer of money, made to accomplish the same end, would have been spurned as a bribe. Much suspicion of public men resulted, which was sometimes just, also sometimes unjust and cruel; and some deterioration of the moral sense of the community, traceable to this cause, was unavoidable while the abuse continued. The parties most frequently and largely favored, were those possessing large means and having large business interests.

The general fact came to be, that in proportion to the distance they were carried, those able to pay the most paid the least. One without means had seldom any grounds on which to demand free transportation, while we wealth he was likely to have many grounds on which he could make it for the interest of the railroad company to favor him, and he was sometimes favored with free transportation no only for himself and family but for business agents also, and even sometimes for his customers. The demand for free transportation was often in the nature of blackmail, and was yielded to unwillingly, and through fear of damaging consequences from a refusal. But the evils were present as much when it was extorted as when freely given.”

It is difficult to understand why the provisions of the inter-state statute above referred to should not be adopted in Vermont. But it is unnecessary that I add to the arguments of the inter-state commerce commission any of my own. I have conferred with the presidents of the leading roads in Vermont, and am assured that with such conditions as should properly be made, such a law would probably meet the hearty approval of every railroad manager in the State. I earnestly hope that you will not conclude the labors of this session without placing upon our statute books a law substantially that quoted from the United States statute.

TEMPERANCE.

An attempt will be made at the present session to disturb the long established policy of the State on the question of temperance.

I do not deem it necessary to multiply words upon this subject. The people of Vermont are not ready to legalize the sale of intoxicating liquors in public saloons, and all legislation should be in harmony with this idea. If you find the present law defective, correct those defects; if you find any part thereof a dead letter on our statute books, repeal it; if over-zealous friends of temperance have secured the passage of laws which tend to imperil the entire prohibitory system of our State, modify such provisions to the end that the law may more and more command the respect and support of all good citizens, never forgetting that the policy of prohibition is too firmly entrenched in the hearts of the great body of the common people, to allow your seriously entertaining any proposition of repeal.

My predecessor has devoted to this subject a vast amount of thought, and has given you in his retiring message the results of his labors. I heartily endorse his recommendations, based as they are upon an extensive experience in liquor prosecutions and coming as they do from one whose warm interest in all matters pertaining to temperance entitles him to voice the sentiments of its friends in Vermont.

CONSTITUTIONAL AMENDMENTS.

The senate may make proposals of amendment to the constitution at the present session.

Changes in the constitution should be made only when the public good clearly requires it. The practice now prevalent in most of the States of holding the freeman's meeting on the first Tuesday in November and the general assembly the winter following has strong arguments in its favor. It would obviate the necessity of an additional election every presidential year, and bring the session of our legislature at a time when our farmers have greater leisure than at the busy time of harvest.

Unless some objection which does not now occur to me can be urged against the change, it seems to me that the good of the State would be better subserved by conforming to the general custom.

CENTENNIAL OF VERMONT'S ADMISSION TO THE UNION.

Our State was the first to be added to the original thirteen, and the one hundredth anniversary of her admission to the Union on the fourth day of March next. It will be for you to say in what manner event shall be celebrated. Until recently it has been understood that the Bennington battle monument would be dedicated in 1891 and it has been suggested that if you deemed it expedient, the centennial anniversary might be celebrated at the same time. A prominent member of the monument association has recently advised me, however, that the monument is so far incomplete that its dedication the coming year may not be thought advisable. I will not therefore make any recommendation at this time but presume that before the close of the session the monument association will offer definite plans for your consideration.

AUSTRALIAN BALLOT SYSTEM.

The privilege of every voter to cast his ballot without fear, and subject to no improper influence or espionage is one of the most sacred rights of American citizenship. That the Australian system protects this right of the voter more fully than any other yet suggested, is conceded. Wherever it has been tried it has become popular. The only important objection to its adoption, that I have heard expressed, is that of expense. For the purpose of carefully investigating this objection, I have corresponded with the smaller towns in Massachusetts where the law is in operation and learn that the cost is too small to be worthy of consideration, being from five dollars to twenty dollars in places corresponding in population to the large majority of Vermont towns.

Vermont cannot afford to be tardy in the adoption of any system having for its end a purer ballot, and believing that no better method has yet been devised to accomplish this, I earnestly urge its adoption.

COMMISSIONER OF AGRICULTURAL AND MANUFACTURING INTERESTS.

You will have before you the report of the commissioner, in which is given an exhaustive survey of that most important subject, the re-occupation of our unoccupied farms. Governor Dillingham has given much attention to the working of this commission, and devotes a large part of his retiring message thereto.

For the purpose of informing myself as to the class of people who are being brought to Vermont through the exertions of the commissioner, and the character of the farms they are occupying, I visited the Swedish settlements at Wilmington and Weston and while anything I might add to what has already been given you on this topic, by the governor and the commissioner, would be unnecessary repetition, I wish to emphasize what they have said in two important particulars.

First, There is, in my opinion, no better class of men coming to us from foreign countries than the Swedes. They are intelligent, fairly educated; frugal, industrious and honest. In a word they are just the material out of which desirable citizens are made.

Second, it is clearly for the interest of Vermont that we induce these people to come to our State, and locate upon our unoccupied farming land if it can be done without unreasonable expense.

I believe the commissioner has given to the performance of the important and arduous duties devolving upon him, a measure of energy and conscientious devotion which few men would have bestowed upon it. He has been animated from the first, as it seems to me, by a desire to perform a patriotic duty.

It only remains to add, that the entire scheme is an experiment, the success or failure of which, it is yet too early to predict.

Whether these Swedes will cling to their farms, and by their success thereon, attract others to our State, or, failing of success, shall desert the lands they have purchased, and go to other fields, time only will determine.

I am inclined, after a somewhat careful survey of the field, to recommend a moderate appropriation for the continuance of the commission another two years.

THE WORLD'S FAIR,

The four hundredth anniversary of the discovery of America by Columbus, which is to be celebrated by a world's fair Chicago in 1893, may require some action on the part of this Legislature. Dr. H. H. McIntyre, of West Randolph, and Hon. B. B. Smalley, of Burlington, have been appointed commissioners for Vermont by Governor Dillingham. They have recently returned from Chicago, and will undoubtedly lay before you plans enabling you to give the matter intelligent consideration a prominent sheep breeder in Vermont informs me that no proper representation of this industry can be made, without at least a year's preparation, and strenuously urges action at this session. Very likely exhibitors of stock of other kinds may take the same view of the matter. I believe some action should be taken by you at this session to the end that our State may be creditably represented at the exposition.

WEEKLY PAYMENTS.

Observation and experience confirm me in the conviction, that both corporations and individuals employing help in large numbers, should pay their employees weekly and in money; and if demanded by the laboring men of the State, I believe it is your duty to grant them statutory protection with reference to time and manner of payment, similar to that in force in neighbor states. The employees in most of the manufacturing establishments of the State are so liberally treated that, although not paid weekly, they are nevertheless satisfied and express no desire for legislative action in their behalf. I have not been able to make sufficient investigation to fully satisfy myself as to the extent of the abuses claimed to be practiced upon employees in this particular. No one can have better information touching this subject than you who come direct from the people.

You will take such steps touching these matters as you may deem wise. Your action should not be hasty, nor should you unnecessarily interfere with the business arrangements of our manufacturers, unless you find a real abuse, and one that is so generally prevalent as to demand relief at your hands.

TEN HOUR LAW

The most of the New England States have found it advisable for the protection of operatives in their manufactories to pass a law regulating the hours of labor. There can be no doubt that the drift of public sentiment is strongly in favor of the enactment of laws to improve the condition of the laboring classes, and I recommend as a step in the right direction, that a law be enacted prohibiting the working of females and, minors for manufacturing corporations, more than ten hours per day. I have corresponded with the managers of several of the large manufactories in New Hampshire, where a statute, applicable to all mill operatives without regard to age or sex, has been in operation two years or more, and the replies are uniformly to the effect that the law works no injury to the manufacturer.

FORESTRY.

New Hampshire is solving the problem of deserted farms by attracting from the large cities those who would make their summer homes upon her hillsides. Vermont may well follow her example and by planting trees along our highways and in our villages add largely, not only to our own comfort, but to the general attractiveness of the State. Another important feature of the subject of forestry which will press upon us for

consideration within a few years, is the wholesale destruction of our forests now going on. Serious injury to the physical interests of the State will eventually result therefrom, and I know of no subject of so great importance to the State, which receives so little attention.

REVISION OF THE LAWS.

It has been the policy of the State for sometime to make a revision and compilation of the statutes at the beginning of every decade. It will be incumbent on you to make provision for this work.

UNITED STATES SENATOR

It will be your duty on the second Tuesday of the session to elect a United States senator for six years, from the fourth of March next.

CONCLUSION.

Again I would impress upon you the importance of the work at hand, and urge the necessity of taking up this work at once and pursuing it diligently to the end. We come here as the representatives of the people, whose servants we are, and who may rightfully look to us to bring to the discharge of our duties here that same degree of industry and careful consideration which we would devote to our own private affairs.

CARROLL S. PAGE.

Inaugural address
of
John B. Page
As it appears in the
Journal
of the
House of Representatives
Annual Session,
1867

Friday, October 11, 1867
Inaugural Address

*Fellow citizens of the Senate
and House of Representatives:*

Grateful to the freemen of Vermont for the expression of their confidence in calling me to act as the Chief Magistrate of my native State, I accept the trust and assume the responsibilities of the office, with the assurance of faithful endeavors on my part, so to discharge its duties as to promote the best interests and the prosperity of the people.

By the constitution, it devolves upon me to suggest for your consideration “such business as may appear necessary to lay before the General Assembly.” It could not be expected that this communication would refer to all matters that may come before you during the session, and I shall confine myself to a brief reference to some of the more important interests of the State, as gathered from the reports for the executive officers, with such recommendations as seem to be required thereon, respectfully referring you to these reports for further details.

FINANCES.

The condition of the finances should receive the careful attention of the General Assembly, with a view to economy in all departments, to diminish the burdens of taxation, and to the equal apportionment of the expenses of government upon all the property of the State.

From the Treasurer’s report, with the final report of the former Treasurer, completing the fiscal year, I am able to make the following statement:

RECEIPTS.

Balance form previous year,	\$28,576 67
Balance sinking fund brought forward,	75,500 00
Collections on taxes,	569,403 81
Received form county clerks,	17,148 46
Received from judges of probate,	11,748 76
Received from temporary loan,	145,000 00
Received from all other sources,	25,302 01

	\$872,679 71

DISBURSEMENTS.

Debentures of General Assembly:	
October session, 1866,	\$43,154 13
March session, 1867,	7,816 40
Extra pay and soldiers’ allotments,	6,123 47
Organized militia, pay rolls,	4,477 00
Court orders,	47,307 03
Auditor’s orders,	195,399 57
State bonds of 1871, redemmed and canceled,	168,500 00
Agricultural College fund, paid on Governor’s warrant,	8,142 10
Safety fun, paid receiver Danby Bank,	6,750 00
Interest on bonds and loans,	100 898 79
Interest on taxes and discount of three per cent.,	12,297 74
Temporary loan paid,	145,000 00
Balance to credit of sinking fund for payment of bonds due 1871,	82,000 00
Balance in treasury Sept. 5 th , 1867,	44,813 48

Total,	\$872,679 71
	=====

FUNDED DEBT OF THE STATE.

Bonds due June 1 st , 1871,	\$707,000 00
Bonds due Dec. 1 st , 1874,	250,000 00
Bonds due Dec. 1 st , 1876,	250,000 00
Bonds due Dec. 1 st , 1878,	250,000 00

Total,	\$1,457,000 00
Deduct balance credit sinking fund,	82,000 00

Total funded debt,	\$1,375,000 00
The funded debt being reduced in the past two years,	\$275,000 00

LIABILITIES FOR THE CURRENT YEAR

Sundry balances in the treasury,	\$20,000 00
Interest on bonds and loans,	90,000 00
Other current expenses,	250,000 00
For sinking fund, installment on bonds,	150,000 00

Total,	\$510,000 00

RESOURCES.

Balance in treasury and due on taxes,	\$50,027 67	
Received since close of fiscal year, on account of balance due from the United States,	58,530 31	
	-----	108,557 98

Balance,		\$401,442 02

It seems to me sound policy to continue to apply yearly one hundred and fifty thousand dollars as a sinking fund to retire the funded debt. Should you concur in this view, and should the basis of the foregoing estimate prove correct it will be necessary to assess a tax upon the polls and ratable estate of the inhabitants of the State, that will realize to the treasury four hundred thousand dollars. It will be noticed that this sum is nearly one hundred and seventy thousand dollars less than was raised by tax last annual session.

REGISTERED LOANS.

Coupon State bonds belonging to the Agricultural College fund, to the amount of one hundred and thirty-three thousand and five hundred dollars, are deposited with the State Treasurer. These bonds are negotiable, and, under the law, are to be held for years to come. For greater security, I recommend that authority be granted to cancel these bonds, and any other that may be returned to the treasury for that purpose, and to issue certificates in the form of the registered loan of the United States, inscribing the credit on the books in the offices of the Treasurer and Secretary of State.

COLLECTION OF TAXES.

From observation and experience I am satisfied that our system of collecting taxes can be much simplified and improved. I recommend that the existing laws on that subject be so modified as to require the selectmen, or other proper officers, of each town or city, to include in the same rate-bill all taxes, whether state, county, town, or otherwise, duly certified to them as voted and assessed in any year, and that such rate-bill be committed for collection to the first constable, or collector of taxes, in each town or city, who should pay the amount, when collected, to the respective treasurer of the state, county, city, town, district or village, according to the nature of

the taxes. The expenses of collecting might thereby be materially diminished, and tax-payers would be saved the annoyance of numerous calls from different collectors during the same year.

ORGANIZED MILITIA.

The present law regulating the organized militia is wholly inadequate to provide an efficient force that can be relied upon in case of need, and your attention is directed to the sensible remarks upon this subject in the report of the Adjutant and Inspector General. Some portion of the public property in possession of the militia is reported in bad condition, and without more vitality in our militia system, it would seem necessary that this property should be collected and placed in safe keeping under the care of a proper officer. The signs of the times indicate that we, as prudent men, should not wholly lay aside our arms, but rather emulate the example of the old Bay State in 1861, and be prepared for any emergency.

EDUCATION.

Under the act of the last annual session, normal schools have been established in each of the congressional districts. They cannot but prove useful in providing our common schools a better educated class of teachers, thus raising the general standard of education among the people, which is one of the first duties of the State. I commend this subject to your liberal consideration.

BANK COMMISSIONER.

The duties of bank commissioner during the past year have been almost nominal. I recommend that the office be abolished, and that some other State officer be authorized to perform such acts as may hereafter be required in this department.

STATE PRISON

Until within a few years our State Prison has been self sustaining, but owing to the high prices of clothing and provisions, with no corresponding increase of income, it has become necessary to draw upon the treasury considerable sums to meet the deficiency. During the past year, ten thousand four hundred twenty-seven dollars and five cents have been required for this purpose. Turning to the neighboring states I find that their prisons are a source of income, and it behooves us to inquire what can be done to place our prison on a paying basis. The enactment of a law has been suggested, requiring the directors to advertise for proposals for new contracts at least six months before the expiration of existing contracts for the labor of the inmates. It has been thought that this, with the adoption of a better system of discipline, would bring about the desired results. The superintendent is of the opinion, in which I concur, that additional provision should be made for the female convicts. At present it is almost impossible to maintain any discipline in this department for want of proper accommodations.

REFORM SCHOOL.

The establishment of a school for the reformation of juvenile offenders having become our policy, provision for its necessities the coming year should be made at this session.

It is my belief that great good is being done in elevating our wayward youth, and preparing them for useful and honorable lives, and I am convinced that a familiarity with the operations of the Vermont Reform School would commend it to your sympathy and support. For information on the subject, you are referred to the interesting reports of the trustees and superintendent.

RESOURCES OF THE STATE.

The resources of the State, as developed in its agriculture, its manufactures, its quarries, and its mines, merit and should receive, your careful attention. The legislation on these subjects should be such as to secure to our people the greatest advantages from these sources, by inducing the influx of capital for extending our manufactures, opening and working our quarries and mines, and increasing our railroad facilities.

In most particulars, our laws compare favorably with those of other states in these respects. In some of their provisions, however, I shall have occasion to indicate reforms which seem to me to be needed.

Vermont is pre-eminently an agricultural State, having thirteen-twentieths of its four millions of acres under improvement, and we have cause of gratitude to the Giver of all things for the abundant harvests that have rewarded the labors of our husbandmen during the year.

The increased value of the real and personal estate in Vermont, from 1850 to 1860, as given in the census, was little over thirty millions of dollars, and this upon a gold basis. Of this sum twenty-eight millions was in the increased value of the real estate. Had we statistics to the present time, they would show a still larger rate of increase. This large advance can only be ascribed to the system of railroads, put in operation during that period, opening to producers easy communication with markets before inaccessible. Take up our iron rails and you reduce the value of our farms and quarries more than the entire cost of the roads. Those within a few miles of our railroads derive the most benefit from them. Therefore the opening of new roads to accommodate more remote sections would aid largely in developing the resources of the State.

When we turn to our manufacturing and mechanical industries we find that, with superior facilities, in many respects we are far behind our sister states of New England. At the taking of the last census we had only fifteen hundred establishments, using an aggregate capital of nearly ten millions and employing a little over ten thousand persons, with sixteen millions of dollars in annual products, while our neighbors on the other side of the Connecticut river show results three times as great. It cannot with truth be claimed that they hold a more favorable position, or have superior a natural advantages; but when we look on their legislation, we find that they encourage manufactures by the exemption of new establishment from taxation, and by other wise laws throw about them the fostering care of the State. In this connection, permit me to repeat the recommendations of former executives on the subject of attachment of property on mesne process, and particularly to call your attention to that part of our system which gives priority to the first attaching creditor. If we would keep pace with our sister states in the development of our abundant resources, we must see that we are not behind them in providing for a just and equitable distribution among all creditors, of the assets of any debtor, who by the risks attendant on new enterprises, or from any other cause, finds himself unable to meet his obligations.

Capital comes to us less freely, and credit is less readily accorded in other states to our citizens, than it would be if the capitalist or the creditor were sure that in case of any inability to pay in full, he could rely on sharing alike with other creditors instead of seeing his property applied to full payment of another's debt, and himself left with no part of his just due. A reformation of our laws in this respect seems to be demanded. Now "our sons seek in other states that protection and fostering care over their industry which they fail to find at home," and to this law on our statute book is largely to be attributed the fact that during the last decade our ratio of increase of population was less than that of any state of the Union.

OUR COUNTRY.

It is hardly necessary at this time to allude to the part taken by Vermont in the late rebellion. We have reason to be proud of her record. Here we stand equal with any of our sister states.

Let us not be deprived of the fruits of our sacrifice of men and money by executive interference, and by the removal from official position of men of firm and consistent loyalty and patriotism. Let us see that the cause which we gave the lives of our sons to establish is henceforth maintained, and that we receive the benefit of our sacrifices in the permanent establishment of this Union on principles of justice and equal rights; and to that end let us "urge Congress to act bravely and thoroughly in the adoption of whatever measures may be requisite for the establishment of peace and prosperity throughout the whole country."

It is no time now to take a step backward, but "advance the whole line," hold the positions we have won, and with our fathers declare and maintain that "all men are equally free and independent, and have certain natural, inherent and inalienable rights, among which are the enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining happiness and safety."

Finally, let us remember that "it is not in man that walketh to direct his steps," and that all our labors are "nothing worth" without the direction of that Infinite Wisdom whose guidance I invoke in all your deliberations.

JOHN B. PAGE.

EXECUTIVE CHAMBER,
Montpelier, October 11, 1867 }
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Inaugural address
of
John B. Page
As it appears in the
Journal
of the
House of Representatives
Annual Session,
1868

Friday, October 9, 1868
Inaugural Address

*Fellow Citizens of the Senate
and House of Representatives:*

Having assembled in accordance with the provisions of the Constitution to enter upon the discharge of those legislative duties incumbent upon the representatives of the people, it devolves upon the Executive to bring to your attention such business as may appear necessary for your consideration. It is your duty to remedy any defects in the laws, to make and defend the rights of the people, and to render sure to all within our borders the benefit of our free institutions.

You will be called upon to consider many special and local interests that should receive the investigation and action their importance may demand.

The transactions of the executive departments of the government during the past year, as contained in the reports of the State officers, will be laid before you. From these reports I gather some facts, to which I would more particularly direct your attention.

FINANCES

It is gratifying to be able to report that our financial condition continues to improve. Under the wise provisions of former legislation the funded debt of the State has been reduced during the year two hundred and thirty thousand dollars. With no resources but direct taxation, and with the extraordinary expenditures during the past few years, amounting in the aggregate to upwards of five millions of dollars, we find ourselves at the close of the fiscal year with a funded indebtedness, after deducting balance to credit of sinking fund, of eleven hundred and sixty-eight thousand dollars.

With a continuance of the policy of providing for a portion of the funded debt, and with a due regard to the economical administration of the affairs of State, we may still further reduce the amount required to be raised by taxation.

The war claim of the State against the United States has received the special attention of the Auditor of Accounts. The unadjusted balance due the State is now \$207, 222.23. It is estimated by the Auditor that we may expect with confidence to receive within the present fiscal year at least one hundred and ten thousand dollars on these claims.

The Treasurer's report enables me to make the following statement of the finances for the fiscal year:

RECEIPTS.

Balance in treasury, Sept., 1867,	\$44,813 48
Balance to credit of sinking fund, Sept., 1867,	82,000 00
Collections on taxes,	515,028 95
Received from judges of probate,	10,448 91
Balance from county clerks,	24, 735 87
Received from United States on war claims,	57,637 71
Received from other sources,	19, 697 52

Total,	\$754,362 44

DISBURSEMENTS.

Debentures of General Assembly,	\$45,544 40
Extra pay and soldiers' allotments,	2,344 62
Organized militia pay roll,	516 55

Court orders,	53,481 44
Auditor's orders,	184,698 18
State bonds, redeemed,	230,000 00
Balance credit sinking fund,	59,637 71
Interest on bonds and loans,	88,366 73
Allowances to collectors of taxes,	16,904 33
Normal Schools,	1,500 00
Balance in treasury, Sept., 1868,	71,368 48

Total,	\$754,362 44

The classification of the expenditures for the current year shows, for

Debentures of General Assembly,	\$45,544 40
Expenses of the courts, (without including salaries,)	76,139 86
Interest on bonds and loans,	88,366 73
Expenses of printing,	14,395 88
For salaries,	39,968 16
Asylum for the insane,	14,089 57
Reform School expenses and appropriation,	11,695 92
Expenses of Board of Education,	4,545 94
Expenses of superintendents of schools,	4,235 67
Militia and Quartermaster General's expenditures,	6,454 79
Extra pay and organized militia pay rolls,	2,861 17
Expense of State prison, over income,	5,256 71
Expenses in Sergeant-at-Arms department,	4,631 83
American Asylum for Deaf and Dumb,	2,120 28
Expenses of State Library,	1,419 27
Appropriation to Normal Schools,	1,500 00
Official expenses, and miscellaneous,	15,983 68

Total,	\$339,209 86

ESTIMATED LIABILITIES FOR THE CURRENT YEAR.

For sundry balances in the treasury,	\$10,000 00
Interest on bonds and loans,	76,000 00
Other State expenses,	240,000 00
Sinking fund installment on bonds,	150,000 00

Total,	\$476,000 00

RESOURCES.

Balance in treasury and due on taxes,	\$78,153 15

Balance,	\$397,846 85

It will be necessary to assess a tax upon the grand list of the State, for an amount sufficient to meet the estimated liabilities, and such other appropriations as may be made. What is received during the year from the United States, may be appropriated to further reducing the funded debt, or applied to a reduction of the tax.

The balance in the treasury to the credit of the soldiers for allotments of United States pay is now, including interest, upwards of twenty-two thousand dollars. The object for which the allotment system was adopted having been fully attained, it may be well to inquire of some steps should not be taken having a tendency to bring these accounts to a close.

The aggregate indebtedness of all the towns and cities in the State, as shown from the returns made to the State Treasurer, is nineteen hundred and thirty-nine thousand one hundred and ninety-eight dollars. Nearly one-half of the debt is found in the counties of Bennington and Windsor.

ASSESSMENT OF TAXES.

It is evident to many who have been called upon to administer our assessment laws that the burdens of taxation do not bear equally upon all classes of property. This is owing in part to the method adopted in making up the list. In some localities the real and a portion of the personal estate is assessed at about one-half its value; while in others it is represented in the list at its full cash value.

The assessed value of the real and personal estate of Vermont was in 1860 nearly eighty-five millions of dollars, while its true value in money, according to the census of that year, was over two hundred and fifteen millions. The existing laws require that the real and personal estate shall be set in the list at "its true value in money." The adoption of any other course is unjust as well as illegal. It is the practice, on the part of listers in some localities, to file their lists in the town clerk's office without the oath prescribed by law, thereby easing their consciences for any irregularities in their mode of assessing the property set in the lists. It may be well to inquire if a more faithful discharge of the duties of listers would not be secured by prescribing some penalty for their neglect or violation of the requirements of the laws.

The right of appeal from the listers lies only in the party whose property is appraised. It has been suggested that it would be beneficial to give the right of appeal to any taxpayer, for if any part of the property in a town is assessed at less than its true cash value it is a matter of interest to all tax-payers to have it corrected. This right of appeal would also ensure a more faithful discharge of the duties of listers.

The taxation of personal estate invested in this State by non-residents has frequently been the subject of legislation, and as yet without any satisfactory result. An attempt was made at the last session of the Legislature to enact a law to regulate the taxation of stock in railroads held by non-residents. The bill passed both Houses on the last night of the session. It was concurred in by one branch after the other had closed its business and adjourned. On examination of the act, I deemed it my duty to withhold my approval, believing that had the attention of the Legislature been called to the questions involved the bill would not have been passed.

At the session of 1854, the law was passed to which the bill in question was an amendment. While neither affected the tax on the stock of residents, --the two acts being identical in that respect, --the bill of the last session changed only the manner of assessing and collecting the tax upon non-resident stockholders, and repealed without reservation the law of 1854, (sections eighty-eight, eighty-nine and ninety of chapter twenty-eight of the General Statues.)

By the direction of a former Legislature, proceedings had been commenced to enforce the collection of the tax upon the stock of non-residents in the Vermont and Canada Railroad Company. A bill in chancery in behalf of such stockholders was, therefore, brought against the State Treasurer, and an injunction procured restraining that officer from collecting the tax. This suit is now pending in the Supreme Court of the United States, and it is expected will be heard the present winter. I deem it the part of wisdom to postpone further legislation on this subject until the courts have passed upon the questions now under consideration.

I am advised by eminent counsel that should the decision of the court be in favor of the State, the enactment of the bill of last session would render quite doubtful the power to collect the accrued taxes now in arrears, -- estimated to amount to over one hundred thousand dollars. The inquiry from interested non-residents in regard to the fate of the bill, since the close of the last session, inclines me to the opinion that there was a design in the

amendment not apparent to the Legislature when the bill was under consideration, and it aptly illustrates the evil that may grow out of legislation under a suspension of the rules during the closing hours of a session.

There was in my mind another serious objection to the bill. The law of 1854 required the tax upon the stock of non-residents to be paid into the State treasury, where all the people of the State would receive a proportionate benefit. The proposed amendment gave the advantage from taxing stock of non-residents to the towns in which the railroad corporation might keep its principal office.

While nothing should be done to affect the validity of the law of 1854 until a final decision is reached in the case now pending, it may be well to consider whether it would not be sound policy to adopt a system of taxation which shall be consistent in its various parts, and do equal justice to all.

Neither the existing law, nor the proposed amendment applies to railroads built or owned by bondholders. The holder of a bond, who may receive his interest regularly is not taxed, though he is a non-resident, but the non-resident owner of a share is to be taxed, although the bond is practically as much a part of the railroad capital as the stock.

I am unable to see any sound reason why stockholders and bondholders in possession, should not stand on the same footing in this respect, or why railroad corporations should be subject to a different rule in regard to taxation from other property holders. There can be no doubt of your power to tax the real property in this State owned by corporations. It is the present rule to tax it as such, except in the case of railroads, and by including the real property of railroad under the general rule we should reach alike the resident and non-resident stock and bondholder, and should work equality and justice to all.

The only difficulty if any, in the application of such rule, would be found in the exemption from taxation granted in its charter to the Vermont Central Railroad Company which privilege is not enjoyed by any other railroad company in the State.

Nor is it apparent why we should apply, as we now do, to the personal property of residents in other states, a rule of taxation different from that which we adopt for our own citizens.

Our laws consider personal property as following the domicile of the owner, and require that all personal estates of an inhabitant shall be taxed where he resides. While we recognize this principle in the case of our own citizens, shall we seek to impose taxes on the personal property of non-residents, for which by the same rule they should pay taxes where they reside? This seems to me clearly unjust and should it be insisted upon will tend to prevent the investment of foreign capital in those enterprises so essential to our prosperity as the extension of our railroads, the improvement of our water powers, and the development of our quarries, mines and other resources.

One step towards the removal of these objections is to tax the real property of corporations in the several towns where such property is situated, upon its actual value, irrespective of dividends. By this means all the towns on the line of the railroads, or in which any corporate property is situated, will receive their just proportion of the taxes.

In this connection I would renew the recommendation of the last Annual Message in reference to the collection of taxes. This matter is one of importance to tax-payers, and should not be passed over without that consideration its merits demand.

UNITED STATES SENATOR.

The provisions of law require that you should proceed on the second Tuesday of this session, to the election of a United States Senator for the term of six years from the 4th of March next.

NATIONAL CEMETERIES.

I transmit herewith the report of Major William Rounds, Trustee of the Antietam National Cemetery Association, and have as therein recommended certified to the Auditor of Accounts the proportion to be paid by the State. I have also a communication from the Board of Commissioners having charge of the National

Cemetery at Gettysburg, requesting the adoption on your part of a resolution recommending the transfer of that Cemetery to the care of the General Government. These papers are placed at your disposal.

The report of the University of Vermont and State Agricultural College is worthy of your careful attention. The officers say that they are endeavoring to do faithful and valuable work for the State. An investigation that has been made with care, shows that during the last collegiate year, only one hundred and sixty or seventy young men of our State were members of any college or scientific school, either in Vermont or elsewhere. Not more than forty can have graduated during the year. This is a very small number of young men, for our population, to be pursuing a thorough intellectual training, and a larger number of our sons should be encouraged to enter the colleges of our State where they may receive that preparation "of value to men in every worthy vocation."

The condition of our common schools may be learned from the report of the Secretary of the Board of Education. We are expending annually nearly five hundred thousand dollars in the support of free schools, with an aggregate average attendance of nearly fifty thousand children, while the number of children of school age is about seventy-six thousand. Should we not seek for some means of securing a larger attendance upon our schools? It is the ignorant and idle that furnish inmates for our reform school, jails and prisons.

It would seem that the obligations of parents to their children ought to be sufficient to secure the attendance of a much larger number of scholars upon our public schools. It has, however, been found necessary to enact laws regulating this matter, and we are asked in the Secretary's report, if these laws cannot in their operations be made more effective by making it the duty of the school officers to inquire into and prosecute violations.

Is it not a matter of prudence in the expenditure of our public money that it should be paid only to well qualified teachers? As a means of securing them, and receiving the greatest benefit from our schools, we should by generous aid develop the full power for the good of our Normal Schools.

MILITIA.

As required under the act of 1867, the State has been divided into three military districts. The first district consists of the counties of Addison, Bennington, Rutland and Chittenden. The second district of Washington, Orange, Windsor and Windham, and the third of Caledonia, Essex, Franklin, Grand Isle, Lamoille and Orleans.

The necessary orders have been issued under which organizations can be made to fill up the regiments and battery. As yet only eight companies and two sections of artillery have been organized, but it is believed that the continuance of the present policy will secure a full organization in all the districts, and give some vitality to our militia system.

A considerable portion of the expenses incurred during the year in the department have been in collection, as required by law, of the arms and equipments in the hands of the State militia, and putting them in proper order. There now remains outstanding quite an amount of property belonging to the State, the return of which can only be insured by the enactment of a law more stringent in its provisions than the present statute.

STATE'S ATTORNEYS.

The operations of the law providing what is most counties of the State is a wholly inadequate salary for the duties that should be discharged by our State's attorneys, leaves undone a large amount of criminal business, to the great injury of our communities. An increase of salary, or what would be better, a return to a system of fees, would more fully comply with that constitutional provision which requires that "laws for the encouragement of virtue, and prevention of vice and immorality ought to be constantly kept in force, and duly executed."

STATE PRISON.

The reports of the officers of the State Prison are quite full, and doubtless will prove satisfactory. There are now confined in the institution seventy-two male and four female convicts. The expenditure has been thirteen thousand two hundred and nineteen dollars, and the income sixty-eight hundred and six dollars, leaving a balance of expenses over income of sixty-four hundred and thirteen dollars; nearly the average of the past four years. It cannot be expected to show better results during the continuance of the present contract for the labor of

the convicts, which expires in 1871. The operations of the laws of last session are beneficial in their effects upon the discipline of the prison. The commutation of sentence provided for is much more effective than the expectation of pardon, and entertaining this view, but few of the numerous applications for Executive clemency have been granted. The suggestions of the officers of the prison on this point meet my cordial approval.

REFORM SCHOOL.

The appropriation of last year for a workshop for the Reform School has been expended. The trustees have erected a substantial brick building at a cost of twenty-nine hundred dollars, and have made other improvements on the grounds and buildings, with a view to the permanency of the institution.

The expenses of the school have been ten thousand five hundred and thirteen dollars, from which is to be deducted seventeen hundred and seventy-nine dollars, the earnings of the boys in the shop. The products of the farm for the current year amount in value to twenty-nine hundred and sixty five dollars, and have principally been used in the support of the school.

The school has had eighty-seven inmates during the year and now has sixty-nine boys under its charge. Twelve of this number are placed out in good situations, to remain during good behavior. This course relieves the State from expense, and must prove an advantage to the boys who have become reformed and desire to show themselves worthy of being trusted. A number of young men have graduated, respectably prepared for business, and are in good situations. It is suggested that the law in regard to alternative sentences needs amendment to make it effective, and that the profitable employment of the boys would seem to require an enlargement of the farm.

The trustees report the school as under efficient management, and that it is accomplishing its work of reform with a reasonable expectation of useful and honorable lives from its graduates. The facts developed in this report are well worth your candid consideration.

RECIPROCITY.

The subject of reciprocity in trade with the dominion of Canada is now a matter of negotiation between the General Government and the authorities in Canada, in connection with their home government.

Any treaty that may be entered upon will require ratification on the part of the Senate of the United States, and doubtless some legislative action on the part of Congress to make it effective. Although it might not be best for us to enter upon the discussion of the details of exchange of products while these negotiations are pending, we may properly consider the commercial and political aspects; and in that view, no apology is necessary for inviting your attention to the subject.

The questions involved are of vital importance, not only to Vermont and New York but to all the New England States and the states bordering upon and tributary to the northern lakes. The annual increase of the productions of these Western States has exceeded the capacity of transportation of all the avenues to the Atlantic. At a recent commercial convention in the West, it was declared, as the deliberate sense of the large assembly, that: "The canal and various lines of railroads leading to and from the lakes while they have contributed vastly to develop the resources, increase the wealth and promote the permanent union of our country, are wholly inadequate to the demands of the increased and rapidly growing commerce."

If we can secure through the negotiations now pending the construction of a ship canal, connecting the waters of the St. Lawrence and Lake Champlain, a new and desirable route would be open to the great trade which passes between tide water in the Hudson River, the railroads of New England, and the Western States and Canada. The opening of this route is of vast importance to Canada as well as ourselves, and I have reason to believe that she is ready to construct this work, if a reciprocal treaty can be secured which in its operation should be mutually beneficial.

This project is not new. It has attracted the attention of many leading minds, and been approved by eminent and practical engineers. In 1854, careful and accurate surveys and estimates were made under the direction of the Canadian Board of Public Works, by Mr. Jarvis, well known from his connection with the public works of the state of New York. The survey of several routes was made, but preference was given to the direct line from

Caughnawaga to St. Johns, the country being very favorable, requiring but little heavy work at any point on the line, with a distance of but twenty-six miles, and a summit to be attained of only twenty-five feet, and involving a cost of construction of, say three millions of dollars, for a canal that would pass vessels of six to seven hundred tons.

As freight and tolls then stood, it was ascertained that the cost of taking property from Chicago to Troy, New York, with the enlarged canals of the State of New York, then in contemplation would be, via Buffalo \$4.85, via Oswego \$4.01, via the St. Lawrence and Lake Champlain \$3.90.

Mr. McAlpine, an engineer of high standing, came to the same conclusion. He declared that with the Caughnawaga Canal, the cost of transportation by the new route from Chicago would be less than by any other.

It is stated as follows by Mr. McAlpine:

Chicago to Whitehall, 1,451 miles, at two mills per mile,	\$2.83 per ton.
Expenses on the Canadian canals, Caughnawaga included - 96 miles, at three mills,	.29 “
Transfer of cargo at Whitehall,	.20 “
Transfer on present Champlain canal,	.58 “

Total cost,	\$3.90 “

With a connection of this character, no other route from the West to the tide waters of the Hudson will possess any advantage over the route via the St. Lawrence and Lake Champlain to the same point. And this route is greatly superior to any other in its relations to the trade between the West and that portion of New England and New York which borders upon and can be reached from the waters of Lake Champlain. It is demonstrated that produce from the West can be delivered on Lake Champlain by the St. Lawrence route at one-fourth less cost for transportation and in less time than by the other routes, while the connection with the Ottawa valley will be shortened ninety miles, and the rise and fall lessened one hundred and eighteen feet, an improvement of great importance, as we are dependent largely upon this source for our supply of lumber, which as an article of commerce stands next almost to grain.

The saving upon the single article of flour to the people of Vermont alone, in opening this new line, would amount to nearly or quite fifty thousand dollars annually, in the cost of transportation. If we did not succeed in retaining this sum in our own pockets, it would go to the producer, which would be a like benefit to the country as a whole.

Should not the building of this canal under proper guarantees be made a cardinal point in the pending negotiations for a new treaty? Has it not become almost a commercial necessity to the producing states of the West, as well as the consuming states of the East? There can be but one answer to these questions. Believing that an expression of your views may have an effect in promoting the progress of this work, I recommend the adoption of resolutions of instructions to our senators and representatives in Congress on this subject.

RESOURCES OF THE STATE.

The opening of this new line of transportation will largely develop the internal resources of the country, and it may be well briefly to consider this aspect of the case in its bearings upon Vermont.

The railroads extending east from St. Johns, Rouses Point, Burlington and Whitehall, with their numerous connections, would distribute and collect the trade on Lake Champlain. To supply the New England States with western products for consumption would of itself be an immense trade, which in connection with the export trade, would require the enlargement to at least fivefold the present capacity of our roads. The increasing business of the country would not only furnish such an amount of business as to require double tracks on the roads now built, but ensure the building of the projected new lines from Swanton through the Lamoille Valley, and from Rutland to White River Junction, and thence on to Portland. The natural increase of trade will furnish these new lines a large business, without seeming to affect the roads now in operation.

Our railroads are and must be the main artery on which much of the prosperity and much of the relative importance of the community depends. Develop and extend these arteries, and you largely increase our

population and the value of the real property of the State. I believe we should continue the policy of the laws of last session to encourage our manufacturing and mechanical industries, with such modifications as their practical application may require. Instead of an increase of thirty millions of dollars, as from 1850 to 1860, we may record in 1880 an increase of more than one hundred millions of dollars. The internal and local traffic of Vermont must depend on the convenience afforded by its railroad system to its local trade and while we guard the public interests, our railroads should not be hampered with any legislation tending to cripple their powers of benefiting the community.

To meet the policy of other states in extending aid to new roads, would it not be well to enquire if a carefully guarded law, – satisfactory in its details, – giving towns authority to take action, might not be beneficial.

The interest of the people on the line of a railroad in its operation and management and that of its owners are as it seems to me clearly identical, and cannot be separated without great injury to both.

You will have applications for charters for new roads, and they should receive your favorable action, unless it should appear that the application is made in the interest of a foreign corporation, the granting of which would be a great detriment to those interests we are bound to protect. It has been well said that our relative importance to the whole external world, must in great degree depend on the facilities and conveniences we afford for through travel in comparison with other communities. The management of our roads and the spirit in which they are conducted must in great degree depend upon our external communications and the relative degree depend upon our external communications and the relative importance of each railroad system and each railroad center. In these days of intense activity and eager competition it is therefore of the first importance to every growing community that the through lines of its railroad system should afford every facility for traffic, and should themselves be impelled by the utmost eagerness to extend their operations, an to increase their volume of receipts.

CONCLUSION.

It was said, during the late war, when the Vermont boys led the column, “We are all right, there will be no faltering from them.” The ranks were kept well closed up by a determined set of men, who went forth with a firm purpose of discharging their duty as becometh good soldiers.

Vermont is again in the van, and her sentiments have been clearly expressed through the ballot box in the re-election of her chief executive officers by the larges majority ever known in her history. This is her response to the call of our great Captain, “Let us have peace.” With General Grant as our standard-bearer, the national credit will be preserved, the strong arm of the Executive will be felt through out our country, insuring to all the people of whatever color or clime, be they rich or poor, high or low, that protection from every wrong and security in the exercise of ever right of citizenship which alone can preserve our free institutions and exalt us as a nation.

With a firm reliance upon Divine help, we have but to go forward, and with our best endeavors, use the abilities given us in the discharge of our duties to ourselves, mankind, and our God.

JOHN B. PAGE

EXECUTIVE CHAMBER,
Montpelier, Oct. 9, 1868 }
}

Inaugural address
of
Charles Paine
As it appears in the
Journal
of the
House of Representatives
October Session

1841

Monday, October 18, 1841
Inaugural Address

Fellow Citizens of the Senate and of the House of Representatives:

The people of this state have reposed in our hands for the ensuing year the powers of legislation and government; and the first and most gratifying duty we have to perform in their name, and as their representatives, is to acknowledge the continued favors of Providence. The earth has yielded its annual increase, health, happiness and prosperity smile upon our land, we still enjoy the blessings of a free government, and peace is as yet within our borders. So far as regards the present condition of our state, at no period have we been called upon for a more unfeigned expression of gratitude to the Giver of all good.

The legislative provisions which you will be called upon to make for the people of this state, will be, like their wants, few and simple. The wisdom of your predecessors will furnish you with the safest guide, and it has probably left few alterations to be devised in our domestic policy. Still it is your duty diligently to consider any improvement which may be suggested, and to leave nothing undone, which may promote the general welfare.

Education is a subject which cannot fail to command your earnest attention. It is true that no community can boast of more widely and universally diffused instruction than ours, and it might therefore appear useless to urge this topic upon your consideration. But we must continually bear in mind that it is not the result of accident that the people of this state, with so few exceptions, can all read and write, and have enjoyed the benefit of at least a good English education. They owe their happy and enviable condition, in this respect, entirely to the unceasing solicitude and wise legislation of our forefathers. While our state was yet almost a wilderness, those who themselves most felt the want of education, were most careful that their children should not grow up in ignorance, and the efforts they made to establish and support common schools and seminaries for the higher branches of learning, must forever command our gratitude and admiration. Common schools have always been within the immediate reach of every child in the state, and it has been the honorable ambition of every parent to deny his children no necessary opportunity for attending them. Nor has this been the limit of their ambition. Many a generous father, while following the plough himself, has sent his children from home, that they might, by having better means of education, qualify themselves for more extensive usefulness.

It is true that all this could not be accomplished by legislation alone. But wise and wholesome laws have laid the foundation of this, as they have of all other useful social institutions.

If legislation presents the means and points to the benefits of education, there is no reason to apprehend that they will not be gladly accepted. The example and encouragement, which it is in our power to afford, are all that is necessary not only to support and preserve our present system, but greatly to extend and improve it. If our fathers have bestowed on us a better education than they had the means of enjoying, shall we fall behind them in benevolent efforts? Let us rather emulate their example, and make our endeavors surpass our abilities as they did.

While, then, I would recommend to you that scrutiny and vigilance respecting our common school system, which are so constantly necessary, and a pecuniary provision as liberal as they have annually received, – I would commend to your favorable regard, our higher seminaries of learning. These are the nurseries of our professional men, and they consequently exert as great an influence on society as our common schools. If it is important that our farmers and mechanics should be well qualified for usefulness and respectability in their callings, it is equally essential that our clergymen, our statesmen, our physicians and our school masters should be so in theirs.

It is hard, too that the poor as well as the rich should not be able to reach and drink at the higher fountains of knowledge, and to no object can the bounty of the legislature be more properly directed, than to placing the higher branches of learning within the reach of those who have not themselves the means of obtaining them without some assistance.

I would not wish to be understood in these remarks, as intending to recommend any undue profusion in the expenditure of public money. On the contrary, I should be the last to advise or consent to such a course of legislation. It is my duty to direct your attention to measures of public interest, but you are the proper judges of the fitness, expediency, and practicability of those measures. Economy, not less than intellectual cultivation, is essential to a well regulated community; and it would ill become us, while endeavoring to improve our fellow men by education to corrupt them by an example of extravagance.

Nothing in my opinion will more conduce to the advancement of the wealth and prosperity of our people, than a geological survey of the state. The time has arrived when our interests seem imperatively to require that such a survey should no longer be postponed. The earth has been sufficiently cleared of its forests to admit of the necessary examination, and the expense attending it, will be trifling, compared with the benefits to be expected from it. Similar surveys have already been made in many of the states, which have opened new and highly productive sources of wealth. Very encouraging indications have already been discovered of the existence of valuable ores and minerals in different parts of the state. Agriculture will derive great advantages from the light which science cannot fail to throw upon the native character and varieties of our soil. Should useful ores be discovered, it will open a new field for industry, and by increasing the number of consumers of agricultural products, add a new impulse to the enterprise of the farmer. Should you agree with me as to the expediency of providing for such an undertaking, I would suggest that it should embrace an examination into the botany of the state. The success of the enterprise must of course depend, in a great measure, upon the qualifications of those who may be selected to carry it into execution.

Under the census of 1840 a new apportionment of the members of the House of Representatives of the Congress of the United States must necessarily be made. It will therefore become your duty, either to direct the election, by general ticket, at the annual freemen's meeting in 1842, of as many members as may, under such apportionment, be assigned to Vermont, or to postpone the election to a day beyond the next session of the legislature, thereby giving to that body the opportunity to make the necessary provisions on the subject.

Communications have been received by the Executive, from the constituted authorities of Her Majesty's Province of Canada, relating to the recent outrage upon our northern frontier, in the forcible seizure, and abduction beyond the limits thereof, of a citizen of this State. I shall take an early opportunity, by special message, to lay these documents before you.

Congress, during the last session, among other measures for the benefit and relief of the country, provided for the distribution of the proceeds of the public lands among the states. Vermont will be annually entitled, under this law, to a large sum of money, and it will be necessary that you should make provision for its receipt and safe disposal. How it shall be ultimately applied, so as to afford the greatest benefit to our constituents, will be a matter of grave deliberation after it shall have been received.

Vermont has not followed the example of many of her sister states in embarking in expensive works of internal improvements. Recent events have abundantly proved the wisdom and prudence of this course. – Vast benefits to the community are doubtless to be derived from such undertakings. They are perverted, very clearly, when they end in a prostration of public credit. When there is any uncertainty as to the adequacy of income to be derived from them, they should be engaged in with the greatest caution. Still their advantages should never be lost sight of. They are especially important to a country situated like ours, remote from market, and where the nature of our produce does not admit of expensive transportation. In proportion, too, as other parts of the country enjoy greater facilities of communication with the markets on the seaboard, is the value of our lands and of their produce diminished. It is not to be feared that the vigilant sagacity of our people will overlook considerations like these; and at no distant period we may expect that public attention will be actively directed towards a subject of so much interest. – When the enterprise of other states shall have brought, as they soon will bring, their railroads to our borders, the means, I am satisfied, will not be wanting, of continuing them through our own state. Foreign and domestic capital, and individual enterprise, will unite to accomplish the object, and the state, by husbanding its resources with reference to such an event, may undoubtedly hasten its arrival.

There are other subjects of legislation, which are not less interesting and important to the inhabitants of this state, but over which you can have no immediate control. I refer to those powers which have been delegated to

the government of the Union, for national purposes, and to be exercised for the general benefit. But although thus delegated, they ought not to be lost sight of by the legislatures of the states. On the contrary, so vastly important is their exercise to our prosperity, that it is our imperative duty to satisfy ourselves that they are not permitted to lie dormant in the hands of those to whom they are delegated, and that they are exercised in such a manner as will promote the public welfare. This duty is the more incumbent on us, because it is also our right, if it should appear that the powers of the general government have been insufficiently or unwisely granted, to apply a remedy by uniting with the other states in an amendment of the federal constitution.

The exercise of none of these powers is of such vital importance to the agricultural interest of this state, as that which enables Congress to afford protection to domestic industry, by imposing duties on the importations of foreign products.

An entire prostration and stagnation of business, arising principally from the absence of any effective protection to domestic industry, while the states remained separate, led, more immediately than any other cause, to their union. To remedy the evil, steps were taken, at the earliest period after the adoption of the Federal Constitution, to establish a discriminative system of revenue from duties on imports; and the country, under its operation, emerged, with unexampled rapidity, from embarrassment to wealth, power and national greatness. For more than thirty years, the constitutional power of Congress to impose duties for the purpose of protection, remained unquestioned. Every successive congress exercised the power without the suggestion of a doubt as to its constitutionality; and if the constitution itself had not been, as it is, perfectly clear on the subject, yet time, usage, constant legislation, and universal acquiescence, have fully established its possession by the general government. After all this, however, after a generation had passed away, and when the pursuits and business of the country had been build up, upon the basis of protection, it suited sectional and party purposes to object to it on the ground that it was unconstitutional; and, strange and unjust as it may seem, a long established system of laws, designed to encourage and protect domestic industry, has been, for the present at least, abandoned – not because the people of the country so willed it, but because a single southern state, denying the constitutionality of such legislation, threatened violently to resist the execution of these laws. And this has been termed a compromise; – a compromise which yields all that is demanded to violence and a breach of faith, and quietly consents to the ruin of a vast portion of the country for the exclusive benefit of a comparatively small section.

It is needless to say much of the causes which have thus led to a discontinuance of protection to domestic industry. A remedy for such an evil can be found only in the intelligence and spirit of that portion of our countrymen, to whose existence such protection will be found to be almost indispensable. I am not aware that you, as legislators of this state, can directly participate in applying a remedy; but you can at least urge upon our delegation in Congress your deep and abiding conviction of the strong necessity of shielding, by an adequate tariff, the domestic industry of the country against competition with the pauper labor and solid capitalists of Europe.

If the constitution of the United States does not already authorize Congress to afford such necessary protection to domestic industry, language would fail to accomplish the object, and any amendment of the constitution would be fruitless. The states have surrendered to the General Government all power over the subject. When they gave to Congress exclusively the power to lay duties, they deprived themselves forever of all power to protect domestic industry. They surrendered this power to Congress, to the extent to which they possessed it themselves, and for the same purposes, for which they themselves might have used it, not only for the purpose of revenue, but of protecting the industry of the citizens against ruinous foreign competition. If Congress do not possess this power, then the states themselves possess it; – for the states have retained all power which they have not granted to the government of the Union. But nothing would be more absurd than a construction of the Constitution which would thus distribute the power of laying duties, giving it to Congress for purposes of revenue, and to the states for the purpose of protection.

It would be superfluous to attempt to show that a protective tariff is essential to the prosperity of this portion of the Union. The value of our agricultural products, and especially of wool, depends entirely upon the success of our manufactories, and every farmer in Vermont is deeply interested in saving them from the ruin which, it is feared, is impending over them. We cannot raise wool for exportation, and if we abandon wool-growing, what are we to do with any other kind of produce which we may raise in its place? Wool will not be received in

foreign countries which have supplies of their own, and who in our own country will consume it, when manufactories shall have been destroyed, and manufacturers, who have been its consumers, are compelled to cultivate the soil as their only mode of subsistence? What would our farms or our produce be worth, if those now engaged at the loom should come back to the plough? We could hardly give away the contents of our overburdened granaries. Manufactures are yet in their infancy, and although during the short period of their existence, they have acquired strength with unexampled rapidity, they cannot be supposed to be stronger than those in older countries, where they have been much longer established, and where labor is cheapest. Yet in all countries, protection has always been found to be necessary to their existence; and no government on earth has ever been so blind to its own interests and those of its citizens, as to permit free trade with other countries, in articles of its own manufacture. There are two very sufficient and obvious reasons for this. One is, that a free or reciprocal trade among different nations never has been, and probably never can be, established. The other is, that to allow one country, whenever it might choose, to inundate another with its surplus manufactures, reduced in value at home by excessive production or bankruptcies, would be to ruin those engaged in the same business in the importing country. Steadiness is the safety and fluctuation the destruction of trade.

England, with a modesty peculiar to herself, proclaims and advocates the doctrines of free trade, for the benefit of other nations, while for her own benefit she practices upon a directly opposite system. In thus advocating free trade she is seconded by the Southern planter. But neither from the one nor the other can we consent to receive instruction. They have their interests, and we have ours. We have also the capacity to understand, and, I trust, the resolution to maintain our rights.

The attention of the people of the whole Union has been directed, by events which have occurred within the last few years, to certain amendments which are deemed essential in the Federal Constitution. The undue stimulus to ambition which is thought to be supplied by the prospect of the Presidential office being enjoyed by its occupant for a second term of four years, has created great alarm for the balance of the powers of the General Government. Experience has certainly proved, that if there is any danger of that balance being destroyed, it arises from the constant efforts of the Executive department to extend its patronage and power. That such efforts have frequently been made, to enable the President to secure a re-election, can hardly be doubted; and it is to be feared that they will continue to be too often made, so long as human nature remains unchanged.

A general complaint, arising from the same well grounded apprehension, exists as to the President's power of removal from office. The constitution directly gives him no such power, but he has been allowed to take it by implication. It is difficult to imagine how it should ever have been derived from that provision in the constitution which authorizes him to nominate "and by and with the advice and consent of the Senate, to appoint" all officers.

The President and Senate are jointly made the appointing power, and, in the absence of all other provisions on the subject, one would have supposed they must also be jointly the removing power. But the President claims to exercise it alone, and more frequently exercises it without any cause, except for the political opinions of those removed, than from an impartial regard to the faithful performance of the public service, which forms the sole argument in favor of its existence. For if the Constitution designed to give such a power to the President, it must have been for the purpose of enabling him to make removals required by the public good. But it has been perverted to a totally different purpose; that of enabling him to reward his supporters, strengthen his influence, and secure his own re-election.

Another similar subject, to which I would invite your particular attention, is the power of the President to veto bills which have been passed by both Houses of Congress. This is the only monarchical feature of our form of government, and it is difficult to understand how it should ever have been engrafted upon republican institutions. It was probably taken without much reflection as to its consequences, from the British constitution, which vests a similar power in the king; but only to protect his own prerogative from encroachment. Even for this purpose, however, it has not been exercised by him for more than two centuries. The early settlers of Vermont were too jealous of liberty to allow such a power any place in our constitution.

To form a just notion of the magnitude of the veto power, as it may be exercised by the President, we must keep constantly in view, that to prevent the passage of wholesome and necessary laws, is as bad as to pass those

which are mischievous. The power to make all laws, might be as properly entrusted to the President, as the power to prevent all laws. The history of all legislation proves that a majority of two thirds can seldom be obtained on disputed questions; and to allow the President to resist the enactment of such laws as he pleases, unless passed by so large a majority, is, in effect, to repose in one man almost the entire power of legislation. But the President not only claims the right to exercise the veto power whenever he pleases, but to exercise it as he understands the constitution, without any regard to the decisions of the Supreme Court, or to the precedents established by his predecessors. He appears to be uncontrolled in its exercise, either by law or precedent, and to have nothing to consult but his own conscience, and nothing to regard but his own character for consistency.

If he is right, we may bid farewell to all stability in our institutions. Every four years the laws of the country may be changed, and its business embarrassed and destroyed by the constitutional scruples of a new President. The tariff, – the bank, – the distribution of the revenue from the public lands, – internal improvement, – all the great measures for the welfare of the country, will be constitutional or unconstitutional, just as the President may happen to be selected from one part of the Union or the other.

I submit to your consideration whether it is not expedient to propose an amendment of the constitution, which shall render the President ineligible to a re-election, and which shall modify his powers of removal from office, and of preventing the passage of laws by Congress.

For myself, I confess that I cannot doubt that, if such amendment should be adopted by the requisite number of states, it would greatly contribute to perpetuate our free government.

I have thus expressed my views on these important subjects, freely and frankly. They are, however, opinions on matters of opinion, on which we are all at liberty to differ. The discussions of a deliberative assembly are likely to lead to more just conclusions than the reflections of an individual, unaided by the reasonings of others; and I shall rather yield to your judgment, than wish you to be governed by mine.

Grateful for the manifestation of your confidence and regard, which has summoned me from the business of private life to a station so conspicuous as that to which I have just been called, I commend all your deliberations to that Omniscient Power, whose purpose we have fondly hoped it might be, to build up institutions in this country, which would be favorable to human liberty and the improvement of mankind.

CHARLES PAINE

Montpelier, October 18, 1941.

Inaugural address
of
Charles Paine
As it appears in the
Journal
of the
House of Representatives
October Session
1842

Friday, October 14, 1842

Inaugural Address

Fellow – Citizens of the Senate and House of Representatives:

It affords me much pleasure again to meet you in these halls of legislation, to deliberate upon the welfare of the people of this state, and to make such provisions for their improvement as your wisdom may devise. Since we were last assembled here, our whole country has been in the enjoyment of all the blessings which a bountiful Providence could bestow, and the year has been distinguished by several events which can hardly fail to add to the general prosperity and happiness.

In a spirit of mutual concession and forbearance, the Governments of the United States and Great Britain have, by treaty, succeeded in removing those causes of discord and animosity between the two countries, which had become so alarming, and in laying the foundation for a wise and, I trust, a lasting peace. The negotiation of this treaty, conducted, as it has been, with a view to the good of man rather than for the gratification of his passions, is an honor to the age and to the nations engaged in it.

The greatest interests of our beloved country have also been rescued from the destruction which seemed impending over them, by the wise and magnanimous efforts of Congress to secure a Tariff of duties adequate to protect them. When we look back upon the strife of elements, from which have proceeded the blessings of peace and protection to domestic industry, the two greatest interests, perhaps, which it is the duty of the national government to guard, we find abundant cause for gratitude towards the Disposer of the hearts of men.

We have now every reason to hope that the prosperity of the country will begin again to revive; nor can we be in immediate danger of repeating those experiments upon it, the fruits of which have already been so bitter. Experience, so dearly purchased, cannot have failed to teach us wisdom and prudence for the future. The trials of adversity, and especially those which are self-inflicted, have their uses for nations not less than for individuals. We have only to look back upon what we have suffered, and upon what we might have enjoyed, to learn the extent of our blindness and folly.

But we should greatly err, in our review of the past, were we to impute all the blame to our rulers. It was ourselves, individually, who were first at fault. We had become too insensible of the inestimable advantages of self government, and of the unceasing watchfulness and activity which such government always demands of those who would enjoy it. We have perhaps yet to learn how eminently, above all other nations, we are blessed in our form of government; but we certainly ought to have discovered, by this time, that, whether we are well or ill governed, must depend wholly on ourselves. If we have intelligence, activity, and energy enough to place and keep in power honest and able rulers, political self-government is undoubtedly the best form of which we have any knowledge; but if we have not these qualities, it is probably the worst. Self-government arms us, for our protection, with the right of suffrage and with the power of enlightening and improving our fellow-men. These have been given us, not to be thrown aside, or neglected at our pleasure, but to be preserved and cherished, as the choicest rights of freemen, and to be diligently and perseveringly used on all occasions. The destinies of our beloved country are, in some degree, in the hands of each one of us, and not only the destinies of our own country, but those of the human race. On our shores liberty has unfurled her standard. If she find sons here worthy to bear it, it will not only continue to wave over our own heads, but it will stand as a signal to other nations. Let us not then be unmindful of our high responsibilities: but let us place our duties to our country and her institutions next after those to religion and our Maker.

In looking back upon the events of the past year, we find reason to be grateful not only that we have escaped the dangers of a foreign, but the horrors of a civil war. Incredible as it may appear, in an age and country like ours, but a few months have elapsed, since, almost in our own neighborhood, sons have been armed against fathers, and brothers against brothers, and trains of artillery have been pointed with deadly intent, while accident alone has prevented the lighting of the match which might have deluged our whole country in blood. I shudder to think that the spirit of party has, so soon, and with so little cause, involved us in a scene like this. The danger we have but just escaped is the greatest and most appalling with which we have been threatened since we became a nation. It was neither imaginary, nor uncertain in magnitude. It attempted to conceal the odious features of rebellion, and assume the more attractive form of justifiable revolution. In this disguise it

appeared to, and enlisted the sympathies of those, who had originally no concern with it, and it was then, and not before, that it became the cause of general and well grounded alarm. However we may be divided by state lines, when internal or external wars are threatened, we are but one people. Whatever may be the cause of rebellion or revolution, in a single state, its consequences can never be confined within its own limits. They will extend throughout the land, and involve, eventually, every member of the Confederacy. The flames of civil war are not likely to be lighted up by rebellion against the general government. That has been armed with powers which are abundantly sufficient to quell domestic insurrection. But our peaceful state sovereignties, although authorized to inflict the penalties for treason, are not sufficiently provided against the exigencies of rebellion. Unless, therefore, the general government promptly interferes, under its constitutional power, to suppress it, rebellion against our state governments is the most probable cause which exists of a general civil war.

After escaping from danger, it is natural to look back, that we may see how it occurred, and how it can be avoided for the future. When the colonies, which now form the oldest thirteen states of the Union, separated from the mother country, they generally adopted written constitutions of government, with the right of suffrage more or less restricted, but in none of them universal, and in several, colonial inequalities of representation were preserved. When written constitutions were adopted, they, in most instances, provided modes for their own amendment.

Rhode Island, however, satisfied with the existing form of government, did not adopt a written constitution. On our separation from Great Britain, therefore, the laws of the legislature of that state became the supreme law, and the power of government could not be changed without an act of the legislature, or by revolution. Any change which should be made, however peaceably, unless by law, would, of course, be a revolution, as it would be putting down the existing government, without its own consent, and substituting another in its place.

In all the old states, inequalities in the right of suffrage and representation continued to exist unaltered, till within about twenty years past unattended by serious complaint, and certainly without the thought of revolution. About that time, in some few of the states, public opinion demanded a change and a change was accordingly made, without difficulty or violence. In other states, where peaceable modes of altering the constitution are provided, inequalities, nearly or quite as great as those complained of in Rhode Island, have been allowed to exist to this day. In our own state even unshackled by colonial restraints, we voluntarily formed and have continued a government, whose inequalities of representations are probably equal to those, which, in Rhode Island, were thought to justify a revolution, and that, too, by the sword. But such a revolution can only be justified when the evils of government have become oppressive and intolerable, and when all hope of milder remedies is lost. Such was not the state of things in our sister state, at the time a portion of her citizens thought proper to raise the standard of civil war. We heard no complaints of misgovernment, nor of the suffering of any portion of her people. They were in full possession of the same free government they had always enjoyed, and of the civil rights which are universal in the country. It is true their political privileges were not equal. Some towns had a greater proportion of representation than others, and there were property qualifications for voters. These were the evils, and all the evils complained of.

If it is to be granted, that for reasons like those, government may, at any time, be overturned by violence, we shall never, in this country, be without fruitful causes of civil war. There are inequalities in the right of suffrage and representation in every state; and in none, can greater inequality of representation be found, than at present exists, under our national government, in the Senate of the United States. There, two millions and a half of the citizens of New York are no more numerously represented than a hundred thousand citizens of Rhode Island.

Considerations like these should satisfy us, that mere theories about government and political rights, unaccompanied by oppression and a privation of civil rights, can never, in this country, justify a resort to the sword. Public opinion is the safe, proper, and certain corrective of all evils of this description. Its operation is gradual, but it is surely better to wait long and patiently for its ultimate effects, than rashly to engage in a savage warfare with each other. Indeed, in Rhode Island, public opinion had already produced its effect, and left those, whose feet were so swift to shed blood, without the slightest excuse. Before they raised the standard of rebellion, the legislature had caused a constitution to be submitted to the people, which it was fully in their power to adopt. It will hardly be deemed a sufficient answer to this, to say, that it was not such in all respects as a portion of the people required. It went almost the whole extent of their demands. It is not desirable that

changes in government should be abrupt, in matters about which there is nearly an equal division of opinion. In all well regulated communities, such changes are always gradual, and there cannot be the slightest doubt but that, in Rhode Island, surrounded by free republics, and herself one of their elder sisters, every thing, which could be justly demanded, would, in due time, have been obtained. And, under all the circumstances, the attempt, which was made by a portion of her people, to plunge the state in civil war, deserves, in my judgment, the severest reprehension of every humane citizen, and every lover of his country. And I cannot find words to express my sense of the conduct of those, who, unconcerned in the affairs of that state and remote from the dangers and horrors of the scene, urged on and stimulated her deluded citizens to the enactment of the tragedy which they were so eager to witness.

I have thought it my duty to express these views, because it is a subject of immediate interest to us all, and because a suitable expression of opinion, as to the character of such events, is, perhaps, one of the best means of preventing their recurrence. It is due also to the state of Rhode Island, after having passed through so severe and unexampled a trial, and after the noble exhibition she has made of firmness, wisdom, and forbearance, under circumstances of such extreme difficulty and peril.

There is nothing which so much promotes the love of order in a community as the diffusion of knowledge, and especially of that knowledge which is early instilled into the mind. Those who are prepared, with sound principles and a good education, for the active scenes of life, can hardly fail to make useful, peaceable, and moral members of society. And those who are not thus prepared, though naturally well inclined, may easily be made instruments of disorder and mischief. Society has, therefore, no security, except in the early education of its members. Self-interest is thus made the means of compelling us to discharge the highest of all duties towards our fellow men. That portion of our lives, which is employed most profitable for ourselves and our children, is probably the time we devote to educating the children of others – as the greatest of all benefits is that of living in a peaceable, moral, and well governed community.

Knowing that you fully united with me in these sentiments, I do not hesitate again to press upon your attentive consideration the subject of our schools and seminaries of learning. In pursuance of a resolution passed at you last session, I appointed a committee, charged with the duty of inquiring into their condition and the best means of improving them. Their report, which has not yet been received, will probably be made during the present session, and I entertain the hope that it may greatly benefit the cause of education. There is reason to fear that the individual interest, in our common schools, which was formerly so observable among our citizens, has lately been declining. It would be natural, perhaps, that this should be the case, as, at an early period, these schools depended principally for their support upon the separate arrangements and voluntary contributions of each school district. And, as our schools have become, every year, more and more at the public charge, the necessity of such voluntary support would be less and less felt, and, possibly, the introduction and progress of a new system has been allowed to supplant the old one more rapidly than it should have done. If private interest in the subject has thus been withdrawn, only in proportion to the increase of the public fund even, the effect may have, and probably has, been unfavorable. Individual exertion, which springs from a sense of necessity, is active and zealous; and to render a system of support, in schools at the public expense, an adequate substitute for the voluntary system, it is indispensable that it should be accompanied by some general plan of public superintendance and management. Such a plan should embrace all that is essential to secure a perfect knowledge of the whole subject of education, as it exists throughout the state, a careful application of the school fund, and an adequate support of the necessary schools.

Several states have adopted systems similar to the one I recommend, and I would refer you particularly to that which exists in the state of Massachusetts, and to the reports which are annually made, under it, by an officer charged with the duty of their superintendance. I have been forcibly impressed with the utility of these reports, and indeed, I am unable to perceive how they can be dispensed with, if our schools are to become objects of public care and support. Without them, it is difficult to understand how the public can ever be possessed of the knowledge necessary to their proper management.

The expense attending such reports, and the examination and inquiries of which they are the result, would not be considerable, and even if it were, it ought to constitute no objection to the plan, if I am correct in my view of its importance. But it seems to me, that, if a wise and efficient system were adopted, and our school

fund and schools placed under the immediate care of faithful officer, a sufficient saving might be made to defray all additional expenses.

Without attempting to present new reasons for a liberal provision for our colleges and higher schools, I would again urge the subject upon your consideration. It is for you to decide how liberal a provision the state of our finances will admit of. But I must be permitted to say, that, in a community like ours, education, in any of its branches, ought not to be suffered to languish, from any motives of economy.

The business prosperity of the people of the state, and the means of improving it, deserves your continued and consistent care. While every one is left perfectly free in his own pursuits, it is in the power of government to accomplish many things to which individual efforts would be entirely unequal. Government may in various ways afford salutary aid to the enterprise and industry of its citizens, and it seems to me to be one of its first duties to inquire what it can do to improve them. Our citizens have become so dependent upon the growing of wool, that this article may be said to be the staple of the state, and I regret to say that the extreme depression in its price is not only the cause of present inconvenience, but of uneasiness as to the future. The rich and almost boundless plains of the great West are becoming covered with flocks of sheep, which will soon furnish supplies of wool in such abundance, as, I fear, may seriously affect the sale of our own. But as the West can also produce every thing else cheaper than the Atlantic states, It would be in vain to attempt to compete with them in any other product destined for the general market. Our constant study should therefore be directed to creating and building up a market among ourselves, and to establishing the means of such rapid communication with the markets on the sea-board as would enable us to dispose of our products, without fear of competition from the distant west.

The most obvious means of accomplishing these objects are the introduction of the railroads, and the encouragement of manufactures and the mechanic arts. Capitalists, confiding in the stability and justice of our legislation, would readily occupy the valuable sites for water power with which our state abounds, were it not for the difficulty of reaching them. This difficulty would be entirely removed by the construction of railroads, and they will be constructed when individuals become fully satisfied of their vast importance to our prosperity. Almost unattainable as this object seems, at present, to be, I do not at all despair of its ultimate accomplishment. Obstacles, which at first appear almost insurmountable, will yield, in the end, to public spirit and enlightened self-interest, kept constantly alive.

The establishment of manufactures may be encouraged by a liberal granting of charters, with such provisions as shall secure vested rights against violation or encroachment. I greatly mistake the character of the people of this state, if there should ever be a disposition to disturb them. But it would, nevertheless, be the part of wisdom to offer this, as well as every other possible inducement, to those who have the means and inclination to embark in such undertakings. In the neighborhood of manufactories, population would naturally increase, and the mechanic arts spring up and thrive. A home consumption would thus be created for agricultural products, upon which the farmer could always depend. Certainly no community could secure to itself greater prosperity than ours, by adopting and steadily pursuing this course of policy. No people have been more highly favored than ourselves, by natural advantages, and it will be our own fault if we do not improve them.

The tariff of duties lately passed by Congress will, I have no doubt, greatly increase our prosperity. Yet we must not expect from it miraculous effects. Protection had been so long, so unwisely and unjustly withheld, that the whole country was inundated with foreign manufactures, and our means almost exhausted to pay for them. The consequence has been a universal prostration of all the great interests of the country, from which we cannot expect they will suddenly recover. But let us at least derive some benefit from these self-inflicted evils. They should teach us the necessity of guarding against their recurrence. Already do we see the same spirit of mischief, which produced them, again at work in demanding and threatening a repeal of the Tariff. If we watch and oppose it, as we should, we can have little to fear from it. But its success would be our ruin.

In connection with our internal prosperity, I would again call your attention to the subject of a geological survey of the state. The discovery of mineral wealth would more certainly hasten the establishment of railroads than any other cause. To this cause, indeed, they owe their invention. But it is principally on account of the direct benefit which agriculture would derive from such a survey, that I am solicitous to see it undertaken.

While the agriculturalists of other countries are availing themselves, to so much advantage, of the lights of science, let it not be said that the farmers of Vermont are falling behind the age in agricultural improvements. Similar surveys have already been made, or are now in progress, in most of the sister states, and in no instance have they failed to be attended by results of high importance and value. They have not only determined the locality of suspected ores and other minerals, but have often laid open rich mines of metallic and mineral deposits, in regions where their existence had never before been imagined. The narrow territorial extent of our state, and the ready accessibility of its whole surface, render its thorough examination a task which may be accomplished within moderate limits both of time and expense; and I have no doubt our people would cheerfully bear the light addition to their burdens, arising from the adoption of a measure, which promises not only substantial pecuniary and social benefits, by a development of our internal resources, but an important contribution to natural science and to those great agricultural and manufacturing interests, which it is among the chief duties of an enlightened community to foster. I would suggest, in this connection, that a sum more than sufficient to meet the expense of such a survey, is now due to the state from the General Government, arising from the sales of the public lands, under the act of September 4th, 1841.

It will be your duty, during your present session, again to divide the state into districts, for the election of members of Congress. For a long series of years this state has been distinguished, I think I am warranted in saying above any other, for the moderation and justice with which the prevailing political party has treated the rights and claims of the minority. It is a circumstance in our history of which we may justly be proud and upon which we shall always look back with satisfaction. An equitable division of the state into congressional districts will furnish us no new matter to boast of; it will be merely an adherence to our established customs.

The militia of the state, the brave successors of these, who, in our revolutionary struggle, acquired such unfading honor, will, I am sure, receive from your hands all the consideration which so important a part of our system deserves. The duty of appointing a committee to revise the militia laws, which you devolved upon me at your last session, has been discharged, and their report will, at an early day, be communicated to you.

In discharge of my official duties, I have had an opportunity of learning the mode in which the accounts of the state, with many of its officers, have hitherto been kept, and I feel bound to call your particular attention to the subject. There is an urgent and pressing necessity here, for a thorough reform. I have been surprised to find that, from the manner of keeping these accounts, opportunities have so long existed for fraudulent practices. A revision of the laws on this subject is imperatively required, and a system should be adopted which will secure a rigorous and exact accountability of every public officer. Great improvements have recently been made in the systems of other states and it may be well to avail ourselves of the benefit of their experience. I fear we shall gain little, however, by any attempts at change, unless they are made with a determination to effect a thorough and well matured reform, and to extend it to every officer, immediately or remotely connected with the Treasury. I am relieved from the necessity of entering into greater detail, by the able report of the Auditor, appointed at the last session of the Legislature, which I herewith transmit to you.

In my annual communication last year, I called your attention to several subjects connected with the administration of the General Government, and certain proposed amendments in our Federal Constitution. I allude to the Veto power, the re-eligibility of the President, and the power of removal from office. Subsequent occurrences have strengthened my confidence in the soundness of the views I then expressed; but whether these questions – or that of the distribution of the proceeds of the Public Lands among the several states, to which they have, in my opinion, the clearest right – call for any immediate legislative action, I submit to your judgment and discretion.

CHARLES PAINE.

EXECUTIVE CHAMBER,
Montpelier, 14th Oct., A.D. 1842 }
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Executive Speech
of
William A. Palmer
As it appears in the
RECORDS
OF THE
GOVERNOR AND COUNCIL
OF THE
STATE OF VERMONT.

Volume VIII.

1831

OCTOBER 18, 1831.

SPEECH OF GOV. PALMER— 1831.

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

No choice of Chief Magistrate having been made by the people. I have been called to the discharge of the important duties connected with that office, by a majority of your suffrages. Deeply sensible of the honor conferred on me, and the responsibilities attendant upon its acceptance, it is proper for me as well to give the assurance, that all my abilities shall be brought to a prompt and efficient exercise of the functions of my office, as to express the wish, that they may be so performed as to merit and receive the approbation of those, whose servants we are.

The circumstances, under which I have been called to my present station, have afforded me but little time for the collection of such information, and the suggestion of such recommendations as are proper, at the present time, to be presented for your consideration.

The general condition of our common country is that of peace, prosperity and happiness. Compared with any other people, we have the most abundant cause for grateful acknowledgments as to the Author of all good, that our lot has been cast here. The evils to which we are subject are light and transient in their character. The conflicts of opinion incident to a free government produce sometimes, indeed, contentions and divisions which are for the time alarming and portentous in their aspect; but they are generally of short duration, and when they have passed away, like the commotion of the elements, leave a clearer sky and a purer atmosphere. They present no serious obstructions in our march to national happiness and glory. Other nations have witnessed this, and are profiting by the example. It is indeed a source of just and honest pride to every American, that the old world is already experiencing the progress of republican principles, as taught in the school of our revolution, and is gradually yielding to the dominion of public opinion.

In guarding against evils which threaten our free institutions, a special regard should be paid to that great principle incorporated in our Bill of Rights, which declares “that government is, or ought to be, instituted for the common benefit, protection and security of the people, nation or community, and not for the particular emolument or advantage of any single man, family or set of men, who are a part only of that community.” This principle constitutes the basis of every free government, and whatever tends to impair this “common benefit, protection and security,” and to destroy this equality, tends to its subversion.

The approbation uniformly expressed by the people of this State of the policy of a protecting Tariff, and the encouragement given to works of Internal Improvement by the general government, cannot fail to produce in us a hearty co-operation in suitable measures for the promotion of those great objects.

In attending to the various and important duties assigned us by the constitution, it behooves us to examine with great care the measures which may be presented for our consideration. It is proper, especially, to compare those which are new, with the provisions of the constitution and existing laws, carefully guarding against encroachments on the rights of any portion of the people; and while we protect those rights, entrusted more particularly to our guardianship, not to infringe those of a more general and important character, pertaining both to other members of the confederacy, and to the confederacy itself.

The subjects which more immediately require our attention, on the present occasion, are, such improvements and alterations in the existing laws, and the passage of such new ones, as experience has proved to be important and necessary, and called for by the changes in the condition of society—a vigilant superintendence of the fiscal concerns of the State, as it respects both the just levy and prudent expenditure of the public taxes—the improvement of the various channels of communication between the different parts of the State and with other States—the promotion of trade, agriculture and manufactures—the appointment to office of men who are discreet, honest, capable, and unshackled by any earthly allegiance except to the constitution and laws—a due regard to the state of the Militia, and a watchful care over the condition of our common schools and literary institutions. There are several topics, however, to which I wish more specifically to direct your attention.

The power which, under existing laws, the creditor claims and exercises over the body of his debtor, has always appeared to me to be inconsistent with the mild policy of our laws and the free and liberal spirit of our institutions, and especially at variance with that clause of our constitution which provides that “the person of the debtor, where there is not strong presumption of fraud, shall not be continued in prison after delivering up all his estate for the use of his creditors.” It is true that difficulties exist in regulating the details of a system calculated to secure to all the just rights belonging to each; but it is believed that the wisdom of the legislature can devise some plan which shall give relief to a class of community, whose claims to our attention are founded in the first principles of benevolence and justice.

The administration of oaths is a subject of the deepest importance to every government, and cannot fail, consequently, to command your especial attention. The influence which they exercise over the human mind, renders it of the utmost importance that they should be resorted to, only for the attainment of proper objects; and I submit to your consideration whether their administration should not be prohibited by law, except when necessary to secure the faithful discharge of official trusts, and to elicit truth in the administration of justice. I submit also to your consideration whether the cause of morality, and the general good, do not demand your interposition to diminish the frequency of their imposition even for the above purposes.

The condition of the state prison will also engage your attention. By a law of this state, passed in 1829, commissioners were appointed and authorized to expend a sum not exceeding nine thousand dollars, in erecting an additional building for the accommodation of the prisoners, and to make alterations in the buildings already erected. It was expected that the expenditures incurred to carry the object of the law into effect, would be taken out of the prison funds belonging to the State. I have the pleasure to inform you that the buildings and alterations contemplated by said act have been completed without incurring any additional expense to the State. The rules and regulations established for the government of the convicts have been so altered, that solitary confinement as been introduced in all cases except when the convicts are engaged in labor. I have long entertained the opinion that this mode of conducting the prison is the only one calculated to attain the benevolent objects of the penitentiary system; and that, without it, the system would fail to produce the effect on this unfortunate and degraded class of community so ardently desired by its friends.

Should anything of sufficient moment to demand your attention, not already referred to, suggest itself to my mind hereafter, it will be made the subject of a special communication.

With feelings of gratitude for the measure of prosperity and happiness vouchsafed to us by a kind Providence, who has watched over our concerns for good, let us all strive to improve the blessings bestowed upon us, both as a people and as individuals, as the best means of securing them to ourselves and our posterity.

WM. A. PALMER.

Executive Speech
of
William A. Palmer
As it appears in the
RECORDS
OF THE
GOVERNOR AND COUNCIL
OF THE
STATE OF VERMONT.

Volume VIII.

1832

OCTOBER 19, 1832.

SPEECH OF GOV. PALMER— 1832.

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

The freemen having a second time failed to elect a Chief Magistrate of the state, I have again been called to the discharge of the duties of that office by your suffrages. I accept the important trust with that gratitude which is due to such distinguished confidence, with that diffidence which is fearful to do wrong, and with that solicitude which is inseparable from a sincere desire to do right.

At this enlightened age of the world, the criteria for judging of rulers are their *measures*,—not their *professions*. A candid, upright and honorable course, then, is the only way to ensure the approbation and support of their constituents.

Government is instituted for the common benefit of all; and is in its nature a concentration of the public opinion to a certain form of public rule. This may be supported in a government of force, by terror; but in a republic, by patriotism, knowledge and public virtue. To sustain this attachment, the powers of the government must be so exerted as to secure to all, as far as is practicable, by general laws well executed, the enjoyment of the various gifts which God has bestowed upon them. Where the laws secure to every man the right to acquire and hold property, the desire to accumulate wealth, by fair and honest means, is compatible with, and inseparable from patriotism. Enterprise and industry are in the class of public virtues, because they are the unfailing sources of wealth and power to a nation.

Knowledge and virtue, then, are the main pillars of a republican government, and the only permanent basis upon which they can rest is education. The venerable founders of our government were well aware of this great truth, and therefore declared in our constitution that “a competent number of schools ought to be maintained in each town for the convenient instruction of youth, and one or more grammar schools be incorporated and properly supported in each county in this state.” It becomes your duty, as guardians of the public welfare, to inquire whether the good intentions and wise policy of our forefathers have been carried into effect in the various parts of the state from whence you come, and to provide that the means of education should be widely extended, and cheaply and easily afforded to every class of our citizens.

As commander in chief of the militia when not in the actual service of the United States, it will not be considered improper to make a few suggestions on that subject. As a frontier State we are more interested in an efficient organization of the militia than those States more remote from immediate attacks. From our infancy we have all been taught the danger to be apprehended in a republic from a standing army. History is full of instruction on this subject, and warns us, in language too glowing to be unfelt and too plain to be misunderstood, to beware of the danger.

To preserve the forms of war and the principles and feelings of military discipline, some regular troops are necessary; but our main defense must rest with the militia. They are our safeguard against internal commotion and a shield against sudden invasion from external enemies. The soil must be protected by its owners, and this must include all, because all have a right to acquire estates in fee simple.

For the acquisition of military knowledge schools have been established in different parts of the country, where the theory may be acquired, and much useful information obtained; but these are not the only measures necessary in a country like ours to keep up a proper spirit in the militia against the time of difficulty and danger, from which no country can expect to be exempt in the present state of the world. On the militia must we depend to meet the first advances of an enemy; yet little benefit will be realized unless they are well armed, equipped and trained; which must be attended with no inconsiderable expense of time and money. It is just to require the services of so large a portion of our citizens and subject them to the expense of equipment and training without some equivalent? Is it just that they should bear a burden not borne by the other citizens of the State, and at the same time be compelled to contribute an equal proportion with others to the general expense?

Each State in the union has the same interest in the discipline of the militia of the other States as in its own; there can be no impropriety, therefore, in considering this as a subject of national concernment, interesting to

all. I submit then to your consideration whether you will attempt to prevail on Congress to adopt some general system, by classification or otherwise, to improve the state of the militia generally, or whether you will give your attention to your own state alone. To neglect this subject seems to be alike incompatible with the public safety, and inconsistent with the wisdom of the Legislature.

We have every reason for gratitude to a kind Providence for the unusual measure of health enjoyed by the citizens of this state during the past year. A fearful and deadly malady has been raging in the neighboring Canadian provinces and in some of the adjoining states, which has carried death and desolation in its train. Much alarm has been felt by our own citizens lest this scourge of the human race should reach us; but with very few exceptions our people have been exempt from this terrible disease. During the past summer, I have been applied to by various respectable individuals in different parts of the State, and by some public bodies, to establish and enforce such regulations on the frontiers of this State as would tend to secure our citizens for contagion from abroad. I did not feel myself authorized to adopt such regulations as the applicants desired, no law of this State empowering me to do so. Should the Legislature think proper to adopt quarantine regulations, they will pass the necessary laws to carry them into effect.

Since the last session, the President has refused his assent to a bill passed by Congress, rechartering the Bank of the United States. Those who remember the deranged state of the currency at the close of the last war, may anticipate a like derangement should a recharter be finally refused and the bank be obliged to close its concerns. Much embarrassment, it is apprehended, will be produced in the mercantile community by calling in so large a portion of the capital engaged in commerce as is due to the bank. Though comparatively little of this sum is due from the citizens of this state, and therefore little trouble is to be apprehended here on that account, yet it is believed that a great majority of the people of this state are in favor of a recharter, from the consideration that the Bank has exercised a salutary influence in equalizing the currency of the country, and in preventing many of the state banks from suspending specie payments. It is submitted whether any action of the Legislature, on this subject, would be productive of beneficial consequences.

Nothing has occurred to disturb the peaceful relations of our country with foreign powers, and we may be permitted to indulge the hope, that no aggression on their part or injustice on ours will intervene to change these relations.

Our relations at home have not been equally fortunate. Disturbances have occurred on our western border resulting in war with a band of the Indians, which has been attended with the usual accompaniments of savage warfare, and has produced scenes afflictive to community. The active operations of the war have terminated in the capture or destruction of most of the enemy, yet consequences deeply injurious to our frontier settlers may ensue and continue for years to come. Our relations with these unfortunate tribes, the remnant of a once powerful people, it is feared, have not always been so conducted as to leave favorable impressions on their minds with regard either to our justice or humanity.

At the last session of Congress, the law regulating the Tariff of duties received such a modification as was thought by its friends would soothe the jealousies of the South, and disarm the opposition which has been exhibited in that section of the Union; but from recent manifestations of public feeling in that quarter, we have much reason to fear that the party claiming the extraordinary right to nullify any law of Congress, which, in *their opinion*, has not been passed in strict conformity to the provisions of the constitution of the United States, will result either in immediate civil commotion, or a separation from the other members of the confederacy. Whatever may be the points of difference between parties of this government, in this they will all undoubtedly agree, that in union alone is there any adequate security for our liberty. It is indeed not less essential to the existence of our confederated government, than is the principle of gravitation to the harmony of the material universe. From time immemorial the successful maxim of ambition has been to "divide and conquer"; but cemented as our union now is by excellent federal and state constitutions, yet if the invisible hand of foreign influence, or deep-rooted domestic prejudices and animosities, or the more fatal projects of unprincipled and vaulting ambition should obtain an ascendancy, we should too late discover that the loss of union is the irretrievable loss of our liberties.

I feel it is my duty to present again for your consideration a subject to which I briefly alluded at the last session. It is that relic of a dark age and a barbarous code, imprisonment for debt. I cannot permit the occasion to pass without manifesting my decided disapprobation of this discordant feature in our statutes, and expressing the opinion that it is inconsistent both with the spirit of our laws and the constitution of the state.

I cannot, moreover, let the occasion pass, without again calling your attention to the imposition and multiplication of oaths, and would renew the recommendation on that subject contained in my communication of last year.

In selecting such officers as are necessary to be appointed by the General Assembly, you will not fail to keep constantly in view that article of our constitution, which recommends a frequent recurrence to fundamental principles, and a firm adherence to justice, moderation, temperance, industry and frugality, as absolutely necessary to keep government free.

In pursuance of a resolution of the last session, authorizing the Governor to appoint a suitable person to investigate the question whether the lands in the town of Wheelock, granted by this State to Moor's Charity School, are not forfeited, I appointed the Hon. Asa Aikens of Windsor, to make the investigation. His report, as soon as received, will be laid before you.

It will be the duty of the General Assembly to appoint, at the present session, a Senator to serve this state in the Congress of the United States, for six years from and after the fourth of March next.

Any communications which have been, or may be, received by me, and which are proper to be laid before you, shall be communicated in due season for the action of the Legislature.

In conclusion, permit me to express the hope that the different branches of the government may act together in harmony—that a spirit of mutual forbearance and good will may characterize our proceedings, and that we may all strive to merit, in the discharge of our several functions, the confidence and approbation of our constituents, and the smiles of a gracious Providence, without whose aid all our efforts to advance the public good, however well intended, will prove fruitless.

WM. A PALMER

Executive Speech
of
William A. Palmer
As it appears in the
RECORDS
OF THE
GOVERNOR AND COUNCIL
OF THE
STATE OF VERMONT.
Volume VIII.

OCTOBER 12, 1833.

SPEECH OF GOV. PALMER— 1833.

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

Having been elected by the suffrages of the independent freemen of this State, to the office of Chief Magistrate, I accept the trust confided to me, with a grateful sense of the honor which such an expression of public confidence confers, and a deep conviction of the responsibility which it imposes.

The occasion of our assembling cannot fail to remind us of the source of our authority. The government we are called to administer is the government of the people, and the power it confers upon us as their constituted agents, involves the high responsibility of expressing their will, and laboring to promote their welfare. The just extent of those powers, and the best means of their beneficent exercise should become, therefore, the subjects of our deep and anxious deliberation.

Coming, as we do, from the midst of the people, we have the best means of knowing their wants—of understanding their interests, and of perceiving the operation of existing laws, and the necessity which experience many have suggested for their modification. In discharging our duties as Legislators, we shall find it necessary to guard against a spirit of innovation on the one hand, and a blind adherence to precedent on the other.

The judiciary department of the Government will always claim the first regard of the Legislature. Upon the wisdom and purity of that department, all the most valuable possessions in civil society depend. In all countries, the principles and feelings of the magistrate ought to accord with the principles of the government; this is necessary, to give it energy. In a State, where an inquiry by grand juries and trials by petit juries are fixed by the constitution as the strong barriers of the people's rights, the modes of punishing crimes and enforcing private claims are always expensive and sometimes attended with inconvenient delay. A cheap, ready, and plain manner of obtaining remedies for wrongs and compelling the execution of contracts by fixed and established rules, and without unnecessary delay, forms the distinguishing feature of a good government. There is no doubt but that improvements may be made in the jurisprudence of the State, and therefore, the attention of the Legislature will be directed to it.—But in all alterations of the laws, a sacred regard to the constitution, and such a degree of perfection and permanence as will render them respectable, ought to be kept steadily in view.

The great improvements in Agriculture—the increase of Commerce, and the progress and encouragement of the Arts, in our country, furnish the most satisfactory proof of the excellence of our political institutions; but the path of public as well as private prosperity ought to be trodden with care. Governments which depend in so great a measure for their due execution on the will of the governed, so frequently expressed by their suffrages, demand for their preservation, great intelligence in the body of the people. To maintain this, our institution of Common Schools, is admirably adapted; those, with our Academies and Colleges, are rendered indispensable by the nature of our government, and will claim the constant attention of the Legislature for their support and encouragement.

The views which I have heretofore expressed to the Legislature on the subjects of the Militia, of the multiplication of Oaths, and of Imprisonment for Debt, remain unchanged: and I refer to those important objects, as deserving your particular attention.

On the subject of the Militia, if nothing more should be done at the present session, I would suggest the propriety, and even the necessity, of revising the laws on that subject, making such alteration and amendments as will do away those difficulties in their execution, which have been found to exist, and that each field officer and captain of a company in the State be furnished with a copy at the public expense, to be distributed in the same manner as the public laws and journals are distributed.

By an act of the General Assembly, passed at their last session, it was made my duty to appoint three suitable persons as a committee, to fix on a place, in Montpelier, for the erection of a State House. In obedience to the provision of this act, I appointed Samuel C. Crafts of Craftsbury, Allen Wardner, of Windsor, and George

T. Hodges, of Rutland, to fix the place for a new State House, and to prepare a plan for the same. Their report on the subject is herewith laid before you. By the persons as a committee to superintend the erection of the State House, agreeably to the plan adopted by the locating committee. To this service I appointed Lebbeus Egerton, of Randolph, whose report of the progress of the work thus far will be laid before you.

In pursuance of a resolution of the General Assembly adopted at their last session, requesting me to open a correspondence with the Governor of Lower Canada on the subject of removing the obstructions at the outlet of Lake Champlain, near St. Johns, in Lower Canada, I addressed a letter to that officer on the subject, enclosing sundry affidavits tending to establish the existence of the evils complained of. I have received the answer of the Governor, with a number of affidavits and documents, relating to the same subject. This correspondence, with the papers relating to it, will be laid before you.

In pursuance of another resolution of the General Assembly, adopted at their last session, requesting me to enter into such negotiations with the Governor of Lower Canada as would conduce to the removal or lowering of a dam erected at the outlet of Lake Memphremagog, in the province of Lower Canada, so that the waters of the Lake may recede to their original level, or take such other measures as would remove the nuisance complained of, I addressed a letter to the Governor of Canada, on the subject, to which I have received an answer, assuring me that prompt measures would be taken to inquire into and remove the obstructions referred to, and I have no doubt, the difficulty will be satisfactorily adjusted.

When we reflect that the United States are in possession of numerous blessings—political, civil and religious—many of which are not enjoyed by other nations—that we are remote from the troubles which frequently agitate the old world—that we enjoy the uncontrolled right, on the true principles of liberty, to form, alter, and carry into effect, our federal and state constitutions—that founded on them and on law, there exists a spirit of toleration, securing to every one, the undisturbed rights of conscience and the free exercise of religion—that the people, at fixed periods, have the choice of their rulers and can remove them when they do wrong—that the means of education in all branches are liberal, general, and successful—that there is no place where the road to comfort, to wealth, or honest fame is so open—that the national resources and powers by proper management and arrangement, may render our country invincible—that by our husbandry, commerce, manufactures, and mechanic arts, the resources and wealth of the nation almost surpass belief—let us not be prompted by imprudent zealots of any description to hazard the loss of all or any of these inestimable blessings, but let us secure them forever, with the aid of Divine Providence, by rallying around the standard of the Constitution, and encouraging a true national spirit, on the solid foundation of peace, order and concord.

That we may in some measure be instrumental in promoting ourselves and our constituents the benefits of a good government, let us encourage that watchfulness over the conduct of our rulers which is calculated to teach them a just responsibility in their several stations, exercising all that indulgence towards honest differences of opinion, which the full and complete enjoyment of all the blessings of a free government render necessary; may we all for the present session, and for the period for which we are elected, be directed to the adoption of such wise and beneficial measures as will promote the public happiness.

WILLIAM A. PALMER.

Executive Speech
of
William A. Palmer
As it appears in the
RECORDS
OF THE
GOVERNOR AND COUNCIL
OF THE
STATE OF VERMONT.

Volume VIII.

1834

OCTOBER 13, 1834.

SPEECH OF GOV. PALMER— 1834.

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

Being again called to the office of Chief Magistrate of the State, by a majority of the suffrages of the General Assembly, I accept the trust confided to me, and will use my best endeavors to discharge the duties incumbent on me, for the good of the State, and the interests of the people.

The Constitution enjoins upon the Governor and Council to take care that the laws be faithfully administered, and to carry into execution such measures as may be resolved upon by the General Assembly. Very few of the Executive powers of our Government are entrusted, solely, to the Chief Magistrate; but, on the contrary, are entrusted to certain officers, who, from their appointment, and the nature of their duties, appear to be exempted from executive direction or censure.

In the financial department, a vigilance in the executive over subordinate officers, who may be in any way employed in receiving and paying over public monies, seems more important. The necessity of any particular attention to this, by the Executive, is however superceded by the laws already in force, by which it is made the duty of all subordinate officers, connected in any way with the collection of revenue, to make annual settlements with the head of the treasury department. An annual settlement is also to be made with the Treasury Department, with a full and fair statement of the accounts, together with the balances due, to be laid before the General Assembly at their October session. By the foregoing provision in the law, any call of the Executive on the Treasury department, for the information of the General Assembly, is rendered unnecessary. Some attention to this subject by the legislature may be attended with beneficial results.

Our duty as legislators is to provide wholesome laws for the promotion of virtue, happiness and prosperity among the people, upon whom the laws are to operate. One of the important ends of all government is, to teach each individual of the community the necessity of self-government.

When we reflect on the vast influence of the laws in molding and forming the manners, habits and virtues of a people, and that this influence, in our own case, is to exert itself of little less than three hundred thousand individuals, the business entrusted to us assumes an importance demanding our highest efforts to render such influence salutary in its operation. That such has not been the case in all countries, has arisen from the irresponsibility with which the powers of government have been exercised by their rulers—an irresponsibility growing out of the mistaken and anti-republican doctrine that those powers were exercised by men in their own right, and not in the right and for the good of the people. Under such circumstances is it to be wondered at that the laws, instead of being calculated to promote the general welfare, should be wrested to the purposes of individual aggrandizement?

Our government is happily so organized that the duty and interests of the lawgiver are necessarily identified with the rights and interests of the community, and under such circumstances of responsibility as to compel him to feel less sympathy for the ruler than the ruled. From these considerations it would seem that nothing but a great degree of ignorance or depravity could induce those who are employed in making and executing the laws, to be forgetful of the rights and interests of their constituents; and it behooves us, the prosecution of our important duties, to keep these great principles of republican freedom constantly in view, and not to flatter ourselves that the people have become either so ignorant or disregarding of their just rights as to sanction or submit to any attempt to impose upon their ignorance or credulity.

The sentiments, in regard to public worship, religion, and morality, interwoven with our constitution, as far as our limited knowledge can extend, have had great influence on the people. These circumstances, under our established form of government, excluding as it does all persecution and intolerance in matters of religion and modes of worship, give to our state and honorable station in the view of the enlightened part of the world.

The principles and precepts of the gospel, if improved for religious and moral purposes only, will always make good men, and by consequence, good citizens. Upon the religious and literary institutions of the state, our happiness as a people essentially depends. While, therefore, that freedom of opinion, and those rights of

conscience, which are recognized in our constitution, are sacredly maintained, the legislature will not fail to give every suitable encouragement to their support.

Permit me again to call your attention to the subject of the Militia. Unprepared to enter into details, my observations must be general. However, some may esteem it, the militia is the great depository of our liberty and independence—it is the first and last hope of our country. Let the militia become and remain inefficient, and our transition to despotism will be gradual, perhaps, but inevitable.

Previous to the revolution, the greatest care was taken to keep the militia in an unorganized and inefficient state. In most of the then British provinces patriotic exertions were made, but with little effect, to counteract this slavish policy; the provincial governors, generally opposed to the interest of the people, appointed the militia officers subservient to their own views. When, however, war with the mother country became inevitable, one of the first and most important measures adopted was the reorganization of the whole body of the militia; and since that period most of the states have paid a marked and laudable attention to the subject. The result has in many instances done honor to the government; the measures adopted have excited a martial spirit, which merits every attention and encouragement.

The materials composing the militia are independent and aspiring citizens, whose fearless spirit never was, and with confidence it may be said, never *will* be, subdued by foreign domination. They will sooner, by far, nobly perish on the field of battle, than surrender their beloved country—the birthright of themselves and those most dear to them, to an inexorable and haughty invader. Such materials for soldiers are not exceeded in any other country; and is it proper or expedient to let them remain unimproved, when they are so vitally important to our existence as a free people? And is it sound policy to continue to neglect the discipline of the militia—suffer the military ardor heretofore existing among the yeomanry, which has given us a name among the nations, to languish and expire? Or shall an effort be made to secure a proper organization of the militia, and foster a military spirit among the people? I therefore earnestly recommend the subject of your careful consideration and control, but hope that the present occasion will not pass without the adoption of some measure calculated to promote the object in view.

During the past year there has been much agitation on the subject of the United States bank, and the measures of the national executive in relation to it. The questions of principle involved in the controversy are of vast importance to the interest of the nation, and require to be discussed and decided with reference both to the present convenience and necessities of the people, and also to their influence upon the future destinies of the country. An institution, like that of the bank of the United States, necessarily possesses powers which, if exercised for good, as they ever should be, are most beneficial in their operations, and if exerted for evil, are of a nature the most pernicious. If such an institution, therefore, be demanded to meet the wants of the community, the utmost caution should be observed in framing the provisions of its charter—the most effectual checks placed upon its power—and the most watchful vigilance exercised with regard to its conduct. That a national bank, with proper powers and restrictions, is both necessary and constitutional, I do not doubt. I deem, however, the charter of the present bank exceptional in several of its provisions, and am opposed to its renewal in its present form. Its conduct in some respects I consider justly liable to censure; yet I cannot regard that as furnishing any justification of the executive proceedings in relation to it, some of which I deem pernicious in their consequences and altogether unwarrantable.

The public mind has been much agitated in relation to certain abuses and assumptions of power on the part of the national executive. It will be sufficient for me to say, in connection with this subject, that too much vigilance cannot be exercised, either on the part of the people or the state legislatures, with respect to his patronage and power. A manifestation by him of the least disposition either to overstep the bounds of the constitution and laws or to exercise those powers which he legitimately and constitutionally possesses, for purposes not within the scope of his duties, should be met and resisted, on the threshold, as the beginning of tyranny.

At the last session of the General Assembly, a resolution was passed, requesting me to renew the correspondence with the Governor-General of the British Provinces upon the subject of obstructions at the outlet of the waters of Lake Champlain, and to solicit that a commissioner or commissioners be appointed to act

in conjunction with commissioners appointed on the part of this state, to ascertain, if practicable, the true cause or causes, of the overflowing of the lands in this state, on the margin of Lake Champlain and its tributary streams, and the extent of the evils complained of. In pursuance of the request expressed in that resolution, in February last I addressed a letter to the Governor-General of the British Provinces in North America, on that subject, requesting the appointment of commissioners on the part of the government of Lower Canada, to meet such as were appointed on the part of this state, for the purpose of carrying the object referred to into effect, but have received no answer from the Governor, or any of the authorities of that government.

At a period of uncommon agitation and embarrassment, it is among the important duties required of us, to soar above local and partial views—to cherish and inculcate a disinterested spirit, and to secure, by every possible means, the blessings of liberty to ourselves and our posterity.

It only remains with me to assure you that I shall, in all things, heartily co-operate with you, in the necessary measures to promote and ensure the general welfare.

WM. A. PALMER.

Inaugural address
of
Asahel Peck
As it appears in the
Journal
of the
House of Representatives
Biennial Session,
1874

Friday, October 9, 1874 Inaugural Address

*Gentlemen of the Senate
and House of Representatives:*

It is a matter of congratulation that the period which has called us together to discharge the public trusts reposed in us under the Constitution, is marked by the general health and prosperity of the people; that the earth has yielded its abundance, and industry is generally reaping its accustomed reasonable reward. These, and the numerous blessing which we individually, and as a people, enjoy, should excite in us feelings of thankfulness and gratitude to the Giver of all good.

Your powers and duties are so comprehensive and varied, that it would be neither practicable nor useful to attempt, in the accustomed executive communication, to embrace all the subjects that may properly engage your attention, and require your action.

It is gratifying to find the finances of the State in the healthy and satisfactory condition indicated by the Treasurer's report, to which you are referred for a more full and detailed statement than is necessary to be here repeated. It appears from the account of the Treasurer, commencing August 1, 1872, that at that date he credits the State by balance in treasury, August 1, 1872, \$178,179.14, and by sinking fund in treasury, \$184,351.02; and also during the year commencing at the above date and ending July 31, 1873, credits the State numerous items, mostly from the ordinary sources of revenue, including \$4,386.80 received from Hon. J. S. Morrill, U.S. Senator, and \$7,836.74 received for interest on balances, amounting, exclusive of the two items first above mentioned, to \$506,504.08, making credit for the year above mentioned, \$869,034.24

Against this for the same period he charges—	
For extra State pay of \$7 per month,	\$5,404.84
“ allotted United States pay,	1,165.72
“ Auditor's orders,	\$274,963.89
“ court orders,	57,252.14
“ legislative debentures, 56,022.20	
“ registered loan redeemed,	53,000.00
“ coupon bonds redeemed,	32,000.00
“ discount on taxes,	14,227.52
“ interest paid,	32,374.34
	----- \$526,410.65
To balance this he charges balance of sinking fund,	\$101,851.02
And balance cash in treasury,	240,772.57

Making	\$869,034.24

For the year ending July 31, 1874, he credits the State by the last two items of charge in the account of the preceding year, that is—

Balance in treasury August 1, 1873,	\$240,772.57
Sinking fund in treasury August 1, 1873,	101,851.02

And also by other items in detail from the usual sources, including \$6,328.98 received from Quartermaster General for military stores sold, amounting, exclusive of the first two items, to \$460,380.26

Making the credit to the State,	----- \$803,003.85
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For the year last named, ending July 31, 1874, the Treasurer debits the State —

For extra State pay of \$7 per month,		\$2,764.22
“ allotted United States pay,		608.90
“ Auditor’s orders,		216,722.94
“ court orders,		66,099.60
“ United States surplus fund paid towns,		167.91
“interest paid on allotment acc’ts,	\$181.93	
“interest paid towns on U.S. surplus fund,	694.64	
For interest paid on registered loan,	11,145.00	
“ interest paid on coupons,	15,495.00	
	-----	\$27,471.57
For discount on taxes,	12,353.06	
Paid on funded debt:		
Registered loan of 1874,	\$16,500.00	
Registered loan of 1876,	2,500.00	
Coupon bonds of 1874,	20,000.00	
Coupon bonds of 1876,	26,000.00	
Coupon bonds of 1878,	6,000.00	
	-----	\$71,000.00

Making the debit		\$397,188.20
Leaving balance in treasury:		
Sinking fund,	\$37,932.36	
Cash and deposits n banks, subject to check on call,	367,883.29	
	-----	\$405,815.65

		\$803,003.85

The Treasurer’s report shows the liabilities and assets of the State as follows:

LIABILITIES.

Due towns, U.S. surplus fund,		\$11,519.96
Due on soldiers’ accounts,		13,424.46
Due on outstanding checks,		1,886.06
Due on funded debt:		
Bonds due Dec. 1, 1874,	\$50,500.00	
Bonds due Dec. 1, 1876,	110,500.00	
Bonds due Dec. 1, 1878,	65,500.00	
	-----	\$226,500.00
Due Agricultural College fund, June 1, 1890,		135,500.00

		\$338,830.48

ASSETS.

Due on tax of 1873,	\$5,671.44	
Cash in treasury and on deposit in banks,	405,815.65	
	-----	\$411,487.09

Excess of resources over liabilities,		\$22,656.61

Of the above liabilities it appears that \$194,000 is in outstanding coupon bonds payable	
December 1, 1874,	\$50,500.00
December 1, 1876,	109,500.00
December 1, 1878,	34,000.00
	----- \$194,000.00

And that \$168,000 of the above liabilities is in outstanding “certificates of registered loan,” issued under the act of 1867, and act of 1870, which sum includes the Agricultural College Fund. These certificates are payable:

December 1, 1876,	\$ 1,000.00
December 1, 1878,	31, 500.00
June 1, 1890, Agricultural College Fund	\$135,500.00
	----- \$168,000.00

In providing for the necessary revenues, and in the appropriations for the ensuing two years, I would advise that provision be made to meet, at maturity, the \$110,500 of the funded debt which is payable Dec. 1, 1876.

Little need be said on the subject of education; since, by common consent, its importance is acknowledged in the preservation of virtue and prevention of vice, and in promoting, in many ways, the general peace, prosperity and happiness of the people; and since it is as universally conceded that, in order to be effectual, it must be general among the people, and be disseminated among all classes by the most efficient agency for that purpose—our free common schools; and that to perfect the system of education the higher institutions of learning are also indispensable, all tending mutually to sustain and support each other; that all are of public interest and concern, and to be cared for accordingly by appropriate legislation. On this subject a Board of Education may be regarded as a part of the settled policy of the State. It has done much to further the cause of education by arousing a more general interest on the subject, and otherwise.

I am not aware that any further general legislation is necessary, or called for, in connection with the operations of the Board of Education; if so, it will, probably, be suggested in their report, to which I have not had access, and will, without doubt, receive such consideration on your part as it deserves.

Notwithstanding the commendable liberality exhibited by the people of the State in the support of schools, in my view we are deficient in one of the best, and which, ultimately, might be made one of the most economical agencies of education; that is, public town libraries accessible to all. In an economical view an expenditure for such purpose is not, like most expenditures for educational purposes, consumed by the use, and to be repeated annually, but it is permanent and serviceable for a succession of generations. It would furnish means of intellectual enjoyment in families, and thereby make home more attractive. The tendency of such well-selected library circulating among the youth of the town, would be to direct the tastes and habits of the young to substantial, solid and useful reading, and enable them to treasure up knowledge valuable in after life. It would furnish a class of reading consisting more of fact and less of fiction, and productive of a higher moral and intellectual culture than much of the reading that now attracts the attention of the young, which dissipates rather than cultivates and improves the mind. The gradual accumulation of such library in a town would scarcely be felt by the inhabitants, except by its wholesome influence and lasting benefit, to the old as well as the young. I think it is to be regretted that towns do not avail themselves of the enabling act authorizing them to establish such libraries. Whether any further legislation on this subject is advisable at this time I submit for your deliberate consideration.

I rejoice to see that the interest of agriculture, which has always been regarded as second to none in the State; an interest intimately identified with the prosperity of the State, and which must, at least for a long time to come, be the business and employment of the greater portion of our people, is enlisting increased interest and attention, not only among our people, but on the part of the Legislature. Our State is also rich in mineral wealth yet to be developed, and in water-power, affording abundant facilities for manufacturing purposes, not yet utilized. These interests have not been, and should not be, overlooked. The Board of Agriculture,

Manufacturers and Mining, recently established by the Legislature, it is hoped, will do much by the application of science to practical experience, and by other means to promote and develop these important industrial interests; and in this I trust the Board will be aided by all just and proper legislation.

I refer you to the report of the Trustees of the Reform School, and to the report of the Superintendent, for the history and operations of the school for the past two years, and for information as to its present condition. It is evident from these reports, and from other sources of information, that the school is in a prosperous condition, and that under its excellent management, it is fully answering the purpose of its creation as a reformatory institution, and as an effective agency in the police of the State. It is stated in the report of the trustees that, since the establishment of the school, several boys have been sent there convicted of minor, and often trifling offenses, that are so feeble-minded and idiotic as to be, in their opinion, incapable of committing crime, and incapable of receiving benefit by continuing there; and that, as the trustees have no power to discharge, except for thorough reformation, and as there can be no reform where no capacity to do wrong exists, they cannot discharge them. They ask that the law be so amended as to give the Trustees and Superintendent the power to discharge in such cases. I submit whether such power ought to be granted, except in connection with some other suitable provision for this class of unfortunate persons. It appears that the Legislature, at its last session, authorized the Trustees to purchase certain property named in the act—a lot with building and machinery—in their discretion, at an expense not exceeding \$15,000, for the purpose of the manufacture of chairs; that before any purchase was made, the building and machinery were burned, and that appropriation of \$15,000 remains untouched in the treasury. As to the question whether the purpose contemplated in the act appropriating that sum should still be carried out by the purchase of certain other property of like description, I refer you to the report of the Trustees, and also to the report of the Superintendent made to them. The propriety of making such purchase is urged by the Superintendent upon grounds of economy and profit to the State, by enabling the institution, by the labor of the boys, the inmates, to manufacture chairs entire, instead of simply weaving in the cane; and also upon the ground of making the school more efficient in its reformatory character, by teaching the inmates a trade that will afford them means of obtaining employment and gaining a livelihood, at the critical period of their lives when they leave the institution. I am not sufficiently informed to warrant the expression of an opinion on the subject, further than to recommend that it receive your consideration, and such action as your wisdom shall dictate.

The biennial reports of the Directors and Superintendent of the State Prison, as to its condition and management, show the financial affairs of the prison in good condition; and in this respect there seems to be a great improvement over that of former years. At the last session of the Legislature, on recommendation of the officers of the prison, an act was passed directing the Directors to construct a chapel in one of the buildings, and make such alterations and repairs of the old prison as were necessary for the better accommodation of the female convicts therein confined; and for these purposes they were authorized to appropriate so much of the surplus earnings of the prison as was necessary, not exceeding \$2,000. The reports show that the chapel has been constructed accordingly, and that the other repairs have not been made, on account of the insufficiency of the appropriation, and those repairs are again represented as being much needed for the convenience and comfort of the female prisoners confined there. I recommend that the necessary appropriation be made for that purpose. I call your attention to the remarks of the Directors in their report, in relation to “the impropriety of sentencing culprits for short terms on small offenses to such an institution as this. The main purpose of punishment is to prevent crime and reform the criminal. In order to accomplish this purpose, criminal laws must be punitive, but at the same time they ought to be reformatory as far as practicable. There are minor offenses for which the punishment prescribed is in the alternative, – fine, or imprisonment in the county jail, or in the State Prison, in the discretion of the court, depending on the circumstances of the particular case. In some of these cases, the milder punishment of fine or imprisonment in a county jail, proper for the purpose, would be sufficient, and answer all the purposes of punishment, and be much more likely to reform the offender than the fixing on him the infamy that attaches to a State Prison convict.

But our jails are places of detention of criminals of all grades and classes awaiting trial, and usually affording no means of separation of prisoners; the most abandoned and hardened criminals being turned in with those whose offense is of the lowest grade – committed, perhaps, more from weakness than depravity – thus

exposing the latter to the depraving influences of such associations. Such is generally the condition of our jails that a sentence to imprisonment in them is, practically, a sentence to idleness in a school of vice. If a fine is imposed, the consequence is often, from the poverty of the offender, the same, as it results in imprisonment till released by pardon. This same mischief also extends to cases of offenders imprisoned in the county jail for the most trifling offenses. Our jails are defective as a place of punishment, in not affording any means of employment to the prisoners. The very idleness to which they are condemned tends to vice and crime, while labor would be reformatory in its influence. It probably would not be practicable, at least not within the limit of reasonable expense, to convert all our county jails into work-houses, but they should be so constructed as to prevent the indiscriminate intercourse of prisoners and criminals of every grade.

But I have long been of the opinion that a work-house, to which prisoners from different parts of the State, convicted of certain minor offences might, under a limited discretion in courts of justice as to the place of punishment, be sentenced, would be of public benefit, and supply an existing defect in the means of the suppression of crime and the punishment and reform of criminals. Possibly the conversion of some one county jail into such work-house might subserve this purpose. I think the subject is worthy of your consideration.

The other biennial reports, which I have not had the opportunity of examining, will be before you for your consideration.

I trust that in the performance of the various duties devolving on you, both in investigating the past and providing for the future, that true public economy will be observed, which neither transcends, nor fails to supply the legitimate necessities of the State, and which will limit the session to the time necessary to do deliberately and well what the public good requires to be done.

ASAHIEL PECK.

EXECUTIVE CHAMBER, }
MONTPELIER, Oct. 8, 1874.

Inaugural address
of
Samuel E. Pingree
as it appears in the
Journal
of the
Joint Assembly
Biennial Session
1884

Thursday, October 2, 1884
Inaugural Address

Gentlemen of the Senate and House of Representatives in Joint Assembly convened:

In obedience to the expression of the will of our fellow citizens and filled with a profound sense of the obligations and responsibilities which their partiality has imposed, I enter upon the duties assigned me by the public summons under the laws of the land answerable only for a faithful, fearless, impartial, and, so far as I am able to discriminate, a just administration of the high and varied duties of the executive office.

I feel that I ought to be, and am sure that I am, deeply grateful for this second unsought expression of the confidence of my countrymen in my trustworthiness, in connection with yourselves, in the conduct of the delicate, and (more than formerly) complicated, though still harmonious affairs of our state government.

And while my deep sense of the responsibilities of the post assigned me is relieved of all shrinking apprehension through a wise division, with your Honorable bodies, of the responsibilities for the record we shall make and leave here for our fellowmen to analyze and pronounce upon, when our labors shall have been concluded, yet, I devoutly feel that the diligent and constant exercise of the best power of any man or bodies of men would prove abortive of any good if their hope rests for a moment on man's unaided wisdom.

It behooves us, then, in all that we undertake here to be constantly mindful of our dependence upon that Being who holds the destinies of states as well as individuals as in the hollow of his hand.

Let us, then, as the servants of a people, "whose God is the Lord," look to that kind Providence which smiled upon our fathers that we may be enabled to preserve and magnify the blessings we have inherited.

The period which has called us together for the discharge of our constitutional trusts is one affording occasion for customary congratulations—perhaps no more—although the general health, prosperity and happiness of our people since our last session have been real in a marked degree; the harvests of the past two years have been in the main plentiful; and the rewards of temperance and frugality have been altogether more than fair.

The assembling of your bodies with the executive, constituting the legal representatives of the people of Vermont, and having as "the trustees and servants" of our fellow citizens "the sole inherent and exclusive right of governing and regulating the internal police of the State," to consult, to modify and enact rules of civil conduct as the supreme power of the State, is an event ever memorable in the political history of any commonwealth of Freemen, and never to be witnessed save under the republican form of government.

The past is replete with evidences of the uprightness of intention, earnestness of endeavor, and general success in results which have characterized and crowned the deliberations and acts of the General Assembly of the State.

In all our duties here as the representatives of the people let our zealous care and endeavor be to elevate and perpetuate that honesty of purpose, dignity of demeanor, grasp and dispatch of business which have, in the past, so signalized the Legislative bodies and the Executives which have preceded us, and for the consummation of this high aim and end I shall ever and earnestly share with you the one purpose which should animate Legislature and Executive in common, to discharge the co-ordinate duties constitutionally imposed upon each alike, in such a manner that the permanent material interests of the State and the happiness of her people may be advanced at our hands.

In accordance with the custom of every Executive in our past from the patriot and diplomat, Thomas Chittenden, the first Governor, down to my able and accomplished predecessor, I now present to you a brief recurrence to, and make some suggestions upon, the present and comparative condition of our now (much more than formerly) complex trusts, and Penal, Reformatory, Financial, Industrial and Educational institutions, all which will demand your attention and some of them your careful consideration.

The Biennial Reports of the several State officers having an intimate and particular knowledge of their respective departments will exhibit in detail the present status of the several important financial and other trusts and affairs of the State.

The suggestions and recommendations contained in these Reports, coming as they do, from those whose conversance with the subjects whereof they speak, and whose judgments are necessarily well advised, deserve the candid consideration of the Legislature to whom they are addressed and will doubtless receive the same.

The Report of the treasurer, which will be before you, presents an itemized exhibit of the financial affairs of the government for each of the last two fiscal years, to the varied details of which your attention is invited, since the public will demand at our hands a closer degree of scrutiny and attention to the subject of their finances than they exact upon almost any other of the varied trusts reposed in their public servants, inasmuch as *it* most directly and universally affects all bodies corporate, classes and individuals within, and not a few without, our borders.

From this Report we find that at the close of the last fiscal year (Aug. 1, 1884) the State

LIABILITIES

were as follows viz.:

Due towns, surplus fund	\$13,397 62
“ soldiers, unpaid balance	8,803 60
“ suspense account, (the outstanding checks)	1,940 24
“ agricultural college fund	135,500 00
“ temporary loan of 1882	50,310 37
	\$209,951 83

and the

ASSETS

were as follows, viz.:

Cash on hand and in bank	\$18,149 46
Balance corporation tax (unpaid) payable in August.....	75,000 00
	\$93,149 46

The following items in this statement of State liabilities which are not regarded as subject to present (though to possible future) call, and for the meeting of which no present provisions are required are:

U.S. Surplus fund	\$13,397 62
Unpaid balance due soldiers	8,803 60
Suspense account, (old outstanding checks)	1,940 24
Agricultural college fund	135,500 00
	\$159,641 46

which sum being deducted from the general amount of liabilities leaves the amount of the same subject to be paid presently, \$50,310.37, showing an excess of available assets over current liabilities of \$42,839.09.

Any comparison of this result with those of previous annual or biennial periods would afford no reliable relative data of information as heretofore, since the basis of raising the public revenues and the dates of paying in the same have become wholly changed by the passage of the Corporation Tax Act of 1882.

EXPENSES OF GOVERNMENT.

Sources of revenue for meeting the expenses of administering the affairs of the State government have rested for the last biennial period mainly upon a new basis—the same having been paid only in the past from direct taxation based upon the Grand Lists' valuations as heretofore, but being chiefly derived under the operation of the "Corporation Tax Law," so called, enacted by the last session of the General Assembly.

The framing of statutes so as to compel an equitable and just contribution towards the burdens of government from every citizen and every interest has been the long sought desideratum of Legislatures and of the tax paying body politic of all countries and of all times.

For many years prior to 1880 we had been relying upon a system of taxation for the payment of State expenses, which, though fair and just in theory, was regarded by political economists, long before its repeal, as, in its practical operations, a most unjust and unequitable method of meeting the exigencies of the public demands, through its irregular methods of reaching the property of the citizen or the corporation.

The law—surrounded though it was by all the safeguards of the requirements of official oaths to its due execution and compliance by the Listers—soon fell into disregard by them generally, to such a degree that the average Lister, as if by common consent, found customary facility in substantially making solemn oath that *one-third* or *one-half* of the known worth of specific property was its *just* and *full* value in money.

The law became of no avail to compel "an equitable and just contribution for the maintainance of government" and men feel at a loss to understand at this day, why the method remained so long in vogue and upon our statutes, while the inequality and injustice of its enforcement were so manifest to all who observed the varied usages and methods resorted to under it.

It gave way to the "Act to Equalize Taxation," so called, of 1880.

That this law, which imposed upon the taxpayer the personal obligation, under penalties and perils, of contributing his fair share to the support of the government which protected him in accumulating and secured him in the possession of his property, was a step far in the right direction, and the closest approximation to a just and practical system of taxation, soon became apparent to all honest men.

The uncounted thousands of personalty, which had never before been reached, was brought out and laid at the service of the State with the hundreds or less that had not been kept back before from the Assessors.

I believe there has been no improvement in legislation in the quarter of a century in which I have had to do, professionally or officially, with the laws of the State, which has more universally and emphatically commended itself to the approbation and confidence of the people than this Act of 1880.

This law for the municipal purposes of Town, Highway and School District revenues remains unchanged, but at the last session of the General Assembly a new departure was made in revenue legislation by the passage of the "Corporation Tax Law" above referred to.

By this law the method of raising the revenues for the support of the State government was completely revolutionized.

Great concern was felt by many, and various questions were raised regarding the validity, construction and application of the law, at the time of its enactment and through the earlier stages of its enforcement, but through the wise selection of the present Commissioner by my predecessor, the formulation and preparation of the proper blanks and methods for the fulfilling of the statute was attained and this work was supplemented by the general willingness on the part of the officers of the various corporations to comply with the requirements of the same, so that all the corporations and persons reached by this law, with a single exception, have made the returns required by the same, and taxes were assessed during the calendar year 1883 as follows, viz.:

On Express companies.....	\$1,378 71
“ Telegraph companies	597 60
“ Telephone companies.....	504 58
“ Steamboat, Car and Transportation company	7,913 26

“ Railroads	85,516 96
“ Savings Banks	52,771 76
“ Trust companies	30,507 67
“ Home Insurance companies	6,768 85
“ Foreign	13,355 69

Making a total for the year	\$199,337 07

All which have been paid into the Treasury except \$2,658.56, the second semi-annual assessment of the St. Albans Trust Co., making amount received by the Treasurer as appears by his report, \$196,678.51. Of this amount the sum of \$56,506.70 was paid under protest.

The table attached to the Commissioner’s Report showing what corporations, companies and persons made payments under protest, and their reasons for the same as shown by the report, you will find deserving of careful notice for the better dealing with the suggestions and recommendations which the report contains.

The protest of the Trust Companies extend to one-half their assessment only and are based upon a question involving a point of constitutionality in a section of the law itself, they alleging that the law unjustly discriminates between them and the Savings Banks in compelling them to pay one per cent upon the average amount of their deposits, including trust funds and securities, while but one-half of one per cent upon the average amount of deposits and accumulations is imposed upon the Savings Banks.

There are now pending four suits of law against corporations assessed under this statute, the basis on which each is predicated and the statement of the defense claimed by the defendants in each is fully and clearly set forth in the report of the Commissioner, and as the defense in each case rests upon grounds distinct from the others, they will severally call for your analysis and action if you regard further legislation requisite to the ends of justice.

The suggestions and recommendations of the Commissioner relating to section 5 of the act embody the conclusions of the only one who must have been fully impressed with their importance and necessity, and I recommend that his suggestions be met by suitable amendments for the better practical workings of the law.

Sections 11, 12, 13, 17, 18 and 19, have all undergone the careful test of their practical applicability to meet the designs and aims of the law, and I commend their consideration to you in detail in view of the suggestions contained in the Commissioner’s Report.

I am aware that my predecessor, Governor Barstow, has given much careful study and reflection to this subject, both in its general aspect and in its details during his executive term, and we may well anticipate as we enter upon its consideration here that we will find in his retiring message much that will aid us in connection with the Commissioner’s Report in a rightful comprehension of our duties at this session in respect to it.

TRUST FUNDS.

After his usual clear and accurate manner the Treasurer sets forth the several funds held in trust by him at date of August 1st last, viz.:

The Agricultural College Fund (invested wholly in Vermont registered bonds of 1880).....	\$135,500 00
Bennington Battle Monument fund	20,000 00
This fund being invested in three per cent registered bonds.	
National Life Insurance Company fund, deposited under Act of Nov. 12, 1847, all in U.S. four per cent. bonds	105,000 00
Burlington Life Insurance Company fund under Act of Nov. 12, 1874.....	102,165 99

This last fund is invested in notes and mortgages, Burlington city bonds, Burlington Gas Light Co. stock,

Merchants' National Bank, Burlington stock. Howard and National Bank, Burlington stock.

All these investments of trust funds, for which the State is holden, however carefully and judiciously made, should always be regarded with closest scrutiny and concern by the Legislators.

It is a duty which a vigilant and economic people will always exact and have the right to demand at their hands.

In addition to the above the State Treasury holds the U.S. Deposit Money—sometimes called “School Fund”—to the credit of various towns and goes to the amount of \$13,397.62.

Also there stands another important trust in the hands of the State not heretofore among these high, important and perpetual responsibilities. I refer to the “Huntington Fund,” which the Treasurer, in authorizing him to collect and receive of the executor of the last will of Arunah Huntington, late of Brantford, P.Q., “all the property to which the State is entitled under said will, and deposit the same in the State Treasury,” has, with the counsel and assistance of the State Auditor, successfully accomplished and deposited the net amount so received, to wit, \$205,111.22, in the Treasury in the month of April, A.D. 1883.

This fund was collected in the kind of various stocks, bonds, notes, scrip, drafts, cash, etc., as set forth in the details of the Treasurer's Report, some of which have already been converted into other investments, as therein specifically shown, so that the amount of this Trust Fund at date August 1st, 1884, is, par value, \$219,864.37. This has been “received” and deposited as above stated, and the Treasurer's duty in the premises is ended.

It now becomes your duty, gentlemen, to take such measures in legislation as shall secure to the “Government and Legislature of the State of Vermont” this fund and its proper investment and direction for and to the end and purpose sought to be attained by the testator, to wit:

For the use and benefit of the common schools. How this may be best brought about will be the subject of your candid discussion, deliberation and legislation.

That the recommendations and suggestions of the testator be treated with your considerate and careful regard so far as the same may be clearly practicable and in no measurable degree an impediment or hindrance to the attainment of the high purpose and end sought to be accomplished under the will, I would earnestly recommend.

But above all these considerations such legislation should be had as will best carry out and on this trust for the sole use and benefit of the common schools.

How may this be best accomplished at your hands?

I have not yet seen the report of the Superintendent of Education, but have had occasion to confer and discuss this question in a limited degree with him and more at length with others who have given this subject thought and reflection, and I would now recommend as one of the means suggested by the Honorable Superintendent of Education, and which commends itself to my judgment above others that have been presented, that the minimum period required by law for the length of our common schools be increased to such a number of weeks above the twenty per annum now required by law as shall be sufficient for the utilizing of the income of this fund in this way for the use and benefit of the common schools, and that the necessary legislation be had whereby the standard of the school requirements as at present existing shall be fully kept up in the manner heretofore, or, at least, independently of, this Trust Fund, so that the current provisions and requirements in the interests of the common school education of the youth under the law, shall be in no way diminished, but their securities supplemented and enlarged by the blessings which this new fund was intended by its donor—a native Vermont philanthropist—to bestow upon them.

I regret not to have been able to see the State Superintendent's Report, which has for long weeks been in the hands of the printer and inaccessible.

The same has been true of most of the official Reports until within the past week.

Legislation correctionary of this inconvenience has heretofore been recommended.

To continue this subject of State finances I take and collate from the Auditor's Report the following tabulated statement of results:

Auditor's orders 1884	\$231,184 45
Court orders 1884	40,782 62
Fines and costs collected, 1884.....	28,694 17
Net court expenses 1884	49,653 89

For the biennial term ending July 31st, 1878, and so forth, the following orders were drawn, viz:

	STATE PRISON.	REF'RM SCH'L.	HOUSE OF CORR.	MILITIA.	ASYLUM.
1878	\$40,116 20	\$43,139 27	-----	\$41,213 43	\$48,523 00
1880	47,902 99	28,337 56	\$53,753 76	31,170 44	56,548 74
1882	75,127 04	37,175 15	27,141 94	24,695 46	72,544 00
1884	40,927 63	29,810 52	16,566 74	37,457 88	70,327 55

It will be noticed by referring to the State Prison and House of Correction reports that the exceptionally large items in the Prison and House of Correction expenses are accounted for as being occasioned by special rebuilding and repairing expenses connected with those institutions.

The following comparative table for the four last biennial terms, beginning July 31st, 1878, abstracted from the Auditor's Reports, is also subjoined, being regarded as of special interest to yourselves, and through you perhaps more accessible to the people of the State than through the more voluminous books of the Reports of State officials:

Term ending July 31,	Auditor's Orders	Court Orders.	Net Court Expenses.	Fines and costs collected.	State Prison.	Reform School.
1878	\$582,596 25	\$165,822 73	\$223,886 89	\$28,583 76	\$40,116 20	\$43,139 27
1880	569,464 67	135,379 97	176,565 84	45,007 13	47,902 99	28,637 56
1882	558,204 62	83,683 17	93,728 76	66,576 47	75,127 04	37,175 15
1884	506,687 30	80,261 75	89,418 88	62,313 26	40,927 63	29,810 52

	House of Cor.	Militia.	Vt. Asylum.	Probate Fees	
1878	-----	\$41,213 43	\$48,523 00	\$ 1,117 12	Deficit
1880	\$53,753 76	31,170 44	56,548 74	1,290 00	"
1882	27,141 94	24,695 46	72,544 00	109 00	Excess
1884	16,566 74	37,457 88	70,327 55	2,927 35	"

This matter of State and court expenses has been the subject of free discussion through official communication and report and by the press for several years past, and critical investigation has been devoted to it through officials, special committees and commissions, and more particularly by the thorough and analytical grasp and comprehension of the proper remedy for its abuses at the hands of your efficient Auditor, which have resulted in the foregoing satisfactory exhibit showing the steady decrease of these various expenses through the discovery and steady correction of the many subtle and long standing abuses.

That much yet remains to be done in this reformatory process is altogether probable.

Legislation in the right direction to this end can have much to do in the establishment of a well rectified public sentiment against unwarrantable extravagances and unlawful exaction of public servants in connection with the performance of official duties.

It will be further observed from the above table of comparisons that the results show not only a reduction in court expenses, but also that the amount of fees and costs collected have generally and steadily increased in amount.

The Report of the Auditor, which will be in your hands, though extending to the minute details from which the foregoing results are summarized, is so full of interest that it deserves to be reproduced here in full—that by repetition and in an increased variety of ways this whole subject of State expenses may be spread before the public for their careful scrutiny of the details which go to make up its aggregate.

REPORT OF THE INSPECTOR OF FINANCE.

This annual report shows the condition of the Savings Banks and Trust Companies of the State on June 30th last.

In view of certain data and recommendations appearing therein I deem it my duty to make special reference to it for the general information of many who may not have it at hand and into whose hands this communication may come.

It appears by this report that there are twenty-four savings banks, savings institutions and trust companies in active business in the State, with 45,837 depositors holding deposits aggregating \$13,724,291.53, of which amount \$11,327,100.78 belong to resident depositors and \$2,394,218.75 to non-residents; the average amount deposited by each being \$299.35, or about one-third less than the year previous.

It will be noticed by reference to the intelligent and concise tabulation arrangement of the Inspector of Finance that there are but 272 depositors having to their credit over \$2,000 each, and that about one-half of these deposits were in the seven trust companies which are not restricted by law in the amounts receivable from any one person, while the savings institutions are prohibited from receiving in excess of that amount except from widows, orphans, executors, etc., these persons being the only beneficiaries for which the savings bank was primarily intended.

The recent law subjecting the excess of \$1,500.00 of this individual deposit to taxation has decreased the number of heavy depositors, “a result,” as is well said by the Inspector, “the most gratifying to the managers of the most conservative banks.”

Of all our savings banks but one has passed its dividend, and that one for the special reason of accumulating with a view of winding up. These dividends have varied from four to five per cent. This is a result most gratifying concerning the successful operation and management of our savings banks.

This institution—the savings bank—is constituted essentially in the interests of that portion of our people who are less able than the more experience financiers of the community to husband and convert, from time to time, their earnings and savings from one kind of security to another. It is, in short, the bank of the poor, the widow, the orphan and the daft, who are unable to find a more remunerative place of investment for their savings.

It therefore becomes your duty to see to it that no safeguard which your judgment and forecast can invent, be omitted in your legislation, to shield this institution from the possibility of miscarriage, that its beneficent object may be attained according to the original designs and purposes for which it was instituted.

The Inspector of Finance should be armed with the sword of the law that he may protect this class of depositors with the shield of the law.

The Inspector has also submitted in his report a series of recommendations which are stated with a degree of conciseness that would seem to render an abstract thereof hardly adequate to a rightful comprehension of the same; and that these may be impressed upon the General Assembly in their original clearness and importance, and believing that the same are entitled, in consideration of their vital interest to those of our people having hard

earned moneys to deposit where they may be safe and yielding the fruitage of a moderate increase, and also in view of various losses that have come upon some of that class of depositors since the last session of this General Assembly, through the insufficiency of the laws on the subject, I here quote with my full approbation and approval the following from his Report, viz.:

“I recommend the enactment of a distinct code for the trust companies which shall clearly define their powers under their charters, that there may be no uncertainty as to the investment that they may lawfully make. As there is no limitation of the amount of loans, which may be made, it follows that the entire assets of any trust company may be loaned to one person or upon any collaterals which may be thought to be good by the trustees or directors for the time being. In a few instances I have found loans to one person or firm, by trust companies, of over sixty thousand dollars. My predecessor, in several reports, called attention to the danger from excessively large loans, suggesting that it would be *safer* to make loans of moderate amounts, scattered around in various localities, than loans of twenty or thirty thousand dollars in one place, subject to only one misfortune, to hazard the whole amount.”

“To this sentiment I heartily subscribe. If the laws should specifically restrict loans to any one person, corporation or company, or its individual members, to some limited percentage of its capital stocks or deposits; and should forbid any officer or trustee of trust companies and savings banks, borrowing funds of the corporation or becoming surety to it, the result would be beneficial.”

I also specially commend the recommendations of the Inspector in regard to the officers and bank examinations, and the investments of school and municipal bonds, to your consideration, and I recommend such legislation on your part as will tend to make available these desirable safeguards in the first, and safe investments in the other cases.

EDUCATION.

The paramount importance of this interest can not be overrated. Upwards of seventy-three thousand of our youth, being more than one fifth of our whole population, are, year by year, undergoing the training and education which our common school affords. Upon the character and quality of this school, as an institution of learning and virtue, the future character and quality of our State institutions largely depend.

And in it we are not moulding and shaping the future of our State alone, but of others—even to the influencing of all where the Anglo American race are planting or peopling new states or enlarging the missionary operations and successes of mankind the world over.

It is axiomatic in American politics that free institutions cannot subsist among an unlearned people, but must draw their life sustenance from the intelligence and culture of the masses—which virtues cover and protect them with an impenetrable aegis.

It is for wise legislation to determine and direct how the \$600,000.00 which is annually devoted to the common school education of these youth, by direct taxation, may be made to yield its best and most enduring returns for the welfare of the State and for the good of mankind. Nor is it the large sum of money thus expended that robs this interest in its chief importance.

It is rather the rich returns that we may be assured of to brighten the visions of coming years if the annuity is wisely disposed and applied, or, on the other hand the disappointment and despair that is the sure fruitage of our suffering this interest to languish and die simply because it is not made to progress and keep abreast with the current of the best regulated states in this regard.

Can it be answered why Vermont—one of the most nearly non-manufacturing states—with a foreign born population of only 40,000, and with her district school system a century old, and not cramped or diverted from its highest usefulness by any radical legislation or experiment for a change, and with an enforced liberality in expenditure of money in the interests of education almost proverbial—can it be explained why she should stand so far behind those states which have never adopted that system or have long ago abandoned it for the town system?

A careful examination and comparison of the various tables of illiteracy among the states of New England and the West, coupled with a consideration of such surroundings and data as are proper to a rightful comprehension of the subject and its causes, must surely lead the honest Vermonter to inquire, wherefore are we being left behind in the results of these dissimilar applications of our zeal and wealth for the increase and diffusion of education among our children?

The limits of this communication would prevent, and its proper scope and purpose, perhaps, forbid, the trenching upon the field of argument upon the merits of the possible remedy for this (what has seemed to me) evident misapplication and waste of some of our wealth and much of our otherwise most fruitful energies under the inequitable and varied "District System;" but I should at least present to you as my earnest conviction, and I do confidently recommend, that some measure be adopted at your instance looking to the universal establishment of the town system of schools in the near future—as probably the most promising of practical and permanent good to the cause of common school education and of the reformation of many of the existing evils which now handicap and thwart its largest beneficence.

The system is of no new devising in its advocacy in our State, but began to be adopted as organic law, and, as of course, in some of the new state near a half century ago—and has become the prevailing usage of most if not all of our standard educational states throughout the west and north central portions of our country.

I believe that wherever the system has come into state or town, it has invariably come to stay.

The disastrous effects and concomitants of the District System, so tersely summarized by our National Commissioner of Education—"The small schools, the short terms, the meager salaries, the "cheap" teachers, the incessant change, the multiplicity of incompetent and irresponsible officers, and instruction devoid of spirit and lacking the conditions necessary to steady progression"—seem to indicate, (and the successes of the Township System wherever adopted concur therein,) that the time has come when the Legislature of Vermont should meet the demand for a change.

THE UNIVERSITY OF VERMONT AND STATE AGRICULTURAL COLLEGE.

This college, originally styled "The University of Vermont," and intended as an institution of learning under the patronage and fostering care of the State, has had a life and history of struggle with misfortune and calamity which has fallen to the lot of but few of the seats of learning and culture in our land. The record of her early and unsuccessful enterprise and efforts to start in life on sure foundations—the financial turns which embarrassed and crippled her zealous and beneficent almoners so as to cause her prosperity to miscarry for a time—the laying on of the heavy hand of military necessity—appropriating her halls of learning for hospital uses in the war of 1812—the loss of the same by fire in 1824—and the long and varied record of her resolution and persistency to live and thrive, and attain a rank high up on the roll of the best colleges of the land—all unfold to us a history that no Vermonter can read and ponder without commingled sentiments of sympathy for her in adversity, admiration for her courage and persistency, and of personal and state pride in her so complete success at present.

And although by our original constitution it was declared that "One University in this State ought to be established by direction of the General Assembly," and this was primarily intended for that one, yet, barring the original grant of lands, much of which proved of little value, the State has done nothing in the way of material aid for this college.

The University, which was called into existence by the fathers, and which was expected to be the future recipient of State encouragement and aid, has, from its earliest days, been dependent upon the charities, beneficence and more recently the largesses of its friends.

Would not this seem an opportune moment for the ancient obligation of the State to be honored, and, in imitation of our mother State, New Hampshire, towards her college, an appropriation for a limited number of scholarships to be granted to our University.

I regret that I have been unable at this writing to examine the last report of the Honorable Board of Trustees of the University and Agricultural College.

AGRICULTURE.

If there is any single interest that should engage the fostering care and attention of the Legislature more than any other, it is that on which all the others especially depend for the sinews for success and existence.

Pre-eminent in our State the tilling of the soil and all that class of industry which appertains to agriculture, claims, and is by common consent entitled to this distinction.

This interest is, most of any, identified with the prosperity of the State. It has been, and is ever likely to be, the occupation and employment of a large majority of our people.

The manufactures and mining interests—the handmaidens of agriculture—are also industrial concerns of our people of too far reaching importance to be overlooked in the promoting and fostering justice of your legislation.

I am requested by citizens prominent in some of these interests to call the attention of this body to the fitness of having an authorized state representative sent to the World's Exposition, to be opened at New Orleans in December next, and I am advised that a small appropriation will be asked for as in other states to defray the requisite expense of the same.

STATE PRISON.

The Report of the Directors of this institution shows that the \$5,000, appropriated at the last session of the general assembly, has been expended for the purposes for which the appropriation was made, and that the same was sufficient for the purpose with the economical utilization of convict labor and material on hand.

The report of the Directors and Superintendent shows the Prison to be in good condition, both in its management, compartments and financial affairs.

Large appropriations have been called for, for several sessions past, for the rebuilding, repairs and improvements in and about this institution, and they have been liberally made, and, in the main, judiciously expended, so that at this time the Prison will compare in no unfavorable light with the best arranged penal institutions of New England.

Public institutions of any character, when raised and improved to the level of the best, should be kept there in the interests of state credit and economy. This will require new appropriations from time to time. The needs of these come to us the most reliably through the Report of the Directors and Superintendents, through legislative committees and personal examination and observation.

Two improvements from the ancient to the modern and most approved methods of repairs are recommended by the board. They seem almost necessary to economy, safety, cleanliness and health, and the expense would not be large. I fully concur with the board in these recommendations.

The rapid decrease in the number of convicts confined here would seem to have reached its minimum in the last biennial period – since the falling from the number confined on July 31, 1882, is but one; while from 1878 to 1880 the decrease was thirty-four, and from 1880 to 1882 it was fifty-two. The whole number now in our prison is eighty-nine, while at times in the last year there have been but eighty-one. The average number for the last two years is eighty-eight.

About the same corps of officers is required for the management of the prison that would be with twice the number on convicts. The expense of this corps to the State would be about the same as now, while the income from convict labor would be doubled; so that the prison, if filled to its utmost capacity, might, as the times now are, become not only self-sustaining, but be a source of revenue to the State—a consummation not to be desired under such conditions.

HOUSE OF CORRECTION.

This institution has now been in operation near six years and is universally admitted to be a success of its kind, not surpassed in quality for beneficent results in the suppression of crime by similar institutions in other states.

I regret not to have been able to see the Report of the Trustees in season for presenting to you a more specific knowledge of this House.

THE REFORM SCHOOL.

This beneficent institution for the detention and reformation of those in our youth who are criminally disposed, that their downward tendencies may be stayed and rectified under correct training and they lifted up through a better education and holier influences to future respectable citizenship—has been and must continue to be the object of most watchful interest, and of ungrudging bestowment of State aid and encouragement through the legislative channels.

The Reports of the Trustees and Superintendent represent its present condition, buildings, appurtenances and lands entirely ample for all its wants, with harmony of management and workings of the departments, and that the objects and purposes of the institution are going forward in an unusually gratifying manner.

I invite your attention to the suggestions of the Board of Trustees touching certain needed legislation in the interests of the school, and particularly that which relates to the matter of town contributions to the support of its inmates.

THE ASYLUM.

From the biennial Report of the Supervisors of the Insane you will see that the number of these unfortunate wards of the State confined in this institution remain substantially unchanged—the number of inmates August 1, 1882, being 441
and August 1, 1884 437
a decrease of only four.

During that period 189 patients were admitted to the institution and 190 were discharged. Of these inmates 172 are supported (aside from the State contribution of \$1.00 per week) by towns; 132 are supported wholly by the State, and 133 are private patients and are sustained by themselves or friends.

In contemplating this stricken class of our people—bereft of home—in many instances of friends, and always of reason, it is indeed painful to learn from the Report of the Board that not over one in ten of the 437 now in confinement there hold out any reasonable probability of recovery.

This Supervisor's Report, prepared with evident painstaking and elaboration, I commend to your careful perusal and study, and I would especially invite your attention to that part of the same wherein the inefficiency of the present law is adverted to, and to the suggestion of needed authority on the part of the Board to investigate and correct certain existing evils for the remedying of which no adequate authority now exists.

THE MILITIA.

The organized military force of the State remains unchanged, consisting of one regiment and one unattached company of Infantry and one Light Battery.

This force, however well perfected, could not be less, and yet be of that practical utility which the peace and sense of security of a well ordered commonwealth constantly demands.

No state can be regarded as reasonably safe that is not always prepared for abnormal emergencies and dangers calling into requisition at least the appearance of force.

An efficient military organization, of strength adequate to such ready expansion as will include “the young men fit for war” in times of possible public peril, is worth, for the fending off of calamity, and for the sense of security it affords a people, all it will cost them, through never required for any actual service.

Its known existence carries peace, order, and obedience to the law everywhere, or, failing in this, it forms the rallying point for their better enforcement.

I believe the force we have, at the least, should be zealously kept up to its present high standard of efficiency by all the needed means of legislative aid and encouragement.

LIBRARY AND CABINET.

The great need of additional facilities for Library and Cabinet uses has been kept before the General Assembly for several sessions last past, through Executive Messages, Reports of Committees general and special, and through bills introduced and discussed or entombed in committee.

This need has become a positive necessity.

I cannot better emphasize this subject than by inviting your attention to the earnest recommendations for an independent library building in the messages and reports above referred to.

FISHERIES.

Your attention will be called to certain details of the existing law for the protection of fish, with a view to render the same more effective for compassing the ends sought.

In the laudable efforts made within the last year for the enforcement of this statute, it is said that in some of its details inefficiencies have been discovered which tend to hamper its salutary effect.

The importance of this subject is of great practical consequence to those who live on the shores of Lake Champlain and to the thousands of our fellow citizens who resort thither for their summer homes.

The law should be made effective.

UNITED STATES SENATOR.

I invite your attention to the duty which devolves upon you to elect a United States Senator from this state to succeed the Honorable Justin S. Morrill, the present incumbent, whose term of office will expire on the 4th of March, A.D. 1885.

By the laws of the United States relating to the election of senators, this election should be had on the second Tuesday of the session.

CONCLUSION.

In conclusion, gentlemen, I will only add that the varied interests of our state government, increasing in their complex relations every few years by the supplementing of some new public trust or benefaction, can be carefully reviewed and blessed by your salutary legislation but once in two years.

In order to wisely deal with this variety of important public concerns which you are sent here to improve as your judgment shall commend, it should be a first care to avoid all legislation which comes of undue haste or incomplete deliberation.

So far as may be consistent with this, let our work go forward with such dispatch as may become the faithful representatives and servants of a people who demand good work at our hands.

SAMUEL E. PINGREE.

EXECUTIVE CHAMBER, }
Montpelier, Vt., Oct. 2, 1884.

Inaugural address

of

Fletcher Proctor

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1906

Thursday, October 4, 1906.
Inaugural Address

Gentlemen of the Senate and House of Representatives:

The privilege and the duty of legislation is yours but in accordance with the constitutional provision and in conformity to the usual custom I submit to your judgment some considerations which appear to me of importance in connection with your work the present session.

Vermont is making excellent progress in both agriculture and manufacturing, and our state is rapidly becoming known as a beautiful and desirable place for temporary sojourn or permanent residence and home making. The report of the United States Census Bureau shows that in the five years from 1900 to 1905 the capital invested in manufacturing enterprises in the state increased from \$42,499,640 to \$62,658,741 or 47.4 per cent; the annual value of our manufactured products increased from \$51,515,228 to \$63,083,611 or 22.5 per cent; our annual wages to industrial employees increased from \$11,426,548 to \$15,221,059 or 33.2 per cent; and the annual product of our creameries and cheese factories increased from \$5,500,545 to \$6,416,434 or 16.7 per cent. During the same five years our savings bank deposits increased from \$38,290,394 to \$49,371,907 or 28.9 per cent.

It is especially important that you should recognize this progress and prosperity and so legislate as to further advance it and establish it upon a permanent basis. To be sure we cannot create prosperity simply by legislation true prosperity must come from a deeper source. It must come through the efforts of the people,—through taking advantage of natural conditions and opportunities. We shall prosper agriculturally only so far as the farmer employs the opportunities and natural conditions at his command. Manufacturing will develop in Vermont only so far as brain, capital and energy utilize the splendid opportunities in our hills and water powers and our reasonable proximity to markets. But your duty to the state and her people is none the less important, for it rests with you to so legislate as to foster and not to discourage industry, to promote and not to retard prosperity, and to give to all our people the enjoyment of as many common public blessings as is consistent with the economical administration of their public affairs.

STATE INSTITUTIONS

During the past biennial term we have had an able, thorough and impartial investigation of our state institutions, the honesty and economy with which these institutions have been conducted is gratifying. We should at all times insist upon absolute honesty and every reasonable economy in the administration of all the institutions of the state. Our duty and responsibility, however, does not cease here. The strictest discipline should at all times be maintained. Sanitary and other conditions pertaining to the health of the inmates should be of the best. Modern civilization demands that the broadest and most scientific treatment should be given our unfortunate insane; and that our penal and reformatory institutions should be such as to improve if possible rather than further degrade their inmates. With this end in view I commend to your favorable consideration the reports of the Investigating Commission and such parts of the report of the Attorney-General and the message of my predecessor as relate to these institutions.

COURTS

Some re-organization of our system of courts and judicial proceedings is doubtless necessary, the Vermont Bar Association has given this matter much attention and is drafting a bill to be submitted to you providing for a general re-organization of the present system. Recommendations coming from such a source are worthy of your careful consideration, the recommendations of the Attorney-General contained in his report to you, covering the arrest, trial and commitment of persons charged with misdemeanors in our lower courts should also have your careful and favorable attention. His recommendations if enacted would result in greater economy and the better administration of justice

FEE SYSTEM

In this connection I remind you of the desirability of eliminating the fee system as much as possible, especially in the administration of the penal laws in our minor courts. It cannot be abolished entirely without making an unnecessary and disproportionate expense for salaries. But we should remember that in principle the payment of public officials by fees any further than the conditions absolutely require is undesirable,

PUBLIC SCHOOLS.

An important matter to receive your attention is that of the public schools. While we have made progress during the past fifteen years in educational matters, this progress has not been so great as in many of our sister states nor what it should have been in Vermont. Sixty years ago in freedom from illiteracy Vermont was the second state in the Union; today she is the twenty seventh. While this is to some extent due to the increased number of foreign born children within the state, yet whatever the cause it is an unpleasant fact to which I urge that you give your prompt, earnest and best attention.

In the larger towns and cities the schools have decidedly improved, but in the rural communities the progress has not been so marked and rapid as it should have been. Our educational system is not right it is not producing the results it should, and it cannot produce satisfactory results until it gives all the children of the state the very best opportunities possible for securing a good common school education. Such an education is all many Vermont parents can give or leave their children. The state will not have performed its full duty until it has provided every parent within the commonwealth the opportunity for doing this.

Education in the highest sense for the common good. On account of the general movement from the smaller communities to the larger towns and cities, these larger communities are the recipients of the education of the smaller places. They reap the benefits of good educational facilities in the small communities and must suffer the penalties of their poor facilities. The difficulty with our state school tax is not that the larger communities are bearing some of the educational burden of the smaller communities, but because this money is not being expended in a business-like way and in such a manner as to reap the best possible benefits from it. .

Far too many children in Vermont do not attend school at all, many others are very irregular in attendance. The child labor law and the truancy law are both excellent and are helping in this important matter, If faithfully enforced they will eventually cure this evil. The weak point, however, in our school system is lack of skilled supervision.

Experience in other states has fully demonstrated the fact that the only way to carry out any definite educational policy in the state and to materially improve the country schools is to provide for them some kind of professional supervision. Local supervision never has and never will bring about the desired results. Equalization of all school advantages is what Vermont should strive for, and the first requisite for this is to provide more and better supervision for the rural schools. Skilled supervision is the only method by which we can secure anything like uniformity of work, improve our teachers, accomplish better results, and assure full returns for money expended. It is only through this method that drawing, music, industrial arts and sciences, and other subjects essential to the broad education of our children can be introduced. Unless some system of professional supervision is established over small schools our children will be unable to go out into the world as well equipped as those of our sister states.

In our larger towns and cities the work of the schools is directed by professional superintendents. If the urban schools with their better buildings and equipments, graded systems and trained teachers, require skilled supervision, certainly the rural schools, isolated as they are from other conditions that stimulate educational interest, need expert oversight. In some towns it is of course impossible to find persons competent to give this supervision. In consequence the state has no means for carrying out any definite educational policy. The state superintendent has no means of reaching the rural schools with any definite policy or program which he may desire to inaugurate. As a result poor teachers are employed and retained, pupils remain ungraded, the equipment is limited, and there is nothing to stimulate or arouse the interest of parent, teacher or pupil. The proceeds of the present 8 cents state school tax, amounting to about \$150,000 annually, would do the cause of education immeasurably more good if its expenditure were directed by those trained and skilled In this particular line of work.

County supervision was tried in Vermont from 1889 to 1901 and was not satisfactory. The county unit was as much too large as the town is too small, and in consequence the work of the county superintendent was little more than that of a county examiner. For a good supervision unit in Vermont the group or district system would be much, more satisfactory. The principle of group units for school superintendency and of the part payment of the expense thereof by the state is contained in sections 622 to 629 of our statutes. It does not contemplate skilled supervision, however, and in fact is so limited as not to permit it. The group system is in operation in Massachusetts and has recently been introduced in other New England states. Under this system two or more towns may form a supervision district, such district nor to exceed a maximum or fall below a minimum number of schools. The school directors from the several towns forming such a district elect a superintendent, each town paying its proportion of the expense according to its grand list. If this method of supervision were introduced town superintendency in those towns would be done away with and considerable expense saved. The present cost of town superintendency is nearly \$20,000. Also much could be saved in the line of director's services, examination expenses and purchase of books and supplies. In fact a considerable part of the cost of such supervision could be saved.

To establish and give this system a trial in Vermont, I recommend the passage of a law making such a system permissory in the state, and providing that in case towns unite by vote of their school directors for the purpose of professional supervision of a required standard and employ a competent superintendent, a portion of the expense should be paid from the general treasury of the state. As the state is and should be a partner in educational work and as many towns might hesitate to adopt the method recommended if they had to carry the entire expense, it is only right and just that the state assume a part of it.

TRUSTEE PROCESS.

Section 1364 of the Vermont Statutes relating to trustee process provides that if the goods, effects and credits in the hands of the trustee do not exceed ten dollars in value the trustee shall be discharged. This provision is simply one of convenience and to prevent the trusteeing of trivial sums of money. It is not in any sense an exemption since if the credit in the hands of the trustee exceeds ten dollars it is all subject to the trustee process.

Section 1313 exempts from the operation of the trustee process the proceeds of property exempt from attachment or execution. The long list of articles so exempt in Section 1805 consists in part of things necessary for the living and comfort of the owner and in part of things necessary only to his work. The same humane consideration which has led to the exemption from attachment and execution of such apparel and furniture "as may be necessary for sustaining life", a certain amount of food and fuel, as well as cows, swine, poultry horses, wagons, etc., and has exempted from the trustee process their proceeds, if sold, ought to exempt a certain amount of the wares of a workman which is often his on means of securing the necessaries of life.

Our exemption laws were originally drawn with reference to a farming community and have no proper reference to the case of employees, industrial or otherwise. The latter seldom have cattle, horses, sheep, oxen, wagons and other such property now exempt by law. In their case that which needs protection for the necessaries and comforts of themselves and families is a certain amount of their wages. I recommend that the law 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 ten dollars, and that wages only in excess of that amount should be liable to the trustee process.

CAUCUS LAW.

The present caucus law enacted by the last Legislature in response to a strong demand for some legislation in this direction. There had been gross abuses in caucuses in some parts of the state and where these abuses had existed, they were liable to occur again unless prevented by some effective caucus legislation. Caucus abuses may consist in the voting in caucus of men who are not legal voters, or the voting in a party caucus of men who really do not belong to that party and have no honest purpose of acting with it, or the influencing of voters in a caucus by corrupt and improper means. There should be some way to prevent all of these abuses.

The most advanced method for that purpose is a primary election law, and such a law is being introduced in many states. I do not believe a primary election law is necessary in Vermont or that it would be acceptable to the people at this time. Some simpler method is all that is required, but to effectively prevent persons voting in caucuses where they do not belong there must be a registration for caucus purposes at some time before the caucus, and a sufficiently long time before so that the registration will not be made in the heat of a political contest. The present law has met with considerable criticism but that is apt to be the case with the introduction of any radical innovation. Only a small per cent, of our towns have made use of the caucus check list and where it was actually used it worked satisfactorily. Much fault was found with the Australian ballot law soon after its passage. It was said that it was unnecessary and cumbersome, and many desired to repeal it. Now we are all substantially agreed that it is an excellent law and it has the practically unanimous support of our people. I believe that criticisms of the caucus law will rapidly disappear as we become more accustomed to its operation and that in principle it is as simple as any law of its kind could be and be effective,

The most unsatisfactory feature connected with it is the manner in which a voter may announce his political preference. I would suggest such change in the language of the registration as will clearly not extend it beyond its necessary scope, which simply is that a person registering with any political party has an honest purpose to act with it as a loyal member there of would ordinarily do. It should be considered also whether the method of taking the registration can be in any way simplified, and made more acceptable. It is only in a small portion of Vermont where caucus abuses have occurred or are likely to occur. The caucus check list, therefore, should continue to be optional in its operation and should be used when desired by a reasonable number of the voters in a town.

With such slight modifications as may be made to simplify and make more acceptable its registration provisions, I think the caucus law should certainly be retained. The whole tendency in all the states is towards some form of legal control of the caucus. The step which we took two years ago was a long one for us, but it falls far short of the measures which have been taken in some states and which have already been found to work satisfactorily. The repeal of the present law or the removal of its effective provisions without the substitution of some thing equally simple and effective would be a decidedly backward step.

THE STATE AUDITOR'S OFFICE

The state should exercise the strictest scrutiny over its disbursements from a two-fold point of view first, to see that no money is paid out not strictly within the provisions of the law and secondly, to verify, the accuracy of all accounts kept, and to so systematize, and combine them that exact information shall always be available to the public. This two-fold supervision was originally introduced by Alexander Hamilton into the Treasury Department of the National Government, and still prevails, there being one officer—the Comptroller—who must pass upon the legal sufficiency of all bills, and another officer—an Auditor—who must pass upon their clerical accuracy.

In this state both duties fall upon the State Auditor, The practice has grown up of electing a lawyer as State Auditor, and that course is practically necessary as a man not of the legal profession could hardly pass upon the legal sufficiency of particular items of expense. While the legal side of the Auditor's office has been well administered, such is the extent and detail of the state's business and so meagre have been the appropriations for the Auditor's office that it has been difficult to keep the book keeping or clerical side up to the same high standard. This is not the fault of the several incumbents of that office it is due to the fact that both sides of the work in all its detail is more than one man with the assistance now provided by law can possibly do.

The auditing work proper as distinguished from its legal aspect is important, not only as a check upon wrong-doing and the prevention of mistakes, but in the interest of an intelligent understanding of the affairs of the state by all our people. There should be a well considered, simple and uniform plan of keeping all of the accounts of the state and such work should be so kept up that at all times exact and concise information will always be available with respect to the public business. It is desirable that the people of the state should be accustomed to the consideration of these exact figures. The business of the state does not require that we should have both a comptroller and an auditor, but both lines of work can properly be done under one official. If such official be a lawyer, as has been the custom, he is able to pass upon the legal questions involved but he should

have a deputy at a sufficient salary to secure the services of a skilled accountant who, under the general direction of the auditor, could give his attention to the purely auditing side. He should also have such clerical assistance as is necessary to keep the whole of such clerical work in first-class shape.

I recommend that in conjunction with the efficient present State Auditor this matter be given a thorough investigation during the present session, that the system, prevailing in other states about our size be considered, that, if necessary, expert accountants be employed to advise with respect to a uniform system of book-keeping and returns for the state, and that the whole clerical side of the Auditor's office be put upon the best up-to-date business principles. Some uniform system of municipal accounting should also be worked out in the same connection. I would go no farther nor make any greater expense than any private business concern would incur doing as large a business as the State of Vermont, scattered over so much territory and transacted through so many individuals and institutions; but I do not believe that the state can afford to do less. The money which business corporations spend for this purpose is not spent for the sake of spending but for the sake of saving. The small increase in expense to the state would be more than saved by the results.

The recommendations of the State Auditor to my predecessor regarding the details of his department and the administration of justice deserve your careful attention.

SPECIAL LEGISLATION.

There is always a tendency on the part of many people to seek special legislation to enable them to do some special thing or to protect them from some real or fancied wrong when in reality such relief, if needed, could be obtained under the general law. This kind of legislation is wrong in principle and always dangerous. It unnecessarily takes the time of the Legislature, encumbers our statutes, and is more likely to do real injustice than to be of any actual benefit. You should, therefore, scrutinize most carefully all special legislation. In almost every case relief, if really needed, can be obtained under the general law.

There is also a tendency to seek legislation general in its character but special in purpose to fit some particular case which has arisen or is anticipated. This is even more dangerous, for though it may cover the particular case in mind, which may be entirely worthy and meritorious, it is often wholly unsuitable for general application.

All new legislation should be given very careful consideration, and when a law has been passed, unless there is marked reason for its repeal, it should be given a reasonable and thorough trial. The objectionable points are at once apparent and repeal is sought before it has had sufficient opportunity to bring out its real merits. You should, therefore, be conservative with reference to repealing legislation until it has been thoroughly tried.

SPECIAL CORPORATION LEGISLATION.

Corporations are the largest subject of special legislation. Acts granting special charters or amending existing charters of public or private corporations occupy 292 pages of the printed laws of the Session of 1904 while the entire public acts of that Session only occupy 241 pages. Such legislation arises some what from the tendency to seek special privileges but it is due more to the fact that our general laws with respect to the organization of corporations, both public and private, are not sufficient and complete.

We have now a general law (V. S. Chapter 165) for the incorporation of private corporations by voluntary association, but for some reason there is a constant application to the Legislature for special charters for private corporations, which ought to be granted under some well considered general law. Special charters are a good means for securing special privileges but they are very poor means for protection from corporate abuses. In a legislature constituted as ours is, consisting each session largely of new members and convened in a short session, special corporation legislation except in extraordinary cases is not likely to produce satisfactory and certainly not uniform results. It ordinarily happens that privileges which one legislature readily grants another will refuse and conditions regarded by one legislature as of importance are entirely disregarded by the next. Corporations as a means of doing business have existed for centuries. They are necessities. The right to form them, under proper restrictions should be equally free to all, but they should be equally subject to uniform provisions. The most useful corporations have no desire for special privileges not common to all corporations of their class and do not object being subjected to all reasonable limitations provided other like corporations are

subjected to the same. The greatest danger arises from special legislation, for it is ordinarily in this way that special privileges are obtained and exemption from proper restriction acquired.

I recommend such a revision of our general corporation laws as will bring them up-to-date. Their terms and conditions should be liberal but just and reasonable. It is right and proper that the state should receive, as it does, a reasonable fee for charters, but no laxity in the corporation laws should be permitted, as is done in some states, for the sake solely of revenue. When our corporation laws have been thus amended applicants for charters, except in extraordinary cases, should be left to the use of its provisions and the time now occupied by legislatures in the consideration of private corporation measures can and should be given to public business.

SAVINGS BANK AND TRUST COMPANY CHARTERS.

There are forty-five savings banks and trust companies in active operation in the state and every one has a special charter varying in some respect from the charters of every other. If it is desired to organize a savings bank or trust company a special charter must be sought, because there is no general law for their organization. Chapter 173 of the Vermont Statutes provides for the voluntary organization of state banks of circulation, discount and deposit, but that chapter is obsolete because such banks are not desired nor desirable while we have the present excellent national banking system. The whole chapter might just as well be repealed. There should be a general law for the organization of savings banks and trust companies permitting their voluntary organization in proper cases upon compliance with the provisions of the law and the payment of the necessary capital. So far as possible, the charters of existing savings banks and trust companies should be brought into conformity to such a general law so that the rights and privileges of all savings banks and trust companies in the state would be uniform. Although it is better to allow too much competition rather than too little, the presence of too many banks in a vicinity of restricted population and business activities might really be harmful to the general interests. There should be some general restriction, therefore, or some discretion in the Inspector of Finance with respect to the granting of new charters, but such a limitation can always be best accomplished under a general rule or in the discretion of some selected officer rather than by the action of the legislature upon each case.

VILLAGE CHARTERS.

There are forty-eight incorporated villages in the state. There is a general provision (Chap. 142) for the voluntary corporation of villages but its provisions are so incomplete that all, or substantially all, of them have in fact been incorporated by special charters. It may be said of them, as of the savings bank and trust company charters, that no one is in all respects like any other. In the case of municipal corporations this diversity is even more inconvenient than in the case of private corporations. The powers and privileges of villages should be uniform. If they were thus uniform there would become through the decisions of the courts and otherwise some general understanding of what those powers and privileges are. The law of villages being now largely special for each village is practically private law. It should be public and uniform. I recommend that Chapter 142 be so amended, enlarged and improved that it will answer the purposes for the voluntary incorporation of villages, and I also recommend that consideration be given as to the extent steps may be taken to bring existing charters within such general provision.

CORPORATION TAX LAW.

In 1882 Vermont began taxing corporations under what was termed the corporation tax law, which provided for a tax upon various corporations based upon their earnings but made no provision for any appraisal of their properties. This law was declared by the Supreme Court unconstitutional so far as it attempted to tax interstate business, to overcome this difficulty, in 1890 the Legislature passed a law providing for an optional basis of taxation: that is, in the case of railroads, it provided that they should be appraised and taxed at the rate of seven-tenths of one per cent, on such an appraisal, but that they might in lieu of this tax pay a tax of two and one-half per cent, on their entire gross earnings if such railroads are situated wholly within the state, or if situated partly within and partly without the state then of two and one-half per cent, on such proportion of the entire gross earnings of such railroads, as the mileage of trains run in this state bears to the mileage of all trains run on the entire main line of such roads for a given period. Since this optional provision was incorporated in the law of the steam railroads of the state, with two or three minor exceptions, have paid upon their gross earnings.

It is difficult to ascertain for the purposes of taxation the true value of a railroad. Many things must be taken into account in making an appraisal: The value of the railroad's franchise, its bonded and other indebtedness, its capital stock, the general condition of its property, terminals, connections, expense of operating, its opportunities for business, both through and local, and many other things naturally entering into such an appraisal, which make it very difficult to reach a result entirely satisfactory either to the state or to the railroad corporations. A state tax levied solely upon such an appraisal is not likely to be as just or satisfactory as the present optional method. A tax, therefore, based upon the earning power of a railroad in operation is the fairest basis and has met with general favor. Nor is it a satisfactory method to permit each town to appraise and tax railroad property locally. A railroad receives its franchise from the state, it is to quite an extent a public corporation and even its local property is not used locally in the ordinary sense but for its general business extending beyond the limits of any or any few towns. Such tax, therefore, as is levied upon it should be paid into the treasury of the state.

The rate of seven-tenths of one per cent, upon their appraisal was increased in 1904 to one per cent. As the railroad companies have, with minor exceptions, continued to pay upon the basis of their gross earnings this has undoubtedly been less than one per cent, on an appraisal of their property. While railroads, therefore, are paying a tax of less than one per cent, on the appraisal of their property the average tax rate throughout the state is about one and six-tenths per cent, — a greater difference than the facts and conditions warrant. Although there is a great difference in the value and earning power of railroads, in the different New England states it is significant that, according to the report of the Interstate Commerce Commission for the year ago the average tax per mile paid by railroads for the year ending June 30, 1902, was in Massachusetts \$1,401, in Connecticut, \$1,005, in Rhode Island \$888, in New Hampshire \$324, in Maine \$198, and in Vermont only \$146. It has been and should be the policy of Vermont to treat our railroad corporations fairly and with every consideration. We should take into account the natural conditions with which they have to contend in this state and the fact that they are contributing much to its welfare and upbuilding. However, they should bear their fair proportion of the burden of taxation and in equal justice to all interests in the state should pay an increased tax.

SAVINGS DEPOSITS IN NATIONAL BANKS.

Some national banks in the state run in effect a savings bank department and pay interest on certain time deposits. To the extent this is done the state receives no revenue thereon and it is doubtful whether such deposits generally get into the grand list of the towns. Some means should be devised to secure proper taxation of such savings deposits, because they should bear taxation equally with other savings deposits and because also without it national banks are enjoying a preference in a business, which does not properly appertain to them, over institutions which are especially created by the state for that purpose. If such deposits in national banks cannot be taxed directly by the state, and probably they cannot be, I recommend that provision be made for requiring national banks to disclose the names of their savings depositors and the amounts of such deposits in order that they may be properly taxed in their respective towns. There are decisions of the courts sustaining the right of a state to do this.

DOUBLE TAXATION.

Double taxation is an evil which so far as possible should be corrected, this problem has been studied and discussed for years and different solutions suggested and urged, but as yet any remedy suggested has seemed to lead into difficulties even worse than the present. The fact is that the matter is so interwoven with the whole question of taxation that no single provision can satisfactorily solve the problem. Any single provision would create all or some of the following difficulties the making of a new line of exemption, which is always unfortunate, the serious impairment of the revenue, of the towns or of the state, the raising of the rate upon which money can be borrowed, and in fact in towns where the tax rate is very high rendering the borrowing of money practically impossible. The attempt made in other states to solve the double taxation problem by some single provision has never been successful.

We should not, however, be discouraged by our own want of success thus far or by the failure of other states, but should take up the problem with renewed determination to satisfactorily solve it, Much inquiry, research and investigation is necessary in a question of this kind. We should know as far as possible to what

extent in fact double taxation exists in Vermont, study carefully any proposed change in its relation to the individual, town and state, and to the whole question of taxation. If with such knowledge as is available you are able to find a solution of this question that bids fair to bring the desired relief, with out the creation of other evils, it is most desirable that you do so. But you find that sufficient data are not available upon which to base, this necessary readjustment then I recommend that you provide for the creation of a strong representative commission which shall take up not only the question of double taxation but the whole question of taxation in Vermont and give it a thorough research and study. Such a commission should have the power and authority to collect statistics, examine books and records, and should study the system of taxation in other states. It should be of such a size and character and its research and examination so broad and extended that its findings would carry weight and give promise of a satisfactory solution by the next legislature.

DEPARTMENT OF HEALTH.

I command to your favorable consideration the work of the Laboratory of Hygiene and of the State Board of Health. There is no interest of the state more worthy of being fostered along sensible lines than the work which has been begun in behalf of the public health. Besides the great saving of life and prevention of suffering, which is the important matter, the State Laboratory is already saving the people of the state in money many times its cost. All efforts to control the public health by quarantine, inspection of water supplies, etc., are liable in the beginning to create some friction. That is to be avoided as much as possible, but there should be no departure from the policy upon which we have entered of controlling matters relating to the general public health.

HIGHWAYS.

The aroused public sentiment in favor of improved permanent highways is an indication of a greater interest of the people in the true welfare and development of the state. It is a most important subject and fully merits your most careful attention. We have many natural conditions with which to contend making the construction of the best highways difficult and expensive, but these conditions make it important to have such highways if possible.

Government aid for highways has been urged by some. It is, however, contrary to the whole spirit of our governmental system, nor for Vermont is it a practical or desirable policy. Not only is it wrong in principle but in the end it will be less burdensome for us to work out our own highway problem and leave other state to take care of theirs. Nor am I in favor of issuing state bonds for the purpose of building state highways. We are a rural community, our income is not large, and to load upon the state a bonded indebtedness with a fixed interest charge is poor business management. The condition of our highways at the present time is not such, nor the advantages to be derived from more perfect highways great enough to warrant the creation of a state debt. We are practically without debt at the present time and it should be our fixed policy to so continue.

In 1892 the state first began to assume positive responsibility with reference to highways by the enactment of a law providing for a 5 cents state highway tax, paid into the State Treasury and redistributed to the towns on the basis of their highway mileage. While in some towns this money was expended according to the spirit of the law, it resulted in but little permanent work for want of proper supervision. In many towns it was not in reality spent for permanent work but used for ordinary repairs. The Legislature recognizing this fact, in 1898 provided for the appointment of a state highway commissioner and the creation of a state highway department which should supervise, as far as possible, the expenditure of this state high way fund. This was a decided step in the right direction and there has been a marked improvement since then in the method of expending this fund and in the results obtained. There are many sections of excellent, well constructed, permanent road. Each year is showing an increase in amount and an improvement in quality. Soil accessibility of good road material, and other natural conditions enter largely into the results obtained but the greatest factor is the method in which the money is expended. Towns that have been fortunate and careful in the selection of a road commissioner, and when securing a good one have retained him, have invariably had splendid results from the operation of the law. The county meetings have been very educational and have created a genuine interest which has resulted in much more efficient work,

Notwithstanding the improvement that has been made in the method of expending the state highway fund and in the results obtained during the past few years, some towns are today gaining nothing from the

expenditure of this money in the way of permanent road and others but little. The larger towns and cities which are making a large contribution to this fund certainly have a right to demand that it should be expended in such a manner as to yield the best possible results. The state has not fulfilled its duty until it has provided for the expenditure of this large fund according to the best and most up-to-date method. I firmly believe that in every way much better and more satisfactory results can be obtained from the expenditure of the state's highway money under more complete and rigid supervision. It is utterly impossible for one man to properly supervise the expenditure of over \$100,000 distributed in small and varying amounts, in every town in the state. In the expenditure of this money we should aim at two important results: First, to procure its expenditure in accordance with the best scientific methods, and secondly, to have these sections of permanent road so located that in the end they will form continuous lines of permanent highways. The only way to bring about these results is to provide more supervision for the work. The state commissioner should give his entire time to outlining the work and to its general supervision and should be a salaried officer with reasonable allowance for office and clerical expenses. There should also be a supervisor for each county appointed by the State Highway Commissioner, with the approval of the Governor. The state highway fund should be expended in accordance with plans and specifications laid out by the state highway department and under the supervision of the County Supervisor, both as to its location and method of expenditure.

To further encourage the construction of permanent highways I recommend that any town or city making a special appropriation for permanent highway work should receive an allowance from the state for this purpose. The amount which the state should be called upon to contribute for this purpose in any one town during any one year should of course be limited.

Such additional funds should be located and expended under the same general plan as is provided for in the expenditure of the regular state highway fund. The state's contribution to such optional work should be paid from the general treasury of the state and not be taken from the regular state highway fund accruing from the 5 cents state highway tax.

AUTOMOBILES.

Automobiles have come to stay and they have their proper and rightful use in the pleasure and business of many people. They are likely to gradually fill a greater rather than a less place. For those who can afford them they are the most advanced method of highway travel. Besides their use by our own people they probably help to bring summer residents and visitors into the state. Where they have been used longer and are most used, in and about cities, they are practically ceasing to be a menace to horses, in any action with reference to automobiles these facts should be taken into account.

At the same time, during this transition period many of the men, women and children who are living up and down our hills and valleys are practically banished from the use of our highways both for the purposes of business and pleasure. Business in many of our communities is being seriously interfered with because the people are kept off our highways by the fear of meeting automobiles. In time our horses, will probably be come so familiar with these machines that much of the present difficulty may be removed, but pending that time I do not think it right that so many of our people should be deprived, to the extent they now are, of their natural and rightful use of the roads. We may well consider whether for the present automobiles should not be prohibited the use of certain highways, especially some of our narrow hill roads where the passing of a team and automobile is impossible without great danger to the occupants of the team.

The present law provides for a nominal registration fee of two dollars for each machine and an annual license fee of two dollars for operators. These together with dealers licenses produced last year \$3,398.94. Considering the use which automobiles have of our highways and their size, weight and speed, I think that they should pay an annual fee, adjusted upon some reasonable and fair basis sufficient to produce a more substantial revenue for state highway purposes. There should be some provision by which machines from without the state using our highways should pay a like license fee.

One of the greatest difficulties is the lack of consideration shown by some drivers of automobiles when they meet horses unaccustomed to them. It will be impossible for you to frame any law which will make people thoughtful and considerate, but you should consider whether the rules of the road for automobiles can in any

way be improved so that the conduct of the few thoughtless may be made to conform more closely to the action which the courtesy of most people naturally suggests.

GRADE CROSSINGS.

The crossing of railroads and highways at grade is fraught with danger under the most favorable circumstances, As the frequency and speed of train service has increased the danger both to those using the railroads and the highways has likewise increased. The reports of the Railroad Commissioners show that during the ten years from 1894 to 1904 there were one hundred accidents at grade crossings in the state of Vermont by which fifty persons were killed and fifty others more or less seriously injured.

In the early construction of railroads it would have been practically impossible to build them without grade crossings but now they should be gradually removed. The life and safety of our highways and to the greater safety of our people. The receiving serious attention in all of our sister states. In Massachusetts from 1890 to 1905 inclusive there was expended for the removal of grade crossings \$24,310,377.67 of which the railroads paid \$14,721,897.04, the state \$6,420,601.93, and the cities or towns \$3,129,689.76. Our statutes provide that the Railroad Commissioners may under certain conditions order the removal of grade crossings, but the law is only permissory in character and but little progress is being made in that direction, The time has come when Vermont should recognize this great and increasing danger to her people and provide for the gradual compulsory abolishment of these grade crossings. Connecticut has such a law. We cannot expect to make rapid progress in their removal but must be conservative so as not to burden unduly either our people or the railroad companies.

There should continue to be, as at present, a provision for a fair division of the expense between the railroad company and the town or city in which the crossing is located. The state, as is so generally done elsewhere, may well contribute something, to be carefully limited by law, to this improvement of our highways and to the greater safety of our people. The number of crossings to be removed in any year should be specifically limited. Instead of the limitation under the present permit system, contained in V.S. 3842, to the removal of not more than one a year in any one county on any one railroad. I suggest that a more reasonable basis for the railroads themselves and for all concerned would be a limitation based upon the mileage of the railroad. The law might require, for example, that there should be one grade crossing removed each year for every specified number of miles which a railroad operates in the state.

CONCLUSION

I cannot urge upon you too strongly the importance of taking up your work promptly and actively. Many of you are strangers to each other and new to the work before you. These reasons and many others tend to delay the progress of the important work of the session. Unnecessary and even pernicious laws are sometimes enacted, worthy and needful legislation is sometimes defeated, and all legislation is often unduly considered because wasted time early in the session compels haste at its end. All important legislation, such as that pertaining to education, highways, taxation, courts and state institutions should be introduced and considered early in the session. You can do the state no greater service than to actively take up your important work at once.

You should examine all special bills and special appropriations with great care. None should meet your approval until they have been shown to be worthy and necessary. The danger is far greater from too much than from too little legislation. The people of the state expect you to keep your appropriations within the limits of the strictest economy consistent with the performance of the full duty of the state to all her people. For four years we have been without a direct tax for the support of the state government. This should be our fixed policy. With this in view you should so adjust the state's income and expenditures as to make a return to a direct tax unnecessary.

As you enter upon your duties as the chosen representatives of the freemen of Vermont. you may well recall the worthy record of those who have preceded you in these halls, and the patriotic service of Vermonters at home and abroad, in war and in peace. Vermonters may well take pride in this past and in the unexcelled achievements of those who have borne our name. Let not this thought, however, be a satisfying one; its true

purpose and effect should be to arouse and stimulate you to so serve your state, to so legislate at this session, that Vermont in all respects may take and hold her rightful position in that grand march of progress which the twentieth century is today witnessing throughout our great country.

FLETCHER D. PROCTOR.

Montpelier. October 4, 1906.

Inaugural address
of
Mortimer R. Proctor
As it appears in the
Journal
of the
JOINT ASSEMBLY
BIENNIAL SESSION
1945

Thursday, January 4, 1945. Inaugural Address

Members of the General Assembly:

This is the 130th Legislature to meet in history of Vermont. The first met in Windsor, March 3, 1778. Our Legislative history provides a notable record of honest, thorough constructive effort. It is a challenge to us gathered here today as well as to those who will meet in this h through the years to come.

It is a distinct pleasure for me to find that I have served in previous legislatures with at least 118 of the members of this Joint Assembly. I hope I may soon become acquainted with the rest of you. You will always be welcome in the governor's office.

The two-year period for which we are to legislate will witness the decisive fighting of World War II. The greater part of the administration therefore, may be subject to continued war-time conditions affecting income, taxation and government controls.

Yet one of these days the final shot will be fired and our boys will begin to come home. That will be a critical hour in the life of this nation – one in which we must not let the sudden transition from war to peace make us forgetful of the horrors of the battlefronts. Civilization must not be asked to undertake the risk of another conflict. Public opinion must insist on an international arrangement which will insure a just and durable peace.

It is my hope and purpose that we may further strengthen and vitalize Vermont during this administration. Our legislation should improve our economic situation, provide high standards in education, modernize our care of the unfortunate, broaden the scope of our health program, and provide greater opportunity and security. By so doing, we can bring vigor to our people and progress to the State. These are highly competitive days both for the individual and for State Government. We must enable Vermont and Vermonters to play their part well in the forward march of civilization.

VETERANS

Any legislative program for the next two years should first of all make provision for our men and women returning from war service. The Federal Government has a generous and comprehensive program for their welfare—a program in which Vermont must cooperate to the fullest extent. In addition to its previous provision for compensation, the State has initiated other efforts in their behalf as listed in a booklet just issued by the Department of Veterans' Affairs.

I recommend that the Legislature give legal status to this department, recently created by Governor Wills, and make an appropriation therefor. More than 30,000 Vermonters are now in the service. Already discharged veterans are finding it bewildering to obtain information concerning the many benefits available. One of the duties of the Department of Veterans' Affairs will be to act as a clearing house for this program, which will include the establishment of local committees to assist veterans in all their problems.

The preservation of the records of our servicemen is important both to the State and to the serviceman himself. Therefore, I urge the Legislature to consider legislation authorizing some authority in the State to receive and record s certificates of discharge and to issue certified copies free of charge or for a nominal fee. In the designation of such an authority, consideration should be given to the matters of convenience to the veterans, fireproof protect of the records and the facility for issuing the certified copies. This protects the servicemen and women in case of the loss of the original certificate and provides a convenient method for having certified copies issued.

INCREASING INCOME

During the past 40 years the cost of government has increased to an astounding degree in the light of our comparatively static population and yet despite this increase only a small fraction of the State's outlay has been devoted to the development of its natural resources, to which we must look for much of the revenue we need for

our manifold endeavors. In shaping our budget we give slight thought to strengthening our productive enterprises. At present less than 3% of our expenditures are for this purpose.

Our per capita income at present is low in with other commonwealths. If Vermonters are to have a greater share of the enjoyments of life and if the State is to have taxable wealth sufficient to provide this services now being asked of government we must increase our income and resources. I believe the hope of such accomplishment lies in carefully planned at energetically sustained program of development of agriculture industry, forestry and recreation as well as of our mineral wealth, much of which is still untouched.

AGRICULTURE

It would be difficult to imagine a prosperous Vermont without a prosperous agriculture. If we can increase the rewards that come from its pursuit and thereby add to the enrichment of rural living, we shall have erected a bulwark against the tendency to expect from government what we should earn ourselves.

We should strive for disease-free and high quality livestock of whatever kind it may be. We should continue our present system of testing for TB in order to keep our herds clean.

In the case of Bang's disease, we should continue the present method of testing and calf vaccination. For mastitis, no specific cure or treatment seems to be effective, and for the time being our efforts must be along educational lines. The State should have a pathologist for the study and prevention of disease in all kinds of livestock.

The State should do its share in encouraging dairy herd improvement. Artificial insemination has become an accepted method in improving the quality of cattle. It has developed rapidly and to a point where we should take stock of the results in order to plan carefully for future progress.

Marketing Commission

Marketing is a vital factor in any productive enterprise. Our agriculture should have the advantage of modern marketing methods. I urge this Legislature to provide for an agricultural marketing commission to develop ways and means of enabling a greater diversity of agricultural products to reach the most profitable markets.

Reference to the development of the College of Agriculture will be found under the heading of University of Vermont.

FORESTS

Our forest land comprises one of our chief natural resources. About three-fifths of the area of the State is better adapted to the growing of timber than for any other purpose. We are not sufficiently conscious of the significance of our forests. If three-fifths of the area of every farm in the State were better adapted for the growing of one certain crop than for any other purpose, we would provide for it very carefully. That is just the situation with our forest land, viewing the State as a whole.

This great natural resource furnishes raw materials for the main industry in many Vermont communities. We have over 400 industries which depend upon wood; give employment in whole or in part to approximately 30,000 people; and have an annual payroll amounting to nearly \$14,500,000. Nearly 20% of our gainfully occupied people owe their employment to our forests. The economy of Vermont in part depends upon an ample supply of high-quality timber and a good thrifty sugar orchard on each farm.

Forest Policy

Although it must be started on a moderate basis and prefaced by a campaign of education to make its long-range advantages understood by private land owners, Vermont must have a forest policy that will eventually provide for handling our timber as a crop—not as the output of an inexhaustible mine. Experience of other countries proves beyond doubt that regulation of forest practices brings lasting benefits to the people as a whole as well as to individual owners. Our forest policy should recognize national state, municipal and private woodlands, provide for proper cutting and planting, establish equitable methods of taxation and insure protection against fire and disease. I recommend the initiation of such a policy.

In this connection I believe the State should take the lead in preserving certain primitive wilderness areas free from mechanized civilization with its noise, congestion and restlessness. There are many today who will appreciate the peace, inspiration and health to be found in roadless areas. We should attempt to satisfy the tastes of all types of, people. In Vermont We still have some fairly sizeable roadless tracts. Once lost, they will never be regained.

INDUSTRY

Industry is a far larger factor in the economic welfare of Vermont than is generally realized. About 87% of our towns have industrial payrolls. Before the war there were some 28,000 wage earners, who with their families accounted for about one-third of our population.

Over 50% of our industries have less than 25 employees. Our industrial laws should be sufficiently flexible to protect such small businesses.

Our greatest opportunity to expend industrial activity probably lies in the field of industrial utilization of our natural products from farm, forest, mine and quarry. This frequently requires research, which today spells life or death for many industries. The Bureau of Industrial Research at Norwich University, established, to aid small industries unable to carry on research programs of their own should be strengthened. The same is true of the Vermont Industrial-Agricultural Products Commission which is carrying on experimental work with our natural products.

Industrial Agent

The Office of Industrial Agent was established by the Legislature of 1941, but its work has, been suspended due to the war. I propose to reestablish it at the earliest moment and recommend that an appropriation be made to carry out its purposes.

RECREATION

Percentagewise, recreation probably offers opportunity for the largest measure of actual state development. Nature endowed Vermont with the requisites for a vacation paradise. Its hills, valleys, lakes, streams and forests contain unlimited possibilities. It is or us to make use of them, but in so doing we must preserve and perpetuate Vermont's natural atmosphere, her traditions and her way of life. If we do, the profits from the recreational field can be shared by thousands of Vermonters either on a full-time or part-time basis.

Recreation embraces a wide variety of activities. Its development should include further use of our state forests, parks and scenic drives; expansion of facilities for enjoyment of our lakes and mountains, including air expansion; encouragement of the further purchase of summer homes and the sale of Vermont-made products. Roadside beautification is an important factor in this program.

The State Board of Conservation is responsible for a large part of these activities and recommend it develop a program based on the intelligent utilization of all of them.

Publicity

Publicity is an essential factor in recreational development, and I believe our publicity policy should be modernized. I have recommended an increase in the appropriation. Study should be given to the establishment of a state promotional office in New York City with a view to determining its value to agriculture and industry as well as to recreation.

Stream Pollution

One of the chief factors in our recreational program is the problem of stream pollution. Even though the Government is exercising increasing control in this direction, that is no reason why the state should not take apart in it.

I recommend that this Legislature, with the aid of the State Planning Board, make a start in the formulation of policy to preserve the streams which are now clear and also for the gradual clearing of some of the streams

now polluted. It might be well to select some stream or watershed and study ways and means of clearing it, this to serve as a model for future work.

I know that such a program cannot be undertaken without financial hardships. Federal funds might share in such work as post-war projects.

FISH AND GAME

Over the years Vermont's fish and game have provided business for the merchant the farmer, the resort-owner, the hotel man and many others, in addition to the enjoyment given the fishermen and hunters themselves. We might as well face the fact, however, that changing conditions have made it impossible for Nature to renew the supply unaided. If we are to retain this source of pleasure and profit, we shall have to place larger reliance on a program of replenishment, into which enter a variety of factors such as stocking, stream pollution and reforestation. At best we can only expect that any plan we devise will require increased expenditures.

Long – Range Plan

If the sportsman of the State could be convinced that a long-range plan for restocking our streams, lakes and covers would be undertaken and maintained, there is little doubt that they would be willing to increase their contributions to our self-supporting Fish and Game service, and this also would be the best approach for obtaining an appropriation from the State.

I recommend a realistic approach to our fish and game problem, based on finding the facts in advance of proposing a remedy. A fundamental feature of any such study should include recognition of the vital necessity for a long-range program for the propagation and conservation of wildlife.

GEOLOGY

Vermont normally produces more mineral wealth than all of the remaining New England states. There is every probability that we have many deposits still unknown. Heretofore private capital has searched them out and developed them. We cannot hope this will always be so, and we should not neglect their economic importance any longer. If Vermont is to maintain her standing among the states, an up-to-date, systematic geological survey of her unexplored regions should be begun. Mineral deposits yet undiscovered might add considerably to our employment and to our income.

For this reason I have recommended an increase in the appropriation for the State Geologist for the second year of this biennium in the hope that men may be obtained to start such a survey.

LAND USE

In connection with the strengthening of our productive resources, we are undergoing one severe loss to the State toward which we have become somewhat calloused, and the extent of which we do not appreciate. I refer to our failure to make the best use of our so-called submarginal land. Vermont's future is dependent very largely upon the use which is made of its land.

Demonstration Areas

I urge the State Board of Conservation to assemble and coordinate the information various groups studying this problem and then make plans for the selection of one or more towns as demonstration areas. A detailed survey should be made to reveal the potentials of each area. Property owners should then be encouraged to apply this information toward improvement of their land by reforestation, recreational efforts, or the raising of some sort of livestock, etc. I recommend that the Legislature initiate action toward this end.

Vermonters are too thrifty and resourceful to permit the present great loss to the State to continue. Our motto should be, "Not An Idle Acre In Vermont"

EDUCATION

Maintenance of high educational standards is one of the chief duties of government Perhaps the problem of greatest interest in this held pertains to increased State Aid to the towns.

The purpose of the so-called minimum program is to equalize at some level the cost of education to the towns. Since 1935 the level has increased from \$15 to \$20 per equated pupil, and the amount of State Aid from \$550,000 to \$838,000.

State Aid

We should strive for a higher and a more uniform standard of education, and to accomplish this I believe the State should bear the brunt of the burden. To this end, I recommend that the Legislature appropriate sufficient money to equalize the cost of education at a level higher than \$20. To do so at \$25 would require about \$1,090,000, or an, increase of about \$250,000 a year. I recommend that this be appropriated to the towns on the existing basis.

Minimum Salary

I also recommend that this Legislature establish a minimum salary of \$1000 per year for any teacher in the State. At present we have 238 teachers in two-room rural schools with an average salary of \$903. We have 685 teachers in one-room rural schools with an average salary of \$967. These salaries reflect the increase in State Aid provided by the Special Session in 1944. We still have 689 teachers in grade and rural schools receiving less than \$1000 per year. The total deficiency of such salaries below the \$1000 minimum is about \$56,613.94.

Consolidation

Consolidation of rural schools in some cases is desirable, but this should be undertaken only after careful consideration by the Department of Education, the municipality involved, and those living in the area affected.

Standardization

I recommend encouragement of the standardization program which has done much to improve the environment of rural schools.

Vocational Program

The State should enlarge as rapidly as possible its vocational program to further student training in the important matter of earning a living.

High School Enabling Act

I recommend that this Legislature pass an enabling act to permit adjacent towns, if they so vote, to combine into one high school district in order to provide more adequate high school facilities.

The, matter of a more extensive health and hygiene program in the schools is important.

Transportation

The problem of transportation in elementary and high schools has been troublesome, I see no reason why we should not amend the law which provides that transportation for high school students must be voted at a town district meeting, to the end that such transportation may be provided by the school directors with the use of State Aid funds.

It is highly important that we enlighten our youth on the true meaning of Democracy and arouse their enthusiasm for our form of government. We should likewise give them a better understanding of Vermont's resources and opportunities.

PUBLIC WELFARE

During many administrations the Public Welfare Department, especially the institutional work, has been a perplexing problem. For this Legislature it is second to no other in importance.

Work of the department has been growing rapidly, and in the past fiscal year expenditures were the largest of any department of State government. Before the war they were exceeded only by the Highway Department. Funds used by the department in 1934 totaled \$887,000 compared with \$1,500,000 in 1944.

Administrative Changes

I believe certain administrative changes should be made. The Supervisors of the Insane could be consolidated with the Advisory Board for Problems Relating to Mentally Defective Persons and become an advisory board of the department. This advisory board would continue to have the duties of these two boards. This would simplify and unify various phases of work in this department. An advisory board for the department would be of great assistance to the commissioner in improving and strengthening the administration of the entire department.

Work of the department has grown to such an extent that it should be divided more definitely into subdivisions with a director over each. The new director most needed is one for the institutions.

I believe that Old Age Assistance could to advantage become a subdivision of Public Welfare. This would help unify welfare services and permit field workers to be used more economically and efficiently. The Old Age, Assistance Department has been operated very successfully and its operations should be disturbed as little as possible in changing over its administration to Public Welfare.

Brandon Parole System

I also recommend a parole system for Brandon State School. By returning to their homes those who no longer need the full supervision of the school, many now on the waiting list could enter the institution.

Aid to Blind

In connection with Aid to the Blind, I recommend that a shorter residence in the State be required than the present term of five years.

Settlement Laws

The problem of settlement laws respecting aid to indigent persons is now very much to the front. The legislature of 1943 took a forward step when it provided that towns upon whom the burden of support of a transient pauper falls should be reimbursed by the state for one half the amount spent in the care of such person. However, no appropriation was provided by that Legislature and this should be done.

I believe the Legislature should consider a change in the law to provide that when a dependent or delinquent child is committed to the Department of Public Welfare, such department after sufficient study could place the child in a foster home if such seemed suited to his needs, or if institutional care was more advisable, could commit the child without further order of the court.

MENTAL DEFECTIVES

The problem of our feeble minded is one phase of our welfare work which deserves more attention than we have given it thus far. The Legislature of 1941 set up an Advisory Board for Problems Relating to Mentally Defective Persons but provided no funds for it. We should make an appropriation for this purpose and the work of the Board should then be energetically pursued. The feeble minded are greatly increasing the population at Waterbury and Brandon School. It results in great suffering as well as in rapidly growing expense.

STATE INSTITUTIONS

The population and cost of our state institutions are increasing. At the same time the institutions have been rather consistently short of funds for the proper type of administration.

The Perkins committee, which has recently completed an investigation at the Weeks School, has done an excellent job and its efforts, I feel sure, will bring about more satisfactory administration of that school. The McCormack study of the state prison at Windsor in 1944 gave the prison a clean bill of health, but found that entirely new buildings would provide much more modern treatment of the inmates.

Building Program

Recommendations for a building program are contained in a report you will receive from the State Institutional Committee which has just completed its study. The changes recommended would considerably improve conditions at the institutions, and should be carried out.

I recommend that the Legislature provide for a committee to manage and supervise this building program. I shall refer to the funds for carrying out this program under State Finances.

Over-All Survey

In recent years various deficiencies in our State institutions have been corrected. The time has come, however, when a complete over-all survey should be made of our Public Welfare Department. This should include building; adequate classification of patients, the matter of foster-home placement and colony plans, and the general modernization not only of our facilities but also of our methods and laws. I recommend that the Legislature authorize such a survey this year.

OLD AGE ASSISTANCE

Old Age Assistance grants in 10 years have increased from \$250,000 to \$675,000 annually. The department is requesting a further increase of \$285,000 a year. I am recommending part of this increase in my budget message.

This is one of the most worthy purposes of state aid, and a cause to which we want to give as much as we can afford. In determining the amount, we must view it realistically as well as idealistically. This appropriation, as with others, must be kept in line with our ability to pay.

It has been expected by many that the needs of Old Age Assistance would tend to decrease with the growth of Old Age and Survivors Insurance, and especially with the bulge in war-time pay rolls.

A study of this problem makes us aware of the present philosophy of many that it is right to spend all of one's earnings believing the government will provide for old age. I do not believe this is a realistic doctrine. I doubt very much if our State or Federal treasury could support the people of this country to that extent.

If we are to retain the principles long believed in this country and which have made this country strong and prosperous, we as individuals must still save for the rainy day and for old age; friends and relatives must share in this responsibility. At the same time, it is just and right that the government, subject to conditions now in our law, provide for all those who have met with misfortune beyond their own control. This is a vital part of the system of free enterprise and democracy.

HEALTH

We are face to face with the need of improving physical and mental health in Vermont. Evidence of this is found in the physical examinations for World War I in which Vermont had the second highest rejection rate for both mental and physical defects of any state in the Union. I understand results of examinations for this war indicate about the same results.

Our Department of Health is doing a better job in health matters than many of us realize. We simply need more of it.

Our efforts should be directed first of all to the schools; where we should emphasize such matters as physical examinations, preventive measures, and health education. Physical fitness is surely just as important as any course in the curriculum. A nurse-teacher established in every school district would be of invaluable assistance in bringing parents and teachers to a better understanding of the health needs of the pupils, and in aiding the local public in developing a proper mental attitude toward adult health problems.

In examinations for the last war it was proven that Vermont had the highest rate of any state for dental defects. This indicates the real need for dental clinics.

We have now in the State nine nursing units or districts comprising seventy towns, directed by the Department of Health. These are financed by federal, state and local funds. They should be increased to include the entire State.

The American Health Association is promoting a plan to divide the State into health districts for the administration and supervision of better health practices. All phases of health work would be headed up in these districts. I believe this may be an answer to the proper organization in the State for the improvement of health.

The Vermont State Medical Society proposes with the aid of other organizations to establish a union of all medical facilities in the State to be called the Vermont Medical Council. This might well in time become the official advisory council of the governor in medical matters. It is a most encouraging and constructive proposal.

We should look forward to group health insurance in Vermont for all who desire it. I believe we can have this without endangering patient and doctor relationships.

LABOR

Labor is a vital member of our industrial family in Vermont. Before the war there were over 30,000 employed in industry.

If we are to have the sensible, balanced labor relations we want and must have if the American System is to survive, there must be recognition by labor and management alike of mutual interest and of both individual and group responsibilities.

The chief function of government in dealing with employee-employer relationships should be to promote good will, to encourage cooperation and, where resort is made to invention, to be impartial and just, demanding obedience to all law by both parties concerned.

We must be alert to the changing needs of unemployment and workmen's compensation laws, old age assistance, general health and safety standards and liberalize them as conditions require.

Though we legislate to the end of time, there will never be industrial peace and harmony without good faith, integrity, a high degree of responsibility, and a real desire to cooperate on the part of all parties concerned.

INDUSTRIAL RELATIONS

Vermont management and labor have done an outstanding job in the production of hundreds of millions of dollars worth of articles needed in the prosecution of the war. Due to their patriotism and public spiritedness, not a single hour of production for war has been lost by strikes or walkouts, with but one slight exception. Harmonious industrial relations have made this a truly remarkable accomplishment, and every Vermonter can be justly proud that this is another product of our way of life.

Improvements in the Workmen's Compensation Law and the laws relating to the employment of women and children have been important factors in our industrial life.

I recommend the following: Elimination of the waiting period in Workmen's Compensation when disability continues three weeks or more; increase in the maximum limit of weekly compensation payments; a study of a minimum wage law for women and children in intra-state industries; giving legal status to the Vermont Apprenticeship Council.

UNEMPLOYMENT COMPENSATION

Increase in manufacturing in Vermont in recent years has intensified the importance of the unemployment compensation program. The dislocations in industry caused by business cycles are more strongly felt now than in the days when our economy was essentially agricultural.

Business has not yet devised measures for providing full employment at all times. Therefore, ways and means must be made available whereby individuals out of work through no fault of their own, and who are able and willing to work, shall receive reasonable assistance during these periods. This can best be accomplished through our present system of unemployment compensation.

Subject to the provision of the Federal Unemployment Compensation Law and the regulations thereunder, it seems desirable that the present scale of weekly benefits be adjusted upward and consideration be given to the extension of the duration of benefits, at least for the period of reconversion from wartime to peacetime. I suggest that you give serious consideration to the advisability of extending this law to cover more individuals than are now protected from the hazards of unemployment.

POST-WAR EMPLOYMENT

Employment of all those who are able to work is one of our chief concerns. There cannot be contentment, prosperity or progress unless unemployment is kept at an absolute minimum. In 1940 the total employed in Vermont was about 131,000. In the first quarter of 1944 there were about 125,000.

A careful survey by the State Planning Board indicates that about 27,000 will be seeking employment in Vermont in the First peace-time year. Aside from industry there will be employment possibilities for about 22,500. The possibilities of employment by industry in the post-war period depend in large measure upon the encouragement and favorable conditions provided by government for free enterprise.

Depending upon such conditions in industry, the survey finds that unemployment might range some between zero and 18,000. In anticipation of this uncertainty, the State should lay aside surplus funds or appropriate new money to be used in needed public works and should direct agencies of the State government to prepare necessary working plans for authorized projects. The State should likewise encourage the towns and cities to adopt a similar course of action. The construction of authorized projects and those recommended in this message, such as the institutional building program, the additions to the State Library and the State Office Building, will contribute in part to the State's program for post-war employment.

Enabling Act

With the State and towns bending every effort to set up plans for public works to provide employment during the early post-war period, I believe the State should provide enabling legislation, limited in duration, which will permit municipalities to set up reserves for post-war construction. Such an act has already been adopted as special emergency legislation in many states.

UNIVERSITY OF VERMONT

The crisis in the affairs of the University of Vermont and State Agricultural College became apparent to the Legislature in 1941 and resulted in a direction by the Legislature to the governor to make a complete study of both the financial and educational situation and report to the Legislature. This report developed such a serious condition that a special session was held in August, 1941, and a comprehensive rehabilitation program was approved. The plan then adopted and continued by the legislative session of 1943 requires contributions by the State of approximately \$150,000 annually in excess of previous contributions.

At the time of the adoption of this rehabilitation plan the State necessarily decided as a matter of principle that there were services performed by the University the continuance of which were essential in the interest of the people of the State. It was recognized by our people generally, that, the, State needs the functioning of a first-class college of medicine, that we need extensive scientific and educational work in the field of agriculture, with trained men to educate our farmers in the most advanced methods of agriculture, it also was recognized that a useful function is being performed by the University in training teachers for our schools. Although the Legislature approved the general plan of rehabilitation, as recommended by the governor and by the special advisory committee, and at that time proved certain broad principles, nevertheless the State has neither a legal nor a moral obligation to continue the assistance to the University in the exact form then approved.

I believe the time has come for a re-appraisal of both the administrative and financial relationships of the State to the University. Whereas four years ago the State was confronted by a financial emergency at the University, we now are faced with a situation which because of certain emergency features as requires immediate decision as to the future relationship of State and University,

Special Message

This matter is sufficiently complicated and of such importance that I propose to deliver to you a special message, covering in detail the proposal which I recommend for your consideration.

SHARING COST OF GOVERNMENT

The whole problem of financial relationships between the State and the towns needs careful review, These relationships have grown up over a long, period of years in a rather haphazard manner and with little consideration of what a fair distribution of the burden of government should be.

I urge this, Legislature to give the problem consideration. Following that, I shall request the Planning Board to carry on your findings to the end that we have a clearer picture of the extent to which this burden is now shared between town and state, and also if possible, some basis for indicating how further burdens should be shared. It is especially important to us who believe in the town form of government.

INDEX OF WEALTH

We need in Vermont a comparative index of wealth for all 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 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 to 100% 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 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 List 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 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%, of full valuation and Town B on 90%, Town A would receive three, times its rightful share of State Aid compared to B.

There are at least 17 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 is perhaps the soundest and produces the best results. In general, the Tax Commission of New York satisfies itself as to what basis of appraisal each town is using, whether it is 25% or 100%. From the appraisal based on such a percentage, the state can easily determine what the 100% 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.

I recommend that the Legislature study this problem and adopt some method which will establish a comparative index of wealth for all towns.

RURAL ELECTRIFICATION

The State should give its support to plans for rural electrification which is making a sharp up-swing both through the public utilities and the cooperatives. From a two-year survey by the Public Service Commission we learn that 68.8% of our 21,772 farms are now electrified and another 6.3% are so located as to be available for electrification. On the basis of its study, another 4,000 farms in the State should be electrified soon after the man-power and material restrictions imposed by the war are removed. Ninety-three percent will then be electrified or electricity available. Rapid building of rural telephone lines after the war is planned by the telephone companies and a state-wide survey of rural lines will be undertaken in the near future by the Public Service Commission.

SALARIES

Due to the increase in the cost of living and the general level of salaries today, I believe the salaries of all State officials regulated by statute should be reviewed. Vermont has been fortunate indeed to have officials of such quality and general ability for the modest salaries paid. State government today, however, demands in many departments unusual ability and personality. We are a state of moderate means and our level of salaries must be regulated accordingly. However, we must be fair and should pay as generously as we can for the work required.

I recommend that the Legislature provide for the appointment of a committee to study these salaries and recommend to this Legislature such adjustments as it deems best.

HIGHWAYS

We may well be proud of our Vermont highways. During the past 20 years great progress has been made. Our highways of all classes compare favorably with those of other states. There is much to be done, however, on our total highway mileage of over 14,000 miles for all systems.

The improvements to complete the state highway system of 1800 miles will require about 19 years. About 21 years will be needed to bring our 2700 miles of state aid roads up to standard. Of 9700 miles of town roads, 3600 are now of gravel. Of the remainder, only about 2800 directly serve any farms and, therefore, need gravel. Sixty percent of the towns in the State can complete their back roads in 10 years on the basis of pre-war State appropriations. This program in itself is sufficient reason for making certain that use of funds from gasoline tax and automobile registrations are restricted at present.

The location and improvement of our highway system in Vermont is of great importance to the State. Instead of large cities and concentrated populations, our people are scattered throughout the hills and valleys, and all groups are constantly using the roads. Development of our State depends in large measure on the proper type of highways reaching the desired destinations.

A healthy agriculture requires good farm-to-market roads and such it system should be worked out as rapidly as our resources will permit. The matter of the improvement of our so-called back roads, serving productive farming areas, should be given careful consideration by this Legislature, together with the ever-recurring problem of snow removal, which excessively burdens many of our small towns. As soon as conditions will permit, the maximum appropriations for the improvement of our back roads reached in 1941 should be restored. The ten year program which was interrupted by the war must be continued with all speed as soon as men and equipment are available.

The pay-as-you-go policy has proved to be a wise one. We must maintain it, as well as establish a forward and alert program of highway improvements in the years ahead.

AVIATION

That there will be a tremendous expansion of civil aviation as soon as peace has been attained is not questioned.

There are now four Class 3 airports in the State. In my opinion these are sufficient for the needs of the State at the present time. We also have several smaller Class 2 fields.

I do not believe we have enough of the smaller fields, Class 2 and 1, either to meet the needs of our own people after the war or to permit out of state recreational visitors to come here in the volume expected. I urge the Legislature to continue an appropriation to permit the State to assist towns to acquire land for airports.

Under our law providing for a tax on gasoline, the receipts from a tax on aviation gas do not go directly to benefit those who pay the tax. This is a cause for irritation and probably results in some loss of revenue. I suggest that this Legislature consider both the justice and advantage that may accrue from appropriating all receipts from taxes on aviation gas directly to the service of aviation.

The benefits that come from an airport are not confined to the city or town owning it. The facilities are available to all and yet under the present laws the municipality owning the port must pay all the cost of maintaining it and its facilities. The largest items of cost are the removal of snow from, and the repair of, runways. The highway department of the State has an equipped organization well trained and capable of handling both of these problems. I recommend that the Legislature consider the advisability of providing authority to the Highway Department to take care of one or both of these needs at airports where there are scheduled stops and line operations or where there is contract flying serving a sufficient number of persons to warrant such expenditure, payment of costs for such work to be divided between the State, the owner of the port, and adjacent towns as the Legislature deems proper.

There has been no adequate method in law for dealing with, man-made obstacles built in the approach zones to runways after a port has been established. The Council of State Governments has drawn up an act for airport zoning. I recommend that the Legislature give careful thought to this suggested legislation and decide whether it or some modification of it should be enacted at this session.

PUBLIC RECORDS COMMISSION

Addition to State Library

Study by the State Building Commission, its architect and the Public Records Commission led all of them to the unanimous opinion that the archives and non-current records of the different departments of the State Government should be provided for in an addition to the State Library Building and not in the proposed State Office Building.

Such an addition would also meet the need of the State Library for additional stack room for the proper shelving of its book collection. This need has been urgent for several years and cannot be delayed any longer without impairing the usefulness of the service.

We all realize today both in governmental agencies and in private business that efficient service depends a great deal on past records, and these should not only be adequately protected from damage by fire, water, insects, etc., but should also be made readily available for study and use by interested persons. This requires that they be collected into one central place. I recommend the construction of an addition to the State Library Building which will accomplish this purpose and at the same time meet the needs of the State Library. Further reference is made to this in my budget message.

STATE GUARD

Since there are no Federal troops stationed in our State, and with the National Guard fighting valiantly on the various battlefronts overseas, the State guard as an organized military force stands ready to perform its mission of internal security and to assist in time of disaster and emergency.

For over three years the personnel of the State Guard has been making a voluntary and conspicuous contribution to our war effort.

By its loyalty, devotion of much time to training, and performance of many duties assigned to it, such as guarding vital installations as was the case at a critical time after Pearl Harbor assisting at the scene of crashes of airplanes in our State, searching for lost persons and fighting forest fires, the State Guard amply justifies its continued existence, within the limits of the act of this Assembly creating it, until the return of the National Guard to our State.

FIRE PROTECTION AND PUBLIC SAFETY

The rapid increase in loss of life and property by fire in Vermont is a subject to which I am sure you will want to give your careful consideration.

Over the five-year period in Vermont from 1939 to 1943 inclusive, fire took a toll of 54 lives and destroyed nearly \$8,000,000 in property, of which \$1,350,000 was not covered by insurance, leaving Vermont with a per capita loss three times that of the average for the United States.

These losses have a direct economic effect on the people of Vermont since in many cases property lost by fire is not restored or rebuilt, and this value is removed from the Grand List of towns and cities. This results in an increased tax rate to the residents of those towns and cities affected.

Some of the fire laws of Vermont are out-moded and inadequate, and do not cover modern hazards; also, our fire, prevention personnel is too limited in number to properly cope with this situation, and I am sure we want to do all possible to correct these conditions. I urge this Legislature to give careful consideration to proposals furthering this objective.

AUTOMOBILE ACCIDENT PREVENTION

In 1944 injuries and fatalities from automobile accidents exceeded those in the armed forces of this country. This situation deserves our attention.

After careful study and investigation the organization of motor vehicle administrators in this country concludes that education in our high schools will accomplish more to improve this condition than any extent of punishment after the accident has occurred. Several states have such a course in their schools. I believe that we should consider further instruction in automobile driver education.

WATER RESOURCES

At the present moment this broad subject is very acutely in the minds of our people in two distinct phases which are entirely different in purpose and arise from quite different sources.

First: further power development of the Connecticut River at Wilder, which is under the jurisdiction of the Federal Power Commission by reason of Acts of Congress which have been in effect for some time past. Only new or additional Acts of Congress can change this jurisdiction.

Second: flood control legislation affecting the Connecticut River basin, and particularly as to projects on the West River, has been in a formative stage during the last year or thereabouts.

I wish to review briefly the matter of flood control.

Vermont's traditional policy respecting flood control of the Connecticut River, established after the 1936 flood and since maintained, has been that we as an up-river state will sacrifice parts of our area to be used for flood control, knowing full well that the principal benefits from such sacrifice go to down-river states; that sacrifice of lands and rights for purposes other than flood control should not be asked of us, and that since a majority of the dams are to be in Vermont, the program should be so worked out as to give this State the least material damage and the maximum flood control benefit possible under the circumstances.

The difficulties which have beset Vermont and other states stem directly from the Barkley Amendments to the flood control bill of 1938 passed when Congress was on the eve of adjournment. These amendments, seriously jeopardizing the interests and the sovereignty of all but two states in the Union, were never submitted to hearing before a committee of Congress. The timing of their presentation to Congress was such that the states had no opportunity to protest their passage.

The effect of the Barkley amendments and a decision of the Supreme Court in a case arising under the 1938 flood control law of which they are now a part was to nationalize all the rivers of this country and all their tributaries likewise; to take, away by federal law from every state government, except Texas and Oklahoma, any authority to have a voice in determining what developments were to be made in the watersheds within their borders.

Vermont has consistently protested against this federal policy. Other states, both eastern and western, now understand the implication of the Barkley Amendments. They joined Vermont in protest against the law and in determination that the law must be changed to bring the states back into the picture. The so-called O'Mahoney – Millikin Amendment resulted from that determination.

So after more than six years during which all our valleys have been under threat of condemnation, we have come to an era of peace and cooperation.

As to the future, it is my belief that interstate, compacts dealing with interstate streams are the proper mode of approach in our republican form of federal union. However, with federal law as it is, we must recognize that the principles of the O'Mahoney – Millikin Amendment are probably about as far as we can hope to go. With this thought in mind, it is hoped that a similar principle be included by Congress in legislation dealing with the authority and jurisdiction of the federal power commission. If this were done, we would have some official standing in a matter such as redevelopment of the Wilder Dam.

In the spirit of the new flood control law I pledge my administration to cooperate wholeheartedly with the Federal Government and its agencies and with the down-river states to work out a program of flood control for the Connecticut River in which both the national interest and the state interest will be respected and which will be beneficial to both the down-river and to the up-river states. I make this pledge as freely and as sincerely as I would pledge myself to use the power of this State to resist the arbitrary taking of our valleys and our resources if the new policy of cooperation had not been established.

In the light of this brief resume; it seems apparent that the State should have some official body empowered to represent our interest in all problems and plans involving water resources of the State.

We have a Water Resources Board set up by Governor Wills in 1944 to take care of specific problems occurring under his administration, but it has no legal status.

State Water Resources Board

I recommend that the Legislature either extend the authority of some state department or establish a board with ample authority to handle these problems.

COURTS

We are fortunate to have for our guidance the very recent report of a special committee consisting of six outstanding lawyers in the State appointed by the Vermont Bar Association to make a study of the whole system of administration of justice in Vermont. With some slight exceptions the membership of the Bar Association accepted and approved the report at its annual meeting after it had been considered and debated at length.

The report represents a thorough and conscientious study of the problems involved and merits the attention of this Legislature. There are several important recommendations which would require for adoption action by the Legislature. Among others is a recommendation for the establishment of a Judicial Council. Such a council has worked extremely well in the great majority of states of the Union and its value is so well demonstrated that I do not hesitate to recommend that the Legislature adopt this proposal. There are other more far-reaching recommendations in the report which also should receive careful consideration by the Legislature.

ELECTIONS

There is one special matter which I think has never before been listed among our State problems. This has developed with the increase of governmental responsibilities.

There is not sufficient time between our State election date and the meeting of the Legislature for the incoming governor to properly attend to the various duties of that period. At this particular time he is confronted with certain duties of first importance. There is the budget which requires much detailed study—much more than can now be given it—in Order to present the Legislature with the carefully prepared document it should have. The inaugural message is another time-consuming document in its preparation. More and more state matters have to be accurately presented to the Legislature for its consideration. Again, there is not time to do this as it should be done.

While no action can be taken by this Legislature, I recommend that the next commission appointed to prepare and present Proposals of Amendment to our Constitution give this problem its consideration,

BANK TAX

Based upon official statements of Commissioners of Banking and Insurance, and upon the evidence contained in reports of the Legislative Tax Study Commissions of 1929 and 1935, the Vermont Bankers Association, through a banking commission, has conducted an exhaustive study of the inequities of the present tax on banks which taxes bank deposits rather than bank income, and of its unfair application as between classes of banks. Also included in the study were the methods and effects of taxation on banks in the other states, particularly those in the northeastern section of the country.

As result of this research, the Commission suggests that the State substitute a tax based upon bank earnings in place of the present four mill tax on deposits. The suggested method of assessment and collection has been designed to relieve the State of all details possible and place a tax burden on the banking industry of Vermont commensurate with its ability to pay and at a rate as high as that obtained from other types of industry.

In 1943 the bank deposit tax represented approximately a 25% tax on the net income of Vermont banks. Comparative studies of the same year show that the banking industry contributed proportionately 2 ½ times more revenue to the State Treasury than the average of six neighboring states. In addition, investigation shows that we are now the only remaining state depending on the deposit tax as the primary method of taxing banks.

The suggested tax plan is to assess a 2% tax rate on net earned income as defined in the corporate franchise tax and a 4% tax rate on interest paid to depositors.

I believe this plan merits the serious consideration of this Legislature.

FINANCES

The State's finances are in excellent condition.

According to the present program of debt reduction our bonded debt at the close of the fiscal year ending June 30, 1949, will have been reduced to \$393,000 excluding the perpetual debt which consists of Certificates of Indebtedness, held by the Permanent School Fund, and the Agricultural College Bonds, which total \$568,031.90.

On July 1, 1944, the unappropriated surplus in the Treasury was \$1,006,060.44 and this will probably be increased by the end of the present fiscal year, June 30, 1945. I believe that such surplus should be used for capital improvements and not for recurring expenditures. Therefore, I recommend the following appropriations from our unappropriated treasury surplus:

1. \$200,000 as additional appropriation for state pay for veterans of World War II. The Legislatures of 1941 and 1943 have already set aside \$2,500,000 for this purpose and it has been estimated that the sum of \$2,700,000 will be necessary to discharge our obligations to our servicemen and women.

2. \$150,000 additional appropriation for the state office building. The Legislature of 1941 appropriated the sum of \$600,000 for such a building. The additional appropriation is for the addition of another story and to provide for increased building costs.

3. \$750,000 for additional buildings at our state institutions in accordance with the recommendations of a special committee appointed in 1944 by Governor Wills to study our state institutions with special attention to their building needs. The report of this committee will be in your hands within a few days and deserves your careful study and attention.

CONCLUSION

Such are some of the problems we are to consider together during this Legislature. While the enactment of laws is your responsibility, I shall cooperate with you in every way possible.

A session of the legislature is like a journey—an exploring trip through unknown country. It is an interesting trip with ever-changing scenery and situations. We learn much about Vermont and about each other. I am personally looking forward to our trip with sincere pleasure.

Government today is a challenge—a challenge to aid our fellow men, especially those who have met with misfortune beyond their control—a challenge to steer a wise and just course between security and self-reliance—a challenge to increase opportunity for earning a living and supporting one's family—a challenge to strengthen moral fibre and character for these are what really count.

We must remember that America lives in simple homes. In Vermont and in America it is the rank and file, the great middle class, who comprise the substance of our people and the hope of a great tomorrow.

We must remember, too that government is for the welfare of all, that freedom of government has great responsibility and to meet our challenge successfully we must have faith in ourselves, in Vermont, and in the Eternal Spirit.

The strength of the hills is His also.

* * * * *

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

The Supreme Court was escorted from the hall by the Sergeant at Arms.

The Joint Assembly dissolved.

RAWSON C. MYRICK,
Secretary of State, Clerk

Inaugural address
of
Redfield Proctor
As it appears in the
Journal
of the
Joint Assembly
Biennial Session,
1878

Thursday, October 3, 1878
Inaugural Address

Gentlemen of the House of Representatives:

We are assembled in accordance with the provisions of the constitution to assume the duties of legislation as representatives of the people. It is their right and duty to demand of us the utmost fidelity to their interests; and a just appreciation of the great trusts they have placed in our charge must impress us with a deep sense of our responsibility to them, and inspire us with the highest resolve to quit ourselves like men. In this spirit let us approach the business of the session.

STATE FINANCES.

The State is virtually out of debt. The amounts due the Agricultural College fund and due towns on account of the United States surplus fund, are not properly chargeable to liabilities in arriving at our present financial standing. Omitting these, therefore, there was on the first day of August, a balance of \$87,934.74 in the treasury, after providing for unexpended appropriations and for the payment of the last of our war bonds, which mature on the first day of December next.

This is a proud record for our little State. In the great war of the rebellion, our soldiers made the name of Vermont respected and honored, by friend and foe. And now the State has shown herself not unworthy to be the mother of such sons by promptly and ungrudgingly meeting the last dollar of her war obligations, and has illustrated the self-evident truth, that the greatest measure of public faith and honesty goes hand in hand with the truest courage and patriotism.

The following is the statement of the treasurer, showing the assets and liabilities of the State at the close of the last fiscal year:

LIABILITIES.

Due towns U.S. surplus fund	\$11,519.96
Due on soldiers' accounts	11,074.35
Due suspense account (outstanding checks)	1,833.80
Bonds due December 1, 1876	6,500.00
" " December 1, 1878	135,500.00
	\$199,928.11

ASSETS.

Due on tax of 1877	\$8,731.62
Cash in Treasury and in Banks	186,111.27
	\$194,842.89
Excess of Liabilities	\$5,085.22

Deducting from the Liabilities the amount due Agricultural College Fund, and due towns on account of U.S. Surplus fund, not probably to be called for for several years, the Liabilities would be	\$ 52,908.15
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Leaving a balance of Assets of	\$141,934.74
from which to pay unexpected appropriations, estimated to be paid within ninety days	\$ 54,000.00

Leaving a balance of	\$ 87,934.74
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toward expenses of the current fiscal year, including expenses if a Legislative Session.

The Treasurer’s biennial report gives a detailed account of the transactions of his department for the past two years.

STATE EXPENSES.

I should regret to have you draw any argument from these facts in favor of an increase of State expenses. However desirable it may appear to make more liberal expenditures for some of our public institutions and for many other purposes, the present is not a favorable time for such increase. Our towns are, most of them, in debt, many of them very heavily, and it is a plain duty, so far as is consistent with the necessary requirements of the State, to relieve the people of State taxation and enable them to pay off their town debts. The amount of this indebtedness on the third day of March, 1868, exclusive of the United States Surplus Fund borrowed, was, in round numbers, one and a half millions, or nearly the same as the total amount of State debt at the close of the war. On account of heavy debts since contracted by towns in aid of railroads, the amount is probably quite as large now. Individual indebtedness also is large. The returns of labor, capital and business enterprise of all kinds, are comparatively small. There are strong signs that we are entering upon an era of low prices the world over. The great improvements in machinery of all kinds; the opening of hitherto semi-barbarous countries to the influence of civilization, and the consequent stimulus to production; the advance in means and methods of transportation and exchange of commodities between different countries; the rapid increase in the general facilities for doing business, and many other signs all point in this direction. Such a period is one of hardship where taxation is high; where public and private extravagance are the rule, where the laws are not ample for the protection of persons and property, or prompt and inexpensive in execution. But under favorable conditions, a period of comparatively low prices may be one of great prosperity, stimulating industry and commerce by opening new markets to the successful competition of cheap production.

Heavy taxation drives away capital, clogs the wheels of business, and falls with severest weight on those least able to bear it. It not only takes from them directly their proportion under the law, but it increases the cost of articles of consumption so as to levy an indirect tax upon each individual.

Recent statistics show that the prices of our farm products, of labor, and most articles that go to make up the cost of living, do not vary materially from what they were in 1860. Our population has increased less than ten per cent., and our grand list less than five, since that time. Is there any good reason, then, why our State expenses should be more than doubled?

Let me call your attention to some facts from the report of the “Joint Special Committee, relating to the increase of State expenses,” made at the last session, and which you will find in the appendix to the Journals of both the House and Senate. I would ask you to make careful examination of that report, and would suggest the appointment of a committee at this session on the same subject. The figures give the State expenses for the years 1860 and 1876, but a comparison with 1878 would, I fear, be even more unfavorable:

	1860	1876
Court Expenses	\$65,570.24	\$133,583.92
Salaries and Expenses of State Officers.....	5,413.31	13,228.13
Printing.....	2,053.07	7,563.58
Care of Deaf, Dumb, Blind, Insane, etc.....	12,474.17	28,212.02
Agriculture	1,832.45	2,635.98
Militia.....	2,787.00	15,759.12
Education	6,879.13	17,954.97
Fish Commissioners.....		751.67
Library.....	1,420.40	1,749.22
EXPENSES SESSION.		
Debentures of General Assembly	28,328.40	48,833.00
Secretaries, Clerks and Reporters	1,075.00	2,700.50
Legislative Printing.....	6,518.51	22,593.86

The Auditor's report for 1878 was received too late for careful examination. At my request, however, the Auditor has furnished me the items which show an increase of court expenses in 1878 above 1876 of over \$35,000.00.

I am assured that often the entire sum of the verdicts of a term of court fall far short of the expenses of the term to the State. *No further comment on court expenses is needed.* I have omitted in the foregoing tables, some items of extraordinary expenses, and other having no bearing on the general question; but the grant total gives the State expenses for 1860, \$142,982.48, and for 1876, with the expense of a session of the Legislature added, \$326,726.96; without the session expenses, \$244,954.73.

Dividing the expense of a session, as they are now biennial, and adding one-half to the other expenses for 1876, gives \$285,840.84, or \$124.12 less than the double expenses of 1860, which included the entire expenses of a session.

The State tax for five years preceding the war averaged sixteen and one-fifth per cent., and this included large appropriations for building the State House. I think the State expenses ought to be so reduced that a tax of twenty cents will be ample, and still do all we are now doing, and more if required, for our public charities, schools, and all objects worthy of our attention. I do not mean to say that all of this increase of expense is unnecessary, by any means. Some of it is called for by additional duties and responsibilities thrown upon the various departments; and in other cases it is manifestly just and reasonable. But quite a part of it has come from the general tendency of the time towards liberal expenditures which has pervaded all public, as well as private affairs. It would transcend the proper limits of this communication, to attempt discussion of special methods of retrenchment. The whole matter is in your hands, and the means of any further information you may desire, at your command.

The greatest single item, that of court expense, is in my opinion, of sufficient importance to warrant the attention of a Special Committee to that point alone.

I am glad to refer with approval to the discussion of the subject of trials by jury and referees in the first message of my predecessor. If parties were compelled to bear a larger share of the expenses of jury trials, it might diminish the amount of petty litigation, and lead to more references under the Statute, and do no violence to the cause of justice. Possibly, if no satisfactory remedy is found, it may be advisable to appoint a commissioner, who shall investigate the whole subject of court expenses and report at the next session, recommending such changes of the Statute or Constitution, as the case demands.

ASSESSMENT OF TAXES

“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 toward the expense of that protection.*” To secure this result of equality of taxation to the utmost possible extent, is the plain demand of this clause of the Constitution which I have quoted.

To rehearse the evils of our present system, or rather, what is worse, of our administration of it, would be to repeat what my predecessors have often said, and what every citizen has seen and felt. Not the least among these evils is the corrupting influence of constant evasions of law. You understand the subject fully, and the responsibility for failure to apply a remedy must rest with you. Several measures have been proposed to secure a just and equal assessment. At the last session a bill passed the House, (House bill No. 271,) requiring each tax-payer to swear to his list. The laws of Massachusetts and Connecticut have a similar provision. The reduction of State expenses and the direct payment of any special taxes to the State will so far, but only to a limited extent, remove the object for undervaluation as between different towns, but would have no effect to relieve the inequalities among the tax-payers of the same town.

The law prescribed that the assessment of the road-bed of railroads shall not exceed \$2,000 per mile. I am informed, that in at least one case the equalizing board raised the valuation of a town, where the listers had set the road-bed at the limit of \$2,000, and that the railway company will contest the validity of the list on this ground. If there is a defect in the statute, it should be remedied.

SAVINGS BANKS.

These institutions are assuming important proportions in our State, holding now over eight millions of deposits. The amount in 1860 was a little over one million. They have been so well managed, that during the last few years of financial trouble, while some of the neighboring States have suffered severely from the reckless and dishonest management of these institutions, our savings banks have all stood firm, and none of them have suffered serious loss. This result, however, is due more to the honesty and skill of their direction, than to our legislation. They are all acting under special charters, differing considerably in their provisions. They are not to any extent restricted as to *where* they may make loans. All of them loan part of their funds on mortgage. Some of them have made these loans on real estate at the West. These, so far as I can learn have been carefully made and have yielded larger interest than could have been realized from other sources. The fundamental idea of a savings bank is absolute safety, though at some sacrifice of interest and dividends. It seems to me unwise and unsafe to lose sight of this in our legislation. We cannot always depend upon having honest and capable men in charge; and even such men, unless restricted by law, will be more liable to mistakes. We know what wide-spread disaster the failure or even suspension of a savings bank would, cause in its vicinity, and among a class who have earned their money by years of hard labor and close economy, and who would all the more keenly feel its loss.

I recommend a general law placing all savings banks under the same general provisions and restrictions, and repealing so much of their special charters as conflicts therewith, but requiring no change of investments already made. Then in granting future charters little would be necessary except to name the bank, its corporators and location, – referring to the general law for its rights and duties. This policy of a general organic law is being adopted by other States, and I would refer you among others to the new law of Massachusetts, passed at the session of 1876, also to the law of New York of 1875, both of which embrace some wise provisions, which the costly experience of those States had shown to be necessary.

Such legislation would ensure uniformity and the greatest measure of safety, for if the general law were found to be defective, it would be corrected; but few look for defects in a special charter unless to take advantage of them.

Some charters have no restrictions upon investments, except that “the deposits shall be used and improved to the best advantage.”

I will not express an opinion as to whether a general law should allow loans on Western mortgages; but if they are permitted, the banks should be required to report the amount of such loans separately from home loans on mortgages, so that depositors could know precisely the nature of their investments. Of course in case of a panic or *run* upon a bank, money could not be realized upon these remote mortgages as readily as upon home loans, nor would any showing in regard to them pacify importunate depositors like an exhibit of securities in their own neighborhood, which they would know, or could readily learn all about.

Any laws you may see fit to enact in regard to savings banks should be carefully considered, and with a view to promote and extend their usefulness, and to strengthen the public confidence, to which they are now so well entitled by their honest and judicious management.

The inspector of finance seems to have made a thorough examination of these institutions. He reports that in a few instances directors of national banks are trustees of savings banks, in violation of section thirty-seven, chapter eighty-six, General Statutes, and that some banks have exceeded the law in the character and location of some of their investments, or in loaning to their officers. It is not probable that any of these violations have been with wrong intent, and no loss, so far as known, has resulted from them, but they ought not to be allowed to continue, and I have requested the inspector, if they are still in violation, to report the facts in each case.

The inspector recommends a direct tax of not more than one-half of one per cent. on deposits, in lieu of all other taxation. This is in accordance with the system commonly, if not universally, adopted in other States. It is a matter for your careful consideration, and I commend the remarks of the inspector on the evils of the present system to your attention.

SPECIAL LEGISLATION

It may, at first view, seem unimportant in our state to object to this class of legislation, but it is only by a stern exclusion of every minor evil that we can attain to the symmetrical whole of a well regulated State. It is our plain duty and no injustice to our constituents, where the objects they seek can be obtained under the general law, to require them to use it.

The mere habit of listening to the appeals of private interests is a pernicious one in legislation. Where the immediate case carries no direct harm with it, it may still be an entering wedge, or precedent for what will prove a positive wrong. We have a general railroad law. If this is not ample for the promotion of every legitimate enterprise, let us make it so. We have a general enabling act allowing towns to aid in the building of railroads. If this is to remain the settled policy of the State, is it not the part of wisdom and prudence to fix upon the limit to which this aid may be granted, and then adhere to it? We have also general laws for the organization of corporations, changing names, and the like, to which those asking private acts for these purposes can be referred, and if the general law is inadequate, its provision can be extended. We have already made progress in this matter. Compare the Session Laws of 1872, 1874, and 1876. The latter year-book has only 207 pages of private acts against 481 in the former, or less than one-half. At the session of 1874 over fifty bills of this character were rejected, which if passed, as had been the previous custom, would have made the volume as large as that of 1872. The mere cost to the State of printing this private matter is no inconsiderable item.

As an example of how readily improper provisions in special acts escape notice in their passage through the Legislature, I will cite one act passed at the last session. Three savings banks were incorporated, and all of the charters contained the same restrictions as to the investment of their funds, substantially as follows: "All deposits shall be managed and improved by loaning on mortgages of real estate, except to an amount not exceeding one-half the amount on deposit, which said sum may be invested in the purchase of stocks of the United States, or any of them in bank stock of any bank in this State, or in any city or town bonds of the New England States, or in undoubted personal security." But in one of these acts the words "*or otherwise* as the trustees shall direct" are added, thus destroying entirely the force of the limitation.

Governor Peck, whose judicial training enables him to detect, at a glance, an improper provision, sent to the House during the one session of his administration four veto messages – all upon acts of incorporation. The people of Illinois found it necessary in 1870 to forbid, by constitutional provision, all ordinary classes of special legislation, and to declare that "where a general law can be made applicable, no special law shall be enacted." New York and Pennsylvania have since followed this example.

Every man who has a conscientious regard for pure and safe legislation would regret to see us take any step backward in this matter, and there is still room for progress in the right direction.

STATE REFORM SCHOOL

The good management and general success of this institution are so well known to the people of the State, that no special mention is needed. The land (about 130 acres) is of excellent quality, but was not in good condition when purchased. Much has been done, and is being done, to improve it, the boys doing all the labor under the direction of the farmer. I think, however, still more of the boys' labor might be employed in improving and bringing it to a high state of cultivation. The labor yields but little (about fifteen cents per day) on the work of seating chairs, and it would be economy for the State to make the farm a model of cultivation and production. No industry will exert so good an influence upon the wards of the State morally, mentally and physically as farm labor. None will stand them in so good stead in after life.

The Superintendent has frequently asked that machinery be introduced to carry on some complete manufacture. This would be much better for the boys, as it would teach them some trade, and ought to prove more profitable for the State. But a mistake in this direction would prove expensive, and before any action is taken the matter should be thoroughly investigated by sagacious business men, acquainted with various industries, who will gather the experience of similar institutions in other States, and present facts and figures, on which the State can act understandingly. More room for the boys' department is asked for. An appropriations was made two years ago for a new barn, and also to afford the additional room required for the boys raising the roof of the old gun-house. But, I understand, that after building the barn, the amount remaining was not sufficient for the contemplated changes, and was used for enlarging the house occupied by the girls. Additional

room for the boys would certainly be desirable if the number is to continue as large as at present. Whenever made, it would be true economy to do the work in a substantial manner, with due reference to safety from fire, and to have plans submitted, with bids for the material and construction complete, before making the appropriation.

The Superintendent reports the cost for the past year at \$117.29 *per capita*, which figures compare favorably with those of similar institutions in other States.

STATE PRISON

The reports of the Directors and other officers will show you in detail the affairs of this institution.

The officers seem to have discharged their duties faithfully. The Directors ask for an addition to the main building; and it is true there is not sufficient cell room for the prisoners now there. A new wing was built three years since, which was designed to be large enough to give all the room that would be required for many years to come.

The number of prisoners has increased rapidly in the last four years, –in 1874 it was 85; in 1876, 117, and in 1878, 176. We are no worse off than other States in this respect, as the prison statistics of the country show that the number of convicts in the higher prisons has nearly doubled in the last six years. We may, then, with some reason hope that the time is an exceptional one, and look with a revival of business for a decrease of crime. The Directors, in 1872 and 1874, in their reports oppose the policy of sentencing convicts for minor offenses and short terms to the prison, and their view is obviously correct.

The work house has seventy-eight cells for males, and might keep some more in less secure quarters – about one hundred in all. This will relieve the prison somewhat, and if there is no increase in crime, perhaps sufficiently.

The prison grounds embrace about three acres of land, and a large part of this is covered by the buildings. From their location and arrangement with reference to each other, any plan for an addition needs to be very carefully matured, and with the greatest possible foresight as to the probable future policy and requirements of the State, with reference to the prison.

In this connection, and at the risk of being charged with trenching upon ground outside my proper limits, I must refer to the pernicious and growing custom of filling many State offices, and especially those having charge of these State institutions, from among the members of the General Assembly. Such choice is wisely forbidden by the constitutions of some States. The evils which result from this course *here* during the session can be readily understood and appreciated without mention, and I will refer only to those lesser ones affecting the institutions themselves and the expense of supporting them. They are great business enterprises, costing the State a large sum yearly, and should be conducted in a business way. We need in their management the best judgment, technical knowledge and experience that the whole State affords, and to fill these offices in any other way is an expensive mistake. They are, however, too often distributed as personal or political rewards. We sometimes change all the officers at the same time. Every new set of officers wish to mark their term of office by some departure from the course of their predecessors.

A wiser system would secure greater economy, better discipline, and a more permanent and continuing policy in our administration of these institutions.

WORKHOUSE

The site selected by the Commissioners contains eight acres, and is in every way adapted to the purpose.

The act of 1876 required that persons convicted of certain offenses after September 1, 1878, should be sentenced to the workhouse. The cells are not dry enough for use, and are not likely to be until about the first of December next.

The courts are in session in several counties, and I would recommend an immediate change of the law, whereby such sentences may be imposed as can be carried out.

I would also recommend that a careful examination of the laws be made, to see what, if any, changes are necessary to adapt them to the new workhouse system.

A small appropriation will be required for furnishing the workhouse. The general aims and purposes of the workhouse system are deserving of all commendation; and I believe this our first trial of it, if well managed, will give beneficent results in the diminution of crime and save expense to the State.

THE PARDONING POWER.

The Constitution vests this entirely with the Governor. Under the old theory of the divine right of kings, a crime was an offense against the King alone – the Sovereign – and he alone, of course, could pardon. It was an act of personal grace and forgiveness, and an essential prerogative of kingly power.

From this source it has come to us; but in my view, the changes conditions necessarily change the whole theory of it. Under our form of government the people are sovereign. The crime is committed against them, and a pardon can only properly be granted, as an act of justice on their part, to the criminal, and with all the safeguards which surround judicial proceedings. It is a reversal of the judgment of the courts, and should never be granted to *defeat* the intention of the law, but to give it effect: as where new evidence comes to light, which if produced at the trial would have changed the verdict or sentence; or where the law, by reason of its generality or imperfections, reaches cases which would have been excepted if foreseen.

The free exercise of this power encourages crime by robbing punishment of its terror. The certainty that a just measure of punishment will follow conviction is necessary to inspire transgressors with a wholesome respect for law.

Most of the State now modify, and regulate the pardoning power of the Governor, in some way; associating others with him in its exercise, requiring public notice of such applications, the opinion of the court that sentenced the criminal, and other provisions calculated to give the proceedings the weight, publicity, and freedom from all suspicion of weakness or undue influence which characterize a judicial decision. Such provisions, too, would give a healthier tone to public feeling in regard to criminals, and do away with much of the sentimental philanthropy so often displayed.

Calling your attention to the excellent remarks of my predecessor on this subject, in his closing message, I submit to you the question, whether it is not the part of wisdom to regulate the method of the Executive exercise of this power, so far as you can under the Constitution. This course may inaugurate some better system, which can be hereafter engrafted upon the Constitution, with such modification as experience may dictate.

INSANE ASYLUM

The Commissioner says, in commencing his report, that he has not complied with the law, and that it is impossible to do so, “without you pay your own expenses.” The pay has not been reduced, nor the duties increased, since he accepted the office. He seems to have made full report of many matters of detail. Some of his suggestions are very sensible, and worthy of attention. I must, however, differ with him in his recommendation to enlarge the duties of the Commissioner, by giving him the oversight of all the insane in the State. It would, in my view, be creating a roving commission, with powers and duties which, if warrantable, can be better entrusted to local authorities, and one the ultimate expenses of which we cannot estimate.

I call your attention to the increase in the number of “public” patients, and consequent increase of expense to the State, as given in the report of the trustees. The number was 233 in 1871-2, and 295 now, while there has been a corresponding decrease in the “private” class from 273 at the former period to 164 at the present time. These figures are certainly suggestive, and I recommend a careful examination of the subject of State aid to see if its privileges are not abused. It is in accordance with our general policy, and manifestly the part of wisdom not to assume duties and obligations which can be properly left with the towns.

The commission appointed by Governor Fairbanks not having yet made their report, I will not at this time make any suggestions upon matters likely to receive their attention.

EDUCATION

I am glad to call your attention to the able report of the Superintendent. The weight of authority which his experience gives him, as well as the importance of the subject, should insure a careful consideration of the ten specific recommendations which he makes. The third seems to be a proper safeguard against unlawful payments of public money. Whether the fifth, sixth and seventh would produce in all localities the beneficial results sought for may admit of question. Whatever action you may take on the subject of education, it is desirable to give, as much as possible, a character of permanency to our policy.

DIVORCE

I call your attention to the Statutes regulating divorce. The family relation is an institution upon which rests the moral and political wellbeing of a people, and should be stable and permanent in its character. Under our present Statutes, a party who claims to have suffered by a breach of the marriage covenant in other governments or in distant States, may come into this State and, after a brief sojourn, sue for a divorce; and often causes for divorce are alleged which would be unavailing in the jurisdiction where they occurred.

I commend this subject to your careful consideration, and submit to your judgment whether the interests of the people would not be subserved by making the marriage covenant indissoluble except for those grave and flagrant crimes which necessarily put an end to the sanctity and purity of the marriage relation. Whether a decree of *separation* should not be granted for sufficient causes, which should regulate the custody of children and the apportionment of property; and whether a longer residence should not be required, and greater safeguards provided against fraudulent divorces.

AGRICULTURE

I should speak of our agricultural interests, and the operations of the board, if time permitted, but your understanding of the whole subject is so complete as to render it unnecessary.

MILTIA

The militia force of the State consists of one regiment of infantry and one battery of artillery, the units of organization of these arms of the service. The force is in a high state of efficiency in every respect, and there can be no question that the interest of the State require that it be kept so. Besides the necessity for a small force in every State, we owe some duty to the general government, which has contributed so liberally arms and munitions, to hold ourselves in readiness to respond to her call if required. The State bears in reality but a small part of the expense. The heavy share falls upon the members themselves, and much has been borne by private contributions, or has come from other sources than taxation.

REVISION OF THE STATUTES

The question of a revision of the Statutes will, no doubt, come before you. They are now much scattered, and to bring them together without revision, would make a book altogether too unwieldy. The work cannot be long postponed, and it may be well to provide for it at the present session.

UNITED STATES SENATOR

The national law requires that you proceed on the second Tuesday of the session to the election of a United States Senator, for six years from the fourth day of March next, at which time the term of one of our senators expires.

NATIONAL AFFAIRS

The earnest efforts of our national executive to remove the civil service from the arena of politics; to secure a better administration of the business affairs of the nation; to establish a higher sense of official duty, and to insure the same standard of conduct in public which governs men in private life, must be productive of much good. This course cannot fail to accomplish great direct results; to exert a salutary influence upon all state and municipal governments, and to give a healthier tone to the whole political atmosphere. In support and approval of such beneficent measures, all true lovers of their country can heartily unite.

The sons of Vermont rallied to the defense of the nation in her hour of need. We thought the country worth preserving at any cost of life and treasure. The lives were freely given, and now we shall not shrink from the

full discharge of every other obligation. Vermont will not lower her standard of honor, nor under a delusive hope for present ease, sacrifice future financial stability.

The present state of affairs is the necessary result of the war with its attendant inflation and extravagance. The doctrine that a return to the *causes* of our present ills, will *cure* them, needs no refutation. There is no other remedy but retrenchment and rigid economy in national, State, municipal and individual expenses. But it is a mistake to suppose that the evils of hard times fall upon any one class or condition of men, and pass by others.

Let no man, then, seek to build up class distinctions which have no real foundation, or to excite a fancied conflict of interests. I say *fancied*, for no real one exists, or can exist among us. It is a time above all others to learn the lesson of our mutual dependence. We cannot legislate universal prosperity, though unwise laws may greatly retard its coming. Honest labor, and that” firm adherence to justice, moderation, temperance, industry and frugality,” which our State constitution enjoins, are the best remedies for the evils of the hour.

Our gratitude for the continued blessings of health within our own borders is tempered with sorrow for the affliction of our fellow men at the South. We have differed with them in the past. We have felt their prowess on many a hard fought field, and returned blow for blow. We see them now in their present fearful trial display a fortitude and devotion which command our admiration and enlist our sympathy. They are our countrymen. No matter now what our past strifes have been, the more earnest we were in contention, the quicker and stronger will the manly heart be touched at their calamity, and the more promptly come to their relief. Let them receive our deep sympathy and such continued material aid as they may need, and let our petition join with theirs that the deadly march of the pestilence may be staid.

IN CONCLUSION.

Gentlemen, let me earnestly request you to prepare an introduce your measures early, in order that they may be properly matured. In the hurrying hours at the close of a session there is no opportunity for this, and many measures fail for want of time to consider and perfect them. The growing evil of frequent adjournments for two or three days is every way reprehensible. It not only costs the State a large sum in the direct loss of time, but it distracts attention and breaks up the current of business. The same faithful attention to our duties here which we should give to our affairs at home or require from those in our employ, is the only rule to apply. Avoiding then, every unnecessary delay, let us exercise a diligent spirit in the dispatch of business, and at the same time, shun that undue haste so dangerous in legislation.

And in all our efforts let us reverently acknowledge our dependence upon the Supreme Author of all law, and seeks His guidance, that the result of our deliberations may accord with the immutable principles which He has laid down, without which our labors will be in vain.

REDFIELD PROCTOR

EXECUTIVE CHAMBER,
Montpelier, Vt., Oct. 3, 1878. }

Inaugural address

of

Redfield Proctor

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1923

Thursday, January 4, 1923

Inaugural Message

Members of General Assembly:

Custom prescribes that at the opening of the session the Governor shall present to the Joint Assembly recommendations with respect to legislation. It is hardly possible that a governor at the beginning of his term would be able to make as valuable recommendations as later. I shall not attempt, therefore, at this time to cover all that might be suitable to bring to your attention, hoping that during the session there may be opportunity to present to you other matters which seem to require our mutual consideration.

In our scheme of government much depends upon the loyal support and conscious participation of every citizen. A government so essentially by and of the people cannot be any better than the people make it and the more keenly each individual citizen appreciates his responsibilities as well as prizes his liberties, the better our government will be. There has been a very strong tendency in recent years for the federal government to take over duties that naturally belong to the state, and in turn for the states to take over duties naturally resting with the towns and other local municipalities. I believe our return to a condition in which the towns feel the maximum responsibility for the general welfare and the maintenance of good government is very essential, always with sufficient ultimate control resting in the state to insure fairness between the towns and uniformity of benefit to all our citizens.

Contempt for one law tends to breed disregard for all laws, a spirit which in these times seems regrettably and dangerously prevalent. Laws are laws and no one has a right to strike at such an essential and vital part of the life of our country as to disregard and break them. Our government is directly controlled by those whom it is designed to govern and without the loyal support of the people cannot continue to exist. President Harding has emphatically pointed this out in his recent message to Congress. "There is a demand," said he, "for every living being in the United States to respect and abide by the laws of the republic. Let men who are rending the moral fibre of the republic through easy contempt of the prohibition law, because they think it restricts their personal liberty, remember that they set the example and breed a contempt for law which will ultimately destroy the republic."

It is fundamentally necessary that the laws be faithfully executed. I have taken a solemn oath to see that they are so executed and, so far as power lies in me, I propose to do this with absolute fairness and without any offensive discrimination.

EXECUTIVE BUDGET

I recommend the adoption of the executive budget system of appropriation instead of the budget system we now have. This method, which has been adopted by a large number of states and by the national government, has proved itself worthy of our most favorable consideration. By it all estimates and requests for appropriations for the activities of the state would be carefully prepared by the Governor, who is responsible for their administration, and presented to the Legislature at an early date in the session. The Legislature by this method would have before it a comprehensive statement of what, in the opinion of those charged with the carrying on of the state's business, will be required for the purpose. While still in absolute control of all appropriations, the Legislature would be in a position to judge more easily and more wisely for what work and in what amounts funds should be provided. The budget should be made up with direct reference to the expected income and should not be allowed to exceed that amount except in time of great emergency. We have been loading our wagon before we knew the team that was to draw it. A budget based on expected income offers the only practical method of setting a definite limit to the state's expenditure. I shall not feel justified in recommending or approving appropriations in excess of expected income.

CONSOLIDATION OF DEPARTMENTS

During recent years the state has taken on many new activities, thereby greatly increasing the total amount of work done by persons in the employ of the state and the total cost for which the taxpayers of the state are called upon to supply the necessary funds. Much of this has been added in separate and small units and to a considerable extent without particular regard to other work, at least as respecting the simplest, most economical and most efficient way of accomplishing the whole. There seems to be a very general feeling that the total cost of government is more than it should be, and that we pay a larger sum in taxes than necessary. It seems proper, and the platforms of the principal parties in the recent campaign urged that this Legislature should take seriously in hand the task of simplifying the machinery of our government. What Governor Lowden said of Illinois is quite as true of Vermont: "One of the imperative needs of the state is the consolidation of its multiplied agencies into a few principal departments. The Governor is held responsible for the conduct of the state government. His executive functions should be discharged through a limited number of agencies over which he may exercise actual control. Under the present system of confusing perplexity, the Governor cannot exercise the supervision and control which the people have a right to demand."

Without in any way affecting the duties of officers or departments as provided by the Constitution, we can very much simplify our governmental organization by combining some departments and placing the duties and activities of some officers and boards upon others, and still accomplish fully as much for the benefit of our citizens more efficiently and at less expense. To accomplish this undoubtedly means that some things will have to be done in ways not quite as satisfactory to those interested in some particular activity, but you are here representing the people from all parts of the state and should take such action as you believe best for the people as a whole. Likewise it is my duty to make recommendations for the benefit of the whole state. Neither you nor I should give undue weight to that locality or that department with which we have come most closely in contact, or in which we personally are most interested. It is quite impossible to economize by simply talking about it. Economy is not talk but practice and in practice it is always difficult to cut down expenses once begun. We have become so accustomed to large expenditures during the war and since that economy is nearly a lost art, and yet real sane economy throughout the world would perhaps do more than anything else to restore it to a normal basis.

DIRECTOR OF FINANCE

I recommend the creation of the office of Director of Finance, the Director to be appointed by the Governor with the advice and consent of the Senate and that there be combined under the general charge of this officer a large amount of financial and semi-financial work now undertaken by various state officials. Under his hand within his office should be included the work of the Tax Commissioner, the Banking Commissioner, the Insurance Commissioner and perhaps others. He should further be charged with the preliminary preparation of the budget: that is, the assembling of the necessary data on which may be based the recommendations of the Governor to the Legislature with respect to all appropriations.

STATE INSTITUTIONS

With the five state institutions already in charge of the Director of State Institutions, should be included the Vermont Sanatorium, such duties as the state has in connection with the Washington County Hospital, and the work of the Board of Charities and Probation, and three boards be dispensed with.

The act creating the Board of Charities and Probation was justifiable and the Board has done a worthwhile work but much for which it was created has already been accomplished. A great part of its duties are so closely connected with our institutions and the work which they do that this consolidation can be made at a very substantial saving in effort and expense. Some of the charitable work of the Board can readily and more properly be done, and a large amount of similar work is now being done, by private organizations, more efficiently and economically and at a considerable saving to the state.

Joined to and included with this department should be the State Board of Supervisors of the Insane, but without changing their duties, authority or method of appointment.

Because of the increase and the nature of this added work it may seem best to provide a deputy to assist the Director. This department should be in effect our Department of Public Welfare, and it is so called in many states.

AGRICULTURE

The extension of the work of eradicating bovine tuberculosis has aroused considerable controversy throughout the state and the necessity of condemning cattle has sometimes worked a serious hardship to farmers. There are sharp differences of opinion—even among experts—as to the proper policy to pursue. Disregarding all theory, it is necessary on practical commercial grounds, in view of the importance of our dairy industry, to establish and guarantee a high standard for all the cattle of the state. A committee appointed by Governor Hartness has been investigating this question and its findings and recommendations should be carefully considered before forming any definite conclusions. Our future policy should have the ultimate aim of preventing the disease from developing, rather than merely condemning infected cattle after it has developed. The appropriation for this work has increased rapidly within recent years. It should not increase further and ought to be reduced. Restrictive legislation effective on a definite future date is needed to prevent the necessity for continuing large appropriations indefinitely.

To the present duties of the Commissioner of Agriculture I recommend adding those of the State Fair Commission and the Creamery Commissioners. With its appropriation should properly be included the appropriations for country fairs, for horticulture, dairymen's associations, maple sugar, etc.

EDUCATION

Extensive changes do not seem necessary in our present educational laws. I believe that the Board of Education can further reduce the number of supervisors and at the same time improve the quality of supervision. To the present duties of the Board of Education may well be added the duties and authority of the Board of Public Library Commissioners. This work is largely educational in character and can properly be done by the Board of Education.

The appropriation for education has become one of the largest items of state expense. The increase in recent years has been due in part to higher wages paid to teachers, and also to the demand of our citizens for more and better educational facilities for their children. Our schools have reached a standard that does credit to the state and this high standard must be maintained. We should try to economize by cutting down overhead wherever possible in the department, but not by making a reduction at the expense of the common schools. Avoiding experiments in educational novelties, we must stick to fundamentals and in these be thorough.

The centralization of school districts has generally proved effective but should not be carried so far as to weaken the rural communities. The country school must remain and be improved. It is not a mere classroom, but a community house, the center of local interest and improving influences, and a meeting place for neighborhood activities. It ought to constitute an important moral influence in the life of rural communities and this we should encourage and strengthen.

Within our state are three excellent institutions for higher education, all doing creditable work, and we have reason to be proud of them. Toward the support of these the state makes very substantial contributions. With each succeeding year the alumni of these institutions increase in number and in ability to help their Alma Mater; and these institutions ought to become increasingly able to support themselves. In educational work it is the first duty of the state to provide amply for elementary education—the common schools—and the state should not increase in any way its appropriations for the three colleges already authorized by general statutes and as provided for by the last legislature in the regular appropriation for the support of government.

PUBLIC SERVICE COMMISSION

The Public Service Commission in its report recommends that it be given certain authority in respect to the removal of obstructions near grade crossings when the view of the track is restricted, the expense to be apportioned as in the elimination of such crossings. In many instances a crossing can in this way be made comparatively safe and the adoption of this plan seems justifiable and wise.

The Public Service Commission and the Commissioner of Industries are the state officials coming in contact with our industrial and public service companies and their duties may properly be grouped into one major department, making in effect a department of Public Service and Industries.

HIGHWAYS

The last Legislature made a very radical change in the organization of the Highway Department. The Highway Board, of which the Governor is chairman, now determines road policies, while road expenditures are directed by a Commissioner of Highways, appointed by the Board and removable at its pleasure. Thus the determination of road policy is left to the combined judgment of three men and the immediate execution of highway work to one. This plan has been in operation less than two years. Certain conditions connected with its inception and workings have prevented a fair test of its utility—and it is too soon to attempt to appraise the value of the new plan by its results. However one may feel as to the real wisdom of that change, it is a mistake to keep changing. The commission plan should be given further trial before we attempt any more experiments.

The work of the State Engineer's office is so very largely for the Highway Department that this office should be included within and be a part of the Highway Department.

The policy of road construction best suited to our needs is not yet a fixed fact but is still in the realm of opinion. For us the question is not whether cement roads are better than others, but whether or not they are within our reach. With our extensive road mileage, limited income and dispersed population, the costly roads which some states have are out of the question. In certain places, even outside of villages, it is quite justifiable to construct stretches of concrete roads, but it is a wrong principal to sacrifice everything to surface. Our policy must be to hold fast to the essential principles of road building of grades and curves, deep foundation and proper drainage. New methods of treating road surfaces are being developed, and the whole science of road building is progressing faster than ever before. It would be a serious mistake to commit ourselves in advance to a hard and fast programme, or to engage in expensive experiments. Methods which have proved successful in other regions are not necessarily adapted to our own conditions. The deep frosts of our winters will destroy rapidly roads that stand up well in warmer and drier climates. Local conditions in different parts of the state must also be taken into account, and our aim should be not to apply a uniform system to all places, but to build roads to stand the traffic they have to bear.

The dust nuisance is a very serious one. I advise that necessary funds be provided to do away with this by calcium chloride, oil or otherwise. This work should be under the patrol division and the patrol work should be extended to include more of the roads of considered trunk lines. The life and service of gravel roads depends very greatly on this constant care.

AUTOMOBILE REGISTRATION AND GASOLINE TAX

There is rather general dissatisfaction with our present basis of automobile registration fees. The auto tax laws should be thoroughly revised and favorable consideration may well be given to the Connecticut law, which is based on piston displacement, and therefore seems to much more closely represent the power of the car in relation to its probable wear and tear on the roads. Weight is perhaps a fairer basis for taxation than our present method and a scheme based substantially on weight is worthy of your consideration. The lighter, lower powered cars can fairly be asked to pay as much as they do now and the heavier, higher powered and more expensive cars a fairly proportioned increased rate. Since the proceeds from this tax are intended for the maintenance of the highways, and a car more than a year old subjects the road to quite as much wear as a new car, the decrease

in the tax for the second, third and subsequent years should be either entirely done away with or very much lessened.

In this connection I would also suggest for your consideration a one-cent gasoline tax to be collected on the wholesale basis. This may seem to some to work a hardship on persons using gasoline for stationary engines, but if the tax were established on a retail basis, experience elsewhere indicates that it is very difficult and expensive to collect and that it creates a great deal of dissatisfaction. The amount used for stationary engines is, I am told, a very small fraction of the total. The theory of this tax on gasoline is that those who use the roads most should contribute most to their maintenance. It would help to equalize the burden of road up-keep and would provide sufficient revenue to assist in abating the dust nuisance. It is estimated that about \$200,000 could be raised in this way. An indirect tax upon automobiles, which seems to be required by the necessities of the highways, is not so much of tax as a highway toll.

BOARD OF CONTROL

I recommend the discontinuance of the Board of Control, believing that after a fair trial it has not proved itself a sufficiently valuable addition in our scheme of government to warrant its retention. In the minds of many it is calculated to limit the authority and responsibility of the Governor and to prevent his being wholly responsible for the work of the Executive Department as constitutionally provided. To a certain extent it has acted as an interim Legislature. Such a body was not contemplated by our Constitution and has tended substantially to decrease the effectiveness of certain of its provisions. Without giving greater authority to the Governor in any way than was contemplated and provided by the constitution, the duties now assigned by statute to the Board of Control can properly and more efficiently be provided for in other ways.

The machinery of our government can work efficiently only if allowed to operate in the way it was designed. The Legislature must remain primarily responsible for making laws and appropriations. The Executive, with the Governor at its head, must execute the laws and carry on the administration and general business of the state. The two must co-operate, but remain independent and each be held to its own task. There has been a tendency throughout the country to handle difficult problems by creating boards or commissions exercising independent authority. They are not directly responsible to the voters or under the control of either the Legislature or the Governor and tend to confuse and obstruct the frame of government originally established, which was simple, clear and sound. The nearer we keep to that, the better.

FINANCIAL ACCOUNTING

The State Treasurer in addition to being the custodian of the funds of the state and the officer charged with the duty of actually drawing checks, should keep the state's books, showing all revenues and expenditures. In many states this has been placed in the hands of the Director of Finance, but in our state this very important work may well be in the hands of a constitutional officer elected by the people.

The Auditor of Accounts should audit income of revenue as completely as he does outgo or expense and should be left free to do this work without other interfering duties. Our system of accounting for revenue and expense should be so arranged as to permit the state to keep a set of books which will really show revenue and expense and the keeping of these books by one official should be sufficient. There is now considerable duplication of this work.

PLEDGED REVENUE

The custom exists to some extent in our administration of pledging by statute the entire revenue of certain departments or activities of the particular work from which the revenue comes or to some other specified purpose. This is what in our accounting system is called "pledged revenue." The appropriation acts make no mention of large sums of money received and paid out in this way. While in such cases the department cannot expend in excess of what is collected, on the other hand it can expend all of the revenues so collected however large the amount may be. All revenue including fees should be paid into the treasury, there accounted for, and be paid out only upon specific legislative appropriation. While it may be desirable to limit an appropriation to

the amount of fees collected, it is equally desirable that the maximum expenditure permitted in any event be limited to a definite fixed sum. This does not necessitate any improper curtailment of the available funds for any department. The amount of revenue can be closely estimated and these specific appropriations changed as seems wise by each succeeding Legislature.

Also we should discontinue the custom of providing by statute for continuing appropriations. Each Legislature should consider each and every demand upon the state and provide the funds to be used for every purpose at each regular biennial session. In this way also our system of accounting would be made simpler and more readily understood. At present, it is not easy for a new legislator to know the real condition of the finances of the state, owing to the system which holds large sums in the treasury pledged for specific purposes.

LIMITATION OF SALARIES AND EXPENSES

The appropriation acts for the various departments should fix the amount that can be expended for each of the larger sub-divisions of their work—as, for example, clerical assistance, office and similar supplies, transportation and other expenses allowed to officials and employees.

As a result of legislation enacted in 1917, nearly all of the principal state offices are now maintained at Montpelier. No full time state official having his office there should be allowed his unlimited living expenses there and travel expenses between his home and Montpelier. The sum allowed for these expenses should be specified and any allowance is justifiable only insofar as to make the remuneration fairly equal, regardless of where in the state the officer's home may be.

TAXATION

Whatever the state raises directly or indirectly comes eventually out of the people. The taxes paid by savings banks and trust companies on their deposits affect the rate of interest paid depositors. The taxes paid by railroads and public utilities effect either the rates people have to pay or their service or the quality of the service rendered. Taxes are taxes, whether raised directly or indirectly and whether paid to the town, state or national government. Their sum total, howsoever raised, makes the tax burden and that burden most people feel, and rightly, is already too large.

Generally direct taxes are better than indirect taxes in that the people are more immediately conscious of them and there is more motive to use the money thus provided wisely and frugally. But as our towns and cities are restricted to direct taxation and their average rate of direct taxes is already so high as to be disturbing, I hope the addition of a special direct state tax can be avoided.

There has been considerable complaint that the basis of appraisal for taxes is not equal in the different towns and that something in the nature of a state board of equalization is needed. The importance of that arises chiefly when the state imposes a special direct tax. If that is avoided and direct state taxes are limited to the state school tax of ten cents, and the state highway tax of five cents, the relative basis of appraisal in different towns becomes distinctly less important.

A small state income tax is utilized by some states. When the income tax amendment to the federal Constitution was adopted the states in effect largely surrendered any opportunity to utilize that system of taxation for themselves. The national government has thoroughly pre-occupied this field with rates so high that the Secretary of the Treasury in his late annual report to Congress says that they put constant pressure on taxpayers to reduce their taxable income, interfere with the transaction of business and the free flow of capital into productive enterprise, and are rapidly becoming unproductive. An income tax to apply generally and with reasonable uniformity is a fair method of taxation. I do not think, however, that it ought to be considered in addition to present methods of taxation but, if at all, in lieu of some of them.

Our whole tax system for state and towns originally established and developed under very different and less exacting conditions is far from satisfactory. How much it can be improved without some very fundamental changes is problematical. While the bulk of taxes ought not to be increased, it does not follow that reasonable

changes in our methods of taxation or their details calculated to simplify the same and to remove inequalities should not be considered, but at this time I have no particular recommendations to make with respect thereto.

The problem of economy is not how to get more income out of somebody, but how to use what we have in the wisest and most frugal way. In the larger concerns of government, as in personal affairs, we need to return to that frugality and husbanding of resources which used to be particularly characteristic of the people of our state. Our problem ought to be how to take the least from the people and to give them the most in return.

In conclusion let me remind you that you are assembled to enact laws for the best good of all our people, while upon me devolves primarily the duty of seeing to it that those laws be faithfully executed. Let us, therefore, together in harmony and for the best interests of our well-loved state proceed to our respective tasks, using care not to let anything divert us from the serious and important business of the legislative session. We will do well to heed the admonition of our Constitution. "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 our government free."

REDFIELD PROCTOR

Inaugural address

of

George H. Prouty

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1908

Thursday, October 8, 1908

Inaugural Message

Gentlemen of the Senate and House of Representatives:

You are convened here today according to the constitution of this state and for the performance of a most important duty—to enact such laws as may seem in your best judgment wise and proper and to administer the affairs of state in such manner as may seem to you best. It is your duty to see that no law is passed which is not in conformity with the constitution, and that no order shall be made for the administration of the State's business which is not for the best welfare of the whole of the people. It is my duty under the constitution to call your attention to such matters as I think are of importance in connection with the work before you. I know of no available statistics showing the last two years, but I believe if such figures could be obtained they would show that the growth of our business interests have been steady; that the products of our farms have been greater, and that the number of men employed in our shops and factories has materially increased. This would certainly be true up to last October. At that time you will recall, we were enjoying as a nation the greatest prosperity in our history, but the widespread business depression which soon followed was felt in our State to a certain extent. I believe, however, we suffered as little as any section, and that a large number of our citizens, especially the farmers, were only slightly affected by the hard times. We may congratulate ourselves to-day that in all lines of business prosperity is returning, and we may confidently anticipate in the near future a return to normal business conditions as they existed before the occurrence of this wholly unnecessary panic.

During the last session of the Legislature a great deal of progressive legislation was passed which has proved of great benefit to the State. Our schools, our highways, our courts, and the general administration of the affairs of state have been greatly improved thereby, and it should be your duty to see that no backward step is taken so far as these reforms are concerned, but on the contrary you should use every endeavor to see that every advantage gained is retained, and such improvements made along these lines as may seem to you proper.

TAXATION.

For some time there has been a feeling that there is something radically wrong with our system of taxation, and there has been much discussion as to the proper remedy. During the last session of the Legislature it became apparent that something should be done to remedy the ills which exist, and after careful consideration it was decided that the matter needed a very thorough investigation before final action should be taken. For that purpose a commission was appointed to study the matter in all its phases, and report to this Legislature their findings with such recommendations as they saw fit to make. They have made a very careful study of the question and have made an exhaustive report, and that report should have your most careful attention and consideration.

The question about which there has been the most discussion is that of double taxation, but in my judgment the chief evil is not double taxation, but evasion of taxation. To show the correctness of this view, it is only necessary to call your attention to a few facts as shown by the report of the Commissioner of State Taxes for 1908. That report shows that in 1900 personal property to the value of \$40,881,676 was returned with offsets for debts owing of \$27,177,289, leaving an amount of personal property which was taxed of \$13,704,387. In 1908 there was returned personal property to the value of \$43,369,964, but there were offsets for debts owing of \$31,772,542, leaving \$11,597,420 which was taxed, \$2,106,967 less in 1908 than in 1900, showing conclusively that the evasion of taxation of personal property is gradually increasing; because we cannot believe that, with the general prosperity which has been experienced during the past eight years, the amount of personal property actually owned within the state has decreased in value to this amount. On the contrary we are forced to the conclusion that taxpayers have not been honest in their returns, but have sought in various ways either to decrease the amount of personal property returned or to increase the amount of offsets claimed as deductions for debts owing. Having reached this conclusion, and believing that such a state of affairs should not be allowed to exist, I recommend that all offsets for debts owing should be abolished. I do this fully realizing that in some cases this may work hardship and that in theory it is not absolutely correct, but I believe in practice that it will come nearer being just and equitable to the whole body of tax payers than the present law. This

recommendation is in harmony with that of the commission on taxation who investigated the matter to the best of their ability and reached this conclusion after the most thorough consideration.

One of the greatest evils of the present system is the manner of its administration. This is shown by the fact that upon investigation it was ascertained that only about three per cent of all the inventories examined by the commission were found to be legal. This results from several causes. First, ignorance on the part of the listers. Our present inventory is somewhat complicated, and only those who have had experience are fully competent to understand just what is required. Second, carelessness on their part, as it was ascertained that in thousands of cases no inventory had been taken as required by law, and in other cases unsigned and unverified inventories had been taken, showing such general laxity in administering the law as should not be tolerated. Third, a lack of uniformity in the appraisal of real estate. Upon investigation it was shown that in some counties the average valuation was fifty per cent, while others it was seventy-five per cent, and in still other cases it was found to be even higher. Of course, so far as the raising of taxes for town or county purposes is concerned, this would make no difference, providing all the property in a certain town or county was assessed on the same basis, but in the collection of the state school and highway taxes which are uniform all over the State, it would work a manifest wrong, because the county where the valuation was only fifty per cent would not be paying in the same proportion as that wherein the valuation was higher. Aside from this, each lister makes oath that he will appraise all personal and real property at its true value in money, and any variation from this rule tends to increase laxity in the enforcement of the law. All this strongly suggests that there should be created a central body or commission whose duty it shall be to have in charge the administration of the law, and act as a board of equalization, thus insuring the greatest possible uniformity. Such a body should hold meetings annually before April 1, which every lister should be compelled to attend for the purpose of receiving instruction as to the administration of the law. Such a commission might also be empowered to collect such statistics and information as would be of benefit in further perfecting the law. I, therefore, recommend that such a commission be created, to consist of three members of which the Commissioner of State Taxes shall be the chairman. I also recommend that the present law taxing intangible property such as stocks, bonds, and similar evidences of debt, except the stock of national banks, be repealed and that a law be enacted taxing this kind of property at a uniform low rate throughout the state, the tax to be collected as a state tax. I am well aware that this is another case that theoretically may not seem right, but I believe that, in practice, it will work out with much better results than does the present law. In other states experience has shown that a very large amount of this class of property now pays taxes which previous to the enactment of such a law had never been returned in any form. Money which is loaned at the ordinary rate of interest, say five or six per cent will not pay the taxes assessed in most of the towns in the state, but will in some way avoid such payment. The commission recommends such a tax, specifying five tenths of one per cent, as a fair rate. It is impossible to say how much of the personal property now returned for taxation is of this intangible kind, but it is safe to say it is only a small percentage, and therefore that the loss to the town will be comparatively small, which loss will be much more than made up by the increase resulting from abolishing offsets. Let me also call your attention to the recommendations of the commission as to the collection of taxes on stock in private corporations; to their recommendation for the separate appraisal of buildings and land; publicity of inventories; and appraisal of exempt real estate. These matters are all of importance, and should have your consideration. In calling these matters to your attention, I have not tried to make any lengthy argument, because that is done so very much better than I could do it by the commission in their report that it has seemed necessary only to emphasize some few things. I again urge upon you the careful study of this report, because I believe it contains information which is invaluable to the proper consideration of this question.

COURT PROCEDURE.

During the last session of the Legislature great changes were made in our system of courts, and I believe that such changes have proven to be of great benefit and should be continued along the present lines. Such changes have, however, resulted in increased expense, and it should be your duty to decrease this expense, providing it can be one without interfering in any way with the proper administration of justice.

With this end in view, it seems to me that you may well consider the question as to whether the former system of referees and masters in chancery cannot be brought back with benefit. It was thought when the new

system was inaugurated that the work formerly done by referees would be taken care of by the superior court judges, but in practice it has been shown that nearly all cases are tried by jury at the regular term of county court, thus causing the lengthening of the terms at a greatly increased expense, the cost of running on of our courts being about \$100 a day. If these cases could be tried before a referee it would be at an expense of probably not more than \$15 pre day which would, of course, be a great saving. I call this to your attention in order that you may consider the matter and see if it will not be wise to return to the old system.

Another matter which deserves your attention is that the superior court dockets are loaded with small cases which come from either the justice or municipal courts. Many of these cases should never be brought to the county court because they are unimportant and should be determined in the lower courts. In my opinion it will be well for the State to establish a system of district courts, giving them exclusive jurisdiction up to say \$300 and in all petty crimes, with the right of appeal on points of law only, directly to the Supreme Court, and providing for a common law jury when demanded. We should then give the right of appeal from all justice courts directly to these district courts, thus insuring a prompt determination of all the smaller cases and at a very much less expense to all parties than if you tried in the county courts. It is a fact of which you should take notice that at the present time in some of the cities where municipal courts are established a very larger portion of the business is done by a justice of the peace, thus causing the State very heavy extra expense.

If a system was inaugurated such as I have suggested, I believe it would do away with a very large portion of the justice business as now handled in these places, but whether this is done or not, I believe you should in some way try to provide for the trial of more of these cases before the municipal courts or else take into consideration the small amount of business which is done by these courts and provide for the expense accordingly.

EMPLOYERS' LIABILITY ACT.

The wonderful growth of the industrial and transportation business of this country, the vast and constantly increasing amount of corporate wealth centralized in those activities, the great army of laborers engaged therein, and the startling number of workmen annually killed or maimed for life as a sacrifice to our commercial prosperity, presents a situation unknown to, and not contemplated by, the common law governing the relative rights and liabilities of master and servant.

A realization of this fact has resulted in the passage by the Federal Congress, and by most of the State Legislatures, of statutes known as "Employers' Liability" acts that so modify the rigor of the common law of master and servant as to adapt it to the demands of justice in our changed industrial conditions.

1. Under the existing law, if an employee of a railroad or of any of our great industrial corporations, is killed or injured by the combined negligence of himself and his employer, however gross the negligence of the latter may be, recovery of damages is barred. In the words of our Supreme Court, if the employee is guilty of contributory negligence "in the least degree," there can be no recovery.

The mere statement of this proposition demonstrates the injustice of that feature of the existing law as applied to our present industrial situation.

2. Under the existing law, if an employee is killed or injured by the negligence of a fellow servant, no recovery can be had, unless it can be shown that the employer failed to exercise reasonable care to insure the competency of the offending fellow servant.

This also is unjust in view of our present industrial conditions and tends to induce less vigilance on the part of corporations in the employment of competent men. In other departments of business an employer is held responsible for the acts of his employee done within the scope of his employment, and there is no just reason why the same doctrine should not prevail as between master and servant in respect of the acts of a fellow servant. Moreover, the existing fellow servant law affords the various labor organizations very reasonable ground for insisting that their employer shall engage as their fellow servants only members of their order; for if they are substantially without remedy when injured through the carelessness of their fellow servants, they should be consulted, they may well argue, as to the character and ability of those with whom they are compelled to work.

An employer's liability law should be passed, applicable to all corporations organized or doing business in this State, which shall at least remedy the two objectionable features of the existing law to which reference has just been made, and should provide, First: That in all actions by a servant or his representative, for death or injuries resulting from a corporation's alleged negligence, "contributory negligence" shall not bar recovery, but shall go only in mitigation of damages; any contract to the contrary notwithstanding. Second: That in all such actions, the fact that the injury complained of resulted from the carelessness of a fellow servant shall be no defense; any contract to the contrary notwithstanding.

PUBLIC SERVICE COMMISSION.

The law passed during the last session of the Legislature providing for the regulation of railroads and the abolishing of grade crossings has met with such universal favor and has proved of such great benefit, that a demand has sprung up that all public service corporation should have similar state supervision.

The work of our railroad commission has shown what may be done by wise supervision, backed by proper authority for the enforcement of such regulations as they think proper to make. We have seen many of our dangerous grade crossings abolished and a general improvement in the service rendered the public, not only as regards safety, but also convenience. This is as it should be.

When any corporation receives a charter from this State or comes here to do business, such a corporation becomes a child of the State and the only supervision which can be exercised over that body being through the State, the State is under moral obligations to see that it carries on its business in a proper manner, subject to the right of the people. The number of public service corporations doing business in our State is increasing rapidly, and it is the part of wisdom at this time to place them under such control as shall retain for the people their full rights.

I wish more especially to call your attention to conditions existing regarding telegraph and telephone companies. At the present time there is practically no competition among the telegraph companies, the result being such rates are charged as are fixed by the company. It should be the duty of a telegraph company receiving a message to attend to its prompt delivery. They receive compensation for doing this, and this obligation should be as binding on them as any other. At the present time they are practically a law unto themselves. No one can obtain any redress except by their acquiescence or in a court of law. I believe with the proper supervision of a commission given suitable authority, that this state of affairs could be very largely done away with, and that the service could be much improved even if the rates were maintained as at present.

The telephone companies are in a somewhat different position inasmuch as many different companies have been established throughout the State, resulting in many cases in sharp competition. This results usually in excellent service and in reasonable rates. In other cases where there is no competition the service is not as good and the rates are higher. In these days the trend in cases like this is towards consolidation, and I am of the opinion that this is bound to occur in many places before a very long time. It is also my opinion that when such consolidations take place, they may be beneficial to the communities; that one company giving suitable service at a fair price will be much better than two companies even though the cost of each is less. For the above reasons I believe that these consolidations may be made of benefit to the public, but only when made under the supervision of the State and under such conditions as will prevent over-capitalization on which the public must pay dividends, with the immediate result of excessive charges.

I have spoken particularly of these two classes of corporations because they are perhaps more prominently before the public than any others at this time, but the same arguments apply to other public service corporations and should be applied to them. For the purpose, therefore, of providing such supervision, I recommend that the name of the railroad commission be changed to that of Public Service Commission, and be given supervision over all public service corporations, with such power and authority as are now given this commission for the supervision and control of railroads. This will, of course, increase the work of the commission very materially and their salaries should be increased in proportion. They should also be given such clerical assistance as is necessary for the proper carrying on of this work.

INSURANCE DEPARTMENT.

It would seem as if the time had definitely arrived when the State Legislature should establish an independent insurance department, taking the duties now assigned to that public business from the Secretary of State and the State Treasurer. All the older state of New England and the Middle States have Insurance Commissioners and all have independent departments on account of the enormous detail connected with insurance supervision and the technical and large experience it requires. This is especially true of states within whose borders are domiciled large institutions chartered by themselves and for the careful supervision of which by themselves and for the careful supervision of which they are responsible to the rest of the world. It is equally important that the utmost care should be taken in the admission of foreign companies, in order that our people may buy insurance protection of every nature and variety safely and economically, and that all should be effectively supervised at all times under a full execution of the insurance laws. The last report of the Insurance Commissioners, containing nearly 1,000 pages, deals with something like 69 fire and marine companies, 26 life companies, 41 fidelity and casualty companies and some 24 orders and associations of other type. At the close of 1907, it appeared that the fire insurance risks written had increased from \$35,892,510 in 1885 to \$78,414,273, and that the life insurance risks outstanding on citizens in this State amounted to \$59,931,125. The total premium received last year on Vermont business by fidelity and casualty companies equaled \$235,020.50, while accident companies collected \$134,633.92. In my judgment these figures and all that they imply warrant the definite consideration by the Legislature of an insurance department, which I recommend, and the creation of which is fully sustained at the present time by reason of the large income which the State is now deriving from that business.

BOARD OF HEALTH.

To my mind there is no work being done in the State which is of more benefit and the practical results of which are any greater than that performed by the Board of Health.

The exceedingly active and conscientious manner in which this work is carried on has produced results which are of the greatest benefit to the whole community.

The scope of their work has been increased from time to time until today it practically controls all matters touching the public health, and through the state laboratory it is constantly making examination and rendering decisions which are of the most vital importance.

This applies not only to the general health of the public, but also to a great amount of work which has been done in criminal matters. Without doubt this has been a great saving to the State, and the money expended has been returned to us many times. As bearing on this question, let me call your attention to the report of the Board which shows that figuring the work accomplished during the last twelve months on the basis of ordinary charges for such work in private laboratories, it would amount to \$42,088. This work was accomplished at the state laboratory at an expense of \$12,500. It is probably true that if the laboratory was not a state institution, we should not have had this amount of work done, but it is also true that the work was necessary and ought to have been done.

It is impossible to state the great benefit which has been received from the enforcement of the pure food law. I believe this has been done as thoroughly as possible with the means which were provided and we ought to continue this work and increase its scope.

During the last session of the Legislature a special appropriation of \$2,500 was made for the purpose of enforcing the pure food law, and through the wise expenditure of this sum a great deal has been accomplished.

The condition of the milk found in many localities leads us to believe that this branch of supply should be very closely cared for. We cannot be too careful as to the quality of milk which is provided, especially for children. I believe you should provide for adequate inspection of all sources of supply and wherever any question exists as to the quality of the milk sold, there should be a rigid inspection of the conditions under which it is produced and provision made for its improvement.

Another matter of great importance is to see that the slaughter houses are properly inspected and that they comply with the law in every respect. For this purpose I believe that you should provide for an inspector whose duty it should be to investigate these matters, either on complaint or where there is a suspicion that conditions are not satisfactory. In many cases it is an extremely disagreeable task for a local health officer to undertake these matters and do his full duty, and in consequence the work is not done.

Where such cases exist, an inspector such as I have suggested would be able to handle the matter with very little difficulty.

It is necessary that constant care be exercised to prevent the sale of adulterated articles, and this matter being so important should have constant supervision.

I recommend that you investigate these matters with great care, and that such changes in the law as are necessary be made. If larger appropriations are needed for the proper carrying on of the work, such appropriations should be provided.

RENEWAL OF BONDS.

By act of Congress, approved July 2, 1862, Chapter 130, second session, 37th Congress, an amount of land scrip was donated by the National Government to the State. The sum realized from the sale of this scrip amounted to \$135,500. Section 4 of the Act under consideration reads as follows:

“Sec. 4. And be it further enacted, That all moneys derived from the sale of the lands aforesaid by the states to which the lands are apportioned, and from the sales of land scrip hereinbefore provided for, shall be invested in stocks of the United States, or of the States, or some other safe stocks, yielding not less than five per cent upon the par value of said stocks; and that the moneys so invested shall constitute a perpetual fund, the capital of which shall remain forever undiminished, (except so far as may be provided in section fifth of this act) and the interest of which shall be inviolably appropriated by each State which may take and claim the benefit of this act, to the endowment, support and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches as are related to agriculture and the mechanic arts, in such manner as the Legislature of the States may respectively prescribe in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.”

In conformity with this act, the State issued registered bonds to the extent of \$135,500, which mature June 1, 1910. It will, therefore, be your duty to provide for a reissue of these bonds, or for some other investment consistent with the act.

ELECTION OF SENATORS IN CONGRESS.

Let me call your attention to the duty which devolves upon you to elect a Senator in Congress to succeed Hon. William P. Dillingham whose term expires March 4, 1909.

It is also my painful duty to remind you that on March 4, 1908, occurred the death of the Hon. Redfield Proctor, senior Senator from this state. By this sad event Vermont lost her first citizen and the nation one of her greatest legislators. For more than forty-six years he gave much of his time to the service of the state or nation, and whether as a soldier, town official, legislator, Governor, Cabinet officer or Senator, he always gave to the public service the best that was in him. As governor he instituted reforms of which we see the effects to-day. As a member of President Harrison's cabinet he again showed wonderful executive ability, becoming a great administrator of the War department, as well as one of the President's most trusted advisers. But it is as "Senator Proctor" that we know him and love, him best, for during the past sixteen years he has been so close to us as our counselor, adviser and friend, that the entire citizenship of the state felt it as a distinct personal loss when he was called Home. No man ever loved the State of Vermont more; no one ever worked harder for its interests and advancement, and few, if any, ever left behind them a greater record of achievements.

“The monarch oak, the patriarch of trees,
Shoots rising up * * *
Supreme in state * * *
Senator of mighty woods.”

His was a generous nature, constantly striving for the betterment of conditions in all walks of life. And when in the fullness of years, and as the culmination of the desire of a lifetime, he gave to the people of the State that splendid institution at Pittsford, where those threatened with that dread disease, tuberculosis, may learn to make a successful fight for life, without ostentation and with no desire on his part that such should be the case, he erected a monument by which he will ever be held in loving remembrance.

On March 24, 1908, Governor Proctor appointed the Hon. John W. Stewart of Middlebury to fill the position of Senator, and it will be your duty to elect at this session of the Legislature some one to serve during the unexpired term ending March 4, 1911. As the Nestor of the upper branch in Congress, Senator Stewart at once took an active and influential part in all the Senate proceedings. His long public service and ripe judgment splendidly equipped him for a trying place which he has filled with lasting credit both to himself and the state,

ADVERTISING VERMONT.

Vermont. I need hardly remind you, is a beautiful state. We are proud of her forest clad hills and charming vales; her lovely lakes and her fertile farms. These natural resources, furnished by nature's lavish hand, have made our State one of the fairest spots on earth. Our streams, in their winding journeys from their mountain sources to the greater river and lakes, furnish the power that is developing not only natural resources, but all the industries that contribute so largely to our material wealth and prosperity. Vermont has the largest granite and marble quarries in the world and is second in the United States in its annual output of slate. Yet there are many mines and quarries undeveloped, only waiting for enterprise and capital to transform stone and metal into evidences of material wealth.

But our great natural resources have not been sufficiently exploited and the outside world knows too little of our undeveloped wealth and the scenic attractions of our State, our mountain and lake scenery being practically unknown outside our borders.

We ought, therefore, to first become accurately informed as to our natural advantages both for manufacturing purposes and as a pleasure resort, and then see that these resources are properly advertised so that visitors coming into the State from far and near may realize the opportunities both for summer homes and for the investment of capital. Our sister state of New Hampshire, with no greater advantages than ours, has taken this matter up and the results have been far reaching and most gratifying.

I recommend, therefore, that provision be made for the purpose of gathering information which will be of value, and then advertising our State in a proper manner. I believe that by so doing we shall make a wise expenditure which will be returned to us many fold.

TERCENTENARY

The tercentenary of the discovery of Lake Champlain comes in 1909 and it is eminently fitting that such a notable event in the history of this continent should be properly observed. The last Legislature provided for the appointment of a commission to meet with similar boards from our sister state of New York and the Dominion of Canada and consult as to the best method of celebrating the discovery of that intrepid explorer, Samuel Champlain.

The report of that commission is before you and I trust you will give it your earnest attention. The state of New York has already made an appropriation and Vermont is expected to take similar action. I recommend that a reasonable amount be appropriated that such an important event in our history may never be forgotten by succeeding generations.

FINANCES.

It is very gratifying to report that the finances of the State are in a flourishing condition. We not only were able to pay our running expenses during the last two years but accumulated something of a surplus. I am of the opinion that this amount, or at least a part of it, should be transferred to the permanent school fund as intended by the present law. The revenues of the State at the present time, and under present conditions, are sufficient to pay the necessary expenses and increase the appropriations for schools and highways. Some of my recommendations call for increased appropriations for different departments, but believe they are necessary and in such cases should be provided. In these departments the business has increased to such an extent that it seems impossible to have the work properly done at its present cost. But it is not with such appropriations that we are likely to go beyond what is reasonable and proper. The great danger is in making special appropriations for new matters which are brought up from time to time. In making appropriation of this nature we should use the greatest care. At the present time it would seem that the revenues collected by the State are as large as they can reasonably be expected to be for some time to come unless new sources of revenue are provided. We must therefore, live within our present income which unless some unforeseen cause arises, we should be easily able to do. Let me again recommend the closest scrutiny of all appropriations, having in mind the most rigid economy consistent with the proper carrying on of the business of the State.

CONCLUSION.

The duty which brings you together is a most important one. The matters which have been brought before you are of the greatest interest and it will require your best efforts to successfully solve the problems presented. It is only by the most faithful attention to business of the session that you can perform your duties within a reasonable time and in a proper manner. I urge upon you that no time be wasted, but that you enter at once upon the business before you and give your undivided attention to its accomplishment. I am well aware that it is necessary that some time be given to organization, but as soon as this is completed the serious work of the session should begin and should be continued until your duties are completed. A time limit for the admission of bills will be fixed by you and you should rigidly adhere to the rule established. I urge especially on the committees that they do not bring in bills after this time limit shall have expired, except in such cases as shall seem necessary and where an injustice will be done if they are not so admitted. Much legislation of a doubtful character is passed because of the short time in which bills may be considered when they are introduced in this manner. The habit is a pernicious one and should not be tolerated except in very important cases. I would not in any way suggest cutting short the time required for full consideration of all bills which are brought before you but simply urge that you give strict attention to the matters presented; and by your presence help to expedite the work. It is your duty to be present at each session of your honorable body and you should allow nothing to interfere with your attendance except such matters as are of vital importance. Both the State and your town are entitled to your service during the entire session and if by your absence you fail to render such service, you are withholding what is rightfully their due. The work for the session is before you and on you is laid the duty of its faithful performance. Your motto should be, For the Public Good Only—with this before you, I have no doubt as to the result.

GEORGE H. PROUTY.

Montpelier, Oct. 8, 1908.

Executive Speech

of

Moses Robinson

1789

Note* A majority of votes not having been achieved the “Grand Committee” chose Moses Robinson Esq. to be Governor for the ensuing year.

No transcript available to indicate the Governor addressed the Legislature at the open of the legislative sessions.

Inaugural address

of

John S. Robinson

As it appears in the

Journal

of the

Senate

October Session

1853

Wednesday, November 2, 1853
Inaugural Address

*Fellow Citizens of the Senate
and House of Representatives:*

At the close of another and the commencement of a new political year, the General Assembly are convened to discharge the duties devolved upon them under the Constitution and Laws. The Representatives of the people accustomed to the duties of legislation, familiar with the political rights secured by the constitution, and acquainted with the laws enacted to preserve and maintain them, can be desirous only to devise such measures as, in their opinion, will best promote the general welfare. Whatever may be our party preferences, and however strongly we may adhere to the principles we profess, the legislation required for the domestic government of the State, does not ordinarily involve our political opinions, or excite the asperity of party controversy. It is fortunate, indeed, for the perpetuity of our republican form of government, that parties exist; and the instability of all political power and party ascendancy, it is not unreasonable to suppose, affords one of the best guaranties for our liberties and one of the strongest incentives to a faithful and honest performance of the duties confided to the public servants of the State. The long retention of power by either political party, may undermine its virtue, relax its vigor, and dispel the fear of rigid accountability.

For myself, I undertake with diffidence the duties of the executive office, and distrust my own experience to acceptably discharge them. Succeeding to the office which has been filled with so much ability by my predecessors, I am apprehensive that in the performance of its various duties, I may not justify your partiality in electing me.

A plentiful harvest – an exemption from those terrible epidemics which afflict and almost depopulate towns and cities – the general good health of the citizens of the State, and the success and prosperity of all their industrial pursuits, afford us proper subjects for congratulation, and a just sense of gratitude should inspire us with hope for a continuance of the blessings which flow from the goodness and mercy of our Heavenly Father.

The repeated revision of our laws by competent and learned men, would induce the expectation that the session of the Legislature not unfrequently short, may still be abridged without detriment to the public interests. The practice frequently adopted of referring subjects of special interest and importance to a single or a number of eminent jurists for revision and amendment is highly to be commended; this plan ensures greater accuracy in the language and precision in the details of the laws, and more certainty in the language and precision in the details of the laws, and more certainty in their administration. But notwithstanding these revisions, imperfections exist, and omissions have unavoidably occurred. It will be your duty to supply any omission and correct such imperfections as your own acquaintance with the laws and the experience of others may suggest. And it is with no ordinary pleasure that I express the belief that the system of laws under which we live is wisely adapted to the wants and necessities of the people. They exhibit the result of the practical wisdom and mature experience of the generations who have preceded us; with rare exceptions they may be characterized as eminently just, humane and liberal: under them we have attained our past and present prosperity, and our institutions, whether literary, religious or charitable, have been reared upon the solid foundation laid down by our ancestors in the constitution and laws.

The early settlers of the State, to escape the persecution and intolerance of what was formerly denominated “THE STANDING ORDER,” and to avoid the payment of an odious and unjust tax for the support of a faith irreconcilable with their own, were compelled to emigrate to the then uninhabited New Hampshire Grants, where they could enjoy unmolested, their religion, practice its rites, and propagate its faith. Accustomed to persecutions in the place of their nativity, they illustrated by their practice and example, the advantages of unrestrained liberty of conscience, and transferred into our constitution and laws a liberal spirit and a noble and ingenious philanthropy. Succeeding to an inheritance, of such inestimable value, it may not be improper to inquire whether all our legislation has been conceived in the like spirit and characterized by the same liberality. One of the duties required by the constitution, of the Executive, “is to prepare such business as may appear to

them necessary to lay before the General Assembly;” and it seems to be implied that the reasons and motives, also, for such recommendations should be submitted.

“An Act to prevent traffic in intoxicating liquors for the purpose of drinking,” has engaged the attention and excited the feelings of the community, perhaps more than any other legislation since the organization of the Government. As the end proposed by the law is both moral and desirable, those who doubt the propriety of all its provisions, may at least be subject to the imputation of indifference, or being the advocates or apologists of intemperance. Discarding, however, any fear of the consequences which may attach to the expression of an opinion honestly entertained, I propose, respectfully, to suggest, rather than prove by argument, that several provisions of the law are of doubtful constitutionality, and expediency. The duties which are enjoined on the Council of Censors, imply an apprehension of the part of the framers of the Constitution, that the powers delegated to the legislative and executive branches of Government, may be unintentionally exceeded, or through inadvertence, disregarded. And experience proves, that the public servants of the State, when an apparent necessity intervenes for its justification, are oftentimes more ready to enlarge than restrict their power. An eminent writer, on the principles of our government has observed that “our legislators are not apprised of the rightful limits of their power; and their true office is to declare and enforce only our natural rights and duties, to take none of them from us.”

To say nothing of our natural rights other than those enumerated in the constitution, it will not, I trust, be deemed unsuitable to enquire why it was necessary to subject the gift or sale of what has heretofore been known as property, which always has been, and now is, an article of commerce in every civilized country, to highly penal enactments, unless to infringe the immunity which the constitution extends over the “persons, houses, papers, possessions, and property” of every citizen, by transforming an innocent if not an indifferent act into an offence on which to institute the right of search? Such legislation certainly evinces a disposition to convert the right of “acquiring, possessing and protection property” which the constitution in the first article of our Bill of Rights, recognizes as one of the “natural inherent and inalienable rights of every citizen,” into an odious and disreputable crime. The authority to pass this law is undoubtedly claimed under the grant of power over the internal police of the State. How far this grant is restrained by other provisions in the constitution and what limitations are to be put upon the works “governing and regulating” it is unnecessary to inquire; for, if it were conceded that the fifth article in the Bill of Rights confers the authority to prohibit, so likewise it give the right to regulate the sale and restrain the abuse of any article of property, and the question then becomes one of expediency. An opinion prevails in the community, that the habits and tastes of a people may be materially changed by legislative enactments; this, I apprehend, it at variance with the past history and experience of the world; such laws do not command the respect or obedience of those intended to be coerced, and it is a matter of notoriety that they are daily violated with impunity. The difficulty of enforcing, and the impolicy of enacting laws of this character, would be more apparent if it were within the constitutional power of the legislature to establish a common faith and mode of worship in religion. This subject anciently engaged the attention of deliberative assemblies, and if we were to enact similar laws, we should undoubtedly attain a like result. The truth, however, cannot be dissembled that the present law has proved ineffectual and inadequate to restrain the use of and traffic in intoxicating liquors; and the fact that the legislature in one part of the law divest it of the character of property, and, in another, recognize it as such, and tolerate its sale in one place in each town for medicinal and mechanical purposes, should inspire us with distrust of any enduring reformation founded solely upon municipal law. If, however, such laws should eventually accomplish the objects expected from them, they will afford a most ready way to expiate the evils which afflict the community; but religion has been generally understood to inculcate a different theory for the reformation of the race, and intemperance and other like vices have been denounced by a higher and more omnipotent tribunal than that of any State Legislature

Whatever may be the opinion of the Supreme Court upon the constitutionality of the several provisions of the law, whether favorable or otherwise, still the law is subject to be modified, repealed or made more stringent, according to the varying opinions of succeeding Legislatures; and the question of temperance ceases to be one of moral reform and becomes merged in the party and political conflicts of the day. A very respectable portion, perhaps a majority of the citizens of the State, regard the existing law as intolerant in principle, oppressive in its

enactments, if not objectionable in the manner of its execution. I, therefore, respectfully recommend such a modification the law which, while it shall preserve the State from the vice of intemperance, will also maintain the rights of our citizens against infringement and their dwellings from wanton and malicious intrusion.

I have thus frankly communicated my own opinion of the policy and expediency of such stringent legislation; at the same time I am aware it does not accord with the sentiments or feelings of a numerous and highly intelligent portion of our citizens.

Our laws wisely secure to a married woman, in her own right, the ownership of both real and personal property: in case she dies intestate, her husband surviving, it is not free from doubt, who is entitled to administer upon her estate, or by what rule the Probate Court are to governed in the distribution. It is to be presumed, however, that he questions arising between the husband and the next of kin, in respect to her chattels real, and choses in action, were designedly left, to be settled by the principles of the common law. I therefore submit whether it would not be more in harmony with our system of laws relating to the settlement of estates, to make some specific provisions on the subject, and there by expedite their settlement and prevent needless legislation.

Common Schools have been the subject of commendation in every Executive message, and in their necessity and importance, I most cheerfully concur. Education is an object of deep solicitude to parents, and intense interest to the State. On the moral and intellectual education of youth, depends their success and happiness in life and their characters as citizens. The State have never been inattentive to the wants of her children, but with a wise liberality has supplied the means to furnish all with the benefit of a Common School education. Attempts have been made by the establishment of Teachers' Institutes, to raise the grade of scholarship in teachers, and impart more aptness to instruct; but with what success I am unable to say. It may be doubted, notwithstanding the improvements in the character of books, and the superior qualifications of teachers, whether in a majority of the district schools, any more or better education is now acquired than formerly. Why it is so, I am unable to explain, unless caused by the indifference of parents and the inefficiency of the laws relating to the subject. I submit whether these laws do not need revision, so that, as far as depends upon them, the character of this indispensable class of schools may be raised.

Our Colleges and Academies afford the necessary facilities for acquiring a higher and more finished education, and were they more adequately endowed, their means of instruction and usefulness would be greatly increased; but the liberality of individuals has, in some measure, supplied the means which the State has hitherto been unable to appropriate, and these institutions may justly appeal to the munificence of the State for aid and encouragement; and a retrenchment in the expenses of the government will enable the legislature to make annual appropriations to these deservedly meritorious institutions.

Upon the occasion of a change in the political power, justice demands the acknowledgement that the party which has so long enjoyed the patronage and maintained the ascendancy in the State, have exhibited a commendable liberality in the distribution of the judicial offices; and more recently in the appointment of an eminent jurist to the office of chief justice of the Supreme Court. The judicial, like other public servants, are subject to the ordeal of an annual election; yet the changes which occur from time to time, have been for the most part voluntary, or occasioned by the transfer of some individual member of the Court to other equally high and responsible stations. At different times, individuals as well as several councils of censors, have recommended that greater permanence should be give to the judicial tenure, from the supposed effect which the annual elections would have in detracting from the character of the Court, and an apprehension that in questions of a public an political character, the bias insensibly contracted from party connections might, to some extent, influence their decisions. But happily for the character of the State, the practice of annual elections, adopted coeval with the establishment of our independence, has demonstrated the fallacy of such objections, and the purity and incorruptible integrity of our judicial tribunals.

Our inland situation has deprived us of the advantages and wealth which accrue from commerce, and the want of canals and navigable rivers for the conveyance to market of the productions of the State has retarded the settlement and improvement of our uncultivated lands; but the construction of almost five hundred miles of

Railroad, has provided a valuable substitute for these deficiencies, and we may hereafter expect a more rapid increase in wealth and population. Vermont included within her limits more than ten thousand square miles, and is capable of sustaining triple the number of her present population by introducing a greater diversity in the business pursuits of her people. One of the means best calculated to produce so desirable a result would be to resume the Geological Survey formerly commenced, and partly completed. It is to be regretted, that the condition of the treasury compelled the legislature to withhold an appropriation necessary for its completion. Yet the expenses incurred and the labor expended may be made available, should the legislature deem it expedient to finish the survey. Other States have appreciated the advantages and derived the benefits of such surveys by completing and publishing the reports for the benefits of such surveys by completing and publishing the reports for the benefit of science and the world. No doubt can be entertained that the mineral resources of the State lie, in part, undeveloped, and that the minerals usually found associated with the geological formations similar to those in our own State, will be discovered by an intelligent and scientific geologist. Already several valuable minerals are successfully mined and used in the arts and manufactures of the country; and the discovery of other materials for manufacture would introduce them, and add to the wealth and prosperity of individuals and the State.

Since taxes are levied upon persons, property and business, every increase in either affords an additional source, from which to collect revenue for the support of the Government. The success of our Railroads are intimately connected with the development of our resources and dependent to a large extent upon the products of mining, manufactures and agriculture for business and profit. Nor are the benefits which are to accrue to agriculture to be disregarded in connection with a Geological Survey; within twenty-five years great advances have been made in a better and more scientific knowledge of the true principles on which agriculture depends for success and profit. Chemistry, by an analysis of soils and their crops, unlocks the secret of fertility and barrenness, supplies the requisite knowledge to increase the one and restore the other, explains the constituents of which mineral and vegetable substances are composed, and enables the practical man to skillfully prepare and apply them to the enriching his field. The earth is truly the mother of the race, - she fields and clothes us, supplies the materials for commerce, is the source of our wealth, and of the comforts and conveniences of life; and the better she is understood, the more liberally she dispenses these gifts.

Exempt from the embarrassment of a public debt, and with a firm determination so to remain, it is not without hesitation I have invited your attention to this subject; but satisfied however, of its importance as well as being due to the character of the State, and the interests of her citizens, I entertain the conviction, that upon an examination into the appropriations made to various objects, some one will be found, which may without injustice be withheld and applied to completing the Geological Survey.

During the past year another Presidential election has been held, and the choice of the electors has fallen upon one of the distinguished citizens of New England, whose administration, from the policy announced in his inaugural, we may justly anticipate, will redound to the honor, strengthen the bonds, if not enlarge the boundaries of the Union.

We cannot be indifferent to the Foreign and domestic policy of the general government, and it is to be regarded as a favorable circumstance in the present unsettled condition of the world, that the administration truly reflects the sentiments and opinions of the people. In the questions which formerly threatened to involve us in hostilities with other nations, the patriotism of the people was in advance of that of the public authorities. Being the only republic where almost unlimited freedom of speech and action has not proved to be subversive of the constitution and laws - it is not more our interest than duty to afford ample protection to our citizens whether native or naturalized. In a recent case, the prompt and resolute interference in behalf of one unlawfully abducted from neutral territory, but claiming the protection of our flag, commands as it deserved, the unqualified approbation of the government and people.

A vacancy occurring by the death of one of our Senators in Congress, was filled during the recess of the Legislature by my predecessor: the duty of electing a Senator to represent the State, for the remainder of the term, will devolve upon you at the present session.

It will be a pleasure as well as my duty to concur with you in every measure of legislation which you may devise for the protection and happiness of our common constituents, and in all our public acts, we should be guided by the spirit of that religion which instructs us in our duty to man and our Maker.

JOHN S. ROBINSON

EXECUTIVE CHAMBER,
Montpelier November 2, 1853. }

Inaugural address

of

John S. Robinson

As it appears in the

Journal

of the

Senate

October Session

1853

Wednesday, November 2, 1853
Inaugural Address

*Fellow Citizens of the Senate
and House of Representatives:*

At the close of another and the commencement of a new political year, the General Assembly are convened to discharge the duties devolved upon them under the Constitution and Laws. The Representatives of the people accustomed to the duties of legislation, familiar with the political rights secured by the constitution, and acquainted with the laws enacted to preserve and maintain them, can be desirous only to devise such measures as, in their opinion, will best promote the general welfare. Whatever may be our party preferences, and however strongly we may adhere to the principles we profess, the legislation required for the domestic government of the State, does not ordinarily involve our political opinions, or excite the asperity of party controversy. It is fortunate, indeed, for the perpetuity of our republican form of government, that parties exist; and the instability of all political power and party ascendancy, it is not unreasonable to suppose, affords one of the best guaranties for our liberties and one of the strongest incentives to a faithful and honest performance of the duties confided to the public servants of the State. The long retention of power by either political party, may undermine its virtue, relax its vigor, and dispel the fear of rigid accountability.

For myself, I undertake with diffidence the duties of the executive office, and distrust my own experience to acceptably discharge them. Succeeding to the office which has been filled with so much ability by my predecessors, I am apprehensive that in the performance of its various duties, I may not justify your partiality in electing me.

A plentiful harvest – an exemption from those terrible epidemics which afflict and almost depopulate towns and cities – the general good health of the citizens of the State, and the success and prosperity of all their industrial pursuits, afford us proper subjects for congratulation, and a just sense of gratitude should inspire us with hope for a continuance of the blessings which flow from the goodness and mercy of our Heavenly Father.

The repeated revision of our laws by competent and learned men, would induce the expectation that the session of the Legislature not unfrequently short, may still be abridged without detriment to the public interests. The practice frequently adopted of referring subjects of special interest and importance to a single or a number of eminent jurists for revision and amendment is highly to be commended; this plan ensures greater accuracy in the language and precision in the details of the laws, and more certainty in the language and precision in the details of the laws, and more certainty in their administration. But notwithstanding these revisions, imperfections exist, and omissions have unavoidably occurred. It will be your duty to supply any omission and correct such imperfections as your own acquaintance with the laws and the experience of others may suggest. And it is with no ordinary pleasure that I express the belief that the system of laws under which we live is wisely adapted to the wants and necessities of the people. They exhibit the result of the practical wisdom and mature experience of the generations who have preceded us; with rare exceptions they may be characterized as eminently just, humane and liberal: under them we have attained our past and present prosperity, and our institutions, whether literary, religious or charitable, have been reared upon the solid foundation laid down by our ancestors in the constitution and laws.

The early settlers of the State, to escape the persecution and intolerance of what was formerly denominated “THE STANDING ORDER,” and to avoid the payment of an odious and unjust tax for the support of a faith irreconcilable with their own, were compelled to emigrate to the then uninhabited New Hampshire Grants, where they could enjoy unmolested, their religion, practice its rites, and propagate its faith. Accustomed to persecutions in the place of their nativity, they illustrated by their practice and example, the advantages of unrestrained liberty of conscience, and transferred into our constitution and laws a liberal spirit and a noble and ingenious philanthropy. Succeeding to an inheritance, of such inestimable value, it may not be improper to inquire whether all our legislation has been conceived in the like spirit and characterized by the same liberality. One of the duties required by the constitution, of the Executive, “is to prepare such business as may appear to

them necessary to lay before the General Assembly;” and it seems to be implied that the reasons and motives, also, for such recommendations should be submitted.

“An Act to prevent traffic in intoxicating liquors for the purpose of drinking,” has engaged the attention and excited the feelings of the community, perhaps more than any other legislation since the organization of the Government. As the end proposed by the law is both moral and desirable, those who doubt the propriety of all its provisions, may at least be subject to the imputation of indifference, or being the advocates or apologists of intemperance. Discarding, however, any fear of the consequences which may attach to the expression of an opinion honestly entertained, I propose, respectfully, to suggest, rather than prove by argument, that several provisions of the law are of doubtful constitutionality, and expediency. The duties which are enjoined on the Council of Censors, imply an apprehension of the part of the framers of the Constitution, that the powers delegated to the legislative and executive branches of Government, may be unintentionally exceeded, or through inadvertence, disregarded. And experience proves, that the public servants of the State, when an apparent necessity intervenes for its justification, are oftentimes more ready to enlarge than restrict their power. An eminent writer, on the principles of our government has observed that “our legislators are not apprised of the rightful limits of their power; and their true office is to declare and enforce only our natural rights and duties, to take none of them from us.”

To say nothing of our natural rights other than those enumerated in the constitution, it will not, I trust, be deemed unsuitable to inquire why it was necessary to subject the gift or sale of what has heretofore been known as property, which always has been, and now is, an article of commerce in every civilized country, to highly penal enactments, unless to infringe the immunity which the constitution extends over the “persons, houses, papers, possessions, and property” of every citizen, by transforming an innocent if not an indifferent act into an offence on which to institute the right of search? Such legislation certainly evinces a disposition to convert the right of “acquiring, possessing and protection property” which the constitution in the first article of our Bill of Rights, recognizes as one of the “natural inherent and inalienable rights of every citizen,” into an odious and disreputable crime. The authority to pass this law is undoubtedly claimed under the grant of power over the internal police of the State. How far this grant is restrained by other provisions in the constitution and what limitations are to be put upon the words “governing and regulating” it is unnecessary to inquire; for, if it were conceded that the fifth article in the Bill of Rights confers the authority to prohibit, so likewise it give the right to regulate the sale and restrain the abuse of any article of property, and the question then becomes one of expediency. An opinion prevails in the community, that the habits and tastes of a people may be materially changed by legislative enactments; this, I apprehend, it at variance with the past history and experience of the world; such laws do not command the respect or obedience of those intended to be coerced, and it is a matter of notoriety that they are daily violated with impunity. The difficulty of enforcing, and the impolicy of enacting laws of this character, would be more apparent if it were within the constitutional power of the legislature to establish a common faith and mode of worship in religion. This subject anciently engaged the attention of deliberative assemblies, and if we were to enact similar laws, we should undoubtedly attain a like result. The truth, however, cannot be dissembled that the present law has proved ineffectual and inadequate to restrain the use of and traffic in intoxicating liquors; and the fact that the legislature in one part of the law divest it of the character of property, and, in another, recognize it as such, and tolerate its sale in one place in each town for medicinal and mechanical purposes, should inspire us with distrust of any enduring reformation founded solely upon municipal law. If, however, such laws should eventually accomplish the objects expected from them, they will afford a most ready way to extirpate the evils which afflict the community; but religion has been generally understood to inculcate a different theory for the reformation of the race, and intemperance and other like vices have been denounced by a higher and more omnipotent tribunal than that of any State Legislature

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Exempt from the embarrassment of a public debt, and with a firm determination so to remain, it is not without hesitation I have invited your attention to this subject; but satisfied however, of its importance as well as being due to the character of the State, and the interests of her citizens, I entertain the conviction, that upon an examination into the appropriations made to various objects, some one will be found, which may without injustice be withheld and applied to completing the Geological Survey.

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A vacancy occurring by the death of one of our Senators in Congress, was filled during the recess of the Legislature by my predecessor: the duty of electing a Senator to represent the State, for the remainder of the term, will devolve upon you at the present session.

It will be a pleasure as well as my duty to concur with you in every measure of legislation which you may devise for the protection and happiness of our common constituents, and in all our public acts, we should be guided by the spirit of that religion which instructs us in our duty to man and our Maker.

JOHN S. ROBINSON

EXECUTIVE CHAMBER,
Montpelier November 2, 1853. }

Inaugural address
of
Stephen Royce
As it appears in the
Journal
of the
House of Representatives
October Session
1854

Saturday, October 14, 1854.
Inaugural Message

Fellow citizens of the Senate, and House of Representatives:

Elected by the Freemen of my native State, to act as their Chief Magistrate for the ensuing year, I meet the General Assembly to render that co-operation in the business of the present Session, which is enjoined upon me by the Constitution and the Laws.

In this new, and untried position, I feel the assurance, that faithful endeavors to discharge its duties will meet a candid and generous construction, though they should not be exempt from errors in judgment, and mistakes in routine and detail.

It could not be expected that the present communication would embrace many suggestions bearing directly upon the business of the Session. And, as I come to the Executive Office at a time of life when brevity in a paper of this kind is felt to be no less the dictate of taste than of inclination and convenience, I must claim indulgence for a Message, perhaps, unusually short.

I do not advise radical or extensive changes in the Laws of the State. In the main, they have always been eminently just, aiming to secure to the people equal rights, and to dispense equal benefits. And, although there may have been occasional tendencies to an excess of legislation, by which substantial and useful progress has been retarded, yet I consider that our laws, with the gradual ameliorations and improvements of more than seventy years, may, as a system, challenge comparison with those of any other government, in the general wisdom of their provisions, and the facility of their administration.

Of the various objects, within the influence of State Legislation, which now engage the earnest attention of community, the promotion of temperance is confessedly among the most interesting and important. The primary, and great question is between permitting, under due regulations, the traffic in intoxicating liquors for the indiscriminate purpose of drinking, and the prohibition of the traffic for such general purpose.

Believing that the great and manifold evils of intemperance are not to be essentially alleviated by any scheme for licensing the traffic, beyond the purposes specified by our Statute, I repeat what I have already publicly announced, that I think the Prohibitory System ought to be continued. And, if amendments in the present law are attempted, they should be made with no view to weaken the policy of Prohibition. Nor would I counsel hesitation in carrying out that policy, from any fear that the legislative power to enact prohibition, to its present extent, will be judicially denied.

The people of Vermont have always evinced their just appreciation of the great political axiom, "that a general diffusion of knowledge is indispensable to the qualification of a state, or community, for successful self-government." And, hence, you scarcely need to be reminded of the obligations to cherish, sustain and perfect our system for the education of children and youth.

It is thought by some of the most able and enlightened men of the State, that decided benefit to these great interests may be realized through the agency of a Board of Education. And should their plan, or any having a like object, be presented for your adoption, I trust its merits will be canvassed in the spirit of kindness and liberality which is due to a subject so important.

There exists in every government the necessity of an organized physical force, in readiness to protect the State, or its members, from violence. In absolute governments this force is a standing army; in a free state, it should always, except in time of actual war, consist exclusively of militia.

Within a few years past, our uniform militia, as an organized class, has suffered a very marked declension. This is attributable to the indifference with which the Militia system has, of late, been regarded, and to the total suspension of that pecuniary encouragement which had, directly or indirectly, been afforded.

It has appeared to me that our policy upon this subject should be reconsidered; and I think it my duty to recommend that measures be taken, by the requisite enactments, to restore the uniform Militia to a state of efficiency.

From representations recently made to me by the Superintendent and Directors of the State Prison, I am led to believe that an appropriation should be made for building, within the Prison, a Hospital for the sick, and for other minor accommodations. Evidence will doubtless be laid before you, showing the necessity of an appropriation. It is thought that an appropriation of one thousand dollars will be sufficient.

It is believed and urged by some of our most intelligent and experienced citizens, that in place of our laws which authorize the sale of lands for non-payment of taxes assessed thereon, a forfeiture of such lands to the State, as the consequence of neglecting to pay the taxes upon them, might be advantageously substituted. A law in the State of Maine, to this effect, it is said, has been found to operate beneficially. The subject is important, and I deem it worthy of your deliberate consideration.

The duty to observe a rigid economy in the public expenditures is, at all times imperative; and I doubt not that you will study to keep them at the lowest point which will consist with a due administration of the government.

The signal prosperity of the State is thus far continued without serious check or abatement. And we have great cause for devout acknowledgment and thankfulness to the Father of mercies, for the general health which the people have been permitted to enjoy, while pestilence has been busy in its work of death in so many other states.

An Act of Congress, passed at the last Session, annulled that part of the Act of A. D. 1820, commonly called the Missouri Compromise, which restricted the spread of Slavery in a vast region of the country acquired by the Louisiana Purchase of A. D. 1803. That great adjustment has the moral attributes of a solemn and valid compact; and had therefore been recognized and respected for more than thirty years, as a final and unalterable act of government, settling forever a great and dangerous controversy. The act repealing the restriction clause of the Compromise, was supported, and urged forward in its passage, with almost unbroken unanimity, by the delegations from all the Slaveholding States. It has naturally, and very justly, excited a sentiment of intense dislike and stern condemnation throughout the Free States.

Notwithstanding the glosses and palliations put forth in defense of that measure, it appears to furnish palpable evidence of its great purpose; and this would seem to be nothing less than to secure to the slave interest an indefinite extension of Slavery, and a perpetual ascendancy and control in the government of the nation. And hence, it should not be a matter of surprise, that so general a determination exists in the Free States to counteract and resist, in all peaceable and constitutional modes, such a spirit of unscrupulous aggression. This course has become manifestly expedient and necessary, as the only resource for the protection and advancement of the cause of freedom; and, as an omen of its ultimate success, I may allude to the concentration of feeling and effort which is now so extensively witnessed, and which is so auspicious to the harmony and strength of this, and other States.

I conclude by expressing my confident hope that, under the guidance of a wise Providence, your labors may be productive of great and permanent good.

STEPHEN ROYCE.

Executive Chamber,
Montpelier October 14, 1854. }

Inaugural address
of
Stephen Royce
As it appears in the
Journal
of the
House of Representatives
October Session
1855

Saturday, October 13, 1855
Inaugural Address

Fellow Citizens of the Senate and House of Representatives:

WE are assembled by constitutional requirement, and with renewed authority from the people, to execute in their behalf the highest ordinary functions of State Sovereignty. The duty again devolves upon us to consider the municipal laws and regulations under which we live, and if changes and improvements are clearly needed to secure, enlarge and perpetuate their intended benefits, it is for us to devise and apply them. Many special and local interests also, if within the proper sphere of legislation, will doubtless demand investigation and action. And the Sense of responsibility to our constituents, which the discharge of these duties must necessarily awaken, should strongly remind us of our obligations of adoration and gratitude to the infinite Creator and Preserver for all His mercies; and especially for the general health and plenty by which the season is distinguished.

It is obvious that whatever tends to demoralize the people, to relax their industry, or to dissipate the avails of it, must also tend to retard the general prosperity, and to diminish or destroy the happiness of individuals. And whenever the cause of such evils can rightfully be removed or controlled by legislation, it should be employed for that purpose. Among the causes leading to idleness, poverty, immorality and crime, the unrestricted use of intoxicating drinks is, beyond question, the most effective in its disastrous results. And hence I take occasion to refer to our legislation prohibiting the traffic in such drinks, and again to recommend its continuance. Should amendments to the law be thought expedient, I think it desirable, but not with a view to forestall or prejudice other improvements, that the prosecution for each offence should be rendered more summary, still preserving the securities for an intelligent and fair trial; and that judgments and sentences, covering a great accumulation of penalties in the same prosecution, should generally, be avoided. The certainty and promptness of punishment are usually far more effectual in the prevention of crime than extreme severity. I also think that positive and open drunkenness may be properly declared a legal offence, and punished as a misdemeanor.

Your special attention will probably be called to the ever important subject of popular education. The action of the last Legislature failed to meet the expectations of many enlightened and patriotic citizens, who have long and zealously labored to advance this great interest in the State. Should their plans and views be again presented for your acceptance, they will merit, and doubtless receive, a candid and thorough investigation. It is not to be supposed that, with revenues derived chiefly from direct taxation of the people, we should be willing to sustain a system of education, even for our common schools, as artificial and expensive as those established in some of the other States, where ample and distinct funds are permanently appropriated to that object. Yet it should not be doubted that all improvements of paramount necessity or importance are always within our means; and I doubt not that such as you may deem needful and practicable will be adopted. And while the interests of our primary and subordinate schools are duly fostered, the institutions of higher grade, including our colleges, should receive all the aid and encouragement that may consistently be extended to them.

I think it my duty to bring to your notice that provision of our laws relating to the Grand List, which permits the respective lists of personal estate to be balanced or reduced by debts due from the owner. The subject must, be some extent have engaged the attention of your predecessors, but I know not how deliberately and fully it may have been considered. The provision was probably adopted to avoid double taxation of the same property, by treating its unpaid price in the hands of one man as a substitute for the property itself in the hands of another. It is obvious, however, that the notion of such a substitution cannot reasonably be carried to the extent of the existing enactment; and that this provision operates to protect from actual taxation a very considerable amount of personal property through the state, without securing any just equivalent in the taxation of debts. Doubting whether so general a provision of this character, if indeed any such, can rest upon the satisfactory grounds of justice or policy, I commend the subject, in its various bearings, to your thorough examination. And should you see fit to enlarge the basis of taxation, by subjecting to it the property now practically exempted under the provision aforesaid, I would advise that another effort be made to revive and sustain the Uniform Militia. The

necessity may at any time occur, of seeking protection from an organized and efficient military force, against sudden danger from abroad, or domestic violence. And the only such force which should or can be invoked at such times is that of the militia;— a force identified with the people and always accessible.

A deep feeling of compassionate regret and apprehension is not unfrequently experience, at the sight of children and tender youth imprisoned in the common jails as criminal offenders. There is reason to fear that this mode of dealing with such young persons has by no means the most salutary or reforming influence. When in that condition, they generally find little or no kind and active sympathy surrounding them, and soon come to view themselves as being stamped with the mark of permanent exclusion from good society, and from the honorable pursuits of life. And if to this be added the association in confinement with hackneyed and callous malefactors, the work of effectual depravation may but to soon be consummated. These considerations have induced me to recommend that Houses of Correction be provided for juvenile offenders. Such a mode of punishment would, of course, extend to all those minor and petty offenses, which are commonly the incipient steps in the path of crime. I forbear to enter into details, or to suggest whether such establishments should be the work of the state, or of counties, towns, or other associations; having entire confidence that all this will be wisely settled, if the main proposition shall meet your approbation.

By a resolution of the Legislature, passed at the session of A.D. 1853, the Executive was requested to make examination as to the expenses incurred by this State during the Revolutionary War; with a view to the presentation to Congress of a claim for remuneration, if that course should be thought advisable. Finding this resolution in force when I came into office, I thought it my duty to proceed under it. The examination has accordingly been made to a considerable extent, and I hope to be able, during the present session, to have the claim in condition to be presented, if deemed expedient.

In pursuance of a resolution passed at the last session, I appointed a Board of Commissioners, consisting of the Hon. Jacob Collamer, the Hon. Daniel Kellogg, and the Hon. Hiland Hall, to revise the present laws relating to Railroad Corporations; and their very able Report is herewith transmitted for your consideration.

By another resolution, at the last session, the Governor was directed to appoint a Commissioner to treat with the Iroquois Indians for the settlement of their claim to certain lands in this State. The Hon. James M. Hotchkiss, of Lamoille County, was appointed such Commissioner. His negotiations, as I learn, are not yet brought to a satisfactory conclusion.

Nothing has occurred during the last year, to allay our just apprehensions of danger to most of the vital interests of the free States, from the determined purpose of a part of the nation to extend the limits and influence of slavery. That purpose is understood to have been manifested in the territory of Kansas, by a course of successful menace and violence equally defiant of law and the rights of opponents. A design is also indicated, to break down that great principle of the common law, heretofore universally admitted and affirmed, - that a slave becomes free, when he enters a free state by consent of his master. The experiment has been tried, of purposely bringing slaves into a free state, and there claiming a continued property in them. And all these events would seem to have passed with and acquiescence, to say the least, on the part of national authorities, executive and judicial, which the true friends of freedom can scarcely contemplate with composure. The time has evidently arrived, when all who would oppose the further encroachments of slavery, should combine their vigorous and persevering efforts for that purposed

Suggestions of frugality in the public expenditures may be spared; as I doubt not you are already self-committed to a course of the strictest economy, which you shall think consistent with a just administration of the government in its various interests and departments.

You will accept the assurance of all that aid in your labors, which it appertains to my office to afford. And trusting that we may act under the favoring auspices of Divine Providence, I venture to anticipate a session of signal benefit to the people of the State.

STEPHEN ROYCE.

Montpelier Oct. 13, 1855.

Inaugural address
of
Thomas P. Salmon
As it appears in the
Journal
of the
JOINT ASSEMBLY
BIENNIAL SESSION
1973

Thursday, January 4, 1973.
Inaugural Address

Mr. President, Mr. Speaker, Reverend Clergy, Mr. President Pro Tern, Mr. Chief Justice, Associate Justices of our Supreme Court. Governor Davis, Governor Hoff, members of this Joint General Assembly; fellow Vermonters and friends.

I have taken the oath of office as Governor in your presence as a sign of my covenant with you and with Almighty God to uphold our Constitution, to be true and faithful to the State of Vermont, to carry out his laws and to do equal right and justice to all.

The trust to which I am summoned by the choice of a free people is so awesome an undertaking as to change vanity into humility and pride into prayer.

Permit me then, as my first executive act, to ask you to bow your heads as I repeat a prayer, which, twenty years ago this very month, President Dwight D. Eisenhower uttered on the steps of our Nations Capitol.

“Almighty God, as we stand here at this moment, my future associates in the Executive Branch of Government join me in beseeching that thou will make full and complete our dedication to the service of the people in this throng and their fellow citizens everywhere.

“Give us, we pray, the power to discern clearly right from wrong, and allow our words and actions to be governed thereby, and by the laws of this land. Especially we pray that our concern shall be for all the people regardless of station, race or calling.

“May cooperation be permitted and be the mutual aim of those who, under the concepts of our Constitution hold to differing political faiths; so that all may work for the good of our beloved country and thy glory. Amen”

In this chamber of so many, many pleasant memories, where I was privileged to serve four terms, mindful of my shortcomings as well as my strengths . . . I answer your call to service with an eager heart.

This is not a day of partisan celebration. It is a day of dedication and consecration . . . a day to examine what it is we are and what we hope to be.

This much we know, that gathered within the borders of Vermont is something truly unique. Some say it is the majesty of our snow-capped mountains; the crisp greenness of summer’s forests and meadows or the golden red of the hills when autumn comes. Others say that is a way of life, a way of looking at things. All these are a part of the magic that is Vermont. But, what is more, Vermont represents a soaring triumph of the human spirit.

No matter how severe the cold or how long absent the sun or how rocky the soil, Vermonters have persevered in their art and their labor. They have not only endured; they have created, and man is a little freer, a little more noble because of it.

Let those who do not understand us quickly come to know that we are the heirs of that resolute spirit . . . the trustees of Vermont’s air, earth and water . . . our environmental heritage . . . for generations yet to come and we shall not betray nor allow others to betray our birthright and our trust.

Governor Davis, we will always be indebted for your tireless efforts in the field of environmental conservation. To secure your place in history, we pledge to continue the great legacy you have left us. I know I speak for all the people of the State of Vermont when I say we wish you and Mrs. Davis Godspeed as you leave State Government.

Today marks an ending and a beginning to the course of State government. Let us chart this new course, mindful of the past but with an abiding faith in the future of our State based upon the strengths of our people and their demands for high standards of performance. Let us begin by stating some basic beliefs.

I believe that the bedrock of all legitimate authority is the free consent of the people and that you cannot exclude the people from their own government. For if their informed discretion is not allowed to govern then surely their ignorance will.

Let it be known, then that we seek no government by fiat but an open administration, openly attained committed always to fundamental proposition of the dignity and integrity of the individual.

I would have us raise patriotism, a genuine not a spurious love of state and country to its ancient and honorable level.

I would have us lower the din of partisan and party strife so that we can hear the people speak. We might just learn something.

In recent months I put before the people of our State an underlying theme entitled "Vermont for Vermonters." By this theme I did not mean that we are a state made up of recluses.

I tried to give voice the alarm of most Vermonters as they witness the wholesale assault on our land from without.

Our neighbors unable to resist the promise of development have been shortsighted on the problems development brings. They are now paying the Price.

Together we can eliminate many of the problems that have made some of our neighboring states practically ungovernable, for uncontrolled growth without planning results in burdening our local communities with problems that threaten their very existence and our individual destinies.

Let us tell the developers who are not interested in profiting Vermont, but making Vermont profit them, what I told them six months ago:

"We are not going to change our laws. . .

"They are going to have to change their ways."

Let us tell them, and let us tell the rest of the country right here and now:

"Vermont is not for sale!!"

Let me say that Act 250 is just a start. We must strengthen these laws and I call upon every Vermonter who wants to continue to hunt, fish, ski, hike and snowmobile to join with us in our efforts to protect these precious open lands.

Let me say departing from my text, Governor Davis, just last night, finding very little to do, I did do a cursory reading of the Land Use and Capability Plan, hot off the press. Let me say that I was deeply impressed with the tone of this document, which appears to give in your words to the General Assembly early this morning, a real and a positive sense of direction to our environmental mission. I will attempt to pick up where you left off.

For years we have been promoting Vermont as the beckoning country.

Would you believe . . . Vermont has been discovered?

Many people in surrounding states would like to live and work and play in Vermont.

The tourist industry has been good to us. It raises important revenues to support our needs. It will be encouraged.

But the opportunities for living and working in job-scarce Vermont should be geared to our present population. Many Vermonters are forced to live in substandard housing while a proliferation of chalets and condominiums are being built to satisfy the needs of visitors seeking second homes, and this is unacceptable and we're going to do something about it.

When I began my campaign last summer. . . I did one thing which, more than any other . . . helped bring me before you today.

I listened. I traveled around this State and listened to what our people were saying, and I based my campaign on what they were saying.

I did so because I believe that no less important than the citizen's right to speak is the office holder's duty to listen.

When I listened—do you know what I heard? I heard that the people want property tax relief now, not

two or three years from now, because in some cases it is already too late.

We have lost homesteads, farms and open lands to speculators because of intolerable pressure in the form of spiraling taxes.

We must, in my judgment, relate our property tax to ability to pay and use our revenue sharing funds to provide direct tax relief to our citizens while embarking on new and innovative approaches to correcting present inequities.

We will exact a high price from those who would place our heritage on the auction block.

My tax relief bill has already been distributed to all of you, and it differs little from the proposal I put before our people during the campaign.

If we enact this property tax relief plan during this session of the Legislature we will have achieved the major task Vermonters have given us.

To those who would inquire as to our attitude toward human needs and financial matters we say:

The new leadership will be both humanely and fiscally responsive which will become apparent as the executive budget unfolds.

Let us together perform the people's business with a minimum of partisan conflict.

The door to the Governor's office is open to all Legislators on both sides of the political aisle.

In closing, let me say: I have taken the oath of office today with my hand placed on the verse in the Holy Bible which asks:

"What doth the Lord require of thee but to do justly, and to love mercy, and to walk humbly with thy God?"

This much I pledge to you the people of Vermont.

REMARKS FROM THE CHAIR

Governor Salmon, we have heard your fair and generous words and will heed them. Speaking through the General Assembly for the people of Vermont, I say that we stand ready to serve the people with you from this moment forward.

BENEDICTION

Benediction was pronounced by Reverend Max H. Webster of Bennington.

DISSOLUTION

The Governor, having completed the reading of his message, was escorted to the Executive Chamber by the Committee.

The Supreme Court was escorted from the Hall by the Sergeant at Arms.

The Joint Assembly dissolved.

RICHARD C. THOMAS
Secretary of State, Clerk

Inaugural address
of
Thomas P. Salmon
As it appears in the
Journal
of the
JOINT ASSEMBLY
BIENNIAL SESSION
1975

Friday, January 10, 1975.
Inaugural Address

Thank you Mr. President, Mr. Speaker, Chief Justice, Members of the Supreme Court, Reverend Clergy, Governor Aiken, Governor Stafford, Governor Hoff, Mrs. Arthur, Members of this General Assembly and friends.

Thirty-eight years ago this very week, another man stood at the rostrum where I stand today and closed his address with these words:

“While I occupy the executive office it will not be the office of any particular group or sect, and I selfishly hope that at the end of my term it may be said that my administration was a successful one. With your help it will be. Let us forget our political differences, forget that we may not attend the same church, but remember we are all Vermonters working to promote the welfare and increase the happiness and prosperity of the people of our State. If we will do this, then I know that under the guidance of the great master of us all we shall succeed.”

Those were the words of one of the greatest Vermonters in our history, and to him, on behalf of every citizen who resides within our borders, to that man, Senator George David Aiken, I say: “Welcome home from the thankful hearts of the people to whom you have given a lifetime of unparalleled service.”

We gather at these historic proceedings at a time of serious decline in the political and economic institutions of this country.

We have gone from a period of affluence to a period of deep recession in a very short time.

And during the very same hours that we find people unable to get housing loans at banks, people dropped from payrolls, people with shorter paychecks, or no paychecks at all. At a time when political leaders need more confidence we find that the people no longer trust the politicians because the politicians failed to trust the people.

How did they fail?

For one thing, they indulged in the mistaken notion that the people of this country are not brave enough to receive or wise enough to understand the truth. How wrong they were!

The people are wiser than the politicians believe. When their highest national leaders were saying: “There is no recession . . . things will get better soon” . . . the people knew and said to one another . . . “This is not true. Things are not getting better, they are getting worse.”

The observant citizen who reads the back pages of the major newspapers knows that Arab countries and Arab money are attempting to buy up major segments of American industry not excluding defense establishments and the fuel sources that make the engines of this country run.

Yet, where is the national leader, Republican or Democrat, conservative or liberal, who will tell the people what the challenges are that must be met and what we must do to meet them.

In the back rooms and private corridors politicians will admit to one another that while we have trimmed some waste in the management of our energy resources, it is fundamentally business as usual.

If it is not done at the national level, if it is done in no state in the nation except Vermont, let us, you and I, the executive and the Legislature, spell out in no uncertain terms what our state problems are and what we must do to resolve them.

Politicians have lost touch with the people not only because they have failed to tell them the truth but also because each political party, Republicans and Democrats, conservatives and liberals, has made errors of monumental proportions.

There is a drastic change in our political condition. Half of the populace does not want to be associated with any political party. They know that the liberals have gone wrong in believing that our troubles can be cured by more spending and more government. And they know that the conservatives have gone wrong in their preoccupation with the military, private interests and less government. The message from the people is loud and clear. That message is that the political parties of this country are losing the confidence of the

majority of our citizens.

No one really knows what lies ahead.

Will our system be fractionalized as was the case in post-war France when there was no real working together . . . no effective central leadership? Or will some other more dreary fate befall us?

Lest my intentions be mistaken for one single moment, there is time still time . . . to correct our political condition . . . but time is running out.

What can we in this small State do to improve that political climate?

The press tells us that the legislature is made up of 95 Republicans and 85 Democrats. I see 180 Vermonters.

We must labor together . . . for if we cannot . . . how can we expect the people themselves in their individual and collective capacities to cooperate in the solution of the problems before us?

If the times demonstrate anything, they demonstrate that where we can go wrong is to fail to seek the counsel of the people, to search out their views and to ask them for guidance.

If we succeed in showing this proper respect . . . then we will regain their trust and this republic will work the way it was always intended to work.

We know as realistic human beings that much, indeed most, of our fuel must come from outside our borders and that there is an interdependence between and among the people of the United States.

There are problems that we Vermonters cannot solve alone . . . some that require the cooperation of the federal government, this region, other states and people throughout the union.

But as one president once said: "Let us do the best we can with what we have where we are."

A few months ago when we made major efforts to protect our environment one cynic asked: "What are we saving the environment for?"

I will tell you what we are saving it for . . . we are saving it for times like these when many Vermonters are going back to the land.

They know the land cannot do it all but they are going to use it. They are going to grow food on it and harvest fuel from it and make jobs on it and build homes on it. And they are going to do more than that.

They are going to let 49 other states in this country and the federal government know that we will do our best to make use of what we have toward the end that no citizen will go hungry or cold or without medical care.

The real task before us is not whether we can add more to those who have much but how much we can do for those who must have more. As I will detail in my budget message, we have confronted reality here at home and charted a new course for the time.

It is a course of fiscal caution, of productivity, of making do in hard times.

But beyond that, it is a course that continues our commitments to those less able to help themselves . . . the poor, the disabled, the aged, the handicapped, the mentally ill, and the child in need of dental care.

The course we have chosen is based on hope and confidence . . . a course designed to stimulate industrial employment . . . to promote tourism . . . stimulate agriculture and to improve the economic life of our people.

The main problem in America is not a crisis of dollars. Serious though that may be, it is a crisis of the spirit.

There was a time when America had a sense of community. A feeling that we were one people facing our challenges and problems together. Some how, then we did not think of ourselves as this bloc or that group. We must recapture that spirit and adapt it to the difficulties of our times.

Mindful of the traditions of the past, we face an uncertain yet exciting future. We ask your help, we ask

your support.

We ask greater patience and a greater compassion for your fellowman. We will survive these times and we will do more than that. We will create things for the enjoyment of the spirit as well as the body. We will create within our homes a sense of belonging. An affection for one another. And beginning there, we will identify more with our neighbors, our fellow townsmen, our fellow Vermonters and our fellow Americans.

Because we are all in this together.

And working together, here and across the land, there is no obstacle that faith, intelligence, and energy cannot overcome.

In closing I leave you with these words of Walter Lippmann written shortly before America entered World War II:

“We shall turn from the soft vices in which a civilization decays. We shall return to the stern virtues by which a civilization is made. We shall do this because at long last, we know that we must, because finally we begin to see that the hard way is the only enduring way.”

Thank you.

BENEDICTION

Benediction was pronounced by Reverend Robert S. Kerr of Burlington.

DISSOLUTION

The Governor, having completed the reading of his message, was escorted to the Executive Chamber by the Committee.

Inaugural Address
of
Philip B. Scott

As it appears in the

Journal of the
Joint Assembly

January 5, 2017

Inaugural Address

Governor Scott then presented the following remarks.

“Mr. President, Madam Speaker, Mr. Chief Justice, Members of the General Assembly, distinguished guests, my fellow Vermonters:

“It was in this chamber in the winter of 1991, when a 34-year-old from Windham County first rose and swore his oath to become the Member from Putney. He would soon rise to the Senate... then to lead it... and from there build a body of work that would make him Vermont’s 81st Governor.

“Governor Peter Shumlin led our state through the flood waters of Tropical Storm Irene. He led our nation to recognize the magnitude of an addiction crisis that still threatens the very fabric of our communities.

“And like so many before him, he championed Vermont and her people each and every day he served.

“Thank you, Governor Shumlin, on behalf of all Vermonters, for your years of service to our state.

“Today, as prescribed by the constitution, and carried out by the will of the people, our government moves forward.

“This transition comes at a time when the political divide, across the country, feels as deep, and as personal as it ever has... A time when uncertainty and anxiety cloud our view of the future. And a time when many have lost confidence in government’s ability to solve the real, and diverse problems facing so many.

“Those of us in this Chamber, have a great responsibility to uphold a long and proud tradition.

“From our struggle for independence, to a war that would save the union, from the fight to end slavery... to extending civil rights... Vermont has led the way.

“This time shall be no different.

“As Governor, I will do everything I can, to protect all citizens, and safeguard the human rights of all people. Together, we can once more prove the unwavering spirit of liberty embodied in every Vermonter, is alive and well. We stand ready to defend freedom whenever and wherever it’s threatened.

“At this very moment, hundreds of members of the Vermont National Guard are in distant lands defending these very liberties.

“To those who are now deployed, on behalf of all Vermonters: we thank you, we’re proud of you and we impatiently await your safe and successful return.

“In their absence, we must ensure their families have the support and feel the gratitude we all share for their sacrifice. We know this is a difficult time, but we’re here to help in any way we can.

“We’re joined today by many members of the armed forces, including:

Major General Steven Cray

Brigadier General Craig Campbell

Brigadier General Joel Clark
Command Sergeant Major Toby Quick
Command Master Sergeant Robert Letourneau
Major Zachariah Fike
and Second Lieutenant Candice McClure.

“I want to ask them, and anyone who serves – or has served – to please rise, and be recognized.

“Many have shared the sacrifice made by our service men and women. My father, Howard Scott, born in the small Vermont town of Washington...a truck driver by trade...was called to serve in World War II and the D-Day invasion of Normandy. During his service, he was severely injured when his tank hit a land mine and he spent the next two years recovering at Walter Reed hospital in Washington, DC. Returning to Vermont as a double amputee, he met my mom and they went on to have three boys.

“He passed away from those injuries when I was 11. My mom suddenly became a single parent. It wasn’t an easy time for her, or us. But thanks to her courage, our family, friends, and a community that united around us, we found the strength to move forward.

“I have never forgotten my father or the lessons he taught me. My family is proud to honor his memory... as the American flag that draped his casket... flies in front of the State House today.

“Those lessons of strength and perseverance, and the power of community we felt during that time, is exactly what makes Vermont so special. Governor Deane Davis once said, Vermonters have “a strong sense of duty to their neighbors...passed on from generation to generation.”

“I’ve benefited from that sense of duty -- from neighbors helping neighbors – first hand. And I’ll always remember what it meant to me and my family.

“My mom, Marian, is here today, joined by my wife Diana, my daughters Erica and Rachael, and many friends and family. I want to thank all of you for your support over the years. I would not be here without you.

“Growing up a few miles from here, in Barre, I never pictured myself standing at this podium as your Governor. Not even 16 years ago, when I first entered this building as a Senator from Washington County.

“As a public servant, I’ve had the privilege to speak with thousands of Vermonters. You have shared your stories... both the good and the bad. We’ve talked about your struggle to make ends meet, as costs and taxes rise, and good paying jobs are fewer and fewer.

“To all Vermonters, I want you to know: I hear you, loud and clear. “I will be your voice, as we work for real change and real results. Together, we will build a strong and vibrant Vermont that our children, and their children, will be proud to call home.

“During the campaign, I heard your call for balance, commonsense, and a centrist governing philosophy. A government that sets clear -- and achievable – goals. One that is honest about the scope of the challenge and is not afraid to face it head on. One that puts working families like yours first, and is willing to do things differently, to produce better results for you.

“I worked for more than thirty years in construction. And what I learned was the best feedback always came from those who were in the trenches.

“State Government should be no different. I believe that our frontline employees, who directly engage with Vermonters every day, have valuable knowledge about what’s working, and what needs improvement. That’s why I am calling for every process, every procedure, every system, every government mandate to be looked at through a new lens...theirs.

“Doing things the way we’ve always done them and hoping for a different result, will not bring about the change we need. My Administration will not approach our challenges from the top down... but from the bottom up. I will establish a culture that ensures our focus is always on you: helping you keep more of what you earn, creating better opportunities for your children, and building a future where you can retire with financial security.

“You elected me to make this change, and I will not let you down.

“To this General Assembly... although we come from different communities and backgrounds, I believe we share a commitment to a more prosperous future for all Vermonters. But, we must acknowledge that our demographic and workforce challenges are affecting our ability to achieve that vision.

“From 2000 to 2010 the number of 25-45 year olds in Vermont decreased by 30,000...That’s enough people to fill this chamber 60 times over. That is our working class... the folks who buy homes, have children in school, pay taxes and drive our economy.

“This is compounded by our shrinking workforce. Since 2010, we’ve lost 16,000 workers... and that downward trend continues. We are losing 2,300 more every year, which means -- by tomorrow -- we’ll have 6 fewer workers than we have today.

“Those losses shrink our tax base and deter businesses from opening here, making Vermont less and less affordable for those who remain. It’s a complex problem and it will not be solved overnight. But we literally cannot afford to ignore this issue anymore.

“We must have a laser-focus on attracting and retaining working age people... If we do, we can rebuild our workforce... We can provide our businesses with the talented workers they need to thrive... And we can grow revenue organically – rather than raising taxes and fees – giving us the resources to deliver better services, better outcomes, and invest in a better future.

“Over sixty years ago, Tom Watson’s love for Vermont’s skiing and our beautiful mountains, inspired IBM to build a facility in Essex Junction, instantly changing our economic landscape. As we watched jobs disappear from the woolen mills, the quarries, and the railroad... IBM and companies like it, offered a new generation the opportunity to work -- and for many -- rise from poverty to the middle class.

“This story illustrates the power Vermont’s recreation and beauty can have as a recruiting mechanism – and I believe it still exists. But it also highlights that a shift in our business climate has discouraged entrepreneurs from taking advantage of our quality of life to start and grow businesses.

“That has to change.

“I know future economic development will look very different than it did in 1957. But we must develop a network of small-to-midsize businesses that will grow into the next IBM, My Web Grocer, or GW Plastics.

“Going forward, we will mirror our strong support of larger employers with our efforts for small business. Fostering job creation and recruiting entrepreneurs will create a more resilient economy.

“Within the next decade, we can achieve this vision -- and more. “But we must set a clear direction and commit ourselves to attaining real results. Today, I will sign an Executive Order, which directs every State agency and department to focus on three strategic priorities:

- strengthening the economy;
- making Vermont more affordable;
- And protecting the most vulnerable.

“These goals will drive every initiative we undertake.

“I’ll also establish a Government Modernization and Efficiency Team, which will lead this charge toward a more effective and productive state government. It will work to maximize the efforts of our employees and the impact of state services.

“I imagine, a system where we give state employees the tools to identify and resolve problems. A system where we focus on outcomes over process, and customers over practice. Where we work together – across all branches, agencies, and departments – to put Vermonters first. And by holding ourselves accountable, we will restore their faith and trust in government.

“To achieve this vision, we need to focus on four major policy areas.

“First, we will continue to combat the opiate epidemic, with the urgency we would any other health crisis.

“Second, we’re going to revitalize our approach to economic development.

“Third, we must transform our education system.

“Finally, we have to build sustainable budgets that enable us to achieve these goals.

“The opiate crisis is one of the most significant challenges we face. It shows no bias towards the rich or poor, young or old, urban or rural. This epidemic touches nearly every Vermont family. And for too long, it has stolen the lives of those suffering from addiction, and any sense of peace from those of us who love them.

“With compassion, perseverance, and the strength of all Vermonters, we will continue to lead the nation in addressing this challenge; reducing stigma; and shedding light onto the darkness of addiction.

“With enhanced treatment, better prevention, and stricter enforcement, we can continue our efforts to turn the tide. We will break down barriers, allowing models for success and lessons-learned to flow freely from agency to agency... and community to community.

“That’s why I’ll establish a Director of Drug Abuse Prevention, an Opioid Coordination Council and – this year – will convene a State Convention on Drug Abuse Prevention.

“This battle, continues to be one of the great challenges of our time. How we react and how we choose to respond to it, will be remembered long after our service has ended... It’s important that those who fill this Chamber in the future - and the families whose lives have been forever scarred by addiction - know we did everything we could to end it.

“We must focus on creating more economic opportunity for all Vermonters. My administration will work to significantly reshape our approach to economic development, tying it more directly to our workforce expansion efforts.

“I will present the details of this effort in the coming days. It will be a significant realignment of our economic development tools.

“When talking with employers across the state, they shared two of their biggest obstacles to growth... First: a lack of qualified workers... And second: that the cost and quality of housing, impacts their ability to recruit talent.

“Our economic development efforts will focus on solutions to these problems. We will invest in programs designed to train Vermonters with the skills needed for the jobs we currently have. And we will set specific housing targets and find ways to expand availability of good homes for working families and young professionals.

“The Vermont brand is a powerful force for our tourism industry, and we should use it to its full potential. As we focus on growing our economy, we can show the world we are more than a place to visit. Vermont is a place to live, raise a family, and do business.

“There is no better way to grow our economy, and create more opportunity, than through our schools.

“We spend 1.6 billion annually on K through 12 education -- about 19,000 dollars per student, which is one of the highest in the country. However, we’re not yet an education destination for young families.

“If we want a system that draws people to Vermont, we can’t be paralyzed by fear of change... and we have been.

“How else can we justify spending so little on early education -- and higher education -- while we spend 25 percent of our entire state budget on the K through 12 system?

“Investment in early education is a proven approach to reducing special education and health care costs. And our level of support for state colleges and universities ranks one of the lowest in the nation.

“That’s why we must rethink our entire education spectrum. Everything from early childhood education and graduate school to tech programs, workforce training and adult learning. We can revitalize the entire system, so we no longer have to accept rising taxes and compromises in the quality of our children’s education.

“I ask everyone to overcome this fear of change. We must be bold, together.

“I’m challenging our school boards to envision a world where you can focus your time on improving the quality of a school, instead of worrying about budgets, and tax rates you don’t control.

“I’m challenging our superintendents to think creatively about how to optimize resources. And, principals to imagine a system that lets you focus on fostering excellence, instead of worrying about building management.

“I’m challenging our teachers to think of a world where you are free to teach to the child, not the test; you are promoted on merit instead of seniority; and there is never a cap on what you can earn.

“And, I’m challenging our early educators and higher education community to be passionate, positive advocates for change.

“We all understand this system was formed over many decades... The pace of reform may feel slow... But, we can’t stop pushing. If we are innovative, and are willing to change... we can have the best education system in the country - and perhaps one of the best in the world - with what we already spend. If you don’t share this goal - if you don’t believe we can achieve this - you are holding us back, at a time when we must all press forward.

“To deliver on the goals I’ve outlined today, it is imperative we restore fiscal responsibility to the budget.

“As I have throughout my entire career, I will continue to be honest about the scope of our challenges, about what things cost, and about the risks ahead... And when things do not go as hoped, I’ll say so...because Vermonters expect this type of leadership.

“In three weeks, I’ll present my budget to this Legislature and it will support my ideas to strengthen the economy and make Vermont more affordable, while continuing to protect the most vulnerable.

“But in the current environment, this is no easy task.

“Here’s an honest view of what we’re facing: Despite modest economic growth, state revenues are flat and costs are increasing faster than we can pay. Between federal funding changes, statutory liabilities, and caseload pressures in human services and health care, we face a budget gap of at least \$70 million this year.

“We must also meet our moral obligations, which includes, providing access to health care... protecting our environment and waterways... and ensuring all our citizens have safe, clean drinking water.

“There’s no question, the change in Washington creates a level of uncertainty, but we have a strong team in place to respond. Here at home, our goal is to make healthcare more affordable and accessible for every Vermonter, and every business. As I’ll detail in my budget address, we will work to give all Vermonters easy, reliable access and affordable options.

“Ensuring the health of our citizens also means making certain their drinking water is safe. I will continue to fight for those in Bennington County, impacted by the PFOA contamination. And I want them to know: I stand with you. I will ensure that your community is made whole, and all Vermonters are better protected.

“We will also commit to the clean water goals we set in Act 64, and adhere to the standards we outlined with our federal partners. There are many approaches we can take to clean our affected waterways. I am confident we can work together, within our existing resources, hand-in-hand with the agricultural community and municipalities.

“We will uphold our obligations, but we will not fill this gap by raising taxes and fees. Vermonters do not have the capacity to pay more.

“Instead, my Administration will establish more sustainable budgeting policies, which address fundamental cost drivers across state government. We will modernize and rethink government to find efficiencies, and budget more strategically. And we will make necessary investments to grow our workforce and our economy.

“We cannot continue passing budgets that grow faster than the economy or wages of working Vermonters. I will set clear limits that reflect the changes working families see in their own finances. I will not support, or carry out, experiments at taxpayers’ expense.... And I will only sign a budget that meets these standards.

“This process will be difficult, but we are in this together. Vermonters need us to pass budgets that help them get ahead.

“It is the greatest honor of my life to stand before you today. And I do so with an understanding of the challenges we face, and those who sent us here to solve them.

“I also understand, there will be difficult times ahead. I know we’re not always going to agree, and – even when we do – change may not always come as fast as we’d hope. But we must always treat others the way we want to be treated. It’s a rule I’ve followed in life, politics, business, and racing.

“And, we must press on.

“Consider the motto of Vermont’s Mountain Battalion: “Ascend to Victory.”

“If we can rise above the politics of division and partisanship.

“If we can rise above the tired ways of the past – accepting reality, but never settling for it.

“If we’re willing to set higher expectations for state government, raise our standards for success, and continue to reach for common ground, then perhaps we too, can ascend towards a victorious and prosperous future for our “brave little state of Vermont.” Thank you for this incredible privilege.”



State of Vermont
OFFICE OF THE GOVERNOR

INAUGURAL ADDRESS

Of

Phil B. Scott

January 7, 2021

Text provided by Office of the Governor.

Montpelier, Vt. – Governor Phil Scott today delivered his third inaugural address, commending Vermonters’ resilience in the face of the COVID-19 pandemic, and calling for unity in tackling the recovery and addressing Vermont’s fundamental challenges.

“The road ahead offers us an incredible opportunity to set the state back on a path where every county can have a vibrant, resilient economy; where every community and every family has the tools needed to be economically secure; and where every new generation has a better chance than the one that came before,” the Governor said. “As we recover from an emergency that has touched all of us, we must support policy that serves all 14 counties, all 251 towns and every single Vermonter.”

The Governor highlighted investments in public health, economic relief, housing, and more over the course of the pandemic. He asked the Legislature to collaborate with his Administration and build on that progress to address disparities in education and childcare, promote economic opportunity and job growth, and make Vermont more affordable for working families.

“Let’s use the tools we’ve gained to attract more people, more investment and more jobs to all areas of Vermont. Let’s finally build the best, most flexible education system in the country, from cradle to career. And let’s use this new capacity and knowledge—the lessons of a nimble, effective government—to strengthen our programs and get better results while facing significant budget challenges,” he added.

Governor Scott also praised Vermonters for their service and sacrifice throughout the pandemic and urged perseverance as vaccines are distributed.

“As Governor, I thank each of you for doing your part. I know it’s been difficult, frustrating and at times felt impossible. It’s important to know the actions you took, sacrifices you made, and your decision to listen to the experts and the science, saved lives. You are saving lives. But we need to keep looking forward, stay focused and committed, because our work is far from over,” he said.

A transcript of Governor Scott’s inaugural address is included below.

GOVERNOR SCOTT: My fellow Vermonters: Good evening.

I'm honored to speak with you tonight, to have earned your trust through challenging times and to serve as Governor of the state I love.

The past year has been tough on all of us. We've faced a global pandemic that's tested us in ways we never imagined. We've confronted racial injustice in America that's been ignored for far too long. We've seen the worst of our politics and from our politicians. There is no greater example than the rioters at the U.S. Capitol yesterday. As I said, it was a shocking attack on our democracy and make no mistake: President Trump is responsible for fanning these flames.

All this comes at a time when our country feels more polarized, more divided, than I can ever remember. But in Vermont and across the country, voters came out in record numbers and sent a clear message, calling for moderation and unity and for leaders to treat everyone with dignity and respect, to work with anyone of any party to best serve all Americans.

The challenges we face demand the very best of all of us, that we rise above the partisanship and division, the pettiness and political games, to commit to the tough work ahead, to get through this crisis safer and stronger, and to do it together.

Since last winter, our lives have been shaped by a crisis that's forced us to stay away from people and places we love, and has tragically taken the lives of over 350,000 Americans and 155 Vermonters.

About a year ago, we began hearing about a new illness in China. We watched as it spread throughout Asia and moved into Europe, overcrowding hospitals with heartbreaking results. And by the end of January, COVID-19 arrived in the U.S., first on the West Coast, then in New York and Massachusetts.

I was at a Norwich hockey game on March 7 when I learned of our first case in Vermont. I got up from my seat, headed into the office and never looked back.

In less than a week, I declared a State of Emergency, limiting gatherings and visitors to nursing homes and hospitals. We followed that by sending students and office workers home, closing childcare centers, gyms, salons, and—just before St. Patrick's Day—bars and restaurants. Within a week, Vermonters were asked to stay home to stay safe.

Just 18 days after our first case, across America and around the globe, life stood still.

But as families hunkered down in their homes, emergency responders, healthcare providers, private citizens and hundreds of public servants worked together to understand the threat and built the foundation of a response that would lead the nation.

In Washington, our congressional delegation—led by Senator Leahy, who I spoke with multiple times a week—worked across party lines to secure emergency funding.

In the largest mobilization of resources the state has ever seen, we created testing systems, expanded contact tracing, secured critical supplies and medical equipment, built data collection and forecasting

tools and so much more—always learning, adapting and breaking down barriers to get things done as quickly and as effectively as we could.

It's been 306 days since that first case. Every choice we've made since has been difficult. But every step of the way, they've been guided by the best possible science and data and a team of talented Vermonters whose job placed them at the center of our response, working day and night to protect their neighbors through this historic storm.

Teammates like the Vermont National Guard, who transformed hockey rinks and civic centers into medical surge sites, built a sophisticated field hospital at the fairgrounds in Essex and provided the medical staff for it, and then sent the detailed construction plans around the country for others to replicate. They distributed over three million meals to families in need, ran logistics for the National Stockpile, administered tens of thousands of tests and became contact tracers. All of this while transitioning to the F-35 and preparing for multiple deployments.

They join thousands of others on the frontline, each with an unwavering commitment to help others, whose skill has proven to be a tremendous asset for our state and set an incredible example for our nation. I'm honored to serve by their side.

That stubborn sense of duty is in the heart of every Vermonter, deep rooted in who we are.

We see it in doctors, nurses and first responders working around the clock to treat and comfort those affected and protect those who aren't, all while learning—in real time—more and more about this virus; in childcare providers who've stepped up since the early days of the crisis to support parents working on the frontline; and in grocery and hardware store clerks, keeping customers safe and shelves stocked while farmers, manufacturers, truckers and delivery drivers kept supply chains open.

We see it in students who transitioned to remote learning, sacrificing music and theater, sports and proms and the chance to be with their friends; in school staff and bus drivers, delivering meals to families in need; and teachers learning to educate online then stepping up to get kids back into classrooms.

We see it in drive-by birthday parties, drive-in graduations and drive-through holiday toy collections; in shopping for a neighbor; teaching a nursing home resident how to Zoom to connect with family; making a point to order take out, buy local and put up holiday lights; or simply with a homemade sign thanking essential workers and praying for their safety.

The memories that stand out the most aren't the tough calls, praise or criticism. It's the image of Vermonters coming together to support one another, to care for each other, to light the way out of darkness.

So many have stepped up to slow the spread of the virus, protect our healthcare system and our vulnerable, and to give us the time and support needed to build a response that Dr. Fauci said "should be the model for the country."

As Governor, I thank each of you for doing your part. I know it's been difficult, frustrating and at times felt impossible. It's important to know the actions you took, sacrifices you made, and your decision to listen to the experts and the science, saved lives. You are saving lives. But we need to keep looking forward, stay focused and committed, because our work is far from over.

As I've said from the start, by working together, we can come out of this stronger than we went in. To do so, we must remember many of the challenges we had before the pandemic are still with us.

For too long, Montpelier has taken a one-size-fits-all approach, asking more of working Vermonters and employers while the economic foundation of most counties slowly eroded, and the burden of rising costs and higher taxes and fees has pushed too many down the economic ladder.

Growing economic inequality and the crisis of affordability facing families and businesses are why I got into politics in the first place. Before that, I didn't have a political bone in my body. But instead of just complaining about what Montpelier was doing, I decided to step up and be part of the solution. Since then, I've learned it's not as easy as I thought—everything isn't black and white, solutions are rarely simple, and budgeting can be difficult because you have to choose between many good things.

Over my time in public service—even though I've always served in the minority—I've worked hard to give a voice to the counties, small towns and villages that have struggled for decades. They need our attention because their employers have downsized, closed or left for a more affordable place to do business. Their population has shrunk and the number of kids in their schools has gotten smaller and smaller, all while the area around Burlington continued to grow.

In the three years before COVID-19, we were slowing these trends and leveling the economic playing field because we focused on the fiscal fundamentals. That work put us in a better position to weather this storm. In fact, our economy was stronger and rainy day funds were full. We were on course to end the fiscal year with historically low unemployment and potentially the largest budget surplus in Vermont's history. Because I refused to let state spending grow faster than a working Vermonter's paycheck, we were finally helping families keep more of what they earned.

But the pandemic has put the spotlight back on our most fundamental challenges.

With schools moving between remote and in-person learning, we see the difference in quality that exists from school to school and region to region.

State colleges struggling to survive have now hit a breaking point that will hurt the small towns they call home.

With small businesses closing their doors and tens of thousands still out of work, we see the real economic inequity from county to county and the need to help workers learn new skills for available jobs.

And with all of this, we see the urgency to build a more diverse and resilient economy and make Vermont more affordable for families and businesses.

Despite all the hardship this virus has brought, it has given us some opportunities, and even some of the tools needed, to help shape our future.

As a result of our efforts, we've secured our place as the safest, healthiest state in America. We've made smart investments with relief funds, like strengthening childcare and afterschool programs, developing housing that more families can afford and expanding broadband. We've shown you can work side by side with businesses, as allies, to prioritize both public health and the economy. And we've proven government can be nimble and act quickly to take on big challenges by breaking down silos and outdated bureaucracy to deliver more effective government.

But perhaps the most powerful lesson is the reminder that Vermonters working together can do incredibly hard things and solve seemingly impossible problems by using the commonsense ingrained in each of us.

The challenge facing those of us in Montpelier is to learn from these lessons, accept that old answers are not the solutions we need for the future and take full advantage of the opportunity before us. And we can't put this work off because there will be a point not so long from now when this pandemic is just a bad memory, where the temptation to do things the way we've always done them will be strong because it's easy.

It's happened before, like after the Great Recession and Tropical Storm Irene, where we got a lot done without getting tied up in red tape or politics. But when the economy improved for some, and as homes, roads and bridges were repaired, we soon went back to our old ways, leaving the creativity that led to better government and better outcomes behind.

My fellow Vermonters, we cannot let this happen again. If we do, the systemic problems we faced before COVID-19—where politics and economic policies favor one region over another; an education system where your ZIP Code determines your opportunities; unsustainable increases in property taxes and healthcare costs; and more—will be there waiting for us, bigger and deeper than before.

Instead, let's use the tools we've gained to attract more people, more investment and more jobs to all areas of Vermont. Let's finally build the best, most flexible education system in the country, from cradle to career. And let's use this new capacity and knowledge—the lessons of a nimble, effective government—to strengthen our programs and get better results while facing significant budget challenges.

The road ahead offers us an incredible opportunity to set the state back on a path where every county can have a vibrant, resilient economy; where every community and every family has the tools needed to be economically secure; and where every new generation has a better chance than the one that came before.

As we recover from an emergency that has touched all of us, we must support policy that serves all 14 counties, all 251 towns and every single Vermonter.

Now, we have to be honest: Even with help from Washington, we are going to have to make some difficult choices and do more with less. We know we won't be able to do everything we want, but rest assured we will meet our commitments to Vermonters.

With all of this in mind, experts across state government, as well as community, non-profit and business leaders, have been working on plans that address immediate needs and long-standing challenges. Drawing on their ideas, the policies and budget I'll present to the Legislature will focus on weathering the remaining storm and laying a foundation to rebuild our economy. At the heart of each proposal will be a goal to level the playing field for every corner of our state, from Alburgh to Vernon, Canaan to Pownal and everywhere in between.

Of course, we can't accomplish any of this if we don't help our businesses survive over the next few months. We all know without strong employers, we won't have the jobs that generate the tax revenue needed to help the vulnerable, fund schools, pave roads and pay for priorities like climate change and clean water.

For years, employers have faced rising costs, higher taxes and increased regulation, and now a devastating economic downturn.

We have to remember that most businesses are small and owned by our neighbors. They're often the first to sponsor the local little league or community fundraiser, and too many of them have seen their life's work and life savings evaporate through no fault of their own.

That's why we devoted about a quarter of the \$1.2 billion we received in COVID relief funds to help these businesses survive, and millions more will be available in the next aid package—but that still may not be enough.

So, we must help employers in other responsible ways, like reducing—not increasing—the cost of unemployment insurance without impacting benefits to the unemployed. And surely we can't add to the burden with a payroll tax on them or their workers.

In addition, from Bellows Falls to Montgomery, we can jumpstart investments and important projects with new tools and commonsense improvement of regulations.

One of those tools, Tax Increment Financing (known as TIFs), allows towns to keep a portion of their state tax dollars to fund projects that spur private investment, add housing and attract new jobs and development. Now, keep in mind, without TIFs, these projects would not have been built. Right now, TIFs are only available to our larger cities but if lawmakers will work with us, we can make this available to smaller towns in every region.

I'll also propose we modernize Act 250 to eliminate duplication and reduce costs, making it easier to revitalize downtowns and village centers in places like Newport, Springfield and Rutland. These changes will expand outdoor recreation and local food systems, using our rural character to grow the economy without weakening environmental standards.

And I'll invest more for the revitalization of homes, helping low- and moderate-income Vermonters save money and reduce emissions that contribute to climate change.

Supporting economic growth, strong communities and new housing, especially in the areas that need them most, will help us retain and recruit more families and workers. Over the last 10 months, many who grew up here and left for college, work or a new experience out in the world have returned home to be close to their families and raise their kids. We've also seen people move here from other states to work remotely or for a new job, looking for a safe, healthy place to live—away from the crowds and concrete of America's cities.

This is a real opportunity because we know our demographics have been our Achilles' heel. With an aging population and shrinking workforce, we just don't have the people we need. Think of it this way: We need more taxpayers, not more taxes.

To address this, my budget will invest in more tools to recruit and retain working families because there's nothing more important to revitalizing our economy or ensuring we have the revenue needed to support things we care about than growing our workforce.

Now, recovering from this pandemic and fully restarting our economy won't be possible until all our kids are safely back in the classroom. We know that's where they learn best and how important it is for their social and mental health. That's why I was pleased to hear President-elect Biden say he supports reopening the nation's schools and hopes to accomplish this within the first 100 days of his administration. Here again, I believe Vermont can lead the way.

But we need to be honest: We have a lot of work to do to help every child recover from the learning opportunities that were lost. So, I've asked the Agency of Education, the Department of Health—working closely with school districts, teachers and pediatricians—to develop a plan to safely get every child in every district back into the classroom full-time before the end of the school year, and hopefully sometime in April. The fact is: We have some of the best conditions in the world to begin this work. For our children and their future, we must reestablish full in-person instruction, routines and relationships as soon as possible.

Looking further ahead, we need to do more to give every child access to an equal education. Despite the nearly \$2 billion we spend educating 83,000 students, we know there are drastic differences from district to district and not all kids get off to the same start. To me, this is the most glaring example of inequity that exists in our state and it cuts directly across regional, economic and racial lines. We must fix this, and we should start by making sure all kids have a solid foundation. That's why I've made investing in childcare a top priority.

Since I came to office, we've added about \$10 million to programs that help lower-income families pay for childcare and early education—an increase of more than 30%. Throughout the emergency, we've made sure providers stayed open so families had somewhere to turn when they went back to work. We created regional hubs to support parents while schools operated remotely. And in total, we've invested over \$40 million in COVID relief funds for childcare—efforts that earned national recognition.

Adding to this, my budget will propose a property tax exemption for licensed preschool programs.

Now, while these investments are important, there are also improvements we can make in state government to get better results. That's why I'm proposing to organize all the state's child development work within the Agency of Education. This move will break down another unnecessary bureaucratic silo. It will finally unite the state's experts on childcare, preschool, K-12 and technical education, which is long overdue. And it will give us a clear picture of the impact of these investments to deliver better, more coordinated service for our kids, parents, childcare centers and taxpayers. And our providers should know: We'll respect the role of private centers and preschools.

We can also strengthen every kid's foundation with a stronger focus on literacy. So, we'll ask districts to put plans in place that help us measure and improve in this important area of learning. And finally, I'll ask the Legislature to consider how to use the lessons of remote learning to give school districts, students and families more educational choices, like the option of a foreign language or a computer coding class taught from a classroom in another part of the state.

Here's the bottom line: I believe we have a moral imperative to transform our education system to ensure every student has the same chance to succeed and equal opportunities. It could be more comprehensive and more nimble with more choices and better outcomes for every student from cradle to career. To achieve this, we need the courage to rethink how we're delivering education, because with the money we spend today, all our kids could have more opportunities. As we move forward, this must be our goal.

Let's also continue our efforts to make healthcare more affordable.

In the near term, we'll stabilize a healthcare system that's front and center in the fight against COVID-19.

And it appears Vermonters have spent much less on healthcare over the last year than expected, which means you may have paid more than was needed. We experienced something similar with auto insurance, returning about \$24 million to Vermonters because people were driving less. Already, Vermont's largest dental insurer, along with some smaller carriers, have filed plans to return about \$3 million to Vermonters.

For this reason, I've directed the Department of Financial Regulation to review health insurance premiums and rates for 2020, report back to me by March 1, and determine where rebates are appropriate. My team believes this could result in \$10 million or more in additional rebates.

Of course, we also need to contain healthcare costs in the long run. With that in mind, I believe it's time to set a cap on annual increases and continue moving to a system where we pay for quality, not just quantity—and do so in a way that prioritizes prevention on the part of the patient as well as the provider. These are the goals of the All-Payer Model, which you might have heard about over the last three years.

In addition, this year I'll propose more improvements to our mental health system and renew our focus on strengthening drug education, prevention and treatment programs.

Tonight, I've mentioned some of the proposals I'll bring to the Legislature this year. We'll present more ideas when I deliver my budget in two weeks, and I encourage everyone to learn more about this work and be part of the process.

I also want to acknowledge there will be ideas from me the Legislature may not accept. As well, I may not agree with some of their ideas, especially if they increase the burden on workers and employers.

But here's what I can promise you: I will listen, look for opportunities to work together and rise above the partisanship that will get in the way of our recovery. My only ask is they do the same, because that's the type of government you deserve. This doesn't mean we'll agree on everything, but it does mean we can treat each other with civility and respect and set a good example for our kids.

Now, these are obviously not normal times. For as long as anyone can remember, every two years, it's been our tradition for governors to be sworn in and deliver an address at the State House with all the pomp and circumstance that comes with the opening of a new legislative session. Instead, I speak to you tonight, not in the State House, but from a small auditorium in my office building. This is a stark reminder that none of the priorities outlined tonight or any proposal the Legislature puts forward will be more important to our recovery than our effort to end the pandemic.

And I know the question we all have is when will we get back to normal? When can we safely get together with our friends and family? Go to the movies, birthday parties, fairs and weddings? When can we stop worrying about things like the distance between us, if people are wearing masks or the uncomfortable conversation with someone who just doesn't believe the science? When will this nightmare be over? And how do we get there as soon as possible, with the fewest lives lost and the strongest economy?

I think about this every single day. And I'll be honest: While the end of this crisis can't come soon enough, we don't know *exactly* when it will be. But we can see light at the end of the tunnel, and it gets brighter every day.

We've already vaccinated about 20,000 people, and at the rate the federal government is currently sending doses, we believe that number will be about 120,000 by the end of the winter, including all who are at the greatest risk of death. As vaccinations increase, we hope to see fatalities decrease and daily case counts stabilize. This should allow us to reduce restrictions and work our way back to where we can safely gather, travel without quarantine and more.

It's our hope that sometime this summer—possibly earlier—we'll reach the point where life will begin to feel normal again. But a lot depends on how many doses of vaccine the federal government makes available and how many Vermonters choose to get vaccinated.

Until then, it's up to each of us to continue doing all we can to prevent the spread of the virus. The fact is, we have some tough sledding ahead and it may be a difficult winter. I know how hard this is and how hard it's been, but I know we can get through it if we stick together.

I'd like to close tonight with a bit of history. In late September 1918, Vermont Governor Graham received an urgent request for help from Lieutenant Governor Calvin Coolidge of Massachusetts. They were under

attack from the Spanish flu, which had moved from Boston Harbor into the city and was spreading in every direction. As infections multiplied and hospitals were overwhelmed, they were in desperate need of doctors and nurses to help care for the sick. But by the time the message reached Vermont, outbreaks across our own state meant we had already put into service anyone with even the slightest bit of medical training.

That virus moved north up the rail lines and quickly advanced into Rutland, White River, St. Johnsbury, Burlington, St. Albans and then to Barre, where it settled into the quarries, granite sheds and tenement houses, eventually infecting more than 40,000 statewide and killing nearly 2,000 Vermonters.

As World War I carried on in Europe; as the speed of modern life accelerated and technology brought us closer than we'd ever been before; 18 years after the turn of the century, no one was ready for that global pandemic or the challenges that came with it. Not a small, rural state like ours or a large, cutting-edge place like Massachusetts. No one was ready.

But on October 3, the day before the state would issue an order closing churches, theaters, schools, public meeting places and gatherings, Governor Graham urged Vermonters to give "their services and all attention" to stop the sweeping spread of the Spanish flu. He asked them to care for one another, protect those called to fight overseas, preserve this place for those who'd return and honor the ones who never would. He described what Vermonters faced as "an opportunity for practical patriotism in our own communities."

Tonight, we face that same challenge, our own opportunity for practical patriotism. To rise above what's shallow and superficial. To ignore those who seek to divide us. To stand together, to protect Vermonters at the greatest risk and to honor the memory of those we couldn't.

As the speed of modern life continues to accelerate; as technology brings us closer than we've ever been before; 21 years after the turn of the century, no one was ready for this pandemic either or the struggle and sacrifice it brought with it.

But as Vermonters have each and every time history has demanded, we rise. With that stubborn sense of duty and concern for one another, we rise to meet this challenge and seize the opportunities ahead.

My fellow Vermonters, we will get through this. We'll have scars to show and stories to tell but that will only make us stronger. And once more, together, we will rise.

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State of Vermont
OFFICE OF THE GOVERNOR

INAUGURAL ADDRESS

Of

Phil B. Scott

January 5, 2023

Text provided by Office of the Governor.

Montpelier, Vt. - Governor Phil Scott today was sworn in to his fourth term as Governor of Vermont and delivered his Inaugural Address to a joint session of General Assembly.

The Governor called on lawmakers in Montpelier to focus efforts on supporting economically disadvantaged communities across the state.

“The work done in this building is felt differently across counties and communities because they all have different assets and attributes – and sometimes not enough of either. That’s why ‘one-size’ rarely fits all. This session, if we pay more attention to the individual needs of each community, we can close the gap between regions to give all our towns and villages a brighter future.”

Governor Scott also highlighted the importance of following through on the historic investments he and lawmakers made in housing, climate change mitigation, water, sewer and stormwater infrastructure, broadband, economic revitalization and more.

Throughout the address, Governor Scott put a spotlight on challenges facing many regions across the state and emphasized the once-in-a-lifetime opportunity to help address these issues and help underserved communities get ahead.

“My fellow Vermonters: these are big challenges. But we find ourselves at a rare moment in history, with one-time money that those who came before us could only dream of, to tackle issues we have faced for decades. This is truly a once-in-a-lifetime opportunity. And the only thing that could stand in its way is us. So, let’s not squander it.

“This year, we can shorten the distance between reality and opportunity; give every community the chance to catch up; to act on a vision for their future and help them see it through; to attract new people and new jobs; put more kids in their schools; restore their downtowns; reclaim their character; and renew their identity.

“In this moment, we have a chance to transform what is into what can be; and the only way we can do it, is together.”

A transcript of Governor Scott’s inaugural address is included below.

Madam Speaker, Mr. President, Mr. Chief Justice, Members of the General Assembly, Honored Guests, and fellow Vermonters.

I am truly thankful for the opportunity to continue to serve as governor.

And after a few long years, it is good to be back in the people's house, where Vermonters have come together from across the state in our darkest times and finest hours to solve problems for their communities and help their neighbors.

So today, I am especially grateful we are here, in this building, together.

In 1974, after 34 years in office, Senator George Aiken decided to retire from the United States Senate. He had earned a reputation as a staunch defender of our state and added Vermont's voice to the national conversation. So, his shoes seemed difficult to fill.

But that fall, we put the responsibility on the shoulders of a 34-year-old state's attorney. And the rest, as they say, is history.

In the time since, Patrick Leahy has worked with nine presidents, and as Pro Tem of the Senate, he was third in line to the presidency. He introduced 1,768 bills and cast 17,374 votes, the second most in Senate history.

Not bad for a kid from Washington County.

He carved out a legacy that will benefit generations of Vermonters to come. And that's because he always served with an eye on what's best for the state he represented.

Senator Leahy could not be here today, but I know he and Marcelle are listening. So, please join me in showing them our thanks and gratitude for so many years of service and a job well done.

This session, we should take a page out of Senator Leahy's playbook by always working with an eye on what's best for the communities we represent.

Just look at how he used the Small State Minimum to prevent states with larger populations and larger congressional delegations from taking the lion's share of federal funds. About half of you represent towns of less than a thousand. So, you are up against the same challenge when compared to our biggest cities.

What better way to honor Senator Leahy's legacy than to deliver for your small communities the way he has delivered for our small state.

In November, my team and I set out before dawn to visit all 14 counties in a single day. I have done this six times before. It is a reminder of why I love our state and why I do this work.

Seeing every county in a day – well over 500 miles – puts things in perspective. At every stop and the drive in between, you see, Vermont: independence and community; struggle and resilience; progress and opportunity.

It also becomes very clear that the distance between Burlington and Rutland, Manchester and Readsboro, Middlebury and Craftsbury, St. Albans and Richford, can be measured in more than just miles.

Consider the data. Whether it's housing burden, income, property value, poverty levels, labor force, or access to broadband – it's clear some places are consistently doing better than others.

And when you are driving 500 miles in one day, you see this data reflects real communities. In an instant, the view goes from vibrant downtowns, healthy neighborhoods and bustling offices, to tarped rooves, abandoned homes and shuttered businesses.

My friends, it is up to us to close this gap.

Now, it's not about turning Canaan into Burlington. And no offense to Burlington, but I'm not sure anyone in Canaan wants that. What towns like Canaan or Dover or Montgomery need from us are more tools, and the flexibility to be more vibrant and dynamic.

The work done in this building is felt differently across counties and communities because they all have different assets and attributes – and sometimes not enough of either.

That's why "one-size" rarely fits all.

This session, if we pay more attention to the individual needs of each community, we can close the gap between regions to give all our towns and villages a brighter future.

Just imagine what it could look like:

A future where workers and families from Newport to Newfane have equal access to education, childcare, afterschool programs, quality healthcare, good jobs, and decent affordable housing.

Where vibrant communities include "mom and pop" stores, restaurants and taverns and broadband, which some of us in New England might call "*wicked-fast*."

Where our largest cities and our smallest towns have safe welcoming neighborhoods, healthy downtowns, and reliable and resilient infrastructure.

A reality where the costs of living and tax burden don't grow faster than paychecks, so families keep more of what they earn, move up, and enjoy the quality of life they've worked so hard for.

A better, brighter future in every county, every community and every home.

And it is within our reach.

This isn't just high-flying rhetoric and here's why:

Before the pandemic, we shored up our foundation by passing responsible budgets and focused on longstanding challenges, like workforce and housing. This work – and the course we have set – has put us in an incredible position to make the most of this once-in-a-lifetime opportunity offered by historic federal aid and record state surpluses.

With pandemic recovery funds, we are investing in fundamentals like broadband, water, sewer and stormwater systems, climate change resiliency, housing and economic revitalization.

In St. Johnsbury, this means cleaning up brownfields and fixing up vacant rental units for more housing, and water projects to improve health and support economic growth.

Around Brattleboro, this means adding space for small businesses, expanding healthcare services, and converting college dorms into homes for refugee families.

We have hundreds of projects underway in all 14 counties and they are making a difference. But it's important we follow through to achieve the brighter future I just described.

Look at the opportunity we have along the almost-completed Lamoille Valley Rail Trail.

What was just an idea for an unused rail bed has become a substantial, and still untapped, recreational asset. Extending over 93 miles – the longest in New England – it could bring new energy to 18 communities in five counties. From Swanton to St. J, every town along the route has an opportunity to welcome trail users to their country store, brewery, restaurant, lodging, and that new small business that, today, is just a dream.

But here's the thing, the rec path itself is not the answer – it's just an entryway. An opening to explore the towns, villages, and businesses along the way. And cutting the ribbon on the last section of construction doesn't come close to finishing the work.

It's our job to make sure they have all the tools they need to draw those visitors in, keep them coming back and convince some of them to stay.

Take Wolcott for example.

A few years ago, my team was in Lamoille County for Capital for a Day. We met at the town office and heard some locals wanted to open a coffee shop as part of their vision to take full advantage of the rail trail, if it ever got done.

Now most of us might take the opening of a coffee shop for granted. How hard could it be?

But we learned it's tough to put one in Wolcott. And that's because our well-meaning wastewater regulations make it complicated. And municipal systems, like they have in larger communities, are too expensive.

Now, I'm not saying we should roll back regulations. But we should use the opportunity we have, right now, to help towns like Wolcott build infrastructure they could never afford on their own, and solve problems that have stifled their economic progress for far too long.

The basics, like water, sewer and stormwater, housing, and high-speed internet – those are the sparks that ignite revitalization. But we need to follow through to give more communities what they need, so those sparks don't burn out.

That's why my Budget Adjustment, which we will introduce tomorrow, includes funding to help level the playing field for underserved regions. So rather than wait until the end of the session, we can build on our efforts to strengthen Vermont right now.

This work is important because stronger, more economically secure communities lead to healthier, safer families.

As we know, we have spent hundreds of millions of dollars to stabilize healthcare through the pandemic. And the challenges we had before, still exist. From workforce shortages to increased demand due to an aging population. And now, we are dealing with inflation.

All of this has led to higher costs, which is a reality we must face.

Another is, 12 years after Tropical Storm Irene, we still have not finished rebuilding our mental health system. This has led to fewer options for patients. And too often they end up in emergency departments, which are not equipped to care for them, despite the nurses and doctors doing their very best to help. It's a reminder of what happens when we lose focus on the fundamentals and don't finish what we start.

We have important work to do across the entire system to better integrate mental and physical health. But I know, if we make these goals a priority and work together in good faith, we can deliver better access and higher quality at a cost Vermonters can afford.

And to restore progress that was halted by the pandemic in a number of areas, we need a shared, community-based approach.

We have the knowledge and have laid the foundation to do it. Vermont set the standard for treating the opioid epidemic as a public health crisis. And now, we're building on it with lessons learned from our nation-leading pandemic response to address overdoses, suicides, homelessness, crime rates and more.

This approach means agencies and departments are working as one team, shoulder to shoulder with local leaders, federal partners, and community organizations. And using real-time data to focus on the people and neighborhoods that need our attention most.

We are prioritizing prevention, giving kids a healthier start through home visiting and partnering with pediatricians, so we can identify risks earlier and prevent problems down the road. And we're doing more with our mobile mental health response when those problems do arise.

Together, we made the state's largest-ever investment in substance abuse prevention, which is being deployed as we speak. It's helping community partners give students meaningful things to do – like afterschool programs, clubs, sports and jobs – where they build healthy relationships, explore opportunities and feel valued.

They are also critical to our treatment and recovery efforts, connecting people to services, sharing life-saving resources, and supporting families who desperately need our help.

These are proven initiatives, which is why I'll propose we build on them and do more to prevent the destruction these deadly drugs are causing in too many towns, too many cities, and in too many of our homes.

And while we focus on root causes, law enforcement and accountability must also be part of this discussion. And I believe it has to include a sincere look at well-intentioned reforms that are having unintended consequences.

Whether that's expunging records that could lead to a violent offender getting a gun; policy that has made youth the target of drug traffickers; or divisive rhetoric that makes it difficult to retain and recruit good public servants.

With a more unified approach to health and safety on the ground, we can divert more people off the path to drugs and crime, and solidify our position as the safest, healthiest state to live and raise a family.

Addressing climate change is part of this work as well.

This is an area where we share goals but may disagree on how to get there. Still, we've proven we can work together, devoting nearly a quarter-billion-dollars over the last two years. This is funding good work to reduce emissions, revitalize old homes, lower energy bills, improve health, and protect communities from flooding.

Our weatherization investments are improving thousands of homes for those who could not afford to do it on their own. And it has helped low-income families each save, on average, over 200 gallons of fuel or propane every year. But we know people are still hurting and when you consider kerosene, which many families have to use to heat their homes because they have outside, aboveground tanks, is over \$6 a gallon, these savings add up.

We are also helping homeowners and municipalities convert to energy-saving technologies, efficient renewable systems, and storage capacity to meet the growing demand.

When it comes to transportation emissions, we started laying the groundwork long before COVID, investing Volkswagen settlement funds to expand charging infrastructure and making EV purchases more affordable.

We are electrifying our state fleet, converting to electric buses for public transportation, and testing electric loaders, excavators and law enforcement vehicles.

We currently have the most public EV charging ports per capita, and we have five times as many EVs on the road as we did when I came to office.

Some of you were here three years ago, when I stood at this podium and talked about how excited I was to see Ford announcing the new EV Mustang and working on an all-electric F-150 truck. I saw it as a gamechanger, a way to introduce EVs to more people, including those who need heavy duty vehicles for work and everyday life.

Just over a thousand days later, I'm riding in one of those F-150 Lightning's every single day. Though as you might imagine, I'd rather be driving myself.

But it has been valuable for me to experience this and has opened my eyes to issues we need to address to help transition to this new world. For example, when traveling around the state, I get to see different levels of chargers with some faster than others, as well as how many we have and where they are.

On one trip, we had planned to power up in Brattleboro. But the only charger fast enough to keep us on schedule had a line of cars waiting, which would have made me late for a few meetings. As Governor, I have State Police security, so I got another ride and was on my way. But others don't have that luxury.

Now to be clear, I still believe EVs are the right way to go. But we have to recognize that many are hesitant because it needs to be easier, more convenient and more affordable to make the switch.

We have made great strides, but we need to make sure we are investing in the fastest chargers available. And with all the new EVs and electric heating and cooling systems coming online, we have some serious work to do to make sure our electric grid can accommodate it.

So, let's continue to build the foundation that will make it possible and practical for Vermonters to make this transition, so we can meet our climate goals.

And we need to do the same when it comes to housing.

We have invested almost a half a billion dollars in this area over the last two years, and we are seeing some progress. But we won't be able to make the most of this opportunity if we don't address the decades-old regulations that are holding us back.

These were put in place at a time when Vermont was growing at a record pace and the spike in development raised legitimate concerns about preserving farmland and our small-town character. But now, those regulations are making it more difficult to renovate and modernize housing stock we desperately need. Worse yet, some restrict the ability to build homes that fit the needs of more diverse, or lower income families.

They are threatening the vitality of the very places they were intended to protect.

They empower very small groups of residents to stand in the way of projects – not because of a legitimate environmental threat, but because they simply don't want it in their backyard.

For example, a project to build over a hundred units in Middlebury has local support and fits the town plan. But because of the size of the town, it is not exempt from Act 250 – and a single opponent could derail it. This is a much needed, well-planned project in Addison county's economic center and the type of targeted development we should all support.

Then there is the homeless shelter in Hartford that is being held up with the help of local zoning laws.

And in Castleton, a proposed senior living project has been denied approval under its current plan because local zoning requires a kitchen in every unit. But the plan includes memory care units without kitchens. This project would let older Vermonters stay in the community they love, and free up their larger homes for young families. It would also create desperately needed skilled nursing beds, and give practical training for the nursing students right next door. It's literally a win, win, win. But now, because it won't work without the memory care units, it's future is in question.

Here's the bottom line: the failure to update a system that was meant to curtail development is contributing to the housing crisis we face today.

I know a number of you are working to change this. For any legislators who ran on housing as a priority, I hope you join us at the table. Because in order to make the most of the hundreds of millions of dollars we've invested and build homes as quickly and affordably as we can, we need smart regulations that reflect the realities of today, and we need them this session.

Pairing decent affordable housing with the best education system in the country is a critical way for us to revitalize every region.

With these tools, we can attract more who want to live, work and raise families in the healthiest and safest state in the country with the very best opportunities for their kids, from cradle to career.

Now, I know how that sounds. It's a big goal.

But part of what makes me so confident is that we could do it with the \$2 billion we spend today to educate about 80,000 kids.

This year, I'll once again propose continued expansion in childcare and pre-K programs. As we recover from the pandemic, let's do more to reverse learning loss, support quality standards, and strengthen the social and emotional health of students and staff. We will build on our work with Senator Sanders by devoting federal funds to afterschool and summer programs with a focus on trades training. And we'll help schools expand computer science, like cybersecurity and coding, and support scholarships in areas with critical workforce shortages.

From pre-school to afterschool, tech ed and trades training to adult education, we must continue our work to build a more flexible system – one that gives every child – regardless of where they live – more choices and better outcomes.

As we think about all our priorities, we must address the impacts of inflation.

There's no denying people are facing tremendous cost pressures. Just over the last year, energy costs are up 13%. Car repairs by almost 12%. And basic food costs are up across the board with chicken, milk, cheese and potatoes all increasing 13% or more. Just a dozen eggs or a box of cereal can easily cost over five dollars.

So, I want to be clear: this isn't the time to increase the burden on anyone. And we certainly can't ask lower- and middle-income families to cover the costs for their wealthier neighbors.

We must find ways to achieve our shared goals without adding taxes and fees because this only increases the cost of living.

That's one reason my Administration followed through to create a voluntary paid family and medical leave program.

Now, I know some of you don't think this goes far enough and feel Vermonters can afford another tax. But by doing this without a payroll tax on workers, we are not forcing those who don't need it, and can't afford it, to pay for someone who can.

And importantly, we're getting it done. Next year, employers will be able to give this benefit to their workers with flexibility to cover the costs and customize a plan.

We will be able to see for ourselves how well it works, how much it costs, and who needs our help to level the playing field. We'll learn from it, improve it, and get us all where we want to go faster, with less political conflict, and without putting it on overburdened workers.

It's good, smart and thoughtful governing, and it's the type of balanced approach we need to consider across the board.

That includes our effort to increase the number of workers and reverse our demographics.

Long before the pandemic, this was our biggest challenge. But the last two years put the number of people leaving the workforce on steroids.

In 2019, we were moving in the right direction, but still had about 3,300 fewer workers than we did in 2009. Unfortunately, our most recent data shows a gap of 22,500. That's right. The gap is nearly seven times what it was in 2019.

There is no one solution. That's why we must look at every proposal and understand if, and how, it will increase the number of people working in Vermont or help bring new Vermonters here. It's about staying focused and having the commitment to chip away at this problem.

This is what we have been doing with investments in tech centers, expanding internships and apprenticeships, and building adult training programs that help people learn new skills for better paying jobs. The budget I'll present in two weeks will continue to invest in our workforce.

But we can't just train our way out of this. It's not as simple as just getting the unemployed back to work, because there are currently about three job openings for every one unemployed Vermonter.

Everything I've talked about today – from making Vermont more affordable, building more housing, creating the best education system in the country, and ensuring safe, clean, healthy communities – all these things are necessary to keep and attract more people.

And more people means more workers, more homeowners, more students in our schools, more volunteers in our communities, more customers for small businesses, and importantly, more taxpayers, so we don't need to raise taxes.

So, let's continue to make this a priority this session because it's the key to being able to invest in all the things we need and want, and to giving every region of the state more opportunity to grow and prosper.

I'd like to wrap up by going back to the 14-county tour.

We stopped in Island Pond and there was a guy putting up Christmas lights at the American Legion. He stopped what he was doing and came over to talk. As he came closer, it became clear he wasn't happy, in fact I'd say he was pretty angry, and he had a lot to say.

He went on to tell me that we – all of us here – are crushing him. That Montpelier could care less about what they did to folks like him, in places like Island Pond.

Now, I tried not to argue with him. He's a Vermonter. I'm the Governor. And this is America. He has every right to give me a piece of his mind, and it's my job to listen.

But what struck me – and stuck with me – is that the problems he described, and the pain they caused, are the same things I see. In a lot of ways, he was right. Despite our best intentions, his community has fallen behind.

The distance between regions, the gap in opportunity, has been growing for decades.

Springfield is a good example. Only 40 or so years ago, it was a worldwide leader in manufacturing with thousands of great jobs and the highest per capita income in the state. It's a similar story for Barre, Bellows Falls, Bennington, St. Johnsbury, Rutland and Newport.

There are many places that – not that long ago – were economic engines for their region. But as the economy has changed and evolved, we haven't done enough to help them adapt.

This work takes more than a bumper sticker and good intentions. Because governing is never as simple as a slogan, or the headline tries to make it.

The good news is, we can help turn these places around.

But we have to remember the decisions we make in this building have real-life consequences on people who don't show up at fundraisers. Who don't have the time to call, write, tweet or testify in the State House – because they are too busy working, trying to make ends meet, and raise their family.

But they still expect us to look out for them. And when we don't, they lose faith and trust in government.

What we learned through Irene and COVID, is that when we put politics aside, when we focus on the people who need our help most, when we work together to solve problems – we can get the results that make a difference.

And I'm telling you, the challenges that people face in all these struggling communities are just as urgent as any pandemic or any flood.

If you don't think so, talk to the members of the Rural Caucus.

Or let's go visit the American Legion in Island Pond or the Village School in Irasburg. Or other places like Athens, Corinth, Danby, Isle La Motte, Roxbury, Sheffield, Westmore or Woodford – and many more like them, who need us to hear what they're saying and work together to make real change.

My fellow Vermonters: these are big challenges.

But we find ourselves at a rare moment in history, with one-time money that those who came before us could only dream of, to tackle issues we have faced for decades.

This is truly a once-in-a-lifetime opportunity. And the only thing that could stand in its way is us.

So, let's not squander it.

This year, we can shorten the distance between reality and opportunity; give every community the chance to catch up; to act on a vision for their future and help them see it through; to attract new people and new jobs; put more kids in their schools; restore their downtowns; reclaim their character; and renew their identity.

In this moment, we have a chance to transform *what is* into *what can be*; and the only way we can do it, is together.

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Inaugural Address
of
Peter Shumlin

As it appears in the

Journal of the
Joint Assembly

January 6, 2011

Inaugural Address

Governor Shumlin then presented the following remarks.

“Mr. President, Mr. Speaker, Mr. Chief Justice, Members of the General Assembly, distinguished guests, fellow Vermonters:

“Thank you. It is an honor to stand before you today. Thank you, Governor Douglas, for 38 years of exemplary public service to the Green Mountain state.

We are grateful for your hard work and sacrifice on our behalf and to Dorothy and your family for sharing so much of your life with us.

“Thank you to Brian Dubie for your service as Lieutenant Governor for the past eight years. While Brian and I had a spirited campaign this fall, I am proud to call Brian my friend; we are united in our love for our state and the constituents we serve.

“Since my election in November, I have had the honor of joining Governor Douglas and our Congressional delegation in welcoming home our soldiers from Afghanistan after the biggest deployment of National Guard troops since World War II. We are so proud of you and thrilled to have you home. Our hearts go out to our Gold Star families who have made the ultimate sacrifice to our state and nation. Today, joining Adjutant General Michael Dubie in the gallery are veterans of the wars in Afghanistan and Iraq: Brigadier General Jonathan Farnham, Lieutenant Colonel Carol Hitchcock, and Chief Master Sergeant Steven Zappi. Also joining them is Command Sergeant Major Michael Datillio, who is retiring after 44 years of service to his state and his country. Please join me in recognizing these brave women and men – and all the Vermonters who have served in our armed services in Afghanistan, Iraq and elsewhere abroad.

“I am grateful to my loving family and friends for your faith and support; and to all who worked so hard to make this moment possible. Above all, thank you Vermonters for giving me this opportunity to serve you as Governor; I am both honored and humbled.

“That I stand before you today as Vermont's 81st Governor was improbable, and no one can attest to that better than my mom and dad, who are here today. My mom reminded me again on election night that it often seemed more likely in my grade school years that I would struggle to find a job than to run for office. As a kid who learned differently, I remember well in second grade being called into the

principal's office with my parents to have them be told what I already knew, but hoped beyond hope that they would never find out: that with all the good efforts of my teachers they could not teach me how to read; that the prospects of my being a successful student and going onto college were unlikely, but they would do the best they could. That was not a great day.

“I had a single teacher who believed in me. Her name was Claire Ogelsby; she later became Vermont's teacher of the year. Her husband Mac and daughter Molly are here today. Claire would be here too had she not lost her battle with cancer a year and a half ago. After her long day at school, Claire loaded me in her Willy's Jeep and took me to her log cabin deep in the woods on Windmill Hill Road in Westminster West. In the warm weather we sat on her lawn; in the cold weather we huddled around the wood stove; and slowly and creatively she taught me how to read. What I remember best about Claire was no matter how difficult the challenge; no matter how innovative she had to be or how hard she had to work, she never gave up on me and therefore neither did I.

“I share that part of my life today because we are living in difficult times and we need to be creative to overcome our challenges. Let me be clear about the fiscal reality that our great state faces at this moment. After several years of making necessary but painful spending cuts, we are still confronted with a \$150 million shortfall in the next fiscal year. Our economic challenges are real, and so is my firm commitment to address them responsibly and swiftly – with hard, sometimes painful but sustainable choices. There is no easy or popular path ahead.

“While I am bound and determined to put Vermont on a sustainable spending path this year, balancing the budget is not our biggest challenge. All across our state, too many Vermonters are living in fear: fear that they might lose their jobs, face another pay cut, fail to keep their home, send their children to college, afford health insurance or a secure retirement. That fear knows no political party; it has lost patience in finding solace in political slogans and false promises, it takes no more comfort from a tea party rally in Tallahassee than it does from a bickering government in Washington, DC. Vermonters wonder: is anyone in government listening? Can we let go of the political speak, stop playing pretend, face the facts, and arrive at a common purpose?

“From Bennington to Burlington, Guilford to Guildhall and Stamford to Swanton, our state is uniquely united in what we wish for. Vermonters want jobs and a brighter economic future for themselves and their children.

“The guiding principle for my administration’s work is simple: we will commit ourselves every day to making the lives of Vermonters more economically secure. With the same fortitude and creative determination that Claire showed in her zeal to teach me and other students who learned like me, one student at a time, I believe in Vermont’s opportunity to replace fear with a bright economic future, one job at a time. A clear vision for job growth and a bold plan to deliver that vision is what Vermont needs right now.

“The last Putney boy to become Governor, almost three quarters of a century ago, was George D. Aiken, whose wife Lola joins us here today. Governor Aiken also had a bold vision for Vermont's job growth that he shared with this Joint Assembly as he bid farewell as Governor. He said, “Vermont is one of a few states that can sell four feet of snow and twenty below at a profit.”

“Aiken delivered those words at the dawn of the Vermont snow rush, as chainsaw toting men carved ski trails and second home sites into Green Mountains as rugged and majestic as Vermonters themselves. From Killington to Jay; Stratton to Stowe; Mount Snow to Mad River Glen; Aiken articulated a plan that remains a potent economic force almost 75 years later.

“As we close out the first decade of the 21st century, Aiken's world of predictable winters, with twenty below and four feet of snow has been slowly but certainly melting away from us. It's at Aiken's home at Vermont's southern border; at the soil he tilled; the maple trees he nurtured; the ponds he adored; that his horticulturalist’s eyes would gaze in stark amazement at the magnitude of change. The Elm and Butternut are all but gone, the buckthorn is choking out the young hardwood saplings, and many of the ponds that once bubbled with life are now empty waterways.

“While leaders across America, influenced by the extraordinary economic power of oil, coal and automobile companies, equivocate about climate change, we must not. That our planet is warming at an alarming rate is undeniable. But I raise this not to engage in an abstract discussion of climate science. I raise it because I believe Vermont’s economic future will be determined by how we respond to this challenge. We will provide the brainpower, make the products, and seize the job opportunities a lower carbon economy requires.

“Vermont’s diversified jobs future is bright. Manufacturing, deployment and production of renewable energy and efficiency, tourism, technology, and agriculture are all sectors of our economy with potential for unlimited growth.

“As we work to put Vermonters back to work, one job at a time, let us always be mindful that government does not create jobs; entrepreneurs do. What government must do is to make the necessary infrastructure choices that are essential to job growth for this new era.

“This agenda consists of five goals: expanding broadband, containing healthcare costs, educating our work force, providing tax fairness and credit for emerging businesses, and supporting a renaissance in Vermont agriculture. It is big, it is ambitious, and it is achievable if we view it as our common purpose.

“Today I am launching Connect VT, an initiative to deliver by 2013 my promise of high-speed Internet access and cell service to every corner of our state. If not confronted, our connectivity deficit will relegate us to an economic backwater. Vermont lags behind the developing world and ranks 46th among the fifty states in connectivity. Governor Aiken, when facing an equally daunting challenge of bringing electricity to every last mile of this rural state, in the 1930's, launched a strategy he called “Initiative and Cooperation.”

“Listen for a moment to the words he wrote in August 1939, about that effort: “A few weeks ago I pulled the switch that started the current flowing through a cooperative electric line that is bringing the blessings of light and power to hundreds of farms and homes in another Vermont community-homes which, in the past, had been almost completely isolated from urban civilization.”

“Seventy-two years after Aiken wrote those words about the need to bring Vermont out of its isolation, we must display the same foresight to confront an equally daunting isolation. The spirit that led Aiken to bring Vermont out of the darkness is the same innovative cooperation that is called upon today from our private sector telecommunications providers, the Vermont utilities, regulators and our citizens, if we are to deliver the new electric current of the modern world to Vermont.

“We have \$410 million in private, federal, and bonded capital to be strategically deployed. These resources present Vermonters with a once in a life-time opportunity to “initiate and cooperate” by completing the build out of the Smart Grid, broadband and mobile phone service in a collaborative marriage of the telecommunications and electrical utility sectors to create one shared broadband infrastructure for Vermont.

“We will not and cannot compete and prosper in the global economy until and unless we deliver on this promise. We all know success won't be easy, but Vermonters elected me on my pledge to get tough things done, and we will. Indeed, we are too small to fail.

“The rising cost of healthcare for Vermont's middle class and small businesses provides an equally daunting threat to economic prosperity. Just ten years ago our little state was spending \$2.5 billion a year to stay healthy. Today we spend over \$5 billion. That increase represents an enormous hidden tax on families and small businesses across our state. If left untethered, the rising cost of health insurance will cripple us.

“That's why we must create a single-payer healthcare system that provides universal, affordable health insurance for all Vermonters that brings these skyrocketing costs under control. Let Vermont be the first state in the nation to treat healthcare as a right and not a privilege; removing the burden of coverage from our business community and using technology and outcomes-based medicine to contain costs. By doing so, we will save money and improve the quality of our care.

“Some will say it can't be done. The special interests; insurance companies, pharmaceutical industry, medical equipment makers; the same lobbyists that spent hundreds of millions of dollars to make sure that real reform withered in Washington can be expected to exercise their will to protect their enormous profits. “Others will say reform will destroy our existing healthcare system. But logic suggests – and our experience shows - that our current system is unsustainable; that underfunded reimbursements starve our doctors and hospitals; that duplication, waste, inefficiencies and rising costs will drive more rural providers into bankruptcy and destroy our quality of care, which is the very best in the land. I ask the defenders of the current system to explain how small businesses, municipalities and taxpayers can sustain double digit premium increases year after year.

“Shortly we will receive plans from Dr. William Hsiao to help us design a health care system that Vermonters can afford. I've assembled a healthcare team that will invite providers, consumers, businesses, municipalities, insurers, and our congressional delegation to the table to help Vermont build a sensible healthcare system. I call upon single payer supporters to resist the temptation to oversimplify the challenge. I call upon skeptics to challenge us, but to join us at the table. I call upon Vermonters to join together with the common purpose of our state once again

leading where others dare not go; universal, affordable, quality healthcare that follows the individual and is not tied to employment.

“In a democratic society, educating our citizens is our single greatest obligation. I hereby call for an end to the war of words launched from Montpelier that pits property tax payers against our children, teachers, principals, and school board members, and invite instead a respectful conversation on how to create the best education system for our future; how to produce the best workforce for the jobs we’ve just discussed. We take pride in Vermont’s quality education system that is the envy of the rest of the country. Let’s build upon our success by doing even better. The objective is simple: every Vermonter must have the same opportunity for success that Claire Ogelsby made possible for me; economically, intellectually and socially.

“Part of achieving that success is ensuring that our children don’t grow up in poverty. Almost one in three Vermont children live in low-income households. Without proper nutrition, quality early education, or a stable home, these children too often enter kindergarten far behind their peers, and the spiral begins. They are more likely to drop out of school, abuse substances, and become statistics later in life. We can make a difference in their lives, and we will.

“We can also do better at ensuring the success of all of our students in school. While we are rightfully proud of our outstanding education system, we are not delivering what is required for every student. Time spent in class does not measure acquisition of skills. For those who quickly demonstrate clear levels of achievement, let’s accelerate their path to enriched programs in that area of study. For students who do not learn in traditional ways, let’s support creative approaches that may be outside the four walls of our classrooms.

“From early education to higher education; from dual enrollment to technical school; we have the most innovative offerings in the country. Our challenge is to break down the silos into a seamless system that allows each individual learner to integrate the array of programs that inspire lifelong learning.

“Of course, education extends beyond our schools and to our workforce. Herein lies a great challenge. At a time when Vermonters are facing unemployment and underemployment, many of our jobs creators can’t find qualified employees, and it’s government’s responsibility to help fix this problem. Let me be specific: right here in the chamber today we have representatives of businesses who are looking for qualified employees. IBM in Essex is looking; GE in Rutland is looking;

Vermont Circuits in Brattleboro is looking; Sonnax in Rockingham is looking. Our job is to have a pool of applicants trained and ready to work.

“It should be the policy of the state of Vermont that learning never ends. Working together in a partnership with our educational community we will close the gap between those Vermonters who want work and our job creators who have work to do. “At no time in my memory has the future of agriculture in our state had more potential to grow and make money, despite the extraordinarily difficult times facing our dairy farmers. Vermont still produce over 60 percent of the milk in New England, and our dairy community is as unified and focused as I have ever seen it. Working together with our Congressional delegation – the best in the country – we will continue the fight for fair prices for our dairy farmers.

“The renaissance in Vermont agriculture is rooted in the growing concern by consumers across America about where and how their food is produced. Consumers are increasingly demanding locally grown, chemical-free, high quality food. We must take Vermont’s strengths – buy local, farmers markets, farm to plate, Vermont Fresh Network restaurants – and expand our view of local to everything within 200 miles of Vermont, which includes Manhattan, Boston, and Montreal. Investing in processing and bottling facilities, combined with a dynamic marketing effort for Vermont quality foods, will bring our farmers the value-added price that they deserve for a hard day’s work, and they will prosper.

“Finally, my jobs agenda will expand the ability of emerging enterprises and businesses to access capital and credit when they need it the most. If our Green Mountain State can be recognized by young entrepreneurs as the innovative leader in financing and venture capital for micro-businesses when banks say “no,” small businesses will thrive. “Let me give you an exciting example of what I mean by innovation in financing and venture capital. The EB-5 program, championed in Congress by Senator Leahy, is an established means of generating capital that is creating jobs. Thousands of them, right here in Vermont. We must take this program to levels not imagined by its creators. EB-5 gives us a vehicle not only to raise essential capital, but also to spread Vermont’s stellar reputation from one end of the globe to another.

“We have a pioneer in this effort, Bill Stenger, of Jay Peak, deep in the Northeast Kingdom, who joins us today. Bill has plumbed this federal program to its fullest potential. Through this initiative he has created over a thousand new jobs in the highest unemployment area of the state that would not otherwise exist.

“Let me say one last word on my economic priorities. Our choices about taxes directly impact job growth. Vermont's tax challenge is not that our burden is not high enough; it is that our tax burden is too high. We must develop a tax policy that grows our customer base and grows wealth. The upcoming report from our tax commission will help us in this task. Our patchwork of broad based taxes that have accumulated over the years, combined with overburdened property taxes, require our attention. But let me be clear: as we tackle the difficult challenge of balancing our budget, we must not and cannot succumb to the idea that Vermonters have the capacity to pay higher taxes right now. In order to grow jobs and be more competitive with neighboring states, we must resist the temptation to raise broad-based taxes.

“I am the first to acknowledge that this action plan is ambitious, and I have not mentioned many of my administration’s other priorities: reducing recidivism for non-violent offenders; rebuilding our roads and bridges; reforming our campaign finance laws; and making government more transparent. You will be hearing more about these and other initiatives in the near future.

“Our obstacles are many, and our challenges are daunting. The change we are proposing this afternoon is transformative and systemic. It will not happen quickly or easily. Yet as I stand here today to begin a new era of government in Vermont, I remember Claire Oglesby and the many Vermonters who embody her belief that we can overcome adversity with courage and creativity.

“Vermonters are a rugged people with an abundance of spirit and toughness.

“Each day is another day in which we can excel.

“We must intensify our individual efforts to nurture the health and well being of our state and its people.

“Together we can be bold.

“Together we must be bold.

“Let’s begin now.

“Thank you.”

Benediction

The Benediction was pronounced by Sister Janice Elizabeth Ryan, RSM, of the Sisters of Mercy.

Dissolution

The Governor, having completed his inaugural message, was escorted from the Hall by the Committee. The Supreme Court was escorted from the Hall by the Sergeant at Arms. 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

Inaugural Address
of
Peter Shumlin

As it appears in the

Journal of the
Joint Assembly

January 10, 2013

Inaugural Address

Governor Shumlin then presented the following remarks.

“Mr. President, Mr. Speaker, Mr. Chief Justice, Members of the General Assembly, members of our National Guard, fellow Vermonters:

“Thank you for the opportunity to serve as your governor for another term. It is an honor to serve, and every day I am grateful for this extraordinary privilege.

“I am also humbled to be joined today by the best Congressional delegation in America. Senator Leahy, Senator Sanders, and Congressman Welch, we welcome you to the State House and thank you for your service to our great state.

“I am so proud to be governor of Vermont. There is so much to celebrate about our state. Since our founding, Vermont has always been a national leader. First state to abolish slavery. First state to mandate public funding for universal education. First state to pass civil unions, and the first to pass marriage equality without a court mandate. We enjoy the nation’s lowest unemployment rate this side of the Mississippi, and this year we were once again ranked the healthiest state in the nation.

“All of us here today, in this gem of a state house, on this glorious Vermont day, know this: Vermont is the best state in the country for quality of life. The best place to live, work, and raise a family.

“The state of our state is healthy, resilient, and strong.

“We are blessed to live here, and we care deeply about our shared future.

“Today I will diverge from tradition and focus this speech on one theme: an education system that grows Vermont’s prosperity. My goal – and the single objective of my administration – remains to grow jobs and incomes for working Vermonters. Our education system, from pre-kindergarten to higher education, is the state’s greatest economic development tool. Our kids routinely test above the national average, and excel in a wide range of disciplines. We have a great system that we must make even greater.

“To stay on top, Vermont must follow the steps of our predecessors, who refused to be led by history, but instead had the courage and imagination to shape it. If we stand by, if we fail to innovate, and if we refuse to change, we will slip behind.

“We stand on the shoulders of leaders who, at defining times, chose to be bold. As we continue our slow recovery from a devastating recession and a devastating storm, I believe Vermont is again poised to lead.

“We are on the right path. We are focused on getting Vermont off our addiction to oil and building renewables, and we now have more high tech green jobs per capita than any other state. We are delivering on our promise to grow prosperity by connecting every last mile of Vermont to high-speed Internet access by the end of this year. We are implementing the first common sense single payer health care system in America, where health care is a right and not a privilege and where we contain unsustainable rising health care costs.

“We are adding jobs. Employers across the state, who just two years ago might have been contemplating another layoff, are looking for well-trained and skilled workers. Our incomes are slowly rising. In 2011, Vermont was the only state in the union where incomes actually rose after a decade of stagnation.

“But it’s not enough. The seventh lowest unemployment rate, when you are struggling to find a job, is not low enough. Four percent income growth is better than the rest of America, but for too many Vermonters who are working a job or multiple jobs and still struggling to pay their bills, it’s not enough. Enjoying one of the fastest economic growth rates in the northeast is better than where we used to be, but for so many moms and dads like me who want their kids to live and prosper here at home, it’s not enough.

“Now here’s the irony. The true challenge that I hear day in and day out, as I log mile after mile as your governor traveling Vermont, is this: at the same time that so many Vermonters need to make more money to make life work and at the same time that so many families seek to bring their kids and loved ones back to Vermont, our employers, from border to border, are eager to find workers with the right educational skills, and they have good money to pay.

“Go with me for a moment to our deep south, where in Brattleboro, second generation business owner Norm Schneeberger at GS Precision is manufacturing world-class machine parts for the aerospace industry, and laments that if he could

find enough engineers and trained machinists, he could grow his workforce by 25 percent this year alone.

“Drive over the mountain to Bennington, which has become ground zero for the composite revolution, where Plasan Carbon Composites is building auto body parts that are lighter, stronger, and more energy efficient than their steel predecessors, and they need trained technicians to meet a growing worldwide demand.

“GE Rutland, manufacturing aeronautics parts that power nearly every plane flying in the world, struggles to bring in engineers and computer technicians.

“Green Mountain Power is turning Rutland into the solar capital of New England, opening their Energy Innovation Center in the heart of downtown and building solar farms to power the region. This will create more green jobs needing skilled workers.

“Travel east over the mountain to Windsor County, where in Woodstock NatureShare is making apps for iPhones and looking for trained computer technicians.

“Head to Chittenden County, where the cry for qualified workers turns more to a roar. IBM has more than a dozen openings for high-paying, entry-level technicians with a two-year degree and basic math skills. They can’t fill them.

“MyWebGrocer and Dynapower are growing and hiring. Dealer.com, which is now employing over 600 Vermonters with big plans to continue expanding its workforce, needs skilled workers to fill their high-paid jobs.

“Add to that list Mylan Technology in Franklin County, Concept 2 rowing in Lamoille County, UTC Aerospace Systems in Addison County, Global-Z in Bennington, Mack Molding in Arlington, North Hartland Tool Corporation, Superior Technical Ceramics in Franklin County, New England Precision and Wall Goldfinger in Orange County. The need for skilled workers goes on and on.

“Perhaps that need is best embodied in the Northeast Kingdom, the area of our state that for generations has struggled with chronically high unemployment rates and low incomes, where Bill Stenger and Ari Quiros continue to shine a beacon of hope, opportunity and future prosperity.

“For Bill and Ari, investing \$250 million, and creating 5,000 new jobs over the past 5 years while they built a world-class resort at Jay Peak, is not enough. They are moving on to Phase II, a project of unprecedented ambition, which partners with Senator Leahy’s EB-5 program and my administration to grow prosperity in other regions of the Kingdom with \$600 million in new investment, creating 10,000 new jobs.

“Some of those jobs will be at AnC Bio, a South Korean company that conducts cutting edge stem cell and artificial organ research and will be looking for scientists and other well-paid technicians. Menck Windows is a German manufacturer of the highest efficiency windows in the world; they will be adding 500 jobs. A world-class resort that will be built in downtown Newport on beautiful Lake Memphremagog, will need hundreds of workers, as will the revitalization at Burke Mountain.

“I will be traveling with Bill and Ari to South America, Asia and other parts to help secure capital for this project, and in the months ahead, additional announcements of job opportunities are likely to be forthcoming as they are secured.

“Time does not allow me to recite the hundreds of other creative, entrepreneurial ventures, large and small, in value added agriculture, food systems, health care, technology, manufacturing, travel and tourism, energy, education, services, retail and the trades that bless our little state right now. I remain unfailingly optimistic about Vermont’s economic future. But to ensure our success, we must embrace change in the way we both view and deliver education. The rapid change that is required of us is not optional; it will define our success or deliver our failure.

“Let’s face facts for a minute: these opportunities for prosperity, from our southern border to Canada, result from the way technology has transformed Vermont’s economy and our lives.

“Think about how technology has changed our daily lives: paying our bills, shopping, communicating online, texting and tweeting our way through the day, managing our finances, keeping tabs on our kids.

“Technology allows computers to create products that a decade ago, even five years ago, didn’t exist. It has created a connection to a larger world that allows

many more people to do business from Vermont that would not have been possible in the pre-tech world.

“That same technology has dramatically changed the tools available for teaching and learning. It has changed the nature of work. The high school degree that brought success and a lifetime job in the old economy, ensures a low-wage future in the tech economy. Success in the new economy depends on an educated workforce with skills beyond high school in science, computer technology, engineering and math.

“I ask you: is Vermont prepared to meet this challenge? Are we ready to harness this opportunity so critical to our future prosperity?

“The plain truth is, we are not.

“Look at the facts: current estimates show that sixty-two percent of job openings in the next decade will require post-secondary education. Sixty-two percent. Yet only about forty-five percent of Vermont students who begin ninth grade continue their education past high school, and that percentage drops as family incomes decline.

“Now don’t let these facts diminish our accomplishments. Together, we have done innovative and cutting edge bipartisan work with school funding in the past decade and a half that you deserve to be proud of. Vermont took a regressive property tax that funds our most important obligation in a democratic society and made it equitable and progressive, giving every child in Vermont an equal shot at resources while preserving local control.

“Now, some like it and some don’t, and we could debate it until the cows come home, and I’m sure you will. But in doing so, we ignore the next opportunities that will define our future prosperity. Keep in mind that we spend more money per pupil than all other states in the country except for two. We spend more than 50 percent above the national average, and K-12 spending in Vermont has grown faster over the last decade than in any other state in America.

“But the following simple fact ought to alarm all of us: with the vast amount of money that we spend per pupil in Vermont, we have failed to move more low-income Vermont kids beyond high school.

“Now is the time to take a good education system in Vermont and make it the best. To get us there, let’s take action on the following four areas.

“First, it is long past time for us to put our money where our mouths have been, and strengthen our commitment to universal early childhood education. “Let’s remember, while 90 percent of a child’s brain is developed in the first 36 months of life, only four percent of our education dollars nationally are spent during this critical time. The evidence is overwhelming: the earlier we invest in our children, the healthier, more productive lives they will have. Taxpayers win too, since every dollar we invest in early childhood education saves seven dollars in the future.

“Today, I propose to make the largest single investment in early childhood education in Vermont’s history. We will redirect \$17 million from the state’s Earned Income Tax Credit to make high quality childcare affordable to hardworking lower-income Vermonters. There is no bigger obstacle to Vermont parents who want to work or advance than the high cost of quality childcare. This bold action will nearly double the state’s contribution to childcare for low-income families.

“My administration will also ensure financial support to communities that initiate publicly funded preschool programs where they do not now exist. Our budget will include resources for first year start up costs, after which communities offering pre-school programs will be eligible for reimbursement through the education fund.

“I will invite all early childhood stakeholders to a summit to build and embrace our vision for the success of our children and their families. I have also directed the Agency of Human Services to implement an integrated plan for health promotion and prevention, beginning before birth, to ensure that all children reach their full potential.

“We can do more to ensure that all our children are healthy and prepared to learn. When Sue Maguire was principal at Bennington’s Molly Stark elementary school, she took the resources she had available, leveraged them where she could, and provided her students a full service health center right at the school. The center provides pediatric, psychological, dental, nutrition and pre-school services on site. I have asked Sue to work with my Secretary of Human Services and my Secretary of Education to bring that same ingenuity to schools across the state.

“It is well past time, to move aggressively on early childhood education - words are nice - action is better, let’s take it, together.

“Second, students can’t learn when they are hungry. Yet, too often, we ask hungry kids to learn. While some low-income Vermont kids are eligible for free school lunch under federal guidelines, others have family incomes just high enough that they are forced to pony up cash they don’t have to eat lunch.

“We must fix this problem for the thousands of low-income Vermont students who can’t afford to pay for lunch. I propose that the state covers the shortfall left by the federal government, and makes free lunch available for all low-income students, including those who are currently only eligible for reduced prices. Whenever possible, these lunches should be made from local Vermont farm grown food, since we know that Vermont farmers grow the healthiest food in the nation.

“This is a common sense, reasonable proposal that I will include in my fiscal 2014 budget, and I ask for your approval.

“Third, we must make education more accessible and affordable for all Vermonters. To help move more poor kids beyond high school, I ask you to pass two provisions that you have heard me speak about before.

“The first is dual enrollment. Over the past five years, state funding has provided limited access to Vermont high school students to get a head start on gaining expensive college credit by enrolling in for-credit college courses while they are in high school. In my budget, I will propose doubling the funding to expand access to this important program. I urge you to adopt a system in which the money follows the student and all Vermont students have access to this important program.

“Let’s also authorize an early college initiative aimed at expanding the number of students who simultaneously complete their senior year of high school with their first year of college. For more than a decade, 40 students a year have done this at Vermont Tech, where they concentrate on science and technology with great success. Having only 40 kids in this program is a paltry number.

“Let’s open this program to all interested Vermont seniors, with the money following the student.

“Next, we know that the level of college debt being amassed by Vermont’s students and their families is oppressive. This crisis requires us to address affordability with new vigor, particularly for those students who pursue degrees in the disciplines of the new economy.

“We also know that one of the challenges we face is keeping young Vermonters in Vermont. So today, I say to the graduating class of 2013: if you make a commitment to our state, then our state will make a commitment to you. We want you in Vermont, we need you in Vermont, and we are ready to be bold in keeping you in Vermont.

“I propose the Vermont Strong Scholars Program. It’s a simple program, and here’s how it works: if you enroll in any public institution of higher education in the state of Vermont and graduate with a degree in a STEM field, we will give you a helping hand to stay and work in Vermont by paying you back, over the course of five years, for your final year of tuition. Or if you graduate with an Associate's Degree in a STEM field, we will pay you back over three years for your final semester of tuition.

“I urge the legislature to approve this proposal and give young Vermonters a break on their higher education bills while helping us build prosperity together right here at home.

“Next, I commend the Vermont State Colleges and the University of Vermont for working hard to hold down tuition increases for next year, and I propose to increase the state’s appropriation for the Vermont State Colleges, VSAC, and UVM by three percent, to be used entirely for financial aid and scholarships for Vermonters.

“This is how my affordability plan would work at UVM: my budget increase will be sufficient to hold all entering Vermont students harmless from next year’s three percent tuition increase. If Vermont students want to take advantage of the world-class education they can get right here in the Green Mountain State, I want to do everything in my power to help them do just that.

“But buying back tuition increases for Vermonters is not enough. We must also identify savings to guarantee affordability for our students and their families and the survival of UVM and our State Colleges. President Sullivan and Chancellor Donovan enthusiastically agree and are initiating a joint planning process, reporting to us on their progress.

“At the same time, former interim UVM president John Bramley has been engaged to implement the eleven recommendations of the group I appointed last year to find ways to strengthen UVM and the State Colleges. I ask that we all work in partnership with John to adopt that report.

“Finally, we must do a better job of focusing the education of our children - from grade school through college - on career readiness. We can do a better job of personalizing educational opportunities and integrating technology, career training and internships with traditional classroom education.

“I propose that Vermont’s schools develop Personal Learning Plans that travel with each student from elementary through their senior year. These plans would help guide each student’s education and also tie educational goals to career opportunities, making school more relevant. The key to this proposal is to increase our students’ individual options while fostering a connection between school and career.

“We must also address our poor performance in math. While we have impressive successes to celebrate in other disciplines, Vermont falls off the rail in high school math. The 2011 NECAP results tell the tale: 68 percent of students in grades 3 through 8 are proficient in math. When they take the test in 11th grade, only 36 percent are proficient. Let me repeat that: 36 percent.

“This is as alarming as it is unacceptable, but unfortunately, no one should be surprised. Currently, algebra is required in only 47 percent of Vermont high schools, and geometry in only 31 percent. We can fix this without spending one additional dime. Today, I reiterate my call to require that all 9th graders take algebra and all 10th graders take geometry. Math skills in the new economy are more important than ever before.

“We must also do more to utilize our 17 career and technical education centers around the state that provide opportunities for students and adults who need to update skills to advance their earning power.

“I propose using the centers as the foundation for Vermont Innovation Zones throughout the state. Our current funding system does not encourage centers to match the needs of regional employers. These Innovation Zones will focus on areas of education and professional opportunity that fit the needs of their region.

“For instance, let’s go back to the opportunities on the horizon in the Kingdom: the need to fill the high-tech, high skill jobs that will soon be available. Under my proposal, high schools and tech centers in the Kingdom would become an Innovation Zone and would be able to shift current generic course requirements to focus on those that provide the training the region needs. For example, the Kingdom may choose to focus heavily on engineering, hospitality, and health care courses that would result in Kingdom jobs for Kingdom kids.

“We have the tools available now to connect students and adult learners with new opportunities, but we can do a better job of ensuring these opportunities suit the needs of the region.

“I recognize that today I have asked a lot of our schools, teachers, administrators, parents, and children. I pledge to work with you to ensure what I know is our shared goal: that everyone has access to education, throughout their life, regardless of who they are or how much money their parents make, and that they can keep learning and keep developing their skills for the economy of Vermont’s future.

“To Vermont’s business community: we can do great things together to grow jobs, but employers can’t afford to stand by idly and pretend that government can meet this challenge without your full partnership.

“I call on employers to engage with the educational system at all levels. Open your businesses to our schools. Let our students interact with your employees, so they can see how they use their education every day. Invite teachers and guidance councilors in to experience a deeper understanding of what their students need to succeed. Engage high school and college interns. And provide opportunities for your employees to go back and further their education.

“At this moment in our history, we must focus particular energy on workforce development, but it should not be lost that the broader mission of our schools is to produce educated citizens prepared to engage in their civic responsibilities, each to their individual potential. This includes making a living but also making a life for themselves.

“My vision for Vermont education is clear: let’s offer – from birth to cap and gown, and beyond – the knowledge, creativity, civic lessons, and career opportunities every Vermont child deserves. Fulfilling this vision will require all hands on deck. And here’s the good news: this is what we do best in Vermont. In challenging times, we find common purpose.

“From business leaders to teachers, administrators to elected officials, we are in this together. I am proud to say that Vermont understands this, and always has. I mentioned earlier that Vermont was the first state to mandate public funding for education. Vermont – and this governor – places the highest priority on education. There is no greater responsibility that we have as elected representatives than ensuring that our children have the best education available in the country.

“The Vermont that I envision for the future is one where the companies I mentioned earlier, from border to border, are thriving with Vermont-trained and Vermont-educated workers. It is a future in which our kids can expect their top quality education to open a world of opportunity, right here at home. It is a future in which these students – as well as adults – are fluent in math and science and are using the latest technology to learn and then to work. It is a future in which the greatest dilemma facing Vermont businesses is not how to find a good Vermonter to hire, but how to choose among an abundance of qualified Vermonters.

“And it is a future in which Vermont is once again showing the nation what it takes to innovate, create new opportunities to grow, and lead. This future is within our reach if we have the courage and creativity to seize it.”

“Thank you.”

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

Volume VI.

1820

October, 1820.

SPEECH OF GOV. SKINNER— 1820¹.

Gentlemen of the Council, and Gentlemen of the House of Representatives, – Having been called to that office, the duties of which I have now, in the presence of the General Assembly, sworn faithfully to perform; in conformity to ancient usage, and the requirements of the constitution; as the organ of the Supreme Executive Power; and to prevent unnecessary delay in the business of legislation; I have taken this early opportunity of inviting your attention to some of those subjects, the investigation of which is deemed important, and to present to your consideration, such ideas thereon, as have been suggested to my mind. The faithful services of those practical, able, and venerable politicians, and statesmen, who have preceded me in the office of chief executive magistrate of the State, and upon whom a similar duty has hitherto for many years devolved; forbid the expectation of proposing any measurement of moment, which shall be new and useful. My highest ambition will be gratified, in being convinced, that the public interest has not suffered by reason of the trust reposed in me: and be assured, its advancement demands, and shall receive, the unremitting exertion of all my faculties.

The frequent alteration of public statutes is justly considered an evil, seldom counterbalanced by the benefits resulting therefrom. The best evidence the representatives of the people can give, of their faithfulness, and intelligence, is a reluctant and careful approach at innovation. In the practical use of this doctrine, and to resist a false application of the principle, great watchfulness is necessary.

That our laws are susceptible of improvement, is not to be questioned; and that the influence of such as have an interest opposed to that of the community, should be exerted, in preventing salutary amendments to the laws, is as natural, as that it should be exercised, in procuring the passage of such as are unjust.

To provide for the impartial, speedy, and correct administration of justice, ought to be amongst the first objects of a Legislature; for in vain do the people submit to the imposition of taxes, raised to defray the expenses of a government, formed for the protection of their rights; and in vain do the representatives of the freeman enact laws against vice, immorality, and injustice, if adequate means are not provided for carrying them into effect.

Many complaints have been made, of the delay and expense, incident to prosecutions for redress in our Courts of Justice; and a determination has been repeatedly manifested by the Legislature, to suppress every attempt made for increasing costs, by passing useful laws to that end. Yet it is believed the principal evil has not, until the last session, been in any measure removed; and it still remains worthy of serious inquiry, whether a further remedy may not be applied. It is difficult to discover what possible advantage can result, from enabling suitors, to claim as a matter of *right*, on the trial of a question of fact, more than one verdict of a jury. There can be no presumption that a second panel will be more capable, or more disposed to impartiality. The privilege of New Trial, secures against accident, surprise and injustice. The extravagant expense, and great delay, occasioned under the former system, in which a party was required to obtain in his favor, two verdicts in three, before his right was established, has been checked; and it no longer remains an object to succeed in the first trial; consequently the delay and expense incurred, in requiring a party to commence, and pursue to judgment his suit, in a court where the judgment confers no benefit, appears useless.

The framers of the Constitution contemplated the erection of a Court of Chancery distinct; and there are many who consider it the duty of the Legislature to exercise the power conferred. Yet the necessity, and expediency, of the measure is questionable. That some further provision ought to be made, is apparent. The inconvenience experienced under the existing law, arises from the want of authority in the Judges of the Supreme Court, to perform any duty as Chancellors, excepting at the regular sessions; and the many intermediate steps, requisite to be taken in a suit in Chancery, necessarily protract the final hearing and decree to a period unwarrantable.

When it is understood, that the amount actually expended from time to time, in the prosecution of suits in the courts of justice, far exceeds all that is required to sustain every department of the government; and when it

¹ Printed *Assembly Journal* of 1820, pp. 11.

is recollected that the Bill of Rights declares that “every person ought to obtain right and justice freely, and without being obliged to purchase it; completely and without any denial, promptly and without delay,” the subject cannot fail to excite a deep interest; and any degree of solicitude may be manifested without reproach. The Judiciary is that on which the character of a State vitally depends, and the degree of confidence reposed in a government is measured by the rank it sustains.

The subject of taxation is one to which the attention of the Legislature has been frequently directed, and although it is generally believed that the intention to equalize the burden, by the act of the last session, is not effected; yet with little amendment, there can be no doubt, the system will have been greatly improved. A standard, by which the relative value of improved lands in the state may be ascertained, and the particular state of improvement which shall render it subject to assessment, seems to be indispensable.

The settlement of the estates of deceased persons, has become a matter of serious concern, inasmuch as the title to the greatest portion of real estate in the State, is bottomed on proceedings in our Courts of Probate; and the rights of widows and orphans are here deposited. A careful attention to the laws, regulating the settlement of testate and intestate estates, that they may be rendered as perfect as possible, is desirable. Much difficulty and embarrassment arises, from the circumstance that the whole system of our law on the subject, is, and ought to be, essentially different, from the laws of that government, whence we derive the common law. Our Judges of Probate ought to be men of ability and integrity; and no inconsiderable evil arises, from a frequent change of officers in that department.

It may perhaps be an useful enquiry, whether the general encouragement, that has been given, to pursuing, and returning of offenders, who have fled from justice to distant parts of the United States, and who frequently are transient persons, and violators of the laws of other governments as well as our own, is consistent with sound policy. And whether it would not be advisable, that a law should be passed hereafter requiring the sanction of some of the officers of the government; without which the State will not defray the expense.

The relation in which this State stands to the general government, its welfare being identified with that of the United States, all the important measure adopted by Congress, become highly interesting to us. Justice to ourselves dictates, and a long course of practice sanctions, the propriety of the Legislature’s expressing the sentiments, they entertain on subjects which essentially concern the nation; and more especially, of instructing their Senators, and advising the Representatives in Congress, as to the course they ought to pursue.

The act of the last session of Congress, authorizing the inhabitants of a portion of the territory of the United States, to form a state government, without a provision in its constitution, restricting the power of enslaving a part of the human family, has caused general surprise through the State, and excited feeling of sincere regret. The report of the committee on this subject, which was adopted by the House, and at the close of the last session dismissed, it is presumed, furnishes no evidence of the opinion of that respectable body. Indeed could I entertain a doubt, as to the feelings of the people of Vermont, I should not have troubled you with communicating my own.²

Whether at this period, it is advisable for the Legislature to adopt any measure on the subject, considering the question at rest; or in view of its being again agitated, on the constitution’s being submitted, for the sanction of Congress; or in view of any feature of that constitution, which may be opposed to those equal rights, and privileges, professed to be guaranteed, by the republican principles of the government, is submitted to the wisdom and discretion of the General Assembly.

The period has arrived, in which it becomes our duty to elect a Senator, to represent this State in the Congress of the United States. That we may possess that influence, and weight of character, at the seat of government; and sustain that rank in the Councils of the nation, which is desirable, and to which we are entitled; the first talents and ability ought to be sought to fill the office. It is also to be recollected, that the trust is not only of great moment, but of long duration; the character therefore to be selected, ought to be such, as by a long

² The Governor here referred to the Missouri question in Congress, and the failure of an attempt in the legislature of Vermont in 1819 to adopt anti-slavery instructions to the State’s delegation in Congress.

course of tried patriotism, and inflexible integrity, a pledge is furnished, that public interest will not be bartered to private gain. Electors of President and Vice President are also to be appointed.

In the election of officers to fill the several departments of the State government, we ought not only be guarded against the influence of that aspiring unwarrantable ambition which openly assails; but also of that which may be generated, by a restless, disappointed, envious spirit, which lurks in secret and attacks unawares.

There will probably be received from my predecessor in office, communications from the General and State governments, of a nature which ought to be submitted to the general Assembly, which, together with such other matters, as shall be my duty to lay before you, will be made the subject of a special message.

The hitherto enviable prosperity that has pervaded this State, the wisdom and prudence with which its councils have been distinguishingly marked, the urbanity, and sobriety which characterize the great body of its citizens, has rendered us a truly respectable and happy people; and may we not confidently hope, that by duly regarding the example of our venerable and worthy ancestors, and humbly, and religiously reposing our trust in that SUPREME BEING, who holds the destinies of nations in his hands, and directs their course, who searches all hearts and without whose agency the most minute act is not performed, we may not only hold fast the favors now enjoyed, but rise in prosperity as our years increase.

RICHARD SKINNER

Executive Speech
of
Richard Skinner
As it appears in the
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Volume VI.

1821

October 12, 1821.

SPEECH OF GOV. SKINNER— 1821¹.

Gentlemen of the Council, and Gentlemen of the House of Representatives, – Again under the auspices of an overruling Providence, we have been permitted to convene, as the representatives of the people, invested with the power of legislation delegated by the enlightened freemen of the State; for the purpose of discharging the duties incident to the important trust; and I can but indulge the hope, that [the] improved state of our public statutes – the absence of political dissension and party strife – the spirit of unanimity which generally is manifested; and by a humble reliance upon the guidance and favor of the Supreme Being, by whose peculiar regard we have hitherto been distinguished; we shall be enabled to perform the service with unusual harmony and all that dispatch, which is not inconsistent with temperate deliberation.

From the local situation of the State; the pursuits of the inhabitants being almost exclusively agricultural; and the general prevalence of regular economical industrious habits, but few subjects are presented which require the attention of the legislature.

The recent revision of the act regulating and governing the militia of this State, will, it is presumed, render it unnecessary that much time should be occupied on that subject; my observation, however, in relation to its operation, induces me to suggest the propriety, of adopting some measures, by which the services of the most effective, and useful of that part of the citizens, who are supposed to constitute the force on which the State depends for its defense, may be secured. I allude to the facility with which commissions and discharges are obtained, by young gentlemen the most promising and who, from their influence, ability, and ambition, if retained, would greatly augment, the number of those who are the pride and ornament of the militia.

The necessity of having returns of the state of the militia regularly made is apparent; and whether any farther provision in the law, on that head, will tend to remedy the evil, arising from the habitual neglect of this duty, is submitted to your consideration.

The declaration of the Council of Censors, that the law regulating the rate of interest, is “grossly and openly violated,” corroborated by the testimony arising from common observation, inspires the hope, that the legislature will, by an early attention to the subject, be enabled to act definitively thereon. Altho’ it is the general opinion, and in which I fully concur, that laws calculated to limit the demands of money-lenders, are beneficial to society; I am well persuaded, that if, as the Council of Censors allege, the existing law does not afford an *effectual* remedy but “is violated by a large proportion of our monied citizens,” instead of answering any useful purpose, it is productive of serious evil. As a general principle, it is inexpedient to retain upon the records of the State an inefficient law. The statute referred to, was designed principally for the benefit and protection of the necessitous – to shield against the oppression of the wary capitalist, those who, from embarrassed circumstances, are compelled to apply for pecuniary aid to others, who possess the means. The premium that is now paid, for the supposed risk of incurring the penalty, would not be extorted, if from the provisions of the law, there was no prospect of escape, or if it was wholly repealed; and in either case, the exemplary citizen, who from principle conforms to the law, would enjoy an equal privilege with him whose avarice is restrained only by necessity.

The unhappy effects of ignorance, and its attendants, superstition, and immorality, which we daily witness in other nations, especially in their abortive attempts, and impotent struggles, against the relentless rule of those, whose power is measured by the degrees of disparity, between their attainments in knowledge, and that of their subjects; occasions a frequent recurrence to the approved maxim of freemen, that “a general diffusion of useful knowledge, and improved state of science, afford the best security to civil and religious liberty.” As guardians of the State and of the interests of its citizens, it is our duty to adopt such measures, as will most effectually secure to posterity, the peculiar blessings of that free government, which by our ancestors has been wisely established, and faithfully transmitted to us. A diligent and persevering attention to the education of our children, is that without [which], we cannot expect the people will long retain a republican form of government.

¹ From the printed *Assembly Journal* of 1821, corrected..

The remarks have not been elicited by any evidence of a want of regard to the subject on the part of the General Assembly, or from a belief, that in point of learning, the youth of this State are surpassed by any; but by the testimony of the Council of Censors, that the act of A.D. 1810, for the support of schools, has not been duly executed, and that the interference of the Legislature is required.

As the State possesses no public fund from which any portion of the current expenses of the government are defrayed, or to which resort can be had, in times of great pressure upon the pecuniary concerns of the people, and a direct appeal to them in the form of a tax, is resorted to annually; the General Assembly cannot too frequently be reminded of the necessity of a practical and careful attention to economy in public expenditures.

At a period like the present, when the price of every commodity produced in the State, is depressed almost beyond example, it will afford me the highest satisfaction to aid, in every measure calculated to advance the great interest of agriculture.

As remittances for foreign manufactured articles, cannot be made by us, as heretofore, in the usual products of the State; the success of our manufactures is becoming an object of deep interest, not only to those who are more immediately concerned, by an investment of their property, but to the great body of the citizens.

I am not insensible that the subject is one over which the State Legislatures have but little control; and that the proceedings of Congress are necessary embarrassed, by the great diversity of interest, in the different sections of this extensive country for which they are required to legislate. I am also aware, that a difference of opinion exists, amongst those who are immediately engaged in the business of manufacturing, as to the propriety of any further interference on the part of the government; and that at present, property applied to this object, probably produces an income beyond that of any other. If the citizens engaged in the business, already possess peculiar advantages, and any further encouragement afforded by the government, should operate exclusively to their advantage, the measure would be unjust; but if this encouragement, should have the effect, greatly to increase, not the profits, but the number of manufactures and manufacturing establishments, and thereby produce a competition which does not now exist – to measurably change the course of agricultural pursuits, now so unprofitable, by inviting the growth of, and furnishing a home market for raw materials, as also a market for that surplus produce which has heretofore been exported; and to secure amongst us a specie currency; there can be no doubt of its wisdom and justice.

It will be necessary that the act dividing the State into districts, for electing representatives to Congress, should be repealed or suspended at the present session of the legislature; as the ratio of representation, under the late census, will probably be changed before the next session; and the number of representatives, to which we are entitled, may not be the same. It will also be necessary to provide for the second district in which no election has been made. It may not be improper to observe that the repealing of the statute of A.D. 1818, may perhaps operate as the revival of the former statute.

In obedience to the direction of the Legislature at their last session, I appointed Horace Everett Esq. to revise the laws relating to the probate of wills, and settlement of testate and intestate estates; from whom I have recently received, and will forthwith transmit to you his report.

I have received from the States of Maryland, and New Hampshire, certain resolutions, accompanied by the very able reports of committees of their respective legislatures, upon the subject of appropriating public lands, for the purposes of education; requesting the co-operation of this legislature, and which will be duly transmitted to you. Should the General Assembly approve the principle, they will, it is believed, feel no delicacy in making the claim on behalf of the people of Vermont, for perhaps none in the United States, in proportion to their ability, contributed more to the acquisition of those rights, which were purchased by the toils, distresses, and sacrifices of the revolutionary war. Situated upon the frontier, they constituted a barrier between the enemy and the confederated States. Not having then been acknowledged as a member of the confederation, no part of the expense they incurred in the war, has been assumed by the general government, while they have participated in the burden of the funded debt.

The attention of the legislature of this State, as well as of the several States, has been requested by the General Assembly of the State of Ohio, to the report of the committee, and certain resolutions of the General

Assembly approved and adopted, at their last session, upon a subject of vital importance to the interests and safety of the Union; and which shall be seasonably laid before you. In complying with my duty, in making this communication, I forbear attempting an investigation of this subject, from a conviction, that any views which would be suggested, as the result of that examination, and consideration, I have been enabled. To bestow upon it, have already been fully anticipated by you; inasmuch as the public have long since had their minds directed thereto; and have been favored with the labored expositions of learned jurists, and able statesmen; and more especially, as the important question embraced, occupied the solicitous attention of this legislature at their session in October, A.D. 1799; and upon which their opinions were unequivocally declared.² Permit me then to recommend to your dispassionate consideration, the matters contained in the report and resolutions; and to express my belief, that although Vermont would be the last to submit to an encroachment made by either branch of the general government, upon those rights and powers which are reserved to it as a free state, and would be prompt in the exercise of all legal, and constitutional means, to resist every aggression; and whatever may be the opinion, as to the correctness of the decision of the Federal Court, in the case referred to; yet that we shall not readily adopt the opinion, that the several States, which compose the Union, sustain the character of independent sovereignties, in the sense, that no power short of that which is physical, is supposed to exist, by which a constitutional question, arising from an incongruity in the acts of the general and state governments, can be decided.

The late acquisition of a territory, designed by nature as a constituent part of the Union; and over which the united demands of interest, and security, require the jurisdiction of the government to extend; furnishes evidence of the wisdom, and inspires confidence in the uprightness of the administration.

The favorable issue of this protracted negotiation, with the Spanish Government, has left the United States, in relation to all foreign powers, upon a footing, which promises permanent peace, and friendly intercourse.

While rejoicing in this propitious aspect from abroad, the mind that is duly impressed with a just sense of the value of our civil institutions, that has in any measure surveyed the wretched state of other nations, and is not ignorant of the causes that have dissolved republics, is naturally inclined to enquire, whether there are any grounds of anxiety at home – any recognition of doctrines subversive of the government; and notwithstanding some may imagine, they can discover tokens of dissolution, in the manifestations of increasing jealousy, towards the authorities of the general government; it would be with extreme reluctance, that I could permit myself to believe, that the time had arrived, in which any considerable portion of the citizens, would forget the necessity of restraining unwarrantable suspicion, of smothering the first glimmering of the torch of discord, and the expression of extreme solicitude, for the preservation of a confederacy, which is our only guaranty, against the degradation incident to despotism, and that which alone can secure us, from becoming in the end, the subjects of foreign domination.

RICHARD SKINNER

² The Kentucky and Virginia resolutions of 1798 are here referred to. See Vol. IV, pp. 525-529.

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

Volume VII.

1822

October, 11, 1822.

SPEECH OF GOV. SKINNER— 1822¹.

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

The evidence given by my fellow citizens, of their continued respect, in electing me again to the office of Chief Magistrate of the State, excites in my breast the sense of gratitude and while it encourages the belief, that hitherto, the discharge of the important duties of the trust has merited approbation, it reminds me, that, repeated tokens of confidence, demand increased exertions of faithfulness and diligence.

The opportunity with which I have been favored, of becoming acquainted with the sentiments of gentlemen who compose this assembly having been frequently associated with most of you, in some of the different departments of the government; enables me to rely with confidence, upon your countenance and support, in every proposition, made by the Executive, which has for its end, the advancement of the public interest at the same time affording satisfactory evidence, that the independent and enlightened opinions of the representatives of the freemen, are duly appreciated.

In assembling together upon an occasion like the present, we are naturally led to a recollection of the events of the past year and although in the dispensation of Providence, there are none, distinguishingly marked with prosperity, or adversity, in which we are immediately interested much to the sober, considerate mind, is presented, which demands sincere acknowledgments to the Supreme Being; and that through his gracious influence, our present labors may have a prosperous result, it becomes us to cherish a grateful remembrance of past favors, and in sincerity, humbly implore Divine assistance.

The short period for which representatives hold their offices, and the plenary powers with which they are invested, was designed by the venerable framers of our Constitution to secure to the people, the power of speedily abrogating such laws as were inexpedient, or unjust; and while we possess this peculiar advantage, that we may practically avoid the evil of frequent and injudicious changes of the public laws, against which other governments have provided, by creating a co-ordinate and more permanent branch of legislative authority we ought to cultivate a habitual regard for existing laws, and carefully to resist a natural, yet dangerous, propensity, of magnifying partial imperfections, to which all human institutions are unavoidably subject, into unnecessary and radical defects.

The present period of public tranquility, is highly favorable to the adoption of measures, calculated to promote the permanent interests of the State. To improve the means of transporting the various commodities with which the State abounds and to facilitate access to the most favourable markets, are objects of the first importance. We have witnessed with pleasure the interest which this subject has excited in our sister states; and it cannot be doubted, that the time is not distant, when it will claim the attention of our own. Whether the period has arrived, in which it would be practicable to attempt anything beyond the improvement of our roads, will be decided by the discretion of the legislature. That striking disparity which exists in the state of the roads in different towns, possessing equal means, and subjected to equal obstacles and difficulties, is evidence of a defect in the law, or its administration. I apprehend it will be found upon examination, that the statute of 1820, applying a penalty imposed upon a town, for neglect in making and repairing roads, to that object, has produced no salutary effects but has rather induced the very neglect against which the law was designed to provide. Instead of stimulating to diligence and attention, from the fear of punishment, it invites delay until the tardy process of the law shall compel them to do that, and that only, which was their duty to have performed. It is in effect saying, "if you neglect to impose this necessary tax upon yourselves, it may, at some future period, be imposed upon you by others."

The fiscal concerns of a State, however limited and inconsiderable, require the constant care and watchfulness of its guardians. They ought not only to require, but to obtain, annually, information in relation to every source of revenue, as well as the state and condition of all the demands under the charge of the various public officers through government. Although retrenchment cannot be deemed necessary in reference to the

¹ From Ms. *Council Journal*, Vol. 9.

present compensation allowed for specific service which is probably below that of any other State of equal rank: that the claims upon the Treasury may not be unnecessarily augmented, every branch of public expenditure demands frequent examination. The expenses incurred by public prosecutions constitute a principal source the disbursements made by that department and it is to be noticed, that for many years, they have much increased. In a government like ours, established upon the avowed principle of securing equal privileges, and affording equal protection to all, justice demands of those to whom its administration is entrusted, so to provide as that the unsuspecting and unfortunate may be secured against the unjust exactions of the more artful and fortunate. The distinction, which exist in other governments, arising from affluence and indigence, and may *there* be necessary, to support the deformed fabrics, are alike opposed to the safety of *our* civil institutions, and the well being society. The acquisition of wealth by laudable industry, economy and prudence, merits approbation and encouragement but laws providing facilities for a few calculating greedy citizens to monopolize that property, the product of the toil and industry of the more useful and deserving, can never be sanctioned by the faithful and intelligent representatives of the people. These suggestions are made from a conviction, that the practice of exacting exorbitant interest – a subject alluded to in addressing the legislature last year, and for which I hope to be excused in again inviting its attention – is becoming extensively injurious to the interests of the great body of the citizens. The amount of the exaction is overlooked in the covert poison of long credit, and illusive hope, of good fortune, and better times or submitted to from necessity. In most governments, where the amount of interest is at all restricted by law the contract, or security, in which is reserved the usury, is rendered void. Should any law on the subject be considered useful, I submit to the General Assembly, whether a provision to that effect would not necessarily check, the evil, So long as the security is not jeopardized, the usurer will not hesitate to make the reservation; suspending on the happening of events, the ultimate determination of receiving. It is believed that the existing penalty is inadequate to the object. Private prosecutions by the aggrieved, or others, are discouraged by the consideration, that in most cases the cost and expense incurred in, and the uncertainty of the final issue of the prosecution, will counterbalance the offered and unprecedented low reward. Public prosecutions are rare inasmuch as where no private advantage is expected, there are few who will at the expense of the displeasure of a powerful class of citizens, voluntarily exercise the reputedly invidious office of informer.

The natural effect produced by the success, which of late has attended the petitions for the establishment of banks, is to encourage others in the pursuit; and the difficulty of resisting applications, supported by arguments which have heretofore been urged, with so much, skill and efficacy, is probably not diminished, the commercial concerns of the State cannot require extensive banking institutions. The resources of husbandmen, and their course of business, are illy calculated to meet the demand, and comply with the necessary regulations. An opportunity will be afforded for investing that money, which would otherwise remain in the hands of many wealthy honorable citizens, accessible to those who, will then become the prey of such as are thereby enabled to increase the means of usurious depredations. The advantage ordinarily derived to the State at large, from the augmentation of a circulating medium, which is not the representative of real wealth, is not discerned. The ruinous effect of multiplying banks in the interior of our country, has indeed been felt, and is, I believe, generally acknowledged; and I can but hope that the legislature will concur in the opinion, that enough has already been done to satisfy every requisition, emanating from an ingenuous desire for the public good.

The doubts which have been entertained by many whose opinions, merit respect, together with the decision lately made by the Circuit Court of the United States, will suggest to the General Assembly the propriety of cautiously providing for the relief of the unfortunate, who are induced to ask for acts of suspension and insolvency that the intended favor may not prove delusive to the debtor, or prejudicial to those who have humanely furnished the requisite aid, for extending the limits of their confinement beyond the walls of a comfortless prison.

In obedience to the direction of the General Assembly at their last session, a correspondence has been opened with the Governor of Canada, on the subject of the obstructions supposed to have been erected on the waters issuing from lake Memphremagog and it is due to that distinguished public officer, to state, that a prompt attention was given to the complaint, and satisfaction afforded to the citizens who felt aggrieved.

The sincere attachment of this State to the government of the Union, cannot fail to excite a deep, interest in the success attending its administration and it is with pleasure that I am enabled to congratulate you as the present prosperous state of our national concerns. The general anxiety produced by the depressed state of the revenue, has measurably subsided, by the favorable reports of its augmentation.

The success which has attended the exertions of that meritorious class of citizens, engaged in manufactures, notwithstanding the obstacles and difficulties they have encountered, is noticed with much satisfaction; and it is to be hoped by that encouragement which may reasonably be expected, our supplies and our revenue, which heretofore have rested upon a precarious foreign commerce, may be drawn from a source, profitable to the citizen, and safe to the government. An enlightened and enterprising people cannot long be satisfied with a system of regulations, in which a favorable market for the varied and principal productions of every part of the country, and the different interests of every class of citizens, is not duly regarded. The good sense of community will discover, that the nominal price of the wares in market, is not so important as is the possession of the requisite means, to defray the expence of the purchase. This subject is one which has not heretofore been passed unnoticed; and is now only referred to, in the hope that some salutary effects may issue from a frequent recurrence to the claims of the great portion of the useful and industrious citizens of this section of our country.

The unanimity which has hitherto apparently prevailed amongst the freemen of this State, in placing me in the responsible station I now occupy; and which I hope will ever be remembered with gratitude and delight has induced the belief that it is probable, without a manifestation of my desires, I may again be honored with the suffrages of some portion of my fellow citizens, I have therefore deemed it my duty to request that I may not again be considered a candidate for the office.

RICHARD SKINNER.

Inaugural address
of
William Slade
As it appears in the
Journal
of the
House of Representatives
October Session

1844

Friday, October 11, 1844

Fellow Citizens of the Senate and House of Representatives:

We are assembled in the character of Representatives of the people, to consult upon their interests, and to execute their will. It becomes us, on entering upon our duties, first of all to carry our minds up to the Author of our being; to acknowledge Him as the rightful source of our authority, and to make his will the measure and the motive of our duty. If, in all our ways, we should acknowledge Him, we should especially do so, upon becoming invested with powers, whose appropriate exercise requires, eminently, the wisdom that comes from above. Our responsibility is, immediately, to the people whose servants we are, but ultimately, to Him who will judge both the people and us.

We come together under circumstances of peculiar favor. The season has been crowned with blessing. Our fields have yielded an abundant harvest, and our people have been exempted from wasting disease. Labor has been protected and rewarded; and peace reigns within our borders. We are blessed with the steady and impartial administration of justice, and continue to enjoy the invaluable privilege of selecting, by our free suffrages, those who shall make and execute our laws.

Among the first duties you will be called to perform, is that of selecting men to fill the judicial and executive offices of the government, which the constitution has wisely committed to your hands. From among such a people as this, there can be no difficulty in selecting men of upright minds, of pure morals, of tried integrity and of sound intelligence, to fill the various offices within your gift. The power of office, and the power of personal example and influence, can never be separated; and he bears the sword of justice in vain, who counteracts by the one, what he endeavors to enforce by the other.

But your principal labor lies in the broad field of legislation. We are selected and sent here, from among the people; with whose wishes and interests we ought to be thoroughly acquainted, and whose welfare should be the end and aim of our legislation. The government which, by their suffrages, has been committed to us, is their government—"instituted," in the language of our bill of rights, "for the common benefit, protection and security of the people, and not for the particular emolument or advantage of any single man, family, or set of men." The highest good of the people, and of all the people, therefore, it is our great business to secure.

The establishment of justice, in the perfect protection of rights, is the primary end of government, and, in its broad and comprehensive bearings, embraces a very large portion of all appropriate legislation. But there is a field beyond this. The beneficent action of government may, and ought to be felt in the promotion of virtue, in the suppression of vice, in the diffusion of intelligence, in the development of mind, in the encouragement of industry, and in the drawing forth from the earth, which God has given for our temporary habitation, its teeming riches, to make them subservient to the purposes of their gift, in the wisdom and goodness of their great Author. In short, it is the duty of government to perfect by wise, discreet and timely action, the great purposes of the social organization.

In surveying the field of our duties, there would seem to be no subject claiming higher attention than that of Education. This subject has been repeatedly brought to the notice of the Legislature by my predecessors, and several legislative reports have been made upon it. The result of a report made in the year 1841, was, the appointment by the Governor, of a committee, who presented to the legislature, at the following session, an elaborate and able report, containing facts and suggestions of great importance. I commend that report to your consideration.

Improvement is the great law of our individual and social existence.—The means of it are furnished, in a greater or less degree, to all; and all, whether individuals or communities, are accountable for the right improvement of them. This accountability rests, with peculiar weight upon us, in connection with the subject of education—vitaly connected, as it is, not only with our individual well being, but with the preservation and perpetuity of the institutions we are permitted to enjoy, and required to transmit to our children. These

institutions will, inevitably, take the character of the people, whatever that character may be. The best constitutions of government can interpose but a feeble barrier to the corrupting influences of ignorance and moral debasement. Their beautiful and solid structures will sink and crumble, when they shall cease to rest on the foundations of public and private virtue and universal intelligence.

This obvious truth is full of instruction to those upon whom rests the responsibility of making laws. Their duty is but half performed when they have made laws to *govern* the people. It is a higher and more difficult duty to adopt a system of legislation which shall have the effect of making the people a law, and a good and safe law, to themselves. The most efficient laws are those which govern, not by the power of the sword, but by the silent influence of virtuous and enlightened principle. To educate a people, then, becomes an indispensable part of legislation—an appropriate and necessary instrument for executing the laws—an instrument far more efficient than the strongest military force; while at the same time, it gives to a State high-minded, virtuous, intelligent men, to become its strength, its defense, and its glory.

But what *is* education? It is not merely the learning which lumbers the brain. It is the discipline of the mind and the heart—developing their capacities, strengthening their powers, and training them to practical usefulness. Our children should be learned to think—to discriminate—to feel the conscious power of cultivated intellect, and the purifying, and elevating influence of Christian principle. And this education should be universal, reaching the humble hovel as well as the spacious mansion, and thus bringing out the children of the poor and the rich, to drink together at the enlarged fountains of knowledge which we should open for all.

To accomplish the purpose of educating this whole people, in a manner suited to sustain our free institutions, we obviously need a more elevated standard of common school instruction. There is too wide a chasm between a liberal and a common education. The higher should not be brought down, but the lower raised. Great political responsibilities rest on our people, involving the necessity of a high state of general intelligence. They are to judge not only of the personal qualifications of candidates for office, but of the character and tendency of measures, and the force and bearing of great principles. They must be able to correct errors of fact, detect false reasoning, and put demagogues to silence.

And the road to distinction should be made broader. We want in high public stations more men who have been trained to maturity amid the scenes of ordinary life. Industry, patience, perseverance, common sense, sympathy for the laboring classes, contempt for the mere distinction of office, and a love of the noble objects it gives the power to accomplish—these are among the fruits of an intellectual and moral training amidst the labors and trials of common life. The mass of mind, as it comes up to maturity, may, by a proper system of education, be disciplined to a vigor, and furnished with an amount of knowledge, fitting for almost any station, not involving the necessity of professional skill for its success.

I do not undervalue the higher seminaries. They must be sustained—established upon solid foundations—placed beyond the reach of embarrassment and want. No adequate system of education can be sustained without them. They are important, not only to train instructors, and fit men for the learned professions, but to maintain a high standard of education in a community. They are like the sun shining in his strength, and communicating light and heat to the bodies by which he is surrounded. But if we would sustain them, let us elevate the standard of common education, for in proportion as that is done, will the higher institutions be more valued, and more liberally patronized and endowed; while there will be, throughout the community, a greatly increasing thirst for the water that comes from these deeper and purer fountains.

The great desideratum in regard to common education is, *improved modes of teaching*,--modes by which the hitherto great waste of time may be avoided—the mind stimulated to activity—trained to habits of self-relying effort, and learned to “go alone,” as it shall be thrown upon its own resources, amid the labors and responsibilities of practical life. Time waits not the sluggish and inefficient movements of false methods of teaching. It bears our children rapidly onward to manhood, prepared or unprepared for the great duties of life. But as we double the power of human energy by new processes in agriculture and the mechanic arts, so may we double the value of the allotted time for education. We are eager to avail ourselves of the augmented power to gain wealth through the wonderful improvements and discoveries of this age. Rail roads augment the value of every thing they touch or approach, and we are, therefore, awake to their importance; but are there not more

wonderful developments to be made of intellectual wealth by improved modes of education? Shall other improvements go on, while this stands still? Are the mind and heart of a people of less importance than the materials of wealth in the earth they inhabit? Shall we carefully improve the breeds of our animals while we neglect the improvement of man? If he is esteemed a public benefactor who makes two blades of grass grow there one grew before, is not he a greater, who devises means for doubling the productive power of the mind of a people?

And now is presented the great inquiry—by what means shall the needed reforms be effected in the management and instruction of our common schools? This is, practically, a difficult question. The first thing to be done evidently is, to ascertain the present condition of our schools in regard to the precise defects in the modes of instruction, the character of the books used and the general standard of qualification of teachers.

Though we have doubtless many good teachers, there is, in general a manifest deficiency in this respect. Nor should this surprise us. It would rather be surprising if, under our present system—if system it can be called—the standard of qualification did not fall far below what it should be. Teaching is, generally, but a temporary resort, either to obtain the means of an education, or of embarking in other pursuits. It should be a *profession*, as honorable as it is responsible. There will be good teachers when we shall mature a common school system which shall create a demand for, and furnish the means of rewarding them.

There should be, furthermore, an examination into the condition of the school houses, in reference to their size, seating, ventilation, warmth, location, and the grounds connected with them.

Information on all these points should be embodied and brought out, in order to awaken the public attention to the necessity of vigorous and systematic efforts for reform. And this must be done under the legislative authority, by persons competent to an inspection, and to the making of its results intelligible and useful, as a basis of future action. Such investigations have been the first step in the prosecution of educational improvement in the States of Connecticut, Massachusetts and New York, producing, within a few years, great and beneficial results in these States. Will Vermont longer hesitate to follow their example? On you rests the responsibility of deciding this question, I would not urge to hasty and headlong efforts at improvement. Gradual progress is the law of advance to sound and vigorous maturity in every thing. But there can be no advance without a beginning.

How shall this beginning be made? is a question for immediate consideration. The exploration suggested, to be of any avail, must be uniform, universal and thorough. To make it such, compensation is obviously indispensable. We have once tried it without, and failed; and without it, we shall fail again. There must be an efficiency which the responsibility of accepting a trust with compensation, can alone secure. By what agencies the work shall be done, it will be for your wisdom to determine. It will be worthy of consideration whether they may not be such, in part, as shall be needed for the general supervision necessary to carry forward and perfect a system of educational improvement; such, for example, as a board of commissioners as in Connecticut, or of Education as in Massachusetts, or a general Superintendent of common schools with County Superintendents, as in New York. There may be advantages worthy of consideration in the direct and undivided responsibility of a single general Superintendency, while the County Superintendents may well be supposed, from the range given for their selection, to be fully competent to exercise the rigid supervision, and make the suggestions of improvement indispensable to progress in the reform.

This corresponds somewhat with the Prussian system of superintendency, as described by the Secretary of the Massachusetts Board of Education in the late report of his visit to Europe, for purposes connected with education. The kingdom, it appears from the report, is divided into circles or districts, in each of which there is “one or more school commissioners or inspectors, selected from the most talented and education men in the community—such as would be appointed presidents or professors in colleges, or judges of the higher courts. The whole “Prussian system” says the author of the report, “impressed me with a deep sense of the vast difference in the amount of general attainment and talent devoted to the cause of popular education in that country, as compared with any other country or state I had ever seen.” Over all the other functionaries entrusted with the execution of their system, is the Minister of Public Justice, who is a member of the King’s Cabinet. “Such has also been the case in France since the late organization of their system of public instruction.”

Under the New York system, it is the duty of the County Superintendents to visit the schools in their respective counties, consult with the teachers, and town superintendents, deliver lectures on education, and endeavor to awaken an increased interest on the subject of common school education. These latter requisitions form a very important part of that system; as it is obviously vain to attempt a reform unless the people can be brought to take a deep interest in it. There must be a co-operation of an enlightened public sentiment, or nothing will be done. We may legislate, and must legislate; but after all, little can be effected merely by the high pressure of legislation. It must be adapted to awaken, and concentrate, and give effect to the energies of the community. And what cannot Vermont accomplish in this matter if she shall undertake? and what motives to undertake, and to persevere, can be compared with those which are connected with the vast results of the mental and moral training of her children?

The carrying out, and perfecting, of an adequate system of educational improvement will, of course, involve ultimately, a considerable expenditure; but as the necessity for it shall arise, will the gradually unfolding benefits of the system make the contributions to sustain it, easy, and their burden light. The expenditure on the part of the State, necessary to commence the system, through the agency of a State Superintendent, and county Superintendents, need not be great—not much greater, in the language of the report of the committee to which I have referred, than “the people of Vermont have paid annually for killing foxes.”

Vermont has an enviable name abroad. Let her maintain it. Let her emulate the efforts of New York, Connecticut and Massachusetts. She ought, indeed, to go beyond them. No State in the Union has such a material to work upon,—none that can be wrought into more beautiful and durable monuments of public beneficence and liberality.

In respect to the ultimate expenditure that may be needed for the purchase of district school libraries, and chemical and philosophical apparatus and globes,—for making provision in the colleges and academies, or in separate institutions, for the teaching of instructors, and for aid in the repairs and construction of school houses—we may hope that we shall, at no distant day, possess ample means, in our distributory share of the proceeds of the sales of the public lands. It would be an appropriation worthy the noble inheritance of freedom which, with a large portion of those lands, was bequeathed to us by our revolutionary fathers. It was, indeed, a benevolent and fitting arrangement, in the order of Providence, that the same severance from the parent country which gave us independence, gave us, also, a great domain, capable of dispensing so widely the blessings of education, and of rendering this nation a model of virtue, intelligence, and good government for the world.

I have dwelt longer on the subject of education than may, perhaps, be deemed appropriate for an executive message; but its very great importance must be my apology. It is, in my judgment, of more importance than any other subject that can possibly engage the attention of the legislature.

A consideration of the means of developing the mind of the State naturally suggests the idea of developing the riches of its minerals and its soils. My predecessors have frequently recommended a geological survey of the State, in which I fully concur; and invite to the subject your special attention. If we would develop mind, and apply it to its great purposes, we study and analyze it, that we may understand its capacities and powers. Thus should we do with the soil we inhabit. Here we are, in its daily cultivation, drawing from it our support; and shall we remain ignorant of its properties, its defects and the means of supplying them, only as tardy experience shall disclose them to us? We want a scientific, thorough, universal examination of the various soils of the state, involving complete analysis and classification of the whole, and such an exploration as shall reach, if possible, all the fertilizing substances which can be made available for the amelioration of our soils, and then stimulating them to their highest practicable power of production. There are localities where the discovery of a bed of limestone would be more valuable than a mine of gold. The same may be said of marl, gypsum, peat and other substance, appropriate, either singly or in combination, to supply deficient elements in unproductive soils.

It is hardly necessary to speak of the probable development of mineral resources, of which we have an earnest in our iron, copperas, copper, manganese, and other mineral treasures.

It is needless to say that such results will not be brought out, except under examinations effected by legislative authority, and at public expense. Such examinations have been made by other States; and the results are before the world. I mean the immediate results; for the great practical results are yet to come forth in a

mingled mass of benefits, spreading themselves over the surface of our country, while there is a soil to yield its fruits to the labors of man.

By inquiries made two years ago, I learned, that, at that time, geological surveys had been authorized in every State in the Union, excepting Vermont, Alabama, Mississippi, Louisiana, Arkansas, and Illinois. The lone position of Vermont in his classification, is somewhat striking. It is for you to say whether we shall remain in this position any longer.

This subject derives great additional importance from a consideration of the emigration which has, at some periods, rapidly, and still does, to a considerable extent, drain the population of our State. If we would retain our people at home, let us show them what Vermont is, and what it is capable of becoming, as an agricultural State.

If the people could fully perceive the importance of a geological survey, I doubt not, they would esteem it a privilege to be taxed at once, to an amount sufficient to complete the work. The whole expense of completing, and publishing a survey, would not, probably, involve a burden exceeding three cents upon each individual in the State; which might be spread over two or more years should it be deemed expedient.

This subject is invested with still further importance from the fact, that rail roads are approaching our State—at no distant day, we may hope, to pass through it—which will greatly enhance the value of our agricultural, as well as our mineral productions. Let us prepare to throw into these improved channels of communication with the great markets of the world, the productions of a soil, quickened by the application of agricultural science, to a doubling of its present power, and cultivated with the augmented energy which these facilities cannot fail to excite.

In the exercise of that care which regards the interests of all, you may not deem it inappropriate or unnecessary, to consider, whether additional legislation is not required for protection against the exactions of unlawful interest. Our law relating to this subject declares, that interest shall be limited to the rate of six per centum per annum; and provides for the recovering back, in an action for money had and received or goods sold and delivered, of any amount paid above that rate. It is worthy of consideration whether the remedy ought not to be extended, so as to authorize a recovery of the amount thus paid, by a proceeding in chancery.

The law has, in effect, declared the taking of interest above six per cent, to be wrong; but it has provided no adequate remedy for it. The remedy, by the process provided in the statute, is practically no remedy at all, for in no cases can it be made available, excepting those in which accident shall enable a borrower, whose necessities have compelled him to submit to the illegal exaction, to prove by common law evidence, what so much pains are always taken by the lender to conceal, and which the borrower, in the agony of his necessity, is willing should be concealed.—Does not consistency of legislation suggest the propriety of either repealing the law in question, or authorizing its enforcement by a process suited to the case, and indispensable to give the law effect? To do this by the process suggested, would seem to be liable to no valid objection.

This is a subject of much general importance. The manifest tendency of the practice of exacting unlawful interest is, in the first place, to beget a contempt of the law, and sharpen ingenuity for its evasion, the general tendency of which is extremely pernicious,—but, in the second place, and mainly, to increase existing inequalities in the condition of the people,—to make the rich richer, and the poor poorer,—to leave the necessitous to become the victims to the temptation to borrow on long credit, upon an interest which seldom fails to complete their ruin. Notwithstanding the facilities for bank accommodations—a mode of borrowing which begets habits of promptness, and cherishes a sense of honor highly useful to the community—it is believed that the practice of loaning upon unlawful interest, prevails to an extent, and produces results, which may well claim the earnest consideration of the legislature.

The subject of licenses for the sale of intoxicating liquors, has come to occupy so much of the public attention, and involves a question of such deep interest to the community, that I cannot deem my duty discharged without inviting your attention to it.

It is a principle fundamental in our government, that it is instituted “for the common benefit, protection and security of the people.” The correctness of this principle, asserted in our bill of rights, will, of course, be

conceded by all. In regard, therefore, to the act of the government in licensing the traffic in intoxicating liquors, the great question would seem to be, whether such traffic is for the “common benefit.” This question is, at present, in effect, submitted to the decision of the courts in the several counties, through whom alone, licenses can be granted. There seems, however, to be a prevailing sentiment that the power of license should not remain in the courts, but that it should, in some way, be brought nearer to the people. In this sentiment I concur. The people are the source of power. They know whether the traffic in question is for their benefit, and are fully competent to decide the question for themselves, without the intervention of the judicial tribunals. It is submitted to you, therefore, the whether it be not practicable to make some satisfactory provision by law, for sending the question of licenses directly to them, and thus relieve the courts and the legislature from further trouble on the subject. Whether any, and what provision shall be made, your wisdom will determine. If we would avail ourselves of the benefits of experience, which it is always useful to consult, we have an example in Massachusetts, which it may be wise to consider. The experiment of committing the whole subject to Commissioners, appointed by the people in the several counties, with authority to grant licenses to such extent as they may deem the public good to require, seems to have given general satisfaction in that state. Should this be deemed an appropriate mode of giving effect to the people’s wishes, it would aid the important purpose of removing the elections of Commissioners in the several counties as far as possible from the disturbing influence of party politics, to have them holden on a day devoted solely to that object, and as far removed, in point of time, from every other election, as the question itself ought to be separated from, and elevated above, the party contests of the day.

There is another question connected with this subject, which seems to demand attention. It has been decided by the Supreme Court that justices of the peace have not jurisdiction of offences against the license laws. County courts have, therefore, exclusive jurisdiction; and the result is, that, in practice, prosecutions for such offenses are instituted but once in each year—grand juries being usually no oftener summoned, and States attorneys, I believe, seldom, if ever, in such cases, filing information. The obvious difficulty of reaching, by such an annual process, all the violations of the license laws, connected with the fact that the maximum of the penalty is but ten dollars, would seem to suggest the propriety of either giving the jurisdiction to justices of the peace, or of making provision that they may bind over offenders with the witnesses, to the county courts, as often as the offenses shall be committed. If we are to have laws on this subject they should be enforced. Every good citizen must desire this, whatever may be his opinions on the question of temperance. Better, far better, to have no laws, than to permit them to stand on the statute book unexecuted, since there is thus added to the prohibited, and yet permitted evil, that other great evil of a practical denial of the rightful supremacy of law.

I have been furnished in advance, with copies of the eighth annual reports of the Trustees and Superintendent of the Vermont Asylum for the Insane. From these reports it appears, that during the past year, 232 patients have enjoyed the benefits of the Asylum; that 96 have been admitted to it, and 74 discharged; and that 158 remain. Of the discharges who had been insane, not exceeding six months, 89 per cent have recovered; while of those whose insanity had been of longer duration, the proportion of the restored has been but 34 per cent.—showing, what should be universally known, the great importance of early efforts to secure for the insane the benefits of the institution. The reports show that inveterate cases, supposed to be beyond the reach of perfect cure, may be very greatly ameliorated. Several touching examples of these are given in the report of the Trustees, in which persons have, after a derangement of from 12 to 60 years, been taken, in conditions of horrible wretchedness, from cages and cells, their chains knocked off, and within a few weeks from their entrance into the Asylum, have been persuaded to enjoy the luxury of comfortable beds, and with safety admitted to receive their food with knives and forks at a common table.

I am happy to learn that since the last report, additions to the buildings have been completed, so as, in the opinion of the Trustees, to furnish accommodations fully adequate to the wants of the State. It appears also, that a reduction has been made in the terms of admission, by reason of the means which additional buildings have furnished for the accommodation of a greater number of patients, without the necessity of increasing the number of officers of the Asylum.

It is an exceedingly fitting and important arrangement in the institution, that facilities are furnished for the employment of the inmates in the occupations to which they have been accustomed—the influence of which, with appropriate amusement, upon their health, and as a means of restoration to mental soundness is apparent.

It appears that the income, during the past year, has been \$581.14 more than the expenditures; leaving, as a general result, after allowing for bad debts, a small balance in favor of the institution.

The report of the Trustees bears strong testimony to the judicious management of the Superintendent; to whose exertions the state is evidently very greatly indebted for the success of this valuable institution, in accomplishing the humane purpose of its establishment.

The appeal at the close of the report of the Trustees, in behalf of the insane poor of the state, is worthy of consideration. There is no conceivable claim upon Christian charity so strong as that which comes from those who are destitute alike of reason, and of appropriate means for its restoration. That claim, it is feared, will not adequately be met by towns chargeable with the support and maintenance of such poor—the furnishing them the means of restoration to mental soundness, or even of ameliorating their insanity in cases where it is supposed to be incurable, constituting, under existing laws, no part of the legal duty of the towns. Whether, if such duty is imposed on them, it would result in securing the needed relief, or securing it as promptly and effectually as it should be, may perhaps admit of a question. I submit whether further provision should not be made by law, for securing the benefits of the asylum to all the insane poor within the State.

The term of one of the Senators of this State in the Congress of the United States will expire on the third of March next. It will, therefore, become your duty to elect a person to represent this State in the Senate of the United States for six years from and after that time.

I have received from my predecessor sundry resolutions of other States of the Union, communicated to him with requests that they should be laid before the Legislature of this State. I shall make them the subject of a future communication.

Thus far I have called your attention to subjects immediately connected with our domestic policy, and falling, exclusively, within the range of our State legislation. But we constitute a part of another government, whose action vitally affects us, as a community, and as a member of the confederacy. It is proper, therefore, that I should devote some attention in this communication, to the questions connected with the administration of that government, which now agitate the country and demand attention of us all.

The question of protection to American labor and capital, in their competition with the labor and capital of foreign countries, is one which comes home to the business and interest of the whole community. The vast variety of the soil and climate of our country, and of the genius and inclinations of its people, plainly indicates that diversity of employment and pursuit is essential to the full development of its capacities for improvement. It was a sense of this, impressed by the practical workings of foreign competition, that formed a leading motive to the adoption of the constitution. The “more perfect union” of which that constitution was the bond, was scarcely, in any respect, more important than in the means which uniform regulations of commerce furnished for the counteraction of the foreign policy which sought to establish our workshops abroad, and make our people tributary to the cheap labor and abundant capital of other countries. This purpose of the constitution was carried out in the first revenue law passed under it, whose framers were careful expressly to declare, in its memorable preamble, that the duties it imposed, were laid “for the *encouragement* and *protection* of manufactures.” And if there is any policy which, more than any other, has marked our history, it is the policy, of which that preamble was the earnest and the pledge. It is under its creative power that manufacturing establishments have sprung up in almost every part of the country, sending the pulsations of vigorous health through all departments of its industry. We have, indeed, suffered under occasional partial suspensions of that policy, but they have served to show us, what uninterrupted prosperity under it might not have done—its indispensable importance to secure adequate encouragement and reward to labor, a full development of the nation’s faculties for improvement, and a realization of the benefits derivable from the compact which made us “one people.”

In all the vicissitudes of the protective policy, it has never, perhaps, passed through greater peril than it is now encountering. The tariff of 1842 saved the protected interest from prostration. Its benefits have been felt in a revival of business, a restoration of confidence, an adequate revenue, and a general and healthful impulse to the labor of the country. But in the midst of these successes, it is suddenly brought into peril.—Twelve years ago the system of protection was put in similar peril, by the coincident action of nullification on the one hand, and betrayal by its professed friends on the other. That is the character of the present danger. Nullification it is true, has lost much of its power; but false principles, deceptive reasoning, and disguised enmity are as strong, perhaps stronger than ever. This is illustrated in the success of efforts to confound all just distinctions in regard to protection, and lead the unsuspecting to an incautious committal of the protective system to the hands of its enemies.

Thus we have the doctrine of protection misstated and perverted, by declarations, that it consists in “*discrimination* for the purpose of *revenue only*; “ with protection incident to such discrimination; and again, that “the *true limit* of the right and claim to protection, is that rate of duty *upon any given article* which will *yield the largest amount of revenue*.”—Beyond this, it is asserted, the Constitution gives no power to impose duties. The hinge on which the whole protective system turns, is, the *purpose* for which discriminations are made in the adjustment of a scale of duties. It “*revenue only*” is the purpose, every one familiar with the subject can see that it may not afford adequate protection to any interest, since it is obvious that a duty on a given article, falling far short of just protection to its rival of American production, may be the duty which will yield the greatest amount of revenue from that article, by reason of its greater importation under the lower duty. To subject the protected interest to the operation of such a rule, is to commit them to mere chance. If this is the “*true limit* of the right and claim to protection,” it is a limit within which every protected interest in the country may be crushed. The true doctrine is, not discrimination for *revenue*, with incidental protection, but a tariff for revenue with discrimination for *protection*. The revenue purpose is to govern, when we are considering the amount of revenue to be raised upon the whole of the importations. No more revenue, in the aggregate, may be raised, than shall be necessary to supply the wants of the government—making a tariff, in this sense, a revenue tariff. But while this great revenue purpose is to be kept in view, and its limit never exceeded, another purpose is, also, to be kept in view, namely—that of so discriminating between different classes of articles, and between one article and another, of the same class, that while, in the aggregate, we raise only the required amount, we may, by the discrimination, impose high duties on articles needing strong protection—moderate duties on those needing less protection, and no duties on such as need no protection. This is discrimination for protection—the genuine doctrine, of which discrimination for revenue, with incidental protection, is the counterfeit.

It was this false doctrine which formed the leading feature in the report of the committee of Ways and Means, at the late session of Congress; and the bill reported by that Committee, and which stands upon the calendar of the House for its action at the next session, was the legitimate result of that doctrine.

As perpetual vigilance is the price of liberty, so is it emphatically the price of protection to our industry. We can well resist the attacks of the open enemies of the protective policy, but may find ourselves baffled and foiled by the deceptive warfare of its pretended friends. The investigations of this year, aided by the obvious benefits of the existing tariff, well it may be hoped, result in firmly establishing correct principles on this subject, and giving permanency to the tariff, of which they form the basis.

There is another subject of great importance which demands our attention; and the more so because it is a question in which our rights as a State, are directly involved. I refer to the debated policy of distributing to the States the proceeds of the sales of the public lands.

The leading objection to distribution—aside from its alleged corrupting influence upon the States, which is not worth considering—is, that, by taking the amount of the land sales from the treasury, we increase the taxes for the support of government, and thereby, in effect, tax the people for the purpose of distribution,—in other words, that we corrupt the people with their own money. The argument rests upon erroneous views of the effect of a tariff. It is well known that an increase of duty does not, necessarily, produce an increase of price. If the proceeds of the lands are taken away from the treasury for distribution, a necessity will of course be thereby created for raising an additional sum, equal to that amount, by duties on imports. But, it is well known, in the first place, that an augmented duty, if it has the effect of increasing the domestic supply of rival articles, is in

effect, divided between the foreign producer and the consumer; and, in the next place, that so far as the consumers pay the additional duty, their ability generally, to do so, is increased by the tariff itself, in its influence on the industry of the country. This is shown, among other ways, by augmented revenue, under a decidedly protective tariff, as illustrated in the operation of the tariff of 1842. An increased consumption, generally, though not always, proves an increased ability to purchase dutiable commodities; and this corresponds with the great tariff theory, that protection gives the impulse of increased reward, and steadiness of employment, to all branches of domestic industry.

All that part of the public domain which lies within the original limits of the United States, is holden by them strictly in trust for the benefit of the several states. Distribution, so far as regards this portion of the public lands, would be but a simple execution of the trust created in the deeds of cession to the United States—a trust which, if the parties were subject to chancery jurisdiction, might be enforced, upon the common principles applicable to trust estates. And although the claim for a distribution of the proceeds of the lands since acquired, rests upon grounds of expediency only, and not of strict right, yet that expediency is not less clear than is the right under the trust referred to.

Distribution is expedient, in the first place, because of its effect upon protection—preventing, as it will, the income from the public lands from a pernicious interference with the protective policy, by leaving the whole of the needed revenue to be drawn exclusively from impost duties. And this constitutes another striking ground of difference between the genuine and spurious friends of protection.

Distribution is expedient, also, because the proceeds of the national domain are thereby brought nearer to the people, who can, through their immediate representatives in the State legislatures, more wisely and beneficially appropriate them to purposes of needed improvement. Since the arresting of the policy of internal improvement, by the national government, effected by the Maysville veto, distribution has become the only means by which the avails of the public lands can be made to accomplish that important purpose. And if the fund can be thus appropriated, through distribution to the States, the arresting of the policy, by the veto referred to, may not, perhaps, be a subject of regret, since the object can, probably, be better accomplished through State, than National administration. But to stop the national appropriation of the fund, for purposes of improvement, and at the same time, withhold it from the States, is to abandon the object altogether, and thus forego the great national advantages which this fund, from its permanent character, as well as from its large amount, is peculiarly adapted to secure.

This fund may, moreover, under the state administration, be made to reach one object of improvement, which it would, probably, never reach in the hands of the general government;—I mean, the object of education—an object of more importance to this nation than all other objects combined, to which the fund can possibly be appropriated. It is thus that the great domain may be made to reach, and purify the fountains of thought and feeling among the masses, upon whom rest, and must always rest, whilst our institutions are republican, the government of this nation; and whose oral and intellectual character *will* shape its destinies, “rough hew them as we will,” by the most carefully matured schemes of national policy.

If we would make this a truly great nation, we must give activity and vigor to the elements of greatness in the hearts and minds of its people. These elements must be brought out—their capacities fully developed, and their energies rightly directed. And here are the means of doing it, furnished to our hands. Let the nation either use them, or place them where they may be used, for this great purpose, and thus render the beneficial effects of the appropriation of the national domain, as solid and enduring as the domain itself. It is thus, in the right use of the means for national improvement which God has given us, that he will bless us—will make us a great and good nation, and enable us to accomplish the ends of His Providence in giving us a national existence.

There is another question of great and overwhelming interest which recent events have forced upon our attention. By a sudden and unexpected turn of party policy, we are called on to decide the momentous question, whether a foreign nation shall be annexed to, and become part of the confederacy. As this is a question in which the States, as members of the Union, have a special interest, and upon which they may, and ought, immediately, to express their opinions, through their respective legislatures, it will not be deemed, in any sense, foreign to my duty, to bring the subject to your notice, and urge it upon your special attention.

Vermont came into a union whose bond was a written constitution, granting to its government certain specified powers. No question in regard to the powers conferred by that constitution, can be of greater importance than that which relates to the membership of the confederacy. The extent to which new members may be admitted, involves a question far beyond a question of mere administration of the government. It strikes at the existence of the government itself. An unauthorized admission of a new state, is nothing less than an attempt to make a new confederacy. This cannot, of course, be done, without a destruction of the old—without an exercise of power by the existing government, equivalent to suicide.

Such is the proposition for the annexation of Texas to this Union—involving a question of much more importance than whether the territory to be added shall form one or five states, or equally divided between these opposite and irreconcilable elements of power. It is a question whether, by an act of *arbitrary power*, Vermont shall be forced, without her consent, into a federal union with a state or states, not admissible by the compact into which she has entered. It is as though a majority of the members of an ordinary partnership were to attempt to force a member into the concern without the common consent—compelling the dissatisfied member or members to subject the whole business and destiny of the establishment to the hazard of a connection with a new partner—it may be, bankrupt in fortune and character, or trained to habits of business, or possessing infirmities of constitution, rendering the connection valueless, or worse than valueless. An ordinary violation of the constitution—such, for example, as an alleged unauthorized regulation of commerce for purposes of protection, might be submitted to, until the action of the appropriate judicial tribunal could reach and remedy the evil. But this is a case which no judicial power can reach. The foreign state one admitted, and the mischief is done, irrevocably; and resistance on the part of the injured states becomes the only remedy, though it may involve the hazard of forever quenching the watch-fires of our liberty and union in blood.

The right to annex is claimed to rest on the grant of power in the constitution to admit new states into the union. If there had been no territory within our original limits upon which this power could operate, the right to admit state from beyond them would seem necessarily to have been embraced in the general grant of power. But such territory existed, large and ample. The advocates of annexation would seem, therefore, to be thrown upon the necessity of furnishing evidence of intention, quite beyond any thing that can be found in the general language—“New States may be admitted by the Congress into this Union,”—which, if allowed the latitude contended for, would leave no limit to the exercise of the power, short of the entire habitable globe. That the framers of the constitution had in their contemplation a provision admitting such a latitude, is incredible, and it is equally so that if they had such intention, they should have failed to express it, in language suited to the grant of a power of such fearful magnitude as that of effecting, by a simple act of Congress, an essential change in the relations of the constituent members of the confederacy;—and thus, too, while Congress is invested with no power to change even a line of the constitution—which can only be done by the solemn act of three fourths of the states of this union.

Ardent minds may have glowing visions of greatness, and glory and good to man, in prospect of the boundless exercise of the claimed power; but it is for the sober and thoughtful, and wise and truly benevolent, to check such anticipations, and chasten such desires, by submitting them to the restraints of rigid justice to the existing members of the confederacy. No fancied benefits can ever compensate for the perpetration of wrong—the infliction of injustice, under any circumstances whatever.

But it is attempted to obviate the constitutional difficulty, by claiming title to Texas as part of the Louisiana Purchase, and calling the proposed measure *re-annexation*. In reference to this it is sufficient to say that by the Treaty of 1819 with Spain, after a protracted negotiation with regard to the Southern boundary of Louisiana, it was agreed to fix it on the Sabine; that the yielding of our disputed claim to Texas entered into the consideration of the cession to us of Florida; and that the line thus established was subsequently confirmed by our Treaty of limits with Mexico. The claim to *re-annexation*, then, is as though, upon the possible independence of Canada, and a treaty with her confirming the boundary, established by the treaty of Washington, we should afterwards claim as our own, the territory ceded by us in that arrangement, because it was embraced within our formerly claimed limits. Who would be willing to hazard the peace or the honor of the country, upon such a claim as this? And yet, such is the claim for *re-annexation*.

But there is another insurmountable constitutional objection. It is found in the *purpose* of annexation. That purpose is to establish and perpetuate slavery—any attempt to do which by the General Government is, of itself, a manifest violation of the national compact. For where is to be found among the powers granted in the constitution, the semblance of a power to establish or perpetuate slavery, any where? With the exception of the provisions for delivering up fugitives, and the suppression of insurrection, and the three fifths slave representation in one branch of Congress, the constitution confers on slavery no privilege; and imposes no duty, and confers no power on Congress, looking, in the remotest degree, to its support. It was a state institution before the constitution was formed, and, so far as that constitution is concerned, it remains so still—free to live, if it can, but certain to die without unconstitutional aid for its support. That aid it is the purpose of annexation to afford.

The onward progress of freedom, under its high impulses, is rapidly changing the balance of power, and leaving slavery to perish; and now the nation is suddenly called on to come to its rescue – to save it from sinking—to infuse into it fresh life and vigor, and to prolong and perpetuate its power. And this at the expiration of more than half a century from the formation of the constitution, when the entire nation entertained the belief that slavery could not survive the first quarter of a century of our national existence.

It is said, indeed, that annexation will not have the effect of enlarging and sustaining the power of slavery. But whoever considers the relation between demand and supply in the commerce of the world, will be at no loss to perceive the connection between the consumption of human energy and human life in the enlarged cultivation of Texas annexed, and the increased production in our slave breeding States for the supply of the demand thus created. Such was the effect of the acquisition of Louisiana. That slavery is destined, with annexation, to recede gradually to the South, until it melts away and becomes lost in a mixture of races somewhere between the line of Mason & Dixon, and the isthmus of Darien, is a vision of fancy as baseless as the fabric of a dream. Nothing in the past will justify us in believing it can ever become a reality.

To attempt for any purpose, a transformation of the present, into the new union which annexation would create, would be an insufferable invasion of our rights; but to attempt it for the purpose of sustaining slavery, and subjecting the tenants of these mountains to its prolonged power, is to be thought of with no dream of submission to it for an hour. Upon the consummation of the threatened measure, I do not hesitate to say that it would be the duty of Vermont to declare her unalterable determination to have no connection with the new union, thus formed without her consent, and against her will. To carry out this determination would not be to dissolve the union, but to refuse to submit to its dissolution,—not to nullify, but to resist nullification.

I do not undervalue the Union. I greatly value, and would preserve it. But it is the union of which the present constitution is the bond. If the question were properly submitted to Vermont whether she would come into a new union, we would deliberate upon it; but the question whether we will submit to be forced into it, under pretence of a power to do so which does not exist, is not to be debated for a moment, any more than we would debate the question of submission to a foreign yoke.

But why, after all, should annexation be desired by any body? What conceivable motive is there for it, having reference to the good of the whole country? How is it to benefit the Union? Who can assure us, indeed, of the capacity of our Union to resist the strong tendencies to dissolution, of such an acquisition? What wise and prudent statesman will be willing to hazard, such an experiment upon this Union? Wiser and better is it to endeavor to strengthen and consolidate it upon its present basis—to get rid, as soon as can be properly and rightfully done, of every thing that will endanger it, and especially of that greatest of all sources of danger, the institution of slavery—and thus, having laid aside every weight, to run the race of freedom and philanthropy and solid glory which is set before us.

The relation of Slavery to the confederacy, the evident danger from the existence of such an element in our Union, and the increasing excitement in regard to it, suggest a few additional remarks upon that subject.

The question of slavery is among the greatest that can occupy the mind of the nation. The true position in which it was left by the Constitution—the expectation of the country in regard to its then future condition—the history of its subsequent encroachments, and its irreconcilable hostility to freedom, are matters which must and will occupy the public attention. The *world* is moving on the subject; and the progress which has been made

within the last quarter of a century, in the work of human emancipation, has materially changed the aspect of the whole question. To attempt to put down abolition is vain. The statesmen of this nation must look the question in the face. It is not one of mere philanthropy, but has other bearings. Slavery is an element of political power; and how long, and to what extent, it shall be suffered to control the policy and mold the destiny of this nation, is a question whose consideration cannot be postponed indefinitely.

What direction shall be given to the strong and growing feeling on this subject, is among the most important questions than can occupy the minds of our Statesmen. There are evidently great dangers to be encountered. If the purpose of the Fathers had been carried out, and slavery had gradually yielded and given place to the institutions of freedom, this crisis would not have been thrown upon the country. But the contrary policy has prevailed. Slavery has planted itself in new fields—has struggled for ascendancy, and maintained it; and has finally come to take the ground that it must be fostered, and cherished, and extended, so as to be able to maintain its balance, as an element of power in the Union. What is to be the character and issue of the conflict which the growing spirit of freedom is to have with slavery, thus struggling to maintain its ascendancy is a question of fearful interest. The pretensions and encroachments of the slave power, and especially the attempt to strengthen it by the annexation of Texas, have contributed to give a character of deep and desperate earnestness to abolition movements, threatening to draw every other question of morals and politics within their vortex.

The true ground is not upon either of these extremes. But neither is it the ground of indifference. That will work no deliverance either from the evils of slavery, or of an over heated and headlong zeal for its abolition. No attempt should be made to suppress the mighty impulses of this age towards universal emancipation. None will be successful. Rather should it be our effort to guide them rightly and safely.

Cold apathy and bitter zeal should alike give place to a calm, steady, patient, persevering effort to reach the seat of the evil,—to overcome in the South the fear of change, the force of habit, the reluctance to labor, the love of dominion, and the tenacity of supposed, but mistaken interest, while truth shall be made to exert its appropriate power in quickening the conscience to a just sense of the wrongs of slavery. And along with all this there must, and will, of necessity be political action in some form, gradually changing the character of state and national legislation, while no great interest of the country shall be left forgotten, uncared for, or neglected. The position of the North, and the natural jealousy of its efforts in this cause, impose on it the duty of moderation and forbearance; while the claims of humanity, and a just respect for its own rights demand that it steadily resist the encroachments, expose the wrongs, and labor, in all appropriate ways to rid the country of the evils, of slavery.

Suffer me, in closing this communication again to advert to our domestic concerns, and to express the hope that we may come to the consideration of them, with a feeling of devotion to the interest of our State, which shall make us forget all party distinction in an ardent desire to benefit and bless her. Let the lines which divide us on questions of national policy be obliterated, when we come to consider the matters which concern exclusively our own people; and let the strife of party zeal be lost in a generous emulation to devise the best means of advancing the interest of this Commonwealth. And what a field does she present for our labors. Almost the whole of her surface may be converted into a garden, rank with luxuriance, and teeming with riches for the benefit of man. A wise domestic policy may, within no very distant period, have the effect of doubling the amount of our present productions—retaining our population at home—giving to all, the means of comfortable subsistence, and the added means of universal education, upon a scale commensurate with the great purpose of educating a people to govern themselves. We are, and must, of course, continue to be, a small state; but necessarily small, only in territorial extent. In all that constitutes true greatness we may become the largest State in the Union—in the world; great in the development of the capacities of our soil, but far greater in the mighty energies of the men that shall live upon it.

Here then is a large field for our efforts. Let us survey it, fully, and address ourselves to its labors with a determination to do what our hands find to do, with our might. To all this we are urged by motives which come up in the recollections of the past, and stand out in the visions of the future. How can we help feeling an honest state pride, when we think of our origin—of our history—of our strength at home—of our character abroad, and of our position of influence and power for good, upon an extended scale, in our connection with the Union. We

may, and must concern ourselves with the questions involved in the national action; but after all, here is Vermont—a name dear to us all—at the mention of which our hearts thrill with honest pride. Vermont! Our own beloved State, that claims our first attention, and deserves our warmest affection, and our untiring efforts for her good. In regard to her let us say,—If I forget thee let my right hand forget her cunning; if I do not remember thee, let my tongue cleave to the roof of my mouth, if I prefer thee not above my chief joy.

In conclusion, I need hardly say to the representatives of a Christian people that the efforts of our highest wisdom—our most carefully matured schemes for the advancement of the public good, will be unavailing without the divine blessing. Let us, amid the cares and labors and excitement connected with the performance of our duties, take fast hold of this great truth—maintaining a just sense of the magnitude of the trust committed to us, and an abiding conviction of the true character of our responsibilities in connection with it.

Suffer me to tender, through you, to the people of Vermont my grateful acknowledgments for the recent expression of their confidence—my sense of the value of which, and of the increased responsibilities it imposes on my life to the promotion of the highest interests of this State, of my country and the world.

WILIAM SLADE.

EXECUTIVE CHAMBER
October 11, 1844

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Inaugural address
of
William Slade
As it appears in the
Journal
of the
House of Representatives
October Session

1844

Friday, October 11, 1844

Fellow Citizens of the Senate and House of Representatives:

We are assembled in the character of Representatives of the people, to consult upon their interests, and to execute their will. It becomes us, on entering upon our duties, first of all to carry our minds up to the Author of our being; to acknowledge Him as the rightful source of our authority, and to make his will the measure and the motive of our duty. If, in all our ways, we should acknowledge Him, we should especially do so, upon becoming invested with powers, whose appropriate exercise requires, eminently, the wisdom that comes from above. Our responsibility is, immediately, to the people whose servants we are, but ultimately, to Him who will judge both the people and us.

We come together under circumstances of peculiar favor. The season has been crowned with blessing. Our fields have yielded an abundant harvest, and our people have been exempted from wasting disease. Labor has been protected and rewarded; and peace reigns within our borders. We are blessed with the steady and impartial administration of justice, and continue to enjoy the invaluable privilege of selecting, by our free suffrages, those who shall make and execute our laws.

Among the first duties you will be called to perform, is that of selecting men to fill the judicial and executive offices of the government, which the constitution has wisely committed to your hands. From among such a people as this, there can be no difficulty in selecting men of upright minds, of pure morals, of tried integrity and of sound intelligence, to fill the various within your gist. The power of office, and the power of personal example and influence, can never be separated; and he bears the sword of justice in vain, who counteracts by the one, what he endeavors to enforce by the other.

But your principal labor lies in the broad field of legislation. We are selected and sent here, from among the people; with whose wishes and interests we ought to be thoroughly acquainted, and whose welfare should be the end and aim of our legislation. The government which, by their suffrages, has been committed to us, is their government—"instituted," in the language of our bill of rights, "for the common benefit, protection and security of the people, and not for the particular emolument or advantage of any single man, family, or set of men." The highest good of the people, and of all the people, therefore, it is our great business to secure.

The establishment of justice, in the perfect protection of rights, is the primary end of government, and, in its broad and comprehensive bearings, embraces a very large portion of all appropriate legislation. But there is a field beyond this. The beneficent action of government may, and ought to be felt in the promotion of virtue, in the suppression of vice, in the diffusion of intelligence, in the development of mind, in the encouragement of industry, and in the drawing forth from the earth, which God has given for our temporary habitation, its teeming riches, to make them subservient to the purposes of their gift, in the wisdom and goodness of their great Author. In short, it is the duty of government to perfect by wise, discreet and timely action, the great purposes of the social organization.

In surveying the field of our duties, there would seem to be no subject claiming higher attention than that of Education. This subject has been repeatedly brought to the notice of the Legislature by my predecessors, and several legislative reports have been made upon it. The result of a report made in the year 1841, was, the appointment by the Governor, of a committee, who presented to the legislature, at the following session, an elaborate and able report, containing facts and suggestions of great importance. I commend that report to your consideration.

Improvement is the great law of our individual and social existence.—The means of it are furnished, in a greater or less degree, to all; and all, whether individuals or communities, are accountable for the right improvement of them. This accountability rests, with peculiar weight upon us, in connexion with the subject of education—vitaly connected, as it is, not only with our individual well being, but with the preservation and perpetuity of the institutions we are permitted to enjoy, and required to transmit to our children. These

institutions will, inevitably, take the character of the people, whatever that character may be. The best constitutions of government can interpose but a feeble barrier to the corrupting influences of ignorance and moral debasement. Their beautiful and solid structures will sink and crumble, when they shall cease to rest on the foundations of public and private virtue and universal intelligence.

This obvious truth is full of instruction to those upon whom rests the responsibility of making laws. Their duty is but half performed when they have made laws to *govern* the people. It is a higher and more difficult duty to adopt a system of legislation which shall have the effect of making the people a law, and a good and safe law, to themselves. The most efficient laws are those which govern, not by the power of the sword, but by the silent influence of virtuous and enlightened principle. To educate a people, then, becomes an indispensable part of legislation—an appropriate and necessary instrument for executing the laws—an instrument far more efficient than the strongest military force; while at the same time, it gives to a State high-minded, virtuous, intelligent men, to become its strength, its defense, and its glory.

But what *is* education? It is not merely the learning which lumbers the brain. It is the discipline of the mind and the heart—developing their capacities, strengthening their powers, and training them to practical usefulness. Our children should be learned to think—to discriminate—to feel the conscious power of cultivated intellect, and the purifying, and elevating influence of Christian principle. And this education should be universal, reaching the humble hovel as well as the spacious mansion, and thus bringing out the children of the poor and the rich, to drink together at the enlarged fountains of knowledge which we should open for all.

To accomplish the purpose of educating this whole people, in a manner suited to sustain our free institutions, we obviously need a more elevated standard of common school instruction. There is too wide a chasm between a liberal and a common education. The higher should not be brought down, but the lower raised. Great political responsibilities rest on our people, involving the necessity of a high state of general intelligence. They are to judge not only of the personal qualifications of candidates for office, but of the character and tendency of measures, and the force and bearing of great principles. They must be able to correct errors of fact, detect false reasoning, and put demagogues to silence.

And the road to distinction should be made broader. We want in high public stations more men who have been trained to maturity amid the scenes of ordinary life. Industry, patience, perseverance, common sense, sympathy for the laboring classes, contempt for the mere distinction of office, and a love of the noble objects it gives the power to accomplish—these are among the fruits of an intellectual and moral training amidst the labors and trials of common life. The mass of mind, as it comes up to maturity, may, by a proper system of education, be disciplined to a vigor, and furnished with an amount of knowledge, fitting for almost any station, not involving the necessity of professional skill for its success.

I do not undervalue the higher seminaries. They must be sustained—established upon solid foundations—placed beyond the reach of embarrassment and want. No adequate system of education can be sustained without them. They are important, not only to train instructors, and fit men for the learned professions, but to maintain a high standard of education in a community. They are like the sun shining in his strength, and communicating light and heat to the bodies by which he is surrounded. But if we would sustain them, let us elevate the standard of common education, for in proportion as that is done, will the higher institutions be more valued, and more liberally patronized and endowed; while there will be, throughout the community, a greatly increasing thirst for the water that comes from these deeper and purer fountains.

The great desideratum in regard to common education is, *improved modes of teaching*,—modes by which the hitherto great waste of time may be avoided—the mind stimulated to activity—trained to habits of self-relying effort, and learned to “go alone,” as it shall be thrown upon its own resources, amid the labors and responsibilities of practical life. Time waits not the sluggish and inefficient movements of false methods of teaching. It bears our children rapidly onward to manhood, prepared or unprepared for the great duties of life. But as we double the power of human energy by new processes in agriculture and the mechanic arts, so may we double the value of the allotted time for education. We are eager to avail ourselves of the augmented power to gain wealth through the wonderful improvements and discoveries of this age. Rail roads augment the value of every thing they touch or approach, and we are, therefore, awake to their importance; but are there not more

wonderful developments to be made of intellectual wealth by improved modes of education? Shall other improvements go on, while this stands still? Are the mind and heart of a people of less importance than the materials of wealth in the earth they inhabit? Shall we carefully improve the reeds of our animals while we neglect the improvement of man? If he is esteemed a public benefactor who makes two blades of grass grow where one grew before, is not he a greater, who devises means for doubling the productive power of the mind of a people?

And now is presented the great inquiry—by what means shall the needed reforms be effected in the management and instruction of our common schools? This is, practically, a difficult question. The first thing to be done evidently is, to ascertain the present condition of our schools in regard to the precise defects in the modes of instruction, the character of the books used and the general standard of qualification of teachers.

Though we have doubtless many good teachers, there is, in general a manifest deficiency in this respect. Nor should this surprise us. It would rather be surprising if, under our present system—if system it can be called—the standard of qualification did not fall far below what it should be. Teaching is, generally, but a temporary resort, either to obtain the means of an education, or of embarking in other pursuits. It should be a *profession*, as honorable as it is responsible. There will be good teachers when we shall mature a common school system which shall create a demand for, and furnish the means of rewarding them.

There should be, furthermore, an examination into the condition of the school houses, in reference to their size, seating, ventilation, warmth, location, and the grounds connected with them.

Information on all these points should be embodied and brought out, in order to awaken the public attention to the necessity of vigorous and systematic efforts for reform. And this must be done under the legislative authority, by persons competent to an inspection, and to the making of its results intelligible and useful, as a basis of future action. Such investigations have been the first step in the prosecution of educational improvement in the States of Connecticut, Massachusetts and New York, producing, within a few years, great and beneficial results in these States. Will Vermont longer hesitate to follow their example? On you rests the responsibility of dicing this question, I would not urge to hasty and headlong efforts at improvement. Gradual progress is the law of advance to sound and vigorous maturity in every thing. But there can be no advance without a beginning.

How shall this beginning be made? is a question for immediate consideration. The exploration suggested, to be of any avail, must be uniform, universal and thorough. To make it such, compensation is obviously indispensable. We have once tried it without, and failed; and without it, we shall fail again. There must be an efficiency which the responsibility of accepting a trust with compensation, can alone secure. By what agencies the work shall be done, it will be for your wisdom to determine. It will be

worthy of consideration whether they may not be such, in part, as shall be needed for the general supervision necessary to carry forward and perfect a system of educational improvement; such, for example, as a board of commissioners as in Connecticut, or of Education as in Massachusetts, or a general Superintendent of common schools with County Superintendents, as in New York. There may be advantages worthy of consideration in the direct and undivided responsibility of a single general Superintendency, while the County Superintendents may well be supposed, from the range given for their selection, to be fully competent to exercise the rigid supervision, and make the suggestions of improvement indispensable to progress in the reform.

This corresponds somewhat with the Prussian system of superintendency, as described by the Secretary of the Massachusetts Board of Education in the late report of his visit to Europe, for purposes connected with education. The kingdom, it appears from the report, is divided into circles or districts, in each of which there is “one or more school commissioners or inspectors, selected from the most talented and education men in the community—such as would be appointed presidents or professors in colleges, or judges of the higher courts. The whole “Prussian system” says the author of the report, “impressed me with a deep sense of the vast difference in the amount of general attainment and talent devoted to the cause of popular education in that country, as compared with any other country or state I had ever seen.” Over all the other functionaries entrusted

with the execution of their system, is the Minister of Public Justice, who is a member of the King's Cabinet. "Such has also been the case in France since the late organization of their system of public instruction."

Under the New York system, it is the duty of the County Superintendents to visit the schools in their respective counties, consult with the teachers, and town superintendents, deliver lectures on education, and endeavor to awaken an increased interest on the subject of common school education. These latter requisitions form a very important part of that system; as it is obviously vain to attempt a reform unless the people can be brought to take a deep interest in it. There must be a co-operation of an enlightened public sentiment, or nothing will be done. We may legislate, and must legislate; but after all, little can be effected merely by the high pressure of legislation. It must be adapted to awaken, and concentrate, and give effect to the energies of the community. And what cannot Vermont accomplish in this matter if she shall undertake? and what motives to undertake, and to persevere, can be compared with those which are connected with the vast results of the mental and moral training of her children?

The carrying out, and perfecting, of an adequate system of educational improvement will, of course, involve ultimately, a considerable expenditure; but as the necessity for it shall arise, will the gradually unfolding benefits of the system make the contributions to sustain it, easy, and their burden light. The expenditure on the part of the State, necessary to commence the system, through the agency of a State Superintendent, and county Superintendents, need not be great—not much greater, in the language of the report of the committee to which I have referred, than "the people of Vermont have paid annually for killing foxes."

Vermont has an enviable name abroad. Let her maintain it. Let her emulate the efforts of New York, Connecticut and Massachusetts. She ought, indeed, to go beyond them. No State in the Union has such a material to work upon,—none that can be wrought into more beautiful and durable monuments of public beneficence and liberality.

In respect to the ultimate expenditure that may be needed for the purchase of district school libraries, and chemical and philosophical apparatus and globes,—for making provision in the colleges and academies, or in separate institutions, for the teaching of instructors, and for aid in the repairs and construction of school houses—we may hope that we shall, at no distant day, possess ample means, in our distributory share of the proceeds of the sales of the public lands. It would be an appropriation worthy the noble inheritance of freedom which, with a large portion of those lands, was bequeathed to us by our revolutionary fathers. It was, indeed, a benevolent and fitting arrangement, in the order of Providence, that the same severance from the parent country which gave us independence, gave us, also, a great domain, capable of dispensing so widely the blessings of education, and of rendering this nation a model of virtue, intelligence, and good government for the world.

I have dwelt longer on the subject of education than may, perhaps, be deemed appropriate for an executive message; but its very great importance must be my apology. It is, in my judgment, of more importance than any other subject that can possibly engage the attention of the legislature.

A consideration of the means of developing the mind of the State naturally suggests the idea of developing the riches of its minerals and its soils. My predecessors have frequently recommended a geological survey of the State, in which I fully concur; and invite to the subject your special attention. If we would develop mind, and apply it to its great purposes, we study and analyze it, that we may understand its capacities and powers. Thus should we do with the soil we inhabit. Here we are, in its daily cultivation, drawing from it our support; and shall we remain ignorant of its properties, its defects and the means of supplying them, only as tardy experience shall disclose them to us? We want a scientific, thorough, universal examination of the various soils of the state, involving complete analysis and classification of the whole, and such an exploration as shall reach, if possible, all the fertilizing substances which can be made available for the amelioration of our soils, and then stimulating them to their highest practicable power of production. There are localities where the discovery of a bed of limestone would be more valuable than a mine of gold. The same may be said of marl, gypsum, peat and other substance, appropriate, either singly or in combination, to supply deficient elements in unproductive soils.

It is hardly necessary to speak of the probable development of mineral resources, of which we have an earnest in our iron, copper, manganese, and other mineral treasures.

It is needless to say that such results will not be brought out, except under examinations effected by legislative authority, and at public expense. Such examinations have been made by other States; and the results are before the world. I mean the immediate results; for the great practical results are yet to come forth in a mingled mass of benefits, spreading themselves over the surface of our country, while there is a soil to yield its fruits to the labors of man.

By enquiries made two years ago, I learned, that, at that time, geological surveys had been authorized in ever State in the Union, excepting Vermont, Alabama, Mississippi, Louisiana, Arkansas, and Illinois. The lone position of Vermont in his classification, is somewhat striking. It is for you to say whether we shall remain in this position any longer.

This subject derives great additional importance from a consideration of the emigration which has, at some periods, rapidly, and still does, to a considerable extent, drain the population of our State. If we would retain our people at home, let us show them what Vermont is, and what it is capable of becoming, as an agricultural State.

If the people could fully perceive the importance of a geological survey, I doubt not, they would esteem it a privilege to be taxed at once, to an amount sufficient to complete the work. The whole expense of completing, and publishing a survey, would not, probably, involve a burden exceeding three cents upon each individual in the State; which might be spread over two or more years should it be deemed expedient.

This subject is invested with still further importance from the fact, that rail roads are approaching our State—at no distant day, we may hope, to pass through it—which will greatly enhance the value of our agricultural, as well as our mineral productions. Let us prepare to throw into these improved channels of communication with the great markets of the world, the productions of a soil, quickened by the application of agricultural science, to a doubling of its present power, and cultivated with the augmented energy which these facilities cannot fail to excite.

In the exercise of that care which regards the interests of all, you may not deem it inappropriate or unnecessary, to consider, whether additional legislation is not required for protection against the exactions of unlawful interest. Our law relating to this subject declares, that interest shall be limited to the rate of six per centum per annum; and provides for the recovering back, in an action for money had and received or goods sold and delivered, of any amount paid above that rate. It is worthy of consideration whether the remedy ought not to be extended, so as to authorize a recovery of the amount thus paid, by a proceeding in chancery.

The law has, in effect, declared the taking of interest above six per cent, to be wrong; but it has provided no adequate remedy for it. The remedy, by the process provided in the statute, is practically no remedy at all, for in no cases can it be made available, excepting those in which accident shall enable a borrower, whose necessities have compelled him to submit to the illegal exaction, to prove by common law evidence, what so much pains are always taken by the lender to conceal, and which the borrower, in the agony of his necessity, is willing should be concealed.—Does not consistency of legislation suggest the propriety of either repealing the law in question, or authorizing its enforcement by a process suited to the case, and indispensable to give the law effect? To do this by the process suggested, would seem to be liable to no valid objection.

This is a subject of much general importance. The manifest tendency of the practice of exacting unlawful interest is, in the first place, to beget a contempt of the law, and sharpen ingenuity for its evasion, the general tendency of which is extremely pernicious,—but, in the second place, and mainly, to increase existing inequalities in the condition of the people,—to make the rich richer, and the poor poorer,—to leave the necessitous to become the victims to the temptation to borrow on long credit, upon an interest which seldom fails to complete their ruin. Notwithstanding the facilities for bank accommodations—a mode of borrowing which begets habits of promptness, and cherishes a sense of honor highly useful to the community—it is believed that the practice of loaning upon unlawful interest, prevails to an extent, and produces results, which may well claim the earnest consideration of the legislature.

The subject of licenses for the sale of intoxicating liquors, has come to occupy so much of the public attention, and involves a question of such deep interest to the community, that I cannot deem my duty discharged without inviting your attention to it.

It is a principle fundamental in our government, that it is instituted “for the common benefit, protection and security of the people.” The correctness of this principle, asserted in our bill of rights, will, of course, be conceded by all. In regard, therefore, to the act of the government in licensing the traffic in intoxicating liquors, the great question would seem to be, whether such traffic is for the “common benefit.” This question is, at present, in effect, submitted to the decision of the courts in the several counties, through whom alone, licenses can be granted. There seems, however, to be a prevailing sentiment that the power of license should not remain in the courts, but that it should, in some way, be brought nearer to the people. In this sentiment I concur. The people are the source of power. They know whether the traffic in question is for their benefit, and are fully competent to decide the question for themselves, without the intervention of the judicial tribunals. It is submitted to you, therefore, whether it be not practicable to make some satisfactory provision by law, for sending the question of licenses directly to them, and thus relieve the courts and the legislature from further trouble on the subject. Whether any, and what provision shall be made, your wisdom will determine. If we would avail ourselves of the benefits of experience, which it is always useful to consult, we have an example in Massachusetts, which it may be wise to consider. The experiment of committing the whole subject to Commissioners, appointed by the people in the several counties, with authority to grant licenses to such extent as they may deem the public good to require, seems to have given general satisfaction in that state. Should this be deemed an appropriate mode of giving effect to the people’s wishes, it would aid the important purpose of removing the elections of Commissioners in the several counties as far as possible from the disturbing influence of party politics, to have them holden on a day devoted solely to that object, and as far removed, in point of time, from every other election, as the question itself ought to be separated from, and elevated above, the party contests of the day.

There is another question connected with this subject, which seems to demand attention. It has been decided by the Supreme Court that justices of the peace have not jurisdiction of offences against the license laws. County courts have, therefore, exclusive jurisdiction; and the result is, that, in practice, prosecutions for such offenses are instituted but once in each year—grand juries being usually no oftener summoned, and States attorneys, I believe, seldom, if ever, in such cases, filing information. The obvious difficulty of reaching, by such an annual process, all the violations of the license laws, connected with the fact that the maximum of the penalty is but ten dollars, would seem to suggest the propriety of either giving the jurisdiction to justices of the peace, or of making provision that they may bind over offenders with the witnesses, to the county courts, as often as the offenses shall be committed. If we are to have laws on this subject they should be enforced. Every good citizen must desire this, whatever may be his opinions on the question of temperance. Better, far better, to have no laws, than to permit them to stand on the statute book unexecuted, sincere there is thus added to the prohibited, and yet permitted evil, that other great evil of a practical denial of the rightful supremacy of law.

I have been furnished in advance, with copies of the eighth annual reports of the Trustees and Superintendent of the Vermont Asylum for the Insane. From these reports it appears, that during the past year, 232 patients have enjoyed the benefits of the Asylum; that 96 have been admitted to it, and 74 discharged; and that 158 remain. Of the discharges who had been insane, not exceeding six months, 89 per cent have recovered; while of those whose insanity had been of longer duration, the proportion of the restored has been but 34 per cent.—showing, what should be universally known, the great importance of early efforts to secure for the insane the benefits of the institution. The reports show that inveterate cases, supposed to be beyond the reach of perfect cure, may be very greatly ameliorated. Several touching examples of these are given in the report of the Trustees, in which persons have, after a derangement of from 12 to 60 years, been taken, in conditions of horrible wretchedness, from cages and cells, their chains knocked off, and within a few weeks from their entrance into the Asylum, have been persuaded to enjoy the luxury of comfortable beds, and with safety admitted to receive their food with knives and forks at a common table.

I am happy to learn that since the last report, additions to the buildings have been completed, so as, in the opinion of the Trustees, to furnish accommodations fully adequate to the wants of the State. It appears also, that

a reduction has been made in the terms of admission, by reason of the means which additional buildings have furnished for the accommodation of a greater number of patients, without the necessity of increasing the number of officers of the Asylum.

It is an exceedingly fitting and important arrangement in the institution, that facilities are furnished for the employment of the inmates in the occupations to which they have been accustomed—the influence of which, with appropriate amusement, upon their health, and as a means of restoration to mental soundness is apparent.

It appears that the income, during the past year, has been \$581.14 more than the expenditures; leaving, as a general result, after allowing for bad debts, a small balance in favor of the institution.

The report of the Trustees bears strong testimony to the judicious management of the Superintendent; to whose exertions the state is evidently very greatly indebted for the success of this valuable institution, in accomplishing the humane purpose of its establishment.

The appeal at the close of the report of the Trustees, in behalf of the insane poor of the state, is worthy of consideration. There is no conceivable claim upon Christian charity so strong as that which comes from those who are destitute alike of reason, and of appropriate means for its restoration. That claim, it is feared, will not adequately be met by towns chargeable with the support and maintenance of such poor—the furnishing them the means of restoration to mental soundness, or even of ameliorating their insanity in cases where it is supposed to be incurable, constituting, under existing laws, no part of the legal duty of the towns. Whether, if such duty is imposed on them, it would result in securing the needed relief, or securing it as promptly and effectually as it should be, may perhaps admit of a question. I submit whether further provision should not be made by law, for securing the benefits of the asylum to all the insane poor within the State.

The term of one of the Senators of this State in the Congress of the United States will expire on the third of March next. It will, therefore, become your duty to elect a person to represent this State in the Senate of the United States for six years from and after that time.

I have received from my predecessor sundry resolutions of other States of the Union, communicated to him with requests that they should be laid before the Legislature of this State. I shall make them the subject of a future communication.

Thus far I have called your attention to subjects immediately connected with our domestic policy, and falling, exclusively, within the range of our State legislation. But we constitute a part of another government, whose action vitally affects us, as a community, and as a member of the confederacy. It is proper, therefore, that I should devote some attention in this communication, to the questions connected with the administration of that government, which now agitate the country and demand attention of us all.

The question of protection to American labor and capital, in their competition with the labor and capital of foreign countries, is one which comes home to the business and interest of the whole community. The vast variety of the soil and climate of our country, and of the genius and inclinations of its people, plainly indicates that diversity of employment and pursuit is essential to the full development of its capacities for improvement. It was a sense of this, impressed by the practical workings of foreign competition, that formed a leading motive to the adoption of the constitution. The “more perfect union” of which that constitution was the bond, was scarcely, in any respect, more important than in the means which uniform regulations of commerce furnished for the counteraction of the foreign policy which sought to establish our workshops abroad, and make our people tributary to the cheap labor and abundant capital of other countries. This purpose of the constitution was carried out in the first revenue law passed under it, whose framers were careful expressly to declare, in its memorable preamble, that the duties it imposed, were laid “for the *encouragement* and *protection* of manufactures.” And if there is any policy which, more than any other, has marked our history, it is the policy, of which that preamble was the earnest and the pledge. It is under its creative power that manufacturing establishments have sprung up in almost every part of the country, sending the pulsations of vigorous health through all departments of its industry. We have, indeed, suffered under occasional partial suspensions of that policy, but they have served to show us, what uninterrupted prosperity under it might not have done—its indispensable importance to secure adequate encouragement and reward to labor, a full development of the

nation's faculties for improvement, and a realization of the benefits derivable from the compact which made us "one people."

In all the vicissitudes of the protective policy, it has never, perhaps, passed through greater peril than it is now encountering. The tariff of 1842 saved the protected interest from prostration. Its benefits have been felt in a revival of business, a restoration of confidence, an adequate revenue, and a general and healthful impulse to the labor of the country. But in the midst of these successes, it is suddenly brought into peril.—Twelve years ago the system of protection was put in similar peril, by the coincident action of nullification on the one hand, and betrayal by its professed friends on the other. That is the character of the present danger. Nullification it is true, has lost much of its power; but false principles, deceptive reasoning, and disguised enmity are as strong, perhaps stronger than ever. This is illustrated in the success of efforts to confound all just distinctions in regard to protection, and lead the unsuspecting to an incautious committal of the protective system to the hands of its enemies.

Thus we have the doctrine of protection misstated and perverted, by declarations, that it consists in "*discrimination* for the purpose if *revenue only*; " with protection incident to such discrimination; and again, that "the *true limit* of the right and claim to protection, is that rate of duty *upon any given article* which will *yield the largest amount of revenue*."—Beyond this, it is asserted, the Constitution gives no power to impose duties. The hinge on which the whole protective system turns, is, the *purpose* for which discriminations are made in the adjustment of a scale of duties. It "revenue only" is the purpose, every one familiar with the subject can see that it may not afford adequate protection to any interest, since it is obvious that a duty on a give article, falling far short of just protection to its rival of American production, may be the duty which will yield the greatest amount of revenue from that article, by reason of its greater importation under the lower duty. To subject the protected interest to the operation of such a rule, is to commit them to mere chance. If this is the "*true limit* of the right and claim to protection," it is a limit within which every protected interest in the country may be crushed. The true doctrine is, not discrimination for *revenue*, with incidental protection, but a tariff for revenue with discrimination for *protection*. The revenue purpose is to govern, when we are considering the amount of revenue to be raised upon the whole of the importations. No more revenue, in the aggregate, may be raised, than shall be necessary to supply the wants of the government—making a tariff, in this sense, a revenue tariff. But while this great revenue purpose is to be kept in view, and its limit never exceeded, another purpose is, also, to be kept in view, namely—that of so discriminating between different classes of articles, and between one article and another, of the same class, that while, in the aggregate, we raise only the required amount, we may, by the discrimination, impose high duties on articles needing strong protection—moderate duties on those needing less protection, and no duties on such as need no protection. This is discrimination for protection—the genuine doctrine, of which discrimination for revenue, with incidental protection, is the counterfeit.

It was this false doctrine which formed the leading feature in the report of the committee of Ways and Means, at the late session of Congress; and the bill reported by that Committee, and which stands upon the calendar of the House for its action at the next session, was the legitimate result of that doctrine.

As perpetual vigilance is the price of liberty, so is it emphatically the price of protection to our industry. We can well resist the attacks of the open enemies of the protective policy, but may find ourselves baffled and foiled by the deceptive warfare of its pretended friends. The investigations of this year, aided by the obvious benefits of the existing tariff, well it may be hoped, result in firmly establishing correct principles on this subject, and giving permanency to the tariff, of which they form the basis.

There is another subject of great importance which demands our attention; and the more so because it is a question in which or rights as a State, are directly involved. I refer to the debated policy of distributing to the States the proceeds of the sales of the public lands.

The leading objection to distribution—aside from its alledged corrupting influence upon the States, which is not worth considering—is, that, b taking the amount of the land sales from the treasury, we increase the taxes for the support of government, and thereby, in effect, tax the people for the purpose of distribution,—in other words, that we corrupt the people with their own money. The argument rests upon erroneous views of the effect of a tariff. It is well known that an increase of duty does not, necessarily, produce an increase of price. If the

proceeds of the lands are taken away from the treasury for distribution, a necessity will of course be thereby created for raising an additional sum, equal to that amount, by duties on imports. But, it is well known, in the first place, that an augmented duty, if it has the effect of increasing the domestic supply of rival articles, is in effect, divided between the foreign producer and the consumer; and, in effect, divided between the foreign producer and the consumer; and, in the next place, that so far as the consumers pay the additional duty, their ability generally, to do so, is increased by the tariff itself, in its influence on the industry of the country. This is shown, among other ways, by augmented revenue, under a decidedly protective tariff, as illustrated in the operation of the tariff of 1842. An increased consumption, generally, though not always, proves an increased ability to purchase dutiable commodities; and this corresponds with the great tariff theory, that protection gives the impulse of increased reward, and steadiness of employment, to all branches of domestic industry.

All that part of the public domain which lies within the original limits of the United States, is holden by them strictly in trust for the benefit of the several states. Distribution, so far as regards this portion of the public lands, would be but a simple execution of the trust created in the deeds of cession to the United States—a trust which, if the parties were subject to chancery jurisdiction, might be enforced, upon the common principles applicable to trust estates. And although the claim for a distribution of the proceeds of the lands since acquired, rests upon grounds of expediency only, and not of strict right, yet that expediency is not less clear than is the right under the trust referred to.

Distribution is expedient, in the first place, because of its effect upon protection—preventing, as it will, the income from the public lands from a pernicious interference with the protective policy, by leaving the whole of the needed revenue to be drawn exclusively from impost duties. And this constitutes another striking ground of difference between the genuine and spurious friends of protection.

Distribution is expedient, also, because the proceeds of the national domain are thereby brought nearer to the people, who can, through their immediate representatives in the State legislatures, more wisely and beneficially appropriate them to purposes of needed improvement. Since the arresting of the policy of internal improvement, by the national government, effected by the Maysville veto, distribution has become the only means by which the avails of the public lands can be made to accomplish that important purpose. And if the fund can be thus appropriated, through distribution to the States, the arresting of the policy, by the veto referred to, may not, perhaps, be a subject of regret, since the object can, probably, be better accomplished through State, than National administration. But to stop the national appropriation of the fund, for purposes of improvement, and at the same time, withhold it from the States, is to abandon the object altogether, and thus forego the great national advantages which this fund, from its permanent character, as well as from its large amount, is peculiarly adapted to secure.

This fund may, moreover, under the state administration, be made to reach one object of improvement, which it would, probably, never reach in the hands of the general government;—I mean, the object of education—an object of more importance to this nation than all other objects combined, to which the fund can possibly be appropriated. It is thus that the great domain may be made to reach, and purify the fountains of thought and feeling among the masses, upon whom rest, and must always rest, whilst our institutions are republican, the government of this nation; and whose oral and intellectual character *will* shape its destinies, “rough hew them as we will,” by the most carefully matured schemes of national policy.

If we would make this a truly great nation, we must give activity and vigor to the elements of greatness in the hearts and minds of its people. These elements must be brought out—their capacities fully developed, and their energies rightly directed. And here are the means of doing it, furnished our hands. Let the nation either use them, or place them where they may be used, for this great purpose, and thus render the beneficial effects of the appropriation of the national domain, as solid and enduring as the domain itself. It is thus, in the right use of the means for national improvement which God has given us, that he will bless us—will make us a great and good nation, and enable us to accomplish the ends of His Providence in giving us a national existence.

There is another question of great and overwhelming interest which recent events have forced upon our attention. By a sudden and unexpected turn of party policy, we are called on to decide the momentous question, whether a foreign nation shall be annexed to, and become part of the confederacy. As this is a

question in which the States, as members of the Union, have a special interest, and upon which they may, and ought, immediately, to express their opinions, through their respective legislatures, it will not be deemed, in any sense, foreign to my duty, to bring the subject to your notice, and urge it upon your special attention.

Vermont came into a union whose bond was a written constitution, granting to its government certain specified powers. No question in regard to the powers conferred by that constitution, can be of greater importance than that which relates to the membership of the confederacy. The extent to which new members may be admitted, involves a question far beyond a question of mere administration of the government. It strikes at the existence of the government itself. An unauthorized admission of a new state, is nothing less than an attempt to make a new confederacy. This cannot, of course, be done, without a destruction of the old—without an exercise of power by the existing government, equivalent to suicide.

Such is the proposition for the annexation of Texas to this Union—involving a question of much more importance than whether the territory to be added shall form one or five states, or equally divided between these opposite and irreconcilable elements of power. It is a question whether, by an act of *arbitrary power*, Vermont shall be forced, without her consent, into a federal union with a state or states, not admissible by the compact into which she has entered. It is as though a majority of the members of an ordinary partnership were to attempt to force a member into the concern without the common consent—compelling the dissatisfied member or members to subject the whole business and destiny of the establishment to the hazard of a connexion with a new partner—it may be, bankrupt in fortune and character, or trained to habits of business, or possessing infirmities of constitution, rendering the connexion valueless, or worse than valueless. An ordinary violation of the constitution—such, for example, as an alleged unauthorized regulation of commerce for purposes of protection, might be submitted to, until the action of the appropriate judicial tribunal could reach and remedy the evil. But this is a case which no judicial power can reach. The foreign state one admitted, and the mischief is done, irrevocably; and resistance on the part of the injured states becomes the only remedy, though it may involve the hazard of forever quenching the watch-fires of our liberty and union in blood.

The right to annex is claimed to rest on the grant of power in the constitution to admit new states into the union. If there had been no territory within our original limits upon which this power could operate, the right to admit state from beyond them would seem necessarily to have been embraced in the general grant of power. But such territory existed, large and ample. The advocates of annexation would seem, therefore, to be thrown upon the necessity of furnishing evidence of intention, quite beyond any thing that can be found in the general language—“New States may be admitted by the Congress into this Union,”—which, if allowed the latitude contended for, would leave no limit to the exercise of the power, short of the entire habitable globe. That the framers of the constitution had in their contemplation a provision admitting such a latitude, is incredible, and it is equally so that if they had such intention, they should have failed to express it, in language suited to the grant of a power of such fearful magnitude as that of effecting, by a simple act of Congress, an essential change in the relations of the constituent members of the confederacy;—and thus, too, while Congress is invested with no power to change even a line of the constitution—which can only be done by the solemn act of three fourths of the states of this union.

Ardent minds may have glowing visions of greatness, and glory and good to man, in prospect of the boundless exercise of the claimed power; but it is for the sober and thoughtful, and wise and truly benevolent, to check such anticipations, and chasten such desires, by submitting them to the restraints of rigid justice to the existing members of the confederacy. No fancied benefits can ever compensate for the perpetration of wrong—the infliction of injustice, under any circumstances whatever.

But it is attempted to obviate the constitutional difficulty, by claiming title to Texas as part of the Louisiana purchase, and calling the proposed measure *re-annexation*. In reference to this it is sufficient to say that by the Treaty of 1819 with Spain, after a protracted negotiation with regard to the Southern boundary of Louisiana, it was agreed to fix it on the Sabine; that the yielding of our disputed claim to Texas entered into the consideration of the cession to us of Florida; and that the line thus established was subsequently confirmed by our Treaty of limits with Mexico. The claim to *re-annexation*, then, is as though, upon the possible independence of Canada, and a treaty with her confirming the boundary, established by the treaty of Washington, we should afterwards claim as our own, the territory ceded by us in that arrangement, because it was embraced within our formerly

claimed limits. Who would be willing to hazard the peace or the honor of the country, upon such a claim as this? And yet, such is the claim for *re*-annexation.

But there is another insurmountable constitutional objection. It is found in the *purpose* of annexation. That purpose is to establish and perpetuate slavery—any attempt to do which by the General Government is, of itself, a manifest violation of the national compact. For where is to be found among the powers granted in the constitution, the semblance of a power to establish or perpetuate slavery, any where? With the exception of the provisions for delivering up fugitives, and the suppression of insurrection, and the three fifths slave representation in one branch of Congress, the constitution confers on slavery no privilege; and imposes no duty, and confers no power on Congress, looking, in the remotest degree, to its support. It was a state institution before the constitution was formed, and, so far as that constitution is concerned, it remains so still—free to live, if it can, but certain to die without unconstitutional aid for its support. That aid it is the purpose of annexation to afford.

The onward progress of freedom, under its high impulses, is rapidly changing the balance of power, and leaving slavery to perish; and now the nation is suddenly called on to come to its rescue – to save it from sinking—to infuse into it fresh life and vigor, and to prolong and perpetuate its power. And this at the expiration of more than half a century from the formation of the constitution, when the entire nation entertained the belief that slavery could not survive the first quarter of a century of our national existence.

It is said, indeed, that annexation will not have the effect of enlarging and sustaining the power of slavery. But whoever considers the relation between demand and supply in the commerce of the world, will be at no loss to perceive the connection between the consumption of human energy and human life in the enlarged cultivation of Texas annexed, and the increased production in our slave breeding States for the supply of the demand thus created. Such was the effect of the acquisition of Louisiana. That slavery is destined, with annexation, to recede gradually to the South, until it melts away and becomes lost in a mixture of races somewhere between the line of Mason & Dixon, and the isthmus of Darien, is a vision of fancy as baseless as the fabric of a dream. Nothing in the past will justify us in believing it can ever become a reality.

To attempt for any purpose, a transformation of the present, into the new union which annexation would create, would be an insufferable invasion of our rights; but to attempt it for the purpose of sustaining slavery, and subjecting the tenants of these mountains to its prolonged power, is to be thought of with no dream of submission to it for an hour. Upon the consummation of the threatened measure, I do not hesitate to say that it would be the duty of Vermont to declare her unalterable determination to have no connexion with the new union, thus formed without her consent, and against her will. To carry out this determination would not be to dissolve the union, but to refuse to submit to its dissolution,—not to nullify, but to resist nullification.

I do not undervalue the Union. I greatly value, and would preserve it. But it is the union of which the present constitution is the bond. If the question were properly submitted to Vermont whether she would come into a new union, we would deliberate upon it; but the question whether we will submit to be forced into it, under pretence of a power to do so which does not exist, is not to be debated for a moment, any more than we would debate the question of submission to a foreign yoke.

But why, after all, should annexation be desired by any body? What conceivable motive is there for it, having reference to the good of the whole country? How is it to benefit the Union? Who can assure us, indeed, of the capacity of our Union to resist the strong tendencies to dissolution, of such an acquisition? What wise and prudent statesman will be willing to hazard, such an experiment upon this Union? Wiser and better is it to endeavor to strengthen and consolidate it upon its present basis—to get rid, as soon as can be properly and rightfully done, of every thing that will endanger it, and especially of that greatest of all sources of danger, the institution of slavery—and thus, having laid aside every weight, to run the race of freedom and philanthropy and solid glory which is set before us.

The relation of Slavery to the confederacy, the evident danger from the existence of such an element in our Union, and the increasing excitement in regard to it, suggest a few additional remarks upon that subject.

The question of slavery is among the greatest that can occupy the mind of the nation. The true position in which it was left by the Constitution—the expectation of the country in regard to its then future condition—the history of its subsequent encroachments, and its irreconcilable hostility to freedom, are matters which must and will occupy the public attention. The *world* is moving on the subject; and the progress which has been made within the last quarter of a century, in the work of human emancipation, has materially changed the aspect of the whole question. To attempt to put down abolition is vain. The statesmen of this nation must look the question in the face. It is not one of mere philanthropy, but has other bearings. Slavery is an element of political power; and how long, and to what extent, it shall be suffered to control the policy and mould the destiny of this nation, is a question whose consideration cannot be postponed indefinitely.

What direction shall be given to the strong and growing feeling on this subject, is among the most important questions than can occupy the minds of our Statesmen. There are evidently great dangers to be encountered. If the purpose of the Fathers had been carried out, and slavery had gradually yielded and given place to the institutions of freedom, this crisis would not have been thrown upon the country. But the contrary policy has prevailed. Slavery has planted itself in new fields—has struggled for ascendancy, and maintained it; and has finally come to take the ground that it must be fostered, and cherished, and extended, so as to be able to maintain its balance, as an element of power in the Union. What is to be the character and issue of the conflict which the growing spirit of freedom is to have with slavery, thus struggling to maintain its ascendancy is a question of fearful interest. The pretensions and encroachments of the slave power, and especially the attempt to strengthen it by the annexation of Texas, have contributed to give a character of deep and desperate earnestness to abolition movements, threatening to draw every other question of morals and politics within their vortex.

The true ground is not upon either of these extremes. But neither is it the ground of indifference. That will work no deliverance either from the evils of slavery, or of an over heated and headlong zeal for its abolition. No attempt should be made to suppress the mighty impulses of this age towards universal emancipation. None will be successful. Rather should it be our effort to guide them rightly and safely.

Cold apathy and bitter zeal should alike give place to a calm, steady, patient, persevering effort to reach the seat of the evil,—to overcome in the South the fear of change, the force of habit, the reluctance to labor, the love of dominion, and the tenacity of supposed, but mistaken interest, while truth shall be made to exert its appropriate power in quickening the conscience to a just sense of the wrongs of slavery. And along with all this there must, and will, of necessity be political action in some form, gradually changing the character of state and national legislation, while no great interest of the country shall be left forgotten, uncared for, or neglected. The position of the North, and the natural jealousy of its efforts in this cause, impose on it the duty of moderation and forbearance; while the claims of humanity, and a just respect for its own rights demand that it steadily resist the encroachments, expose the wrongs, and labor, in all appropriate ways to rid the country of the evils, of slavery.

Suffer me, in closing this communication again to advert to our domestic concerns, and to express the hope that we may come to the consideration of them, with a feeling of devotion to the interest of our State, which shall make us forget all party distinction in an ardent desire to benefit and bless her. Let the lines which divide us on questions of national policy be obliterated, when we come to consider the matters which concern exclusively our own people; and let the strife of party zeal be lost in a generous emulation to devise the best means of advancing the interest of this Commonwealth. And what a field does she present for our labors. Almost the whole of her surface may be converted into a garden, rank with luxuriance, and teeming with riches for the benefit of man. A wise domestic policy may, within no very distant period, have the effect of doubling the amount of our present productions—retaining our population at home—giving to all, the means of comfortable subsistence, and the added means of universal education, upon a scale commensurate with the great purpose of educating a people to govern themselves. We are, and must, of course, continue to be, a small state; but necessarily small, only in territorial extent. In all that constitutes true greatness we may become the largest State in the Union—in the world; great in the development of the capacities of our soil, but far greater in the mighty energies of the men that shall live upon it.

Here then is a large field for our efforts. Let us survey it, fully, and address ourselves to its labors with a determination to do what our hands find to do, with our might. To all this we are urged by motives which come up in the recollections of the past, and stand out in the visions of the future. How can we help feeling an honest state pride, when we think of our origin—of our history—of our strength at home—of our character abroad, and of our position of influence and power for good, upon an extended scale, in our connexion with the Union. We may, and must concern ourselves with the questions involved in the national action; but after all, here is Vermont—a name dear to us all—at the mention of which our hearts thrill with honest pride. Vermont! Our own beloved State, that claims our first attention, and deserves our warmest affection, and our untiring efforts for her good. In regard to her let us say,—If I forget thee let my right hand forget her cunning; if I do not remember thee, let my tongue cleave to the roof of my mouth, if I prefer thee not above my chief joy.

In conclusion, I need hardly say to the representatives of a Christian people that the efforts of our highest wisdom—our most carefully matured schemes for the advancement of the public good, will be unavailing without the divine blessing. Let us, amid the cares and labors and excitement connected with the performance of our duties, take fast hold of this great truth—maintaining a just sense of the magnitude of the trust committed to us, and an abiding conviction of the true character of our responsibilities in connection with it.

Suffer me to tender, through you, to the people of Vermont my grateful acknowledgments for the recent expression of their confidence—my sense of the value of which, and of the increased responsibilities it imposes on my life to the promotion of the highest interests of this State, of my country and the world.

WILIAM SLADE.

EXECUTIVE CHAMBER
October 11, 1844

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Inaugural address
of
William Slade
As it appears in the
Journal
of the
House of Representatives
October Session
1845

Saturday, October 11, 1845
Inaugural Address

Fellow citizens of the Senate and House of Representatives:

The guardianship of the interests of this Commonwealth, which fall within the province of its civil government, has, by the favor of Providence, been committed to us; and we come together for the purpose of its execution. If we would discharge, in the best manner, the duties it involves, we shall begin and end every thing, with a recognition of our dependence upon Him “from whom all good counsels and all just works proceed;” while his claims upon our fidelity to Himself, will become an ever-present incentive to fidelity in the service of the people we represent.

The year which is drawing toward a close has been one of prosperity to our people. Though threatened drought has repeatedly filled them with apprehension and alarm, they have finally been permitted to reap an abundant harvest, thus happily finding increased motives to gratitude, in deliverances from impending danger, rendered the more impressive by strong contrast with less favored portions of our country.

A great trust has been committed to us, as the constituted guardians of the interests of the people. If, in the struggles connected with the election which has sent us here, we have suffered unworthy passions to gain an ascendancy; as they too often do in political contests, we cannot come here and enter upon the sober work of surveying our responsibilities, without dismissing them all, taking each other by the hand as fellow-citizens and brethren, and striving together for the faith of our fathers, and the furtherance of the great ends for which they established the government we have been appointed to administer. How shall we best accomplish these ends within the brief space of our annual session? Is a question which you will allow me briefly to invite your attention.

The institution of civil government is designed to become an active beneficent agency. The restraint of force is far from being its only object. Excepting in governments purely arbitrary, law derives its energy from a force extraneous to itself – the force of a deep and abiding sentiment of veneration for law – a love of order – habitual self-restraint – elevation and purity of moral feeling, and intelligence to guide it wisely in the complicated affairs of human life.

Civil government, then, accomplishes its object, not when it punishes crime, but when it prevents its commission – not by providing jails and penitentiaries, but by preventing the necessity of their existence by training the people, as far as law can properly interpose its power, to intelligence and the love of virtue. The fathers of our State felt this, when, with characteristic wisdom, they declared in the constitution, that “laws for the encouragement of virtue and the prevention of vice and immorality ought to be constantly kept in force and duly executed; and a competent number of schools ought to be maintained in each town, for the convenient instruction of youth, and one or more grammar schools be incorporated and properly supported in each county in the State.” Thus were the encouragement of virtue, the suppression of vice, and the maintenance of schools, deemed so vital to the welfare of the State, as to demand for them a special provision in its organic law.

So large a portion of my first annual message to the General Assembly was devoted to the subject of education, that I deem it necessary to do little more than refer you, as I most respectfully do, to that message, for my views in regard to it.

The present has been truly denominated an age of progress. The human mind is vigorously seizing, and carrying out to practical results, the momentous truths which respect the relations of men to each other, and the appropriate means of accomplishing the purposes of human society and government. At the foundation of this vast movement lies the great work of Education – the work of developing and giving the right direction to mental and moral power. And if human government is to be regarded as an institution designed to perfect the purposes of society, and improve the condition of man upon earth, it needs no labored argument to show, that education, thus defined, is among the highest duties of those entrusted with its administration.

Nor should it be forgotten that there are rights correlative to this duty. Every child in the State has a right to be educated – a right as essentially reciprocal to the claim of the State to allegiance, as is the right to protection.

The question whether the children of a State shall be educated, is no more a question of mere expediency, than is the question whether the people have a right to protection from foreign aggression and domestic violence. Indeed, protection from the effects of ignorance and vice is, itself, protection, in the highest sense, from all the dangers which can arise within the limits of a State. Would we have obedience to law? Let the children be learned, in the common school, as well as at the domestic fireside, the duty of self-control, and of reverence for the law of eternal rectitude written in the word of God; while the development, in just and harmonious proportions, of God; while the development, in just and harmonious proportions, of their whole mind, shall give them, at once, a conscious sense of the worth of mind, and an intelligent conviction of the great purposes it is fitted to accomplish.

All the children in Vermont – especially the children of the poor – stand in the attitude of just claimants, in respect to education, upon the fostering bounty and guardian care of the State. And what has Vermont done to satisfy this claim? We have, indeed, declared, by law, that “each organized town shall keep and support one or more schools, provided with competent teachers;” that the towns shall be divided into school districts; that certain district officers shall be appointed; that taxes there shall be added, for the current use of schools., the annually accruing interest of the surplus revenue of the United States, deposited with this State. And here, with the exception of making provision for certain returns of school statistics, we have left the matter. If school houses are built, we have taken no care whatever for their proper location or construction; and if teachers are employed, we have done nothing in regard to the all-important matter of their qualifications, aside from the barren enactment that they shall be “competent.” What shall constitute competency, or who shall judge of it, are matters entirely overlooked in our legislation. The result is, an admitted and lamentable deficiency in the qualifications of teachers; great and manifest defects in the modes of instructions, and confusion and want of uniformity in regard to the books used for that purpose; while a large proportion of our school houses are located in highways, with little regard to comfort of fitness in their internal structure, and as little to taste and beauty, and convenience, in the grounds connected with them; if, indeed, any grounds but those of highways are thus connected. And yet, what an amount of money is annually expended for the use of schools. To say nothing of the amount expended in the construction of school houses – of which we have no means of forming an estimate – let us look at the expenditure for teaching.

From the statistics returned to me last year, from 159 of the 240 towns in the State, I drew the conclusion in my report to the General Assembly, that there was paid to teachers in the whole State, exclusive of teachers of select schools – from which there were no returns – the sum of \$128,000 annually. No one can soberly consider this subject, without feeling painfully impressed with a conviction of the utter waste of a very great portion of this large sum. It is not extravagant to say, that its power for good might have been doubled, and more than doubled, if it had been expended under a system of supervision which should have carried into the schools, teachers fully competent, and modes of instruction founded upon the true philosophy of mind, and a practical acquaintance with the means best adapted to its true and proper education. We do not so much need, at the present moment, additional pecuniary means, as we do a system adapted to give greater efficacy to those already possessed, – a system which shall give a right direction to effort, and make it effectual to the proper education of the children of the State. The whole, so far as the aid of legislation may be properly invoked, is comprehended in the pregnant words —*Supervision – Responsibility*. We have now nothing that deserves the name of either. We have provided, indeed, for the organization of districts, and the employment of teachers by their prudential committees, who are authorized and required to “adopt measures for the inspection, examination, and regulation of the schools, and the improvement of the scholars in learning.” But experience as shown, abundantly, that all this is unavailing to the purpose of securing a proper examination, or indeed any examination, of teachers, or a proper supervision of the schools, or to awaken that interest in their improvement, among parents and throughout the community, which is as indispensable to their vigorous health and prosperity, as a pure and bracing atmosphere is to the support of human life.

We want a system of supervision which shall make the power of beneficent legislation felt, through competent and discreet agencies, in every district, and by every child, in the State. Shall we have it? That is the question; and it presses upon us more urgently than any other question within the range of our legislative duties. We cannot avoid its consideration. The States around us are moving onward in the work of improvement; and

so urgent have been considered the claims of common schools upon legislative patronage, – so manifest the defects of old systems of supervision and instruction, and so common and universal the benefits to be derived from improvements in both, that party spirit has stood silent in presence of this great question, and all classes and all parties have made common cause in the noble work of educational improvement.

The expense of carrying into effect a system of adequate supervision need not be great, while its benefits will be inappreciable. Dollars and cents cannot measure their value. We readily make investments in railroads, and other improvements, which promise a return of pecuniary profit; but what are such investments, in comparison with those which, in the process of educating a community to virtue and intelligence, infuse into it the great and indispensable elements of solid and enduring prosperity.

I commend this whole subject to your earnest consideration, under a full persuasion that an awakened and greatly advanced public sentiment will respond a hearty approval to your favorable action on it.

I cannot leave the subject of common schools without devoting a few moments attention to what is familiarly denominated “the School Fund.” The foundation of this fund was laid in 1825, when the General Assembly passed an act sequestering and granting to the respective towns in the State, for the benefit of common schools, the amount of the avails, accrued, and thereafter to accrue, to the State, from the Vermont State Bank, and also the amount of the State funds accruing from the six per cent, on the net profits of the banks, received and to be received, and the amount received and to be received from licenses to pedlars. It was provided that said funds, with the annually accruing interest, should be “invested in approved bank stocks or other productive securities,” and should not be appropriated to the use of schools, until the amount should increase to a sum, whose annual interest should be adequate to defray the expenses of keeping a good free common school, in each district in the State, for the period of two months.

The State Treasurer was constituted a commissioner for the management of the fund; who thereupon proceeded to invest the same, by loans, for the purpose contemplated in the act.

By an act passed in the year 1833, further loans from the fund were prohibited, and the Treasurer was directed to deposit the same in the treasury, as it should be received, and to keep an account thereof, and annually charge the State with the interest on the money thus deposited – which, it was declared, “shall be considered as borrowed from the fund;” and the Treasurer was “authorized and directed to pay out said money on any appropriations authorized by law.”

Under the operation of this act, and principally in connection with the expenditure of \$117,000 for the erection of the State House, the State, from time to time, has become indebted to this fund, until the indebtedness now amounts, including the accumulations of interest, to the sum of \$224,309.50, while there is due to it from individuals, the sum of \$10,590.94; making an aggregate of \$234,900.44.

The expediency of continuing this fund has long been questioned. Upon full consideration, I deem it my duty to bring the subject to your notice, and to submit the question, whether any present or prospective interest of the people requires that it be continued.

The first question to be considered is, when will the fund become available for the use of schools; that is, when will the annually accruing interest be “adequate to defray the expenses of keeping a good free common school, in each district in the State, for the period of two months.”

The number of school districts in the 240 towns in the State – taking the returns of last year from 159 towns which gave 1809 districts, as the basis of calculation – may be estimated at 2730. If it be assumed, for the purpose of the calculation, that, by the time the fund will become available, the number of the districts will have increased ten per cent, on the present number – which may be regarded as not an improbable increase within thirty-three years – we shall have 3000 districts to be provided, from the avails of the fund, with a good school two months in each year. Estimating the expense of keeping such school two months in the then advanced stage of educational improvement, at \$40, there would be required the sum of \$120,000, as the accruing interest of the fund, to render it available; which is the interest, at six per cent, on \$2,000,000.

The question now arises – within what time will the fund probably accumulate to \$2,000,000? Its present amount is \$234,900.44 – the annual interest on which, at six per cent, is \$14,094.02. The average annual income from the six per cent of bank profits, for the last six years, has been \$3,669.86; and from pedlar’s licenses \$1,146.52; amounting to \$4,816.38; which may be assumed as the annual addition to the fund, hereafter, from these sources. The avails of the Vermont State Bank have nearly ceased to add anything to the fund, and should not be made the basis of any calculation for the future.

We have, then, the elements of the calculation, namely, the present amount of the fund, the interest thereon for one year, and the probable annual income from the bank tax and pedlar’s licenses. The process of accumulation by annually compounding the interest, according to the act constituting the fund, will produce \$2,000,387.79 on the first of January, 1878; so that the children who shall be in life that year, will reap the first fruits of the fund, if it shall be so long continued. This assumes, however, the doubtful position, that six per cent interest may be realized throughout the entire intervening period of *thirty-two years and three months*, and makes no allowance for losses and the expense of managing the fund.

The great question is now presented – what, in reference to the fund, is our duty to the generation of 1878? Admitting, of course, that it is our duty to labor for the benefit of that generation, the question is – will that generation be really benefited by a continuance of the fund? If we could send it forward to them, really invested in “approved bank stocks, or other *productive securities*,” according to the law of 1825, they might, perhaps, be benefited; though the expediency of accumulating school funds, so large as to have the effect of relaxing personal efforts, begins to be questioned. But so far as we send them a fund, consisting of a debt due from the State, we send them a fund entirely unproductive – a fund which, when it reaches them, will consist merely in their indebtedness to themselves. If we would make it otherwise, we must tax the people of this generation to an amount sufficient to extinguish the indebtedness of the State to the fund; and having thus drawn the amount from the pockets of the people, invest it in “productive securities,” and, in that condition, send it forward to the generation of 1878. But who is prepared to do this? Who will vote for such a tax? None, it may be confidently affirmed. Nor, it may be affirmed with equal confidence, will our successors be willing to do it, five, ten, twenty, or thirty years hence, when the indebtedness of the State shall, by the compounding of interest, have become greatly increased. Of what benefit, then, will the fund be to them, unless it can, by some fiscal magic, be made spontaneously to yield the interest, and pour it into the treasuries of the towns for the use of schools?

The whole operation, so far as it purposes to benefit the generation of 1878, is a delusion. It is the people borrowing of themselves, and adding the annual interest to debt against themselves, and sending this accumulated indebtedness forward to become the indebtedness of a generation thirty-three years hence, for the purpose of benefiting that generation. The truth is, that, instead of sending them a benefit we shall send them a burden, which, if wise, they will, by abolishing the fund, shake off; namely, the burden, if they would carry the act constituting the fund into effect – of raising the interest on it by direct taxation, to be paid into the State treasury, minus the expense of collection, for the purpose of being sent by the commissioner of the fund back to the people, to be expended for the use of schools. It will not be very unnatural for the tax-payers of that day to inquire, why they should support their schools by such a complicated and expensive process, rather than by the simple and cheaper one of taxing themselves for the purpose, in their respective towns or districts.

If future generations would not be benefited by this fund, neither will the present. This is self-evident. Why, then, continue it?

In these remarks I am understood, of course, to have spoken of that part of the fund which consists of the indebtedness of the State, amounting at this time, to the sum of \$224,309.50. An act to annul this indebtedness, would leave to be disposed of, the sum of \$10,590.94, invested in individual securities, bearing interest. None would think of suffering this sum to accumulate, even with the addition of the six per cent on bank profits, and the income from pedlar’s licenses, with a view of making them available for schools, under the act of 1825.

The demand for funds to aid in putting in operation a system of common school improvement, such as the State needs and public sentiment evidently demands, suggests the direction which might be given to a part, or all, of these sources of income, when released from their present connection. It is believed that the annually accruing interest on that portion of the present school fund loaned on private securities, together with the annual

income from pedlar's licenses, would be sufficient for that purpose. We may thus institute a system of Supervision and Accountability, which shall give concentration and energy to the present efforts to raise the standard and multiply the facilities of education, until the minds of the mass of our children – the happy mingling of the poor and the rich together – shall feel its equalizing and elevating power. Thus, while conferring substantial benefits on the present generation, we may send forward an influence, which shall flow on, in a continually widening stream of benefits and blessings, to the generation that succeed us to the end of time.

Should it be found that no interest of the present, or of future generations, can be benefited by a continuance of the State indebtedness to the fund of which I have spoken, and the indebtedness to the fund of which I have spoken, and the indebtedness should be cancelled, the State debt would then stand as follows:

Due the safety fund banks, including interest to October 1,		\$30,389 81
Due the surplus fund,	\$14,812 28	
Deduct the amount loaned out the past year,	11,004 00	
	-----	3,808 23
Salaries due, October 1,		1,108 33
Due to towns for interest on surplus fund,		444 36

Total,		\$35,750 78
The balance in the Treasury on the 13 th day of September was		\$18,417 97
Balance of taxes due,		23,232 50

Total,		41,650 47

To what extent the service of the coming year – a portion of which necessarily constitutes a draft on the present balances in the treasury and on taxes – will permit the application of a part of those balances toward the extinguishment of the indebtedness of the State, may be determined, upon the careful examination which ought to be made into every branch of expenditure with a view to ascertain whether there can be any reduction, consistently with the public interest. In looking at the expenditures of past years, I have been struck with the large amount disbursed under the heads of “Supreme and County Court orders” and “Clerks of Courts for the expenses of Supreme and County Courts,” which have risen from \$20,405, in 1839, to \$28,970, in 1845. The amount disbursed under these heads during the last seven years, has been \$184,300, averaging \$26,328 per annum. I would suggest the propriety of an examination into the details of these large items of expenditure – in regard to which it may possibly be found that, in a course of years, abuses have crept in, requiring corrective legislation.

The treasury is happily relieved from a charge which, for many years, hung upon it, in the form of “military orders,” which, for the five years previous to and including the year 1843, when they ceased to be a draft on the treasury, amounted to the sum of \$18,501. I am happy to say, that, by a law of last year, the people are relieved from the still more burdensome tax of annual trainings of the enrolled militia.

It may be reasonably hoped that, by a practicable and not injurious reduction of expenditures, particularly in the heavy items to which I have referred, a sum may be saved which, with a fixed appropriation of the income from the bank tax – relieved from its present pledge to the school fund – might, within a moderate period, extinguish the entire indebtedness of the State.

The reference I have made to the items of expenditure in connection with the Supreme and County Courts – a large portion of which results from criminal prosecutions – suggests a topic of much interest, to which I would call your attention.

The great purpose of criminal law is reformation. This purpose lies at the foundation of the Penitentiary system, which combines with imprisonment, hard labor, and a course of moral discipline suited to bring back offenders to the paths of rectitude and virtue. But this system is applicable, under our laws, only to the higher offences, leaving a large class of offenders without the benefit of any such reforming process, and substituting

for it, confinement in the county jails – in some cases with the alternative of the payment into the county or town treasuries, for non-payment of which imprisonment necessarily follows.

Whether confinement in the county jails is inflicted as a punishment, or results from inability to pay fines, it obviously has an effect entirely the reverse of reformation. It is impossible to visit a convict, thus thrown into a county jail, with little or no attention to any except his mere animal wants, without feeling painfully impressed with a conviction, that it is an unnatural and monstrous perversion of the power of punishment. Without employment or exercise, the convict is left to the corroding and maddening influence of the reflection that he is an outcast from the charity and sympathy of the world; and that the law and its executioners are alike his enemies. Every moment's continuance of such confinement tends to weaken his purposes of amendment, and prepare him for abandonment to the commission of higher offences. There are cases in which this is not true; but they constitute the exception and not the rule. If the history of all the State Prison convicts were fully disclosed, it would probably be found that a large portion of them have been tenants of county jails in punishment for inferior offences.

The remedy for this evil is obvious. It is the application of the principle of penitentiary discipline to minor offences, by means of the Houses of Correction in each county – to be made comfortable in their structure and accommodations, and to be connected with such arrangements for the profitable employment of the inmates, and the exercise of such firm and steady discipline, as sound wisdom and the spirit of Christian kindness may suggest. By such means may offenders be made useful to the public during the necessary continuance of their confinement, while the higher purpose shall be answered, of impressing upon their minds, by every thing they shall see around them, that they are men – bound to society, not by the law of force merely, but by the higher law of moral obligation, as well as by the sympathies of our common nature.

Such a course of treatment would, doubtless, have a very happy influence upon “vagrants and idle and disorderly persons,” for whose restraint and discipline our laws make no provision, save that of the town poor houses, which, by the 21st section of chapter 17 of the Revised Statutes, are constituted Houses of Correction, but which, while they involve the evil of an unnatural mingling of the aged and infirm poor with the restive and troublesome, can seldom be made to accomplish, to any considerable extent, the purposes of correction and reform.

The bearing upon our whole system of criminal justice, of such a process of discipline as may be carried into effect in county houses of correction – especially in the cases of juvenile offenders – is obvious – Its salutary effects would, in due time, be visible in diminished drafts upon the State Treasury for the expenses of criminal proceedings; in a diminished number of convicts in the State Prison, and in increasing peace, order and obedience to law, throughout the community.

I have received the ninth annual report of the Trustees and Superintendent of the Vermont Asylum for the Insane, which presents a very gratifying exhibition of the condition and prospects of that institution, under its present excellent and efficient government.

During the past year 294 have been admitted into the Asylum, 99 have been discharged and 263 remain. Three hundred and sixty-three have enjoyed the benefits of the Asylum within the entire year. Of the 99 discharged, 59 have recovered. Of the 48 “recent cases” discharged, there have been 43 recoveries. In the 51 chronic cases discharged, the recoveries have been but 10. The great importance of obtaining the benefit of the Asylum in the early stages of insanity, is thus rendered apparent.

The annual State appropriation for the benefit of the insane poor was increased, at the last session of the General Assembly, to \$3,000; in consequence of which the number of patients at the Asylum has increased during the past year, so as to render the erection of additional buildings necessary. Additional buildings, to contain about 80 rooms, are partly finished and occupied, and will, it is expected, be completed by the first of November next, when all the buildings will be sufficient for the accommodation of about 300 patients – a number deemed by the Trustees to be as large as is desirable in one asylum.

The report states that such an amount of funds will be received from other sources, as to supersede the necessity of an application to the Legislature for assistance to defray the expense of the additional accommodations.

Since the first of January last, 137 patients have shared in the State appropriation, of whom 19 have been discharged; leaving of these cases, 118 now in the Asylum. The existing State appropriation has paid a little more than three fifths of the expense of those who have been in the Asylum, as State beneficiaries, during the past year; leaving the remainder to be paid by those who sent them there; and it is estimated by the Trustees that the appropriation will be adequate to defray, during the next year, but one-third of the expense of the present number of State beneficiaries. They suggest the desirableness of an increased appropriation, so as to defray nearly one-half the expense of that number. I concur in this suggestion. An increased appropriation would probably have the effect of inducing towns to place, and keep, at the Asylum, insane poor persons who might otherwise be deprived of its benefits. There is a class of cases in which entire recovery might be effected by a continuance beyond the limit of the present State appropriation, when a restriction to that limit might render the appropriation, as to them, of little value. It is very desirable that the insane poor should not, through insufficient inducement to towns to continue them at the Asylum, be returned uncured to the miserable condition which, through the humanity of our legislation, they may have been permitted to exchange for the substantial comforts and the improving influence of that institution.

The establishment of the Asylum, with its excellent system of treatment, while it has had the effect of disclosing the terrible secrets of insanity, has gladdened the hearts of the benevolent with a reasonable hope of giving effectual relief to a large portion of the insane, and of ministering greatly to the comfort of those who have, by long neglect become incurable. No object, proper for legislative aid, makes a stronger appeal to our liberality than this.

Upon entering on the duties of Commissioner of the Deaf and Dumb, I directed inquiries to the Superintendent of the American Asylum at Hartford, Connecticut, for the purpose of obtaining information, in sundry particulars, in regard to the past connection of that institution with the education of deaf and dumb persons, supported, in whole or in part, by this State, and received, in reply, a statement specifying, agreeably to my request, the names and residence of persons, supported, in whole or in part, by the names and residence of persons, supported, in whole or in part, by this State – the times of their admission and discharge, the period of their instruction at the public expense, and the amount paid for cash by the State. I transmit the statement herewith, to the House of Representatives, for the use of the General Assembly. It appears that from the year 1817, but principally since the year 1825, 113 have been educated, in whole or in part, by this State, at an expense, up to the 1st of May last, of the sum of \$38,118.25.

I have made orders for the admission into the Asylum of 8. The whole number now in the Asylum, at the public charge, is 20. Of the appropriation for this object, there has been expended during the past year the sum of \$1,960.91.

The Asylum is under a very competent and intelligent Superintendency, and is evidently deserving the continued patronage of the State.

In execution of my duty as Commissioner of the Blind, I have made orders for the admission of two blind persons into the New England Institution for the Blind, at Boston. The expenditure for the support of the blind during the past year, has been \$1,120.

In execution of the law of the last session providing for a Geological Survey of the State, I appointed Professor Charles B. Adams, of Middlebury, Principal Geologist. Mr. Adams entered on the duties of the appointment in March last; since which time he has been laboriously engaged, with the aid of well qualified assistants, in prosecuting a Geological and Mineralogical survey of the State. The law having made it the duty of the Geologist to report annually to the Governor the progress of the work, he has made to me his first annual report, which I shall hereafter communicate to both branches of the General Assembly.

The labors of the first year of the survey have been mainly and appropriately directed to a general reconnoissance of the State, for the purpose of determining its general geological features, including the limits of the several rock formations, preparatory to more minute investigations in subsequent years. How well this part of the survey has been performed, will appear in the report of the Geologist when submitted. From a hasty examination of it, I have been led to believe that it will be found, by those competent to judge, to furnish evidence that the prosecution of the work thus far has well fulfilled the purpose for which the survey was instituted. The report will be found, I think, to contain more valuable information than is usually embodied in preliminary reports, especially in the department of economical geology, upon which, on account of its great practical importance, I have directed the Geologist to bestow special attention throughout the entire survey.

The report contains a statement of the expenses of the survey, brought down to the 15th of September, amounting to the sum of \$1,336.22 and an estimate for the balance of the geological year ending on the first of March next, being \$663 – amounting for the entire year to the sum of \$1,999.22. It will be seen that his sum falls within the limit of the annual appropriation for the survey.

In the performance of the difficult and responsible duty of appointing a State Geologist, I have experienced no little embarrassment from the limited amount of the annual appropriation of \$2,000 – an amount considerably below that of similar appropriations in other States, and much below the sum previously estimated as necessary for the survey of this State, an amount, however, which I have felt bound to make the immovable limit of all my calculations for the prosecution of the work. I have, therefore been compelled to restrict the Geologist and his assistants to compensations below those usually allowed for such services – in regard to which, however, I deem it fortunate that I have been able to secure, for compensations so inadequate, services so efficient and valuable. I am inclined to think that justice to those engaged in the survey, as well to the survey itself, demands some addition to the appropriation for the service of the remaining two years.

The Geologist will hereafter report to me, as the law makes it his duty to do so, an estimate for the expenses of the next year, which I will transmit for the consideration of the General Assembly.

The law authorizing the survey, makes no provision for preserving suites of specimens for any purpose. The preservation of a suite to form a State cabinet being however, obviously indispensable, I have given orders to the geologist to that effect. I have received formal applications for suites of specimens, from Middlebury College, from the Medical Colleges at Woodstock and Castleton, and from the Troy Conference Academy at Poultney. The obvious importance of having collections of specimens illustrating the geology and mineralogy of the State, to form cabinets in these institutions, as well as in the Vermont and Norwich Universities, has induced me, though without authority of law, to direct the Geologist to make his collection sufficiently large to enable him to furnish complete sets to all these institutions, in regard to which I confidently anticipate the sanction of the General Assembly, in the small additional appropriation which may be necessary to meet the additional expense.

I am happy to say that a deep and general interest has been manifested by the people, in the survey as it has progressed, which, it is hoped, may be regarded as an earnest of what is to be expected through its entire course. The science of geology, though possessing high practical interest, is but little understood by the mass of the people. I regard it, therefore, as not among the least important benefits of the survey which the liberality of the General Assembly has authorized, that it will awaken among all classes a more general interest in the science, and have the effect of directing the active minds of our people – especially the young of both sexes – to its study – a study so well adapted to discipline, expand and elevate the mind, while it goes forth to investigate and admire the useful and mysterious, the beautiful and sublime of the Creator's works.

By a resolution of the General Assembly, passed at the last session, it was made the duty of the Governor to request the delivery by the General Government, of “the four brass cannon, taken by the Green Mountain Boys, from the British at Bennington, on the 16th of August, 1777,” and to cause the same when received, to be deposited in the State House. In obedience to the requirement of this resolution, I addressed the Secretary of War on the 21st of January last, requesting the delivery of the cannon. To this I received a reply, dated the 20th of February, saying that, “should the guns referred to be found in the possession of the ordnance corps, they are

among the other trophies of the war of the revolution, and are held as public property of the United States;” and suggesting an application to Congress for an order for their delivery.

In reply to a subsequent communication from me, asking that an inquiry might be made for the purpose of ascertaining the number of the cannon taken at Bennington, then in the possession of the United States, and their location, I received a letter from the Secretary of War, covering a report from the Ordnance Department, by which it appeared that there were, at the United States arsenal at Washington, two brass guns, reported as three pounders, and marked “taken from the Germans at Bennington, August 16, 1777;” and that “no other trophies captured on that occasion are known to be in the possession of the government.” Copies of this correspondence, numbered from 1 to 5 inclusive, are herewith communicated to each branch of the General Assembly.

An application to Congress being thus rendered necessary, I recommend such further action as shall be deemed appropriate to effect the application, and render it available.

The necessity of more effectual provision for preventing the evils resulting from the practice of taking unlawful interest, induces me again to invite it to the attention of the General Assembly.

Our laws have long prohibited the taking of interest above the rate of six per centum per annum. All the reasons which have induced the enactment and continuance of the prohibition, obviously urge its enforcement. Indeed it is urged by the additional consideration that habitual impunity to the violation of any law, tends to weaken the force of all law.

If the law is to remain on the statute book, it should not be left without adequate provision for its enforcement. No such provision now exists. The only remedy is by an action for money had and received, or goods sold and delivered, for the recovery of the interest received unlawfully, to be sustained by common law evidence of its payment – a process which experience has abundantly shown, can very rarely be made available. To leave the enforcement of so important a right to the chance discovery of testimony to a transaction, which, from its very nature, is guarded with the profoundest secret, is but a mockery of justice.

I submit whether some provision should not be made, which shall give a remedy, better suited to the nature of the case – a remedy which shall find its means of enforcement in an appeal, in some form, to the conscience of the receiver of unlawful interest.

Our connection with the Federal Union, whose power reaches, and deeply affects, our interests, makes it our right and our duty, frequently to review its legislation, and subject its policy, present and prospective, to examination. This duty has never been more imperative than at the present moment, not only on account of the great importance of the questions in issue before the country, but from a consideration of the oblivious and increasing tendency to a course of Federal administration wholly partisan in its character, and so bent on securing sectional ascendancy, or ministering to purposes of political ambition, as to lose sight, too often, of the just limits of constitutional power.

Since the last session of the General Assembly an important step has been taken towards the annexation of a foreign government to our Confederacy. This has been done by the adoption of a joint resolution by Congress, declaring its consent that “the territory properly included in, and rightfully belonging to the republic of Texas, may be erected into and rightfully belonging to the republic of Texas, may be erected into a new State, in order that the same may be admitted as one of the States of this Union.” This consent is declared to be given upon the condition that the constitution to be formed by the people of Texas, shall be transmitted to the President of the United States “to be laid before Congress for its final action, on or before the first of January next,” and with a provision, among others, that “new States of convenient size, and having sufficient population, may, by the consent of said State, be formed out of the territory thereof, and entitled to admission under the provisions of the Federal Constitution.”

To this resolution there was added another, to the effect that if the President should deem it most advisable, instead of submitting the foregoing resolution to the Republic of Texas, as an overture for admission, to negotiate with that Republic, then that the admission might be effected, either by treaty, to be submitted to the Senate, or by articles to be submitted to the two Houses of Congress, as the President might direct.

Upon the passage of these resolutions, the President proceeded to act upon the first, and forthwith submitted it to Texas, as an overture for its admission. Upon the receipt of the overture, a convention was called, which has formed a constitution which has been submitted to the people of Texas for their action on the 13th of the present month. It will probably be ratified, and submitted to the Congress of the United States at its next session for their approval, which is an indispensable prerequisite to admission into the Union.

The question of annexation being thus an open question, the States may, with a view to its final decision, as well as in reference to their duty, upon a possible consummation of the measure, properly subject it to the ordeal of severe scrutiny. I deem, therefore, no apology necessary for inviting it to your particular attention, nor for the expression of my conviction that Vermont should firmly resist every advance towards the consummation of a measure so utterly subversive of her rights as a member of the existing Confederacy.

This meditated invasion of our rights is not to be regarded, or treated, as an ordinary violation of the Constitution, for which there may be a constitutional remedy in the interposition of the judicial power. No judicial power can effectually reach the case. Let the deed be done – the foreign State admitted, and its Senators and Representatives be actually in Congress, and, practically, a decision of the Supreme Court would be powerless. The truth is, the measure is essentially revolutionary. It is a fraud upon the Constitution, and utterly subversive of it – changing essentially our domestic Federal relations, and creating a new union, of which neither the present Constitution, nor mutual confidence will constitute the bond; a union whose only bond will be, the apprehended evils of actual separation, since it is impossible that confidence or affection can exist where there is an abiding sense of flagrant injustice and usurpation.

Much has been said in regard to the “compromises of the Constitution” in favor of Slavery: and so sensitive are the South on this subject – so tenacious of the concessions wrung from the North, as the price of the Union, that the bare proposal by the legislature of Massachusetts to amend the Constitution by abolishing the slave representation in Congress, has been denounced as little less than treason to the Union. But this very compromise carries with it an irresistible argument against the measure of annexation. A slight consideration of the subject will render it apparent, that the compromise securing a slave representation, must have had reference to a union within the then limits of the United States, because it concerned a sectional interest, the adjustment of which in the compromise, must necessarily have had respect to definite territorial limits – otherwise the balance might be destroyed and the compromise practically nullified, by the addition of foreign slave States, giving to the slave interest an unlooked for and permanent preponderance in the union.

And such nullification will be the effect of consummating the measure of annexation. The compromises touching the question of slavery will be at an end – as clearly so, as would be one of two dependent and reciprocal obligations between individuals, where the other had been violated.

The truth is, that, at the time of securing the great and fatal concession of the slave representation – by whose votes in Congress almost every question affecting the relative interests of the slave and non-slaveholding States, including the question of annexation, has been decided – no thought was any where entertained, of extending the bounds of slavery beyond the then limits of the United States. It was, on the contrary, the universal expectation that slavery would decline, and at no distant period, cease to mar our Federal Union. It was in the spirit of this anticipation that it was declared, in the articles of compact embodied in the celebrated Ordinance of Congress of '87 for the government of the Territory North West of the River Ohio – which passed with but one dissenting vote – that “there shall be neither slavery nor involuntary servitude therein, otherwise than in the punishment of crimes.” And what still more strikingly evinces the spirit of those times, and the true bearing of that ordinance in respect to slavery, the preamble to the articles of compact declared, that they were ordained “for extending the fundamental principles of civil and religious liberty which form the basis whereon these republics, their laws and constitutions, are erected.”

If it had been asserted in the Convention that formed the Constitution, that under the clause declaring that “new States may be admitted by the Congress into the Union,” foreign slave States might and would come in, it is very manifest that the clause would not have been adopted without an express negation of such a construction – much more, that a provision for the representation of three-fifths of the slave population would not have been permitted a place in the Constitution. The fact that such a provision was made is therefore conclusive evidence

that the admission into the Union of foreign slave States under the Constitution, entered into no one's conceptions, and would have been expressly guarded against if suggested from any quarter.

It follows that every assertion by the South of the sacredness of the slave representation compromise, is an argument of its own mouth, that the introduction of foreign slave States into the Union is, itself, a violation of the compromises of the Constitution. And it furthermore follows, that such introduction of foreign slave States, in effect discharges the North from its obligation to a continuance of the slave representation — a representation sufficiently onerous when confined to the *Constitutional* Union, but intolerable when extended to a *new* Union, formed by the introduction of foreign slave States, for the purpose of perpetuating the dominion of the slave power. Let the South either relinquish the unrighteous advantage of the slave representation, or cease to press for the admission of foreign slave States. To claim both is an aggravation of injustice, equaled only by that of the system for whose support and continuance it is perpetrated.

Equally unjust and absurd is it to claim an execution of the constitutional stipulation for the surrender of fugitives from oppression, and for protection against domestic violence, while the right is claimed, and exercised to augment and perpetuate, indefinitely, the burden of these obligations, by the annexation of foreign slave States to the Union.

Slavery, moreover, is an element of weakness, inviting invasion, which the Constitution binds the nation to repel, in whatever quarter it may threaten. How long and to what extent this obligation is to be binding, may hereafter become a question. The advocates of annexation movement originated and has been conducted, the more manifest, it would now seem, that the Executive is pushing a claim to territory as a part of Texas clearly beyond any limits ever assigned to the department of that name, and not even in possession of the government to whom the overture for annexation has been made.

The impotence of Mexico may be to us an effectual protection. We are probably safe from the injury her sense of wrong may prompt her to inflict. But who shall protect us from the just judgment of an impartial world, or blot the stain of injustice from the pages of our country's history?

In reference to the position sometimes taken, that the action already had upon the subject of annexation precludes us from further opposition to the measure, it is sufficient to say, that no right can be precluded by any action, of the character of that legislation under which the overture to Texas has been made. It is an attempt to annex by joint resolution of Congress — the unconstitutionality of which was so apparent that it became necessary to connect with it an alternative resolution providing for annexation by treaty. It was by the union of such an alternative, that conscientious scruples as to annexation by joint resolution itself, and thus do the very thing which those scruples would not allow could be done.

We have, thus, a double violation of the Constitution; to which must be added, the fact that the President elect made his appearance at the scene of action and turned the trembling scale, by throwing into it the weight of his incoming official patronage.

Shall such an act, carried by such means, have the effect in this free country, of concluding and silencing opposition to an unconsummated measure? Let the spirit of free, intelligent and unsubdued Vermont answer.

And where will Vermont soon be, if the policy of foreign annexation is to prevail, and become the settled policy of the country? She will be in the condition of an appendage of a vast slave empire, embracing, not Texas only, but California, and finally every part of Mexico — all of which will be overrun by slave holders, who will, in due time, declare independence, and claim and obtain admission into the Union.

But annexation may be consummated! Slavery may triumph. It may secure a majority in the Senate of the United States. It may annul the compromises of the constitution, and destroy the bond that holds these States together. What then, shall Vermont do? What it will be her *right* to do, admits of no question. If, from a regard to peace, she shall forbear to exercise her right, it should be with a solemn declaration to the Union and the world, that she thereby acknowledges no right of annexation, and forbears from no diminished conviction that it will subvert the Constitution, and essentially destroy the Union of which it is the bond; and that she reserves the right of such future action as circumstances may suggest.

But, in the event of annexation, there will remain a great practical duty for us to perform. It will be, to go to the very verge of our constitutional power to effect the abolition of slavery, as “the chief evil in our country, and the great crime of our age.” Slavery will, by annexation, have been taken under the special protection of the national government, and made in the highest sense, a national institution; and, thenceforth will become a leading and controlling element in the Union. It will then be seen in a stronger and clearer light than it has ever been. The success of annexation will have signally illustrated its character; and the time is not distant, when it will be able no longer to adjust its influence in the scale of parties, so as to maintain its ascendancy by Northern co-operation; for the North will have learned the indispensable necessity of union, in order to roll back the tide of its usurpations, and so change the policy of the government that it shall cease to make the support of slavery an object of special and paramount regard. If the North, for the sake of peace, shall submit to annexation, the South must submit to the legitimate and inevitable consequences of thus forcing, everywhere, an investigation of the merits of slavery, and a thorough exposure of the impossibility of long maintaining a Union, embracing the hostile and irreconcilable elements of slavery and freedom.

I have received from the Executives of several of the States, resolutions of their respective legislatures, touching the subject of annexation, which I shall hereafter communicate for the consideration of the General Assembly.

Among the papers received from the Executives of other States is the solemn Declaration and Protest of the Commonwealth of Massachusetts, against the laws of South Carolina, under which, colored citizens of Massachusetts are arrested on board her ships in the harbors of South Carolina, under which, colored citizens of Massachusetts are arrested on board her ships in the harbors of South Carolina, imprisoned in the jails of that State, and sold into perpetual slavery, in default of their commanders to give bonds to redeem them and to pay the expense of their detention – all which Massachusetts asserts is in violation of that clause of the Constitution of the United States, which declares that “the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.”

To protect her citizens from the execution of these laws, Massachusetts commissioned one of her most distinguished citizens to proceed to South Carolina, for the purpose of instituting such process as should bring the question of the constitutionality of these proceedings before the Supreme Court of the United States. It is a matter of history, that the agent, on appearing in South Carolina, for the purpose of executing a commission, thus looking to a peaceful and orderly appeal to the appropriate judicial tribunal, was driven away by threats of personal violence of a mob; and that subsequently, the legislature sanctioned the act of the mob by making an order “to expel” the agent from the State. Against this, also, Massachusetts protests.

I have received from the Governor of South Carolina, the proceedings referred to, of the legislature of that State. I have also received from the Governors of the States of Arkansas and Alabama, resolutions of the legislatures of those States, approving the outrage committed on the agent of Massachusetts; and from the Governor of Connecticut, resolutions of the legislature of that State, declaring that the act of South Carolina is “a palpable and dangerous violation of the national compact.” I shall hereafter transmit these papers with others on various subjects, received from the Executives of other States, for the use of the General Assembly.

I have made this special reference to the proceedings of South Carolina, for the purpose of bringing them into immediate connection with the kindred subject to which I have, at some length, invited your attention, and of submitting to you the propriety and duty of a full consideration of these extraordinary proceedings, and an expression of the sense entertained by the General Assembly of the State, of their true character and tendency. It would seem evident that the Union cannot be maintained, if peaceable attempts to appeal to the appropriate judicial tribunal for the settlement of great constitutional questions, involving the relative rights of the States, are to be put down by mob violence, and the added sanction of the legislative authorities.

It is worthy of remark, that, upon an attempt by South Carolina to enforce the same laws against colored British subjects, and the remonstrance of the British government to that of the United States., South Carolina desisted; and yet she rigorously enforces them against one of her sister States, and adds the extreme aggravation of rudely expelling from her territory an agent of that State, rather than allow him a residence long enough to perfect the process of submitting the question of difference to the decision of the constitutional tribunal.

Several of the slave States, it is understood, have laws on this subject, similar to those of South Carolina. Their enforcement in Louisiana induced the Legislature of Massachusetts to send an agent to that State for the purpose of instituting a similar process, who was also driven from the State by threats of mob violence.

If slavery cannot exist without the protection which such an exemption from constitutional law will give it, then it is evident that slavery and the constitution are at irreconcilable variance. Massachusetts has forborne to retaliate, and contented herself, for the present, with a solemn protest and appeal to the world and impartial posterity, against these acts. But it is unreasonable to suppose that there will be no limit to forbearance; or that the Union can always withstand the power of such attempts to rend it asunder.

The question of protection to labor, in its otherwise ruinous competition with the starved and cheapened labor of other countries, continues to be one of undiminished interest. Indeed, its interest has increased, as efforts to give ascendancy to free trade principles have become more active and systematic. Of the existence of such activity and system, we have but too conclusive evidence, in all the indications, official and semi official, of the new administration. It is given out, in ways not to be misunderstood, that the head of the financial department is industriously engaged in maturing a plan for reducing the tariff to the "revenue standard." What that standard is, in the opinion of the school of political economists to which the Secretary belongs, may be gathered from a very elaborate report of the Committee of Ways and Means of the House of Representatives, at the first session of the 28th Congress, in which it was declared, that –

"Every duty is to be considered and is properly denominated a revenue duty, the rate of which yields the largest amount of revenue from the importations of the article upon which it is imposed; and every duty is to be considered and is properly denominated a protective duty, the rate of which is so high as to diminish the amount of revenue derived from the importations of the article upon which it is imposed, and the rates of which require to be reduced, to increase the revenue. And when a given amount of revenue is desired to be raised upon any given article of importation, the committee regard the *lowest rate of duty* which will effect the result, as *the true and legitimate revenue duty*." The committee add – "the protection afforded by a protective tariff, according to the same definition, is direct and positive – operates to diminish or destroy the revenue and constitutes an exercise of the power to lay and collect duties, entirely indefensible in principle and policy.

It thus appears that "direct and positive protection" – that is, protection which has the effect to diminish revenue from any given article, is entirely indefensible in principle and policy – the only allowable protection being that which is "incidental" to a revenue duty – that is, incidental to that duty which, without any reference to protection, will yield "the largest amount of revenue from the importations of the article upon which it is imposed."

The mere statement of this doctrine is sufficient to show that it strikes a fatal blow at the principle of protection because that rate of duty can, obviously, furnish no stable protection, which is made to depend, not on the degree of protection it will furnish, but on the amount of revenue it will yield – since it is well known that a rate of duty on a given article, which will yield little or no protection, may be the very rate which will yield the most revenue. There is not a protected interest in the country that can stand a single year, under the application of such a principle as this.

The true principle may be thus stated: A tariff which, while it shall, in the *aggregate* of its duties, yield the amount, and no more than the amount, needed for the treasury, shall be so adjusted, in its details, as to throw so much of that aggregate upon articles needing protection, as to give the protection needed – the balance being thrown upon articles needing little or no protection.

It is against the principle of a *revenue* duty with incidental protection, in the Protean shapes it will be made to assume, that we are doomed to contend; and it is a contest with fearful odds, when we take into account the power and influence of the new administration, aided by the deceptive application of the sliding rule of *protection incidental to a revenue duty*.

Nor is this the only aspect of the danger. The Secretary of the Treasury, whose purpose to destroy the protection afforded by the tariff of 1842 is not attempted to be concealed, is engaged in the unprecedented work of collecting, without the authority of Congress, and by replies to certain questions propounded to

manufacturers and others, to be answered without oath or cross-examination – information, to enable him to carry his destructive purpose into execution.

Vermont has too deep an interest in the great question thus about to be forced to a fearful and perilous issue, to remain indifferent or silent. It is due to the great value of our interests involved in the true principle of protection, that we thoroughly scrutinize the false principle of protection, that we thoroughly scrutinize the false principle on which, by a combination of its pretended friends with its open enemies, protection is to be made to rest. The imminency of the impending danger would seem to call for a decided expression of the General Assembly on this subject.

I have received from the Corresponding Secretary of the American Peace Society a communication on the subject of Peace, with a request that I would lay it before the General Assembly. In compliance, I send herewith copies of the communication for your consideration. This request appears to be part of a general movement of that Society to impress upon the rulers of States and Nations the duty of reconsidering the question of war, as it stands connected with the temporal and spiritual interests of men, and to inculcate the importance and practicability of superseding its supposed necessity by the principle of Arbitration, applied to nations as it now is to individuals.

It would seem necessary to do little more than to announce this object, to secure for it the favorable consideration of the rulers of every Christian people. War is the greatest of all the calamities that ever afflicted the human race; and yet the world, after having been involved in its crimes and felt the terrific sweep of its desolations, for near sixty centuries, seems but just awaking from the delusion that it is necessary, and consistent with the spirit and principles of a religion whose all-pervading element is love.

Our own country, more, perhaps, than almost any other, needs this awakening influence. The freedom happily enjoyed by our people, seems to engender the restless spirit favorable to war, while it receives additional impulse from the popular appeals incident to our system of free suffrage – appeals made, often, by men who love distinction and excitement more than their country, while their appeals act on minds in no condition, from the association of numbers and other causes, to feel their true individual responsibility for the crimes and consequences of war.

The maxim “In peace prepare for war” is moreover a standing excitement to war, performing the double office of provoking aggression, and prompting inconsiderate and rash resistance to it. The state of society in the Southern and South Western portions of our Union is an illustration in private life, of the practical results of this maxim – so apparently just, and yet so really questionable.

There is, however, a preparation for war, which does not invite it. It is the preparation of simple, open-hearted, uniform fairness and justice, the exhibition of a stronger solicitude to do right, than to exact it from others; and a sensibility, which habitually feels that the stain of dishonor is inflicted not by suffering wrong, but by doing it. The nation who shall cultivate this spirit – who shall fairly gain the reputation of *The Just*, will possess a defense, in an age ruled, as this is beginning to be, by enlightened public sentiment, more sure and effective than the power of fortifications, and armies, and navies, combined, can give.

But while the spirit of peace and scrupulous regard to justice, will, by their silent influence, check, if they do not entirely subdue, the spirit of aggression, they will not, necessarily, prevent the occurrence of international differences, nor, in the present, if in any future state of the world, supersede the necessity of some formal provision for their adjustment. This necessity suggests a resort to the principle of Arbitration, and the introduction into treaties between nations, of stipulations to that effect.

It is to the furtherance of this object, by acting on the public sentiment of our own country and the world, that the American Peace Society solicits the action of the General Assembly of this State; and I could hardly be invited to the performance of a more grateful duty than to become the medium of asking your attention to it, and recommending, as I do, such action as may, in your wisdom, most effectually lend the influence of this State in furtherance of this great movement of peace on earth and good will towards men. The government of the United States has already, in three memorable instances, submitted matters of difference with other nations to the

arbitrament of friendly powers – in two of them, with results which have been effectual to the settlement of the differences submitted.

I must be permitted to add an expression of the sense I entertain of the great value of the efforts of the friends of the peace, through the organization of peace societies, in dispelling the delusion so long prevalent in regard to war, exposing the anti-Christian principles on which it has so long rested, and showing the extent to which it has paralyzed the industry, wasted the wealth corrupted the morals, brutalized the passions, blasted the hopes, and vitally injured the highest interests of men. The results, thus far, of the quiet and persevering efforts of this association, has furnished a most gratifying illustration of the silent power of truth, in the hands of Christian benevolence, to reform and save the world.

It only remains for me to tender to the General Assembly my hearty cooperation in every wise and well directed effort to promote the public good – trusting that we shall all feel how much we need the wisdom that comes from above, to enable us to comprehend the true character of that good, and direct us to the adoption of measures best adapted to ensure its successful accomplishment.

WILLIAM SLADE

EXECUTIVE CHAMBER, }
October 11, 1845. }

Inaugural address
of
Charles M. Smith
As it appears in the
Journal
of the
JOINT ASSEMBLY
BIENNIAL SESSION
1935

Thursday, January 10, 1935
Inaugural Message

Members of the General Assembly:

It is with much pleasure that I greet you here today. We have been highly honored by our various constituencies and come here, I know, with the high resolve to serve with unity the whole people of our state.

FINANCES

The finances of the state will affect the larger part of your action. The money which you appropriate must come from taxation. Our people are not so situated at the present time that we should add to their burdens, but should rather lighten them. Our present tax system is equitable and, I believe, should be retained. I am decidedly opposed to a return to taxation of real estate, but our revenues have shrunk very materially and it will be a problem to meet our most necessary requirements.

The payments on our bonded indebtedness have been met and so this indebtedness has been materially reduced, but we have a large floating indebtedness. The Treasurer is now borrowing this money at very advantageous rates, but times may change and this item may become troublesome. I very much wish that the amount of this indebtedness might be reduced by payments. Or it might be well to issue bonds patterned after our flood bond issue. The rate might be temporarily more than we are paying now. I simply wish to bring this to your attention.

You will have in your hands within a few days the biennial budget, which will give you in some detail the items of departmental expenditures; the statement of the Commissioner of Finance, regarding expenditures other than departmental, and the statement of the Treasurer of the indebtedness of the state. I commend this budget to your careful consideration.

My recommendations for appropriations follow closely the amounts in the appropriation bill of two years ago. I have raised the appropriation for the Educational Department to approximately the former amount and doubled the appropriations for publicity and for mother's aid. Aside from these changes, the recommendations, as I say, follow the appropriation bill of the last session. The figures in the budget are based upon the salary lists before the Emergency Salary Bill. If this bill is re-enacted the amount saved through it will be reflected in the figures of the budget.

AGRICULTURE

Agriculture is our most important industry. Substantially one-third of our population lives on farms. Another third in our villages are hugely dependent upon the income from these farms. Thus a profitable agriculture and a satisfying rural life constitute our chief concern. Briefly, while conditions have improved somewhat during the past year, it still requires substantially twice as much milk, or other products, to meet the fixed charges and living costs of normal times. The problems connected with this situation are far too numerous to be covered in this message. I will mention only a few.

The major source of farm income in Vermont is from the sale of dairy products—primarily fluid milk. The nature of this product is such as to present peculiar marketing problems which must be solved if producers are to have a stable market and consumers a stable, adequate supply of high quality product. The solution of these problems require, at this time, not only strong producer organization, but also assistance from governmental agencies. All possible encouragement and facilitating legislation should be provided to this end. We need the continuance of our state milk control board to care for the problems connected with milk marketed within the state, just as we need federal government assistance—by way of marketing agreements and licenses—in connection with the milk marketed outside the state.

We should give careful consideration to other agricultural problems, especially maple syrup, poultry, potatoes and fruit—important products of our Vermont farms.

Along with effective marketing of our agricultural products goes efficient production of them. The only way to hold our markets is to produce at a cost low enough to enable us to meet competition. There is no substitute for this. To that end many things are necessary. Farmers must have the latest and best information available regarding production as well as marketing. Our agricultural educational institutions must be maintained and liberally supported. The Agricultural College, training our young men and women in agriculture and home economics; the Experimental Station, engaged in research to solve farm and home problems; the Extension Service, with its County, Home Demonstration and 4-H Club agents carrying the gospel of better farming, better marketing and better living to our thousands of rural homes. Our State School of Agriculture, giving sound training to boys unable to attend college, and the agriculture and economic courses in high schools. These must all be maintained and supported as they are necessary to a prosperous and satisfying rural life.

Some provision should be made for effective control of devastating diseases of plants and animals, especially when such diseases are costly to the producer and jeopardize the health of the consumer. We have practically eradicated bovine tuberculosis and must see to it that we remain free from it. The federal government, with emergency legislation, is attacking Bangs disease and mastitis and we should cooperate to the fullest extent with this activity.

There are many federal projects related to agriculture of which we may take advantage. We should be alert to work out ways of profiting by these activities. Legislative action can help. It can provide protection, safeguards and facilities that cannot be provided otherwise. It is our duty to enact this legislation, where needed, and to this duty I would direct your attention.

INDUSTRY

It is recognized that there can be no permanent prosperity for one class of our people at the expense of any other class. We move up and down together, the farmer, the merchant, the laborer, the banker and the manufacturer. We cannot live independently. We are all profoundly concerned with the well-being of all of our people.

A large part of our manufactured products are sold outside of Vermont and we are naturally brought into direct competition with other states, particularly with all New England. We must aid and encourage our industries wherever we may, because with increased output comes increased employment for labor and better wages.

Our small industries in small communities must lie protected because they are a great and necessary contribution to the welfare of the people of our small towns.

It is very essential that any proposed legislation which would place upon industry increased burdens should and must be avoided.

LABOR

In these unsettled times labor has suffered with others – perhaps more than others. They must be given every opportunity to help themselves and promote their welfare. We must not forget them in any particular.

WELFARE

Regarding the activity of the state in its various departments, the Department of Welfare has under its care the State Hospital at Waterbury, the Industrial School at Vergennes, the State Prison at Windsor, Riverside at Rutland, the Brandon State School, Kinstead, the Washington County Sanitorium at Barre, and the Vermont Sanitorium at Pittsford. These are fine institutions and we can be proud of them and their management.

They are, of course, occupied by unfortunate wards of the state who are in need of and are receiving the finest care possible. I would like to emphasize and extend the humanitarian side of their care. There is much of worth in these state wards.

EDUCATION

At the last biennial session of the Legislature a resolution was adopted requesting the Governor to appoint a commission of seven members to consider and report upon our educational system. The commission called for was appointed and has made a painstaking study of state educational problems and has lately made its report.

I anticipate that much good will come from this study and the commission's recommendations.

HIGHWAYS

The extent of our road building is a question of money. Our policy of appropriating motor vehicle and gas tax revenues to highways, as required by state law, with the cooperation of the federal government, has made possible the accomplishments of the past several years.

I heartily favor the extension of our state highway system, as proposed by the Highway Board, and approve the policy of extending improvements, through state aid, to other classes of roads. The wisdom of this policy is very apparent.

It must not be overlooked that highway construction and maintenance offers the most direct and available work relief measure carried on by the state.

However, in view of the high registration fees and their burden upon our people, I recommend that a reduction of 15% be made in fees for registration of pleasure cars. In view of what happened to the income from this source the past year—there being such a marked increase in face of the reduction of 10% in fees granted at the last session of the Legislature—we might expect to gain in revenue by this reduction, contradictory as it may seem.

I would like also to recommend a change of registration date from January 1st to April 1st.

You will recall that the highway system of Vermont is divided into three classes; state highways, state aid or secondary roads and town highways sometimes referred to as "back roads".

The state highway comprises 1,029 miles of important trunk lines. They were taken over by the state in 1931. Up to that time they were classed as state aid highways and were combined, with the present state aid highways. This system is under the direct control of the Department of Highways.

The state aid system is 3,362 miles of roads, selected by the selectmen as the most important in their towns. These connect the different villages of the state and reach to every town. The State Highway Board is recommending in their biennial report the taking over of about 700 miles of the more important state aid roads into the state highway system. I have already endorsed this recommendation of the Board.

The town highways total 9,993 miles and generally lead from the state aid system into the more remote districts. These are entirely supervised by the town authorities. The Legislature appropriated at the last biennial session \$500,000 annually to aid the towns in the construction and maintenance of this system. This amounts to approximately \$50 a mile.

The federal aid system are the roads on which the state is commonly authorized to spend federal funds. In Vermont this system corresponds almost exactly with the state highway system.

It seems to me that this division of our highway system is extremely well adapted to the needs of our state.

RECREATIONAL

The recreational business of our state is coming to be one of the chief income producers for our people. It would appear wise to take advantage of and foster this line endeavor.

Our publicity department has done excellent work with the small amount available for its use. Neighboring states have large and costly programs and I am recommending in the budget an appropriation of \$50,000 for publicity.

While our publicity department calls attention to our attractions and sings our praises as a recreation ground, the Fish and Game Department and the Forestry Department are doing their part to make good these claims, as well as to serve our own people.

The departments are closely related. Right now they are working together, under the leadership of the Fish and Game Department, in making wonderful exhibits in several of the larger cities.

I wish to offer for your consideration a consolidation of these three departments through a Department of Conservation, with a board of three members, similar to our other boards. This board could select the highest type of directors for these various endeavors, with a continuity of work removed from politics. I leave this with you for consideration.

During the past year and a half the Forest Service has had the successful direction of fifteen Emergency Conservation Camps.

As a result of the labors of these 3,000 youths much valuable work has been done for fish and game, recreation and forestry. Several hundred fish dams have been built, miles of stream improved, several thousand wild game food plants set out. Eleven new forest fire look-out towers have been built. Twenty new picnic sites with pure water and sanitary facilities have been developed. Arches and picnic tables sufficient to seat 6,000 people at once are now available to public use, About thirty miles of ski trails on Mount Mansfield, Burke Mountain and Bald Mountain at Townshend have been built. Over seventy-five miles of forest roads have been built and repaired. Beach developments at Sand Bar and Elmore Lake will be available for public use next summer. Eight thousand acres of timber lands have been improved by cuttings.

It is expected that the Federal Government will continue and increase this work over the next two years. Vermont must be ready to accept what federal assistance is available to us. The fish and game and recreational developments already completed will not only serve our own people but will also attract many thousands of tourists.

STATE PLANNING BOARD

In cooperation with the National Resources Board, an advisory State Planning Board has been appointed in Vermont corresponding in character to similar boards or commissions in more than forty states.

The Vermont board has already demonstrated its value as a research and coordinating state agency and I recommend that you give this matter consideration and possibly the passage of a simple act establishing an official statutory commission.

RURAL ELECTRICITY

It seems probable that something may be accomplished in the near future regarding rural electrification. Vermont is backward in this respect. The period of the kerosene lamp is past. It is time that the farmer and his wife have the help of electricity at a price within their means.

Maybe the young people would take more kindly to the home place if it could be modernized and brightened up in this way. Efforts will be made through various agencies to bring about a more general electrification.

OLD AGE PENSION

If it seems likely that relief, aside from that afforded by public works, will be thrown back upon the state and municipality, we must prepare for this emergency.

One form of assistance in which the Federal Government is likely to join for a major part is the old age pension. I most heartily recommend to you the enactment of an old age pension law.

I trust the measure would be one provided for entirely by the state and administered by the state, unless federal enactment provides otherwise. Such an act would furnish a measure of relief to our towns.

I hope that such a law may be enacted at this session.

FEDERAL

A matter of great importance is the cooperation with the Federal Government in their plans. We should certainly cooperate with the federal authorities in the flood control. The last legislature appropriated \$500,000 to take care of this emergency and some \$160,000 of this money was used in providing the state's share in the several flood control activities which are now approaching completion. This would amply provide for the acquisition by the state of the land necessary for the construction of the flood control dam above Waterbury. It may be advisable to acquire and develop more state forest and recreational projects while we have the aid of the civilian conservation corps. It is truly remarkable what has already been done, as I have partly recited, with their help.

There will probably be presented to you a bill or bills drawn in Washington with a view to adapting some of our laws to make them more workable with those of the Federal Government.

CONCLUSION

I have touched briefly upon the more important matters that I wish to bring to your attention; that is, state finances, some of the problems of our agriculture, fostering industry, the welfare of labor, further humanitarian work among our state wards, the extension of our state system of highways, the formation of a Department of Conservation with a larger appropriation for publicity, rural electrification and an old age pension law that fixes a sweet reward for those most perplexed.

I wish you all a very happy experience here.

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.

Inaugural address
of

Edward C. Smith

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1898

Thursday, October 6, 1898

Inaugural Address

Gentlemen of the Senate and House of Representatives:

It is with a growing sense of the responsibilities and impressed with the importance of this office that I have to-day walked up the aisle of this hall, subscribed to the Constitution, and taken the oath, thus following in the footsteps of those who have gone before me, whose voices have been heard from this platform in defense of high principles; whose exhortations have fired the love and patriotism that have made Vermont what it is, whose administrations have invariably been honest and untarnished, and who have in long venerable line passed out of office either to other of life's duties, or to higher responsibilities in broader fields, or have finished their work on this earth and gone into that peace which lies beyond the vision of mortality, which is the gladsome reward of honesty and faithful service and loyalty. One might well hesitate on the threshold to take responsibilities, the result of which shall be compared with record that is past, but as I look over the names of the newly elected State officers, and of the Senate and House of Representatives who shall bear with me the burden of this administration I am encouraged to believe the outcome will be creditable alike to the Legislature of 1898, and to the State.

I am somewhat uncertain under the provisions of the Constitution, and the practice of those who have preceded me, precisely what is my duty in the way of a message. The able and exhaustive discussion by the outgoing Governor of the various subjects of State Government has left little to be said on these topics. I am happy to concur in many of his recommendations so far as they relate to the State Institutions and to ask you to give such the most careful consideration. I am happy to speak too from a personal though necessarily hurried examination of the various State Institutions a few weeks since, and of some of those receiving State aid and to say the State has reason to be congratulated. There was in almost every institution, visited, evidence of careful, watchful supervision by State trustees and economical prudent management by officers and employees. I saw no evidence of extravagance or waste of money, either in the structures themselves or in their operation, so far, at least, as appeared from superficial examination. The various reports by the State officers, the trustees and superintendents of the other various institutions are before you and ought to receive careful examination amid consideration. Their recommendations are, in my judgment, in the main conservative and should have the benefit of your intelligent judgment and possibly your approval. I leave the topics therefore already treated by the outgoing Governor and by the State officers and trustees and superintendents and bring to your attention, certain new matters which seem to merit especial consideration at this session.

The first of two important subjects is a means of increasing the revenue of the State. There are two ways this might be accomplished, either to decrease the expenses, or to increase the income. In either way, the net revenue available will be increased. As already stated, I have not yet had time or opportunity to go into the detail of the operation of the various State Institutions nor the cost of the State Government, to feel competent to advise on this subject. Later I propose to do so and possibly may have something to say, but speaking generally, I do not believe the expenses of the State Institutions can be materially cut down. There is no State in the Union where every dollar thus expended is made to go further than in Vermont, in my judgments and it may be possible the expenses are already cut down a little too low for the best results to the State.

In respect to the revenue, however, there is opportunity for improvement. That available to the State from taxation is about half a million dollars a year; \$380,000 of this sum is raised by a tax on corporations and other similar persons each year, and the balance, (about \$126,000 a year) is raised by a tax on the people of the State. It would be, in my judgment, unfair and unnecessary to tax the people for State expenses more than this sum; rather the tax ought to be wiped out altogether; the people are already paying taxes enough. Nor, as at present advised, do I think the tax on the Corporations, Savings Banks etc., ought to be increased; it is a serious question whether these institutions also are not, as a matter of fairness and justice all around, contributing their full share to the support of the State Government; nor as between such institutions do I think there is a great inequality in the amount contributed. Each group of persons under the corporation tax law in comparison to the

others, seems to be bearing its fair share of the burden of taxation. So that it is necessary to look elsewhere for an increase of revenue.

I ask your serious consideration, therefore, to a proposal of amendment to the present tax law which shall offer some inducement to persons at present non-residents of the State, to become residents, so that a revenue can be derived from them which shall be added to our State income, and by which their wealth may be added to ours to the end that our taxes may be less, and the State's income greater.

In many of our sister States there has been radical and extreme legislation with a view to reach the estates of rich people; whereby inheritance tax, income tax and extravagant and unequal local taxes are imposed on this class of persons to their infinite distrust and annoyance. Legislation of this character is growing in severity and volume, with the result that, upon good reason or otherwise, a great many large fortunes and innumerable small ones are being driven from those States into other States where the laws of taxation are less drastic—or out of the United States altogether. Such fortunes will never locate permanently until they have some harbor where they can anchor in safety, and where they shall be insured against attacks from what they deem, justly or unjustly, extreme legislation.

It is with a view to inducing such storm driven individuals who are seeking help and relief to come and give the State of Vermont the benefit of their wealth and receive in return that safe and certain protection which this State can give as well as or better than any State in the Union, that I suggest the advisability of adding to the present corporation tax law a provision that shall allow any non-resident, who may hereafter become a resident of the State, the privilege of entering into a contract with the State under its seal for a term of years, say 30 whereby such person's taxes shall be fixed at a specific sum annually. Such fixed sum to be measured by a percentage of his sworn income or to be an amount agreed upon between a Commission appointed by the Legislature and the party who avails himself of this law. Such sum to be in lieu of all other State or local taxes on his personal estate, and to be paid directly to the Treasurer of the State for its benefit annually. The fundamental idea being that a non-resident may come here, and before assuming the responsibilities of citizenship, may receive a contract that the State will tax such person an annual specific sum, to be agreed upon, and no more for the term of his contract. Once the contract is signed by the State the non-resident becomes a resident and pays his annual fixed sum and is bothered no more pending the life of his contract as to taxation, either by legislature or listers or appraisers or courts. As to any real estate such persons may desire to own in the State, it should be provided that such real estate shall be taxed as other real estate to the town wherein it is situated, but that enough to allow such person a homestead, say one hundred acres in the country or one acre in the city shall be exempt. That is to say, whatever is assessed against such homestead by the town or city shall be deducted each year from the amount such person pays to the State. The privilege of this law should be limited to such persons as are willing to pay at least five hundred dollars per annum to the State, and the contract should run for the benefit of the person and his legal representatives. There should also be required from such persons a deposit of securities, or a bond to secure the payment of the tax during the term of this contract. There should be a Commission appointed which shall have authority to enter into such contracts on behalf of the State and to affix the seal of the State thereto.

I can see no good reason why the State, under legislation that shall properly protect the rights of every present citizen, should not open its doors to this class of persons and receive a proper and legitimate increase to the revenue, which it can obtain in no other way.

If it is true, and it is, that the increasing wealth of citizens in other States is being hidden and smuggled from one place to another to avoid taxation, unjust or otherwise, what harm to the people of this State if we invite such persons to locate here under a contract which is fair to the State and fixed and positive and fair to the owner of the property?

Such a law would not infringe the Constitution, in my judgment, as the proposition simply adds to the present corporation tax law another group of persons who are taxed to the State, in addition to railroads, savings banks, trust companies, etc and treats alike all non-residents who avail themselves of the law. It is no hardship nor injustice, to present citizens of the State since the money derived would be for the benefit of all alike.

The proposition, I submit is an honest one all around—to the State on the one side, and to the non-resident who becomes a resident on the other side. It forms an equation in taxation where there is value received and satisfaction on each side.

There is in addition this indirect benefit that would come from the successful operation of such a law, that whoever availed himself of it would have to spend a portion of his time in the State, and this would involve the distribution of more or less money, which is not distributed now among the people of the State.

I know of no State in the Union better adapted to the success of a proposition of this character, or to which the wealth of the country would come quicker or with more confidence than Vermont. The world knows that an obligation of this State, entered into under its seal, is an obligation that will be fulfilled. Our political and social atmosphere is not tinctured with socialism, anarchism, or any of the spectres that rise up to menace wealth. The State is located near enough to the large centers of this country to afford quick and easy communication therewith, and possesses every natural physical beauty and attraction that could be desired.

Such a law may not result in an immediate and vast increase to the revenue of the State, but it is certain if we do not try it we shall not know; it is also certain it can do no harm, There is some reason to hope it will prove a success, if a commission is appointed under it that will push it vigorously. The underlying principle will be, I believe, attractive to any one who is seeking certainty as to taxation and who is not?

The second thought I desire to urge is the necessity at this Session of positive, radical, vigorous action in respect to good roads.

The present relation of the State to the highways, with all due respect to the framers of the law, is entirely wrong. Under the present law, over \$86,000 a year, 5 per cent, of the grand list of the State, is collected, and the same amount redistributed to the various towns, and 246 Highway Commissioners spend each town's proportion of this eighty-six thousand dollars in keeping in repair the highways of each particular town—or are supposed to do so. The state has no voice or direction as to how or when this large sum of money shall be spent, and no control or jurisdiction over it whatever. As a matter of fact, if I may rely upon the best information I have at hand, there is not one dollar of this money that goes into permanent work, or that furnishes lasting benefit to the State. There is no report made thereof to the State whatever. No man, in this Assembly would apply the principle that controls the distribution of this 5 per cent State tax for highways to his own business. No man with an income of \$86,000, or less or more, would allow 246 or any number of his servants—however good—to spend it without any voice or control or exercise of any accountability respecting it whatever. How, therefore, can you do your duty as legislators and allow this condition as to \$86,000 of the State's income to remain as it is?

This state of affairs is no fault of the Highway Commissioners of the several towns, and no criticism whatever on them. It is incident to the law itself which dissipates the benefits that would accrue to the State if this \$86,000 was directed from one standpoint, or by the State. The idea that underlies this law relating to the redistribution of the 5 per cent tax is, that it aids the poorer and smaller towns; but this is not true in my judgment. The idea is, for instance, that the town of Hancock, which on its grand list is assessed \$59.19, receives in the redistribution on its mileage \$130.48. But of this \$130.48 the town pays out of its own pocket \$58.19, so that in reality its gain on redistribution is but \$72.29. This is less than \$3.30 per mile on its 22 miles of road. Practically it is no help at all towards rebuilding and maintaining the roads of Hancock. This is but a fair statement of what each of the smaller towns of the State receives in the way of lasting substantial benefit. In reality it is of no permanent benefit whatever and amounts to nothing. The \$86,000 spent in this way each year is spread out so that the money is practically thrown away and is wasted.

The amount received by each town in excess of the 5 per cent is far below the loss that inures to every inhabitant of each of these towns who owns a horse or drives a team over its poor roads. I have taken pains to have statistics prepared to show the cost of transportation of the products of Vermont from various towns which lie away from the line of the railroads to the railroads, as compared with the cost of transporting the same articles from the railroad to market. From these statistics it appears that on butter, lumber, granite, lime, brick, cement and hay the rate is from \$2.50 to \$4.00 per ton to team from the point of production to the railroad, while the rate to haul the same articles from the railroad station to the point of consumption is from \$3.40 down

to \$1.66 per ton. In none of the instances does the haul by team exceed twelve miles; in none of the instances is the haul by railroad less than 140 miles. The rates by railroad will never, in my judgment, be higher, so that whatever can be saved by improved roads out of the cost of teaming these products ought to go into the pocket of the producer of the hay or the butter or the lumber or granite, or whatever is teamed. The standard authorities give the saving in cost of teaming over *good* roads as compared to ordinary dirt roads, to be from 50 to 75 per cent: so that there is from \$1.25 to \$3.00 for every ton of freight teamed, to go into the pocket of the producer in Vermont, if only good roads are made where bad ones now exist. Looking at it, therefore, from the standpoint of the smaller towns away from the railroads, the benefit that would result to the inhabitants thereof by the expenditure of this money in making the roads good would infinitely exceed the amount received each year in the redistribution of this 5 per cent from the State highway tax. So far as the larger towns are concerned it is obviously for their advantage to change this highway law and to have better roads. It seems to me these are strong reasons for changing the law and securing better roads and the solution is clear and easy. If this Legislature will direct that the expenditure of the \$86,000 collected each year from the State Highway tax be devoted under proper restrictions to building highways from these smaller towns to junctions with the railroads. Or into the larger towns, it will be but a few years before these smaller towns reap a benefit a hundred fold over the present arrangement. You cannot reap any benefit in this direction by having 246 heads control the distribution by having 246 heads control the distribution of the \$86,000, as under the present law. You must put it in the hands of a few, and these must be experienced in the business and must be responsible to and controlled by the State. The State of Massachusetts, and many of our sister States, have already seen and proved the wisdom of State care of highways; it is no experiment. I earnestly ask that the highway law of Massachusetts, modified to suit the exigencies of our State, be adopted here. I recommend the appointment of Highway Commissioners to whom shall be turned over the 5 per cent highway tax; who shall control the expenditure thereof under the provisions hereinafter named, and who shall have charge of what shall be called State Roads. The expenditure, for the present at least, in a general way ought to be for improving and making permanent the roads from the smaller towns to the lines of the railroad, and the work should be distributed fairly among the different counties of the State so that on one shall be favored over another. Where permanent work is decided to be done in any of the particular towns, the Selectmen of such town should be first offered the contract, so that the money for such work shall be spent in such town; in the event the Selectmen decline, the contract to be afterwards let by publication and the bids of Vermonters in all cases to be given the preference. Provision should be made that no road can become a State road except through the request of the Mayor and Aldermen of the city, or the Selectmen of the town where the road is located, so that where any town or city desires to have the State assume any particular highway, it must be by petition to the Highway Commissioners and in this way the cities and towns will keep control of the matter entirely. When, however, such a petition is made to the Highway Commissioners, and is granted, the road described should thereafter become the property of the State, and be subject to the jurisdiction of and repair by the State. This is in substance the present law of Massachusetts, and you will make no mistake in following it.

In making the proposal for a State Road Commission, and for the expenditure of this money in making good roads, I do not wish to be understood as meaning to propose to make city roads out of country roads, but simply to insure permanent work on the traveled path only. The traffic in this State is not so heavy as to require roads of over ten feet in width, in my judgment and by confining the Commissioners to this width and to proper construction, the money will go much further, and to avoid that extravagance which is the most serious menace to the success of good roads.

It is a curious fact that civilization and good roads go hand in hand; the higher the civilization, the better the roads. This is true the world over.

The United States has made enormous strides in other methods of transportation, but until recently has been singularly remiss in the matter of good highways. Our sister States are now fast realizing the incalculable benefits of them, not only as profitable highways for traffic, but as civilizers and as advertisements to secure the patronage of summer tourists and vacation residents. They are spending millions of dollars in improving their high ways, they are reaping the benefits in increase of summer population and of wealth Vermont, with natural

attractions rivaling any of our neighbors, cannot afford to delay vigorous progress in the one direction that will produce the greatest immediate and lasting benefit to us all.

I earnestly hope you will adopt the principle in the above method of dealing with this subject, and then pass as large an appropriation in addition to the 5 per cent, highway tax to carry out the law as your consciences and sound judgment will permit.

It would be contrary to every instinct of justice if I failed, in closing my message, to notice officially the 1st Regiment of Vermont and its work in the war with Spain.

It is given to some men who walk the path of sever duty, to receive at once the shining reward of their faithfulness; to hear the trumpet of fame herald their greatness on the heels of their achievement; to listen to the plaudits of the multitude at deeds but just performed, and to catch in the flush of their triumph the welcome voice of their country in well done thou good and faithful. It is given to others in this strange world of ours to bear the weight of their burden, to walk the path of their duty away from the plaudits of their countrymen, far from blare of public approbation, with bleeding feet and torn garment, unnoticed and unsung; and to the men of our 1st Regiment, in *their* offer to do their duty, in their eager expectant readiness to respond to their country's call, in the broad patriotism that furnishes their enthusiasm to follow and energy to defend their country's flag, and, greatest of all, in their noble unhesitating readiness to sacrifice self in order that all we love and honor in these United States of ours may be preserved untarnished, rank side by side with the others. After all, and behind all, in the one case as in the other, whether it was Dewey and his squadron in supreme defiant disregard of their own lives, with waving banners, plowing their way over hidden torpedoes and sunken mines into Manila Bay and gaining glory for ever more, or our poor boys fighting unheralded and alone the invisible merciless specter of fever at Chickamauga, it was the same abiding love of country, the same dauntless spirit of self sacrifice that formed the fountain and source of the actions of each. In the hearts of a proud and grateful people, they are heroes in the one case and the other. The memory of those boys who died of fever at Chickamauga and here in Vermont should live, and will live, in imperishable glory linked with the memory of those who went down with the Maine or those who fell at Santiago; and those of our boys who lived to come back to the green hills of their home should receive, and will receive, the immortal record given those who fought their way through the jungles of Cuba back to the loving arms of their States. Neither the Nation nor Vermont will forget either the dead or the living.

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

CHAUNCEY W. BROWNELL,

Secretary of State, Clerk.

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

Volume V.

1807

Speech of Gov. Israel Smith – 1807.

Gentlemen of the Council, and Gentlemen of the House of Representatives, – Permit me to express to you, and through you to the freemen at large, the high sense I entertain of the honor done me by their suffrages which have conferred on me this seat. No circumstance can be more flattering than after a long course of public life to meet this new and unequivocal evidence of the public confidence and esteem. It demands of me, in whatever station I may be called to act, a faithful, diligent and unremitting discharge of the duties belonging to it. Impressed with sentiments of gratitude for honors conferred, I feel a species of enthusiasm in commencing the fulfillment of the duties before me. When I reflect, however, upon the trust reposed in the chief executive magistrate, the arduous, but more especially the critical nature of the duties belonging to that station, at a time also when the public mind is uncommonly awake to its rights and privileges; when this watchfulness has produced discussions and a train of thought which indifferent minds has produced very different results; when I bear in mind also the urbanity and the unassuming administration of my predecessor in office, I am almost led to despair of ever being able to quit the office I am now called to fill with the same happy auspices in which I enter upon it. In the discharge of official duties, however, I shall place my greatest hopes of success in the candor, assistance and indulgence of this honorable Assembly.

The constitution makes it the duty of the Governor and Council “to correspond with other States, to transact business with the officer of Government, civil and military, and prepare such business as may appear to them necessary to lay before the General Assembly;” also “to take care that the laws be faithfully executed,” and to “expedite the execution of such measures as may be resolved upon by the General Assembly.” I have not had opportunity to consult my predecessor in office whether any correspondence has taken place between the executive of this and any other State, or the United States, on subjects the nature of which requires to be submitted to the General Assembly, or whether any business has been transacted by the executive with the officers of our own government of a similar nature; should there be any they must be made the subject of some future communication.

Again the Constitution makes it the duty of the Governor and Council “to prepare such business as may appear to them necessary to lay before the General Assembly.” Under this clause of the Constitution must be inferred the duty of the Governor and Council to recommend to the General Assembly subjects for legislative consideration, such as in their opinion the good of community requires to be adopted. Among the most important of those subjects which have been presented to my mind is that of a variation of [in] the modes of punishment established in our criminal code; to substitute generally, for corporal punishments, confinement for the purpose of initiating the culprit into a habit of useful industry, or in more common phraseology, confinement to hard labor. I am not insensible of the insufficiency of theoretical reasoning on abstract principles, when opposed to inveterate custom and habit. It will not be denied that corporal punishments may have had a good effect in the prevention of crimes, but this concession does not admit the inference that no other mode of punishment would be preferable. That mode of punishment, which is worse than none, must be vile indeed. Confinement and hard labor is a mode of punishment peculiarly suited to an advanced state of society, and where the arts abound. In the infancy of government, where the arts do not exist, it is found too difficult and expensive to provide an asylum for the safe keeping of culprits, and to furnish the means and materials for their employment; but in a society and government where the arts abound, these difficulties vanish and leave the arguments drawn from feelings and humanity and the nature of man in their full force. By substituting the punishment proposed, a government may not only prevent the expense to which other modes of punishment must subject it; but may make it, if thought advisable, a source of revenue to the State. A more intimate acquaintance with the effect produced on the conduct of culprits, in States where this mode of punishment is adopted, would no doubt strongly recommend the measure. And in States where it has been the longest in operation, there exists the most indubitable and unshaken conviction of its utility. This honorable Assembly will permit me to bring to their remembrance the thirty seventh section of the constitution of this State; it is in the following words: “To deter more effectually from the commission of crimes, by continued visible punishments of long duration, and to make sanguinary punishments less necessary, means ought to be provided for punishing by hard labor those who shall be convicted of crimes not capital, whereby the criminal

shall be employed for the benefit of the public, or for the reparation of injuries done to private persons; and all persons at proper times ought to be permitted to see them at their labor.” To the forcible language of the Constitution I can add nothing. It is sincerely hoped the General Assembly will not permit the present session to pass away without making the necessary provisions on this subject.

The constitution further enjoins it on the Governor and Council “to take care that the laws be faithfully executed, and to expedite the execution of such measures as may be resolved upon by the General Assembly.” Very few of the executive powers of our government are entrusted into the hands of the supreme executive¹ in the first instance for execution; but on the contrary are entrusted to certain officers, who from the manner of their appointment and the nature of their duties as pointed out by the laws, appear to be exempted from executive direction or censure. As it relates to the criminal code, where the laws cannot be put in force against an individual but by the intervention of a trial in a court of judicature, the prosecuting officers are with propriety placed under its direction, as being part of a distinct branch of the Government. But in the financial department, a vigilance in the executives over subordinate officers who may in any way be employed in receiving and paying over public monies, seems more important. The necessity of any particular attention to this subject by the executive, is however superseded by wholesome laws already passed, by which it is made the duty of all subordinate officers, connected in any way with the collection of the revenue to make an annual settlement with the head of the treasury department; a settlement is also to be made with the treasury department annually, with a full and fair statement of all accounts with the balances to be laid before the General Assembly at their October session. By the foregoing provisions of the law, any call of the Executive on the treasury department for the information of the General Assembly is rendered unnecessary.

There are two statute laws of very general concern, which are left wholly with the corporations of towns for their execution: the act “for the support of school,” and the act “for laying out, making, repairing and clearing out highways,” are pointed at. It is submitted whether it would not be useful to make some provision by which the General Assembly might be officially informed how far and in what manner these laws are carried into effect by the respective corporations.

In relation to our external protection and defense, most of our legislative concerns are entrusted to the federal government; the organizing, arming, and disciplining the militia excepted. The annual return of the Adjutant General to the Governor, of the state of the Militia, rendered necessary by law, when received, shall be laid before you. It may aid the legislature in determining whether any further provisions at this time are necessary more effectually to protect community against the evils of war; an evil of all others perhaps the most to be deprecated by government.

Gentlemen of the legislature, our duty as legislators is to provide wholesome laws for the promotion of virtue, happiness, and prosperity among the people over whom the laws are to operate. The end of all government is to teach each individual of the community the necessity of self-government. When we reflect on the extensive influence of laws in molding and forming the manners, the habits and virtues of a people – that their influence, as in the present case, is to extend over little less than two hundred thousand people, the business of legislation swells to a prodigious magnitude, and creates in our minds enthusiastic expectations from its good effects. On the contrary, when we look over the history of Nations and their Governments; [and learn] how by their virtues, at one period, and by their good management, they have risen to high degrees of eminence; at others, by their corruption, venality and abuse of power have again sunk into the vortex of despotism; and that this has been the fate of all governments which have preceded ours, we are left in despondency at the wretched contemplation. May we not however flatter ourselves that these evils have arisen in a great measure from the circumstance of irresponsibility with which the powers of government have heretofore been entrusted to men. In all governments which have heretofore existed, the powers of government have been exercised by men, not in the right of community, but in the right of themselves. Is it wonderful then, that the laws, instead of being calculated to promote the general welfare, should be wrested to the purposes of individual aggrandizement. Our government is happily organized in a manner in which the duty and interest of the law-giver is very intimately connected and blended with the rights and interests of the community; and

¹ “Entrusted to the supreme executive” in the printed speech.

under such circumstances of responsibility for the exercise of his power, as compels him to feel less the sympathies of the rules than the sympathies of the ruled. It would seem, from the correct principles of our government, that nothing but an uncommon degree of ignorance and depravity could ever induce those who are employed in making and executing the laws to depart from or forgetful of the rights and interests of community. May we not flatter ourselves that there are such degrees of light and information, in relation to the science of government, diffused among the people, as will defeat if not prevent every attempt upon their supposed ignorance and credulity.

Gentlemen, that we may be in some measure instrumental in promoting, for ourselves and our constituents, the blessings of a good government, let us keep up that watchfulness over the conduct of rulers, which is calculated to teach them a just responsibility in their stations; exercising all that indulgence towards honest difference of opinion which the full and complete enjoyment of all the blessings of a free government renders necessary. May we in our respective stations during the present session, and the period for which we are elected, be directed to the adoption of the wisest and best measures for the promotion of the public happiness.

ISRAEL SMITH.²

² There are several variations in the manuscript and printed copies of this speech, some of which doubtless are errors of the Secretary of the Council, and others changes made in the copy for the printer.

Inaugural address
of
John Gregory Smith
As it appears in the
Journal
of the
House of Representatives
Annual Session
1863

Friday, October 9, 1863
Inaugural Address

*Gentlemen of the Senate
and House of Representatives:*

As we assemble once again for the exercise of the high and responsible duties assigned by the Constitution of the State, let us devoutly render to Almighty God our homage of praise and thanksgiving, that He has vouchsafed to us His blessing for the past year; that he has graciously permitted us, as a nation, to rejoice in His returning favor, and has crowned our arms with many and signal successes.

In the discharge of the high trust committed to your care, many subjects will be brought before you for consideration, deeply affecting the welfare of the State, and the material condition of those whose representatives and servants you are; and in briefly directing your attention to some of these, I respectfully invite for them your careful deliberation, and your most dispassionate counsels.

FINANCES OF THE STATE

I herewith transmit a report of the Treasurer of the State, exhibiting the transactions of that department for the past fiscal year.

From this report it appears that the total receipts into the Treasury from all sources have been
Total disbursements,

\$2,852,451 99
2,730,018 24

Leaving balance on hand, Sept. 5, 1863,
The amount of funded liabilities is stated to be
The amount of current liabilities,

\$122,433 75
1,130,723 62
453,478 31

Balance in Treasury,
Due on Taxes,

\$122,433 75
54,370 69
----- 176,804 44

Excess of liabilities over resources,

\$276,673 89

To which are to be added the expenses for the current year, approximately estimated as follows:

Extra pay of \$7 per month of to the soldiers now in service,
Ordinary State Expenses,
Interest on loans and funded debt,

\$800,000 00
165,000 00
95,000 00

\$1,336,673 89

Balance of bonds authorized in 1862, but not yet issued,

545,000 00

Leaving to be provided for,
To which should be added whatever expenses may be incurred in raising additional troops.

\$791,673 89

There is still a balance due from the United States, for expenses in raising and furnishing troops, of about

\$60,000 00

It is a question for you, gentlemen, to determine, whether it is better to increase the bonded debt, or whether it is wiser to provide by a tax sufficient to meet the present liabilities, and the necessary expenses for the current year, so far as they can be approximately made.

The State, in all its industrial interests, is in a prosperous and healthful condition, and whether the people will ever be better able to meet the burdens arising from our national trials than at present, is for you to judge.

I commit the question to your consideration, believing that you will, even better than myself, understand the feelings and wishes of your several constituencies, and that you will bring to the subject that enlightened and careful judgment which its magnitude and importance demands.

MILITARY

By the report of the Adjutant and Inspector General, it appears that Vermont has sent into the service of the United States sixteen regiments of infantry, one regiment of light artillery, numbering in all 18,224 men. Of these, the first regiment of infantry, the three month's men, were returned and discharged at the expiration of their term of enlistment, leaving at the commencement of the present year, fifteen regiments infantry, one regiment cavalry, three companies sharpshooters, and two batteries of artillery. No additional regiments have been raised during the year. During the present season, the 12th, 13th, 14th, 15th and 16th regiments of nine month's men have been mustered out of service, their time of enlistment having expired. The year from the various casualties of war, the whole number now remaining being only 7884, of whom only 6150 are on duty.

It is, therefore, a duty which the State owes to the Government that these regiments should be filled as speedily as possible. Every consideration of patriotism, justice to the noble men who have born the burdens of the fight hitherto, and whose ranks have been thinned by the heroic and fearless exposures to the fire of the enemy, the honor of the State, all, conspire to heighten the obligation which the State is under, to urge new and fresh recruits into the ranks as rapidly as possible.

It was at one time in contemplation by the Government to consolidate the decimated regiments as far as could be done, as a measure of relief, and as the surest means at hand, of securing the most effective service, with the limited number of troops then at the command of the Government. Such a measure, however necessary and justifiable it may have at the moment seemed, would have been most unjust to the war-worn and noble men and officers, who had so bravely and faithfully done their duty. It was not their fault that their ranks were thinned; it bespoke the highest commendation for their fortitude and courage, and hence, it was but just to those veteran regiments, that their organizations should be preserved, and they be permitted, if possible, to fight under the same associations, and side by side with tried and familiar comrades, rather than be consolidated with stranger troops, and under untried commanders. Fully appreciating the justice of this measure, and the advantages to be derived from it, in May last, my predecessor called the attention of the Secretary of War to the importance of filling the ranks of the veteran regiments with new recruits, rather than consolidate the regiments in the field, and augment the army by new regiments for service. The Secretary of War adopted the suggestion, and decided to appropriate the avails of the then approaching draft to the recruiting of the old regiments. It was hoped that sufficient men would thus be realized to meet the demand. The result of the draft, however, shows that only one-fourth of the requisite of men has been furnished.

Opportunity has more recently been offered by the Government, through the agency of recruiting officers, to enlist men to fill these regiments, offering as inducement large bounties, both to veterans and now recruits, to enlist. It becomes, therefore, more imperatively the duty of the State, and of every patriotic citizen to aid this effort by every means in their power.

THE DRAFT

Under the Act of Congress, approved March 3d, 1863, providing "for enrolling and calling out the National forces and for other purposes," the militia of this State were duly enrolled in June last, and a draft was ordered to be made under the direction of officers appointed by the United States Government. The constitutional right of the Government to adopt this method of raising troops, has been called in question, and serious embarrassments have arisen, in consequence of organized efforts in various parts of the country to resist the draft. Studious efforts have been made to throw odium upon this measure, by characterizing it as a conscription, and by this means to deter citizens from yielding that cheerful compliance to the demands of the law, which, more than ever, in this terrible crisis, it was their duty to do.

The law, so far from being a conscription, in any sense charged against it, is relieved entirely of all that was odious under the old French system, and only provides, in the mildest form known to history, the simple and most equitable form of a draft, with the addition of a reasonable and mild commutation, so moderate in amount as to place it within the power of men of limited means even, to avail themselves of the provision. There can be no doubt, under any fair and reasonable interpretation of the Constitution, but that Congress had the clear and obvious power to resort to this mode of raising men to replenish the wasted army. Independently, however, of all questions of Constitutional authority, it is the law of the land, and as such, is entitled to the obedience and respect of the citizens of the Government, until in the proper and legitimate method, it is judicially determined to be unconstitutional, and therefore void.

The quota assessed to this State, to be raised under the act, was 4715. Of this number only 948 have entered the service or furnished substitutes, and 1833 have paid the commutation. There has thus been paid, by the citizens of this State, into the Treasury of the United States, about *Five Hundred and Fifty Thousand Dollars*.

The men raised by the draft have been sent to the 2nd, 3rd and 4th regiments, excepting 164, performing duty at Brattleboro.

STATE MILITIA AND MILITIA LAW

The Legislature at its last session passed an act for “the organization, regulation and government of the Militia of this State.”

The act provides simply for an enrollment of persons liable to do military duty, between the ages of 18 and 45, and for the proper exemptions. In case of “war, invasion, the prevention of invasion, the suppression of insurrection or riots, and to aid civil officers in the execution of the laws of the State, the Commander-in-Chief may order for actual service, by draft or otherwise, as many of the enrolled Militia, as the case demands.” In the event the militia are called out, upon the happening of any of the contingencies named in the act, then provision is made for the proper drafting, the system of substituting, the mode of organization, and such other measures as are necessary to render the military power of the State, efficient and serviceable.

For all immediate practical purposes, therefore, beyond a simple enrollment, the law is wholly without value, and really affords to the State no protection, nor present available means of defense.

In pursuance of the act, the proper instructions, forms, blanks, &c., were prepared and distributed to the selectmen of the several towns, and the militia of the State were duly enrolled in the month of January last. Medical Boards were appointed, furnished with the necessary instructions, and held sessions in the different counties, for the purpose of examining and exempting such as were not liable to do military duty. Commissioners were also appointed to enroll the militia in the Gores and unorganized towns in the State.

The result of the enrollment was as follows:

Number enrolled,	47,183
Exempted by Medical Boards,	3,384
In United States Service,	13,687 — 17,071

Total number liable to draft,	30,112

Of this number there are known to be many who are wholly unfit for military service, being notoriously disabled, and who from that fact refused or neglected to attend before the Medical Board for examination, and pay the fee prescribed by the act, because they felt certain of being exempted, if drafted. As a result of this, the quota of the State is largely increased, and additional burdens are imposed upon those liable to draft, and injustice is thereby done to the State.

I would call your especial attention to this subject, and would recommend that the law be modified so as to guard against such a result in the future. The best mode of remedying the evil is left to your judgment. Whether it would be better to abolish altogether the fee required to be paid to the Board by the applicant for exemption, or whether it would be sufficient to authorize the board to refund, to every person who receives a certificate of exemption, the fee advanced by him, are questions for your consideration. Additional provision could also be

made for ascertaining and enrolling with more care the men who are in the service of the United States, and their exemption for that cause should be properly shown upon the enrollment list.

In the present disturbed state of affairs, both as regards the civil strife which is raging in our country, as also the critical position of the relations of this country with foreign nations, it becomes a question of serious moment for you, gentlemen, to consider whether a more efficient and active militia system is not now required in the State. The active preparations which are being made in a neighboring province for a complete, thorough and efficient organization of their militia, should properly lead us to inquire into the state of our own defenses, and the condition in which we as a State would be left, in the event of a disturbance of the amicable relations, for the present subsisting, between this Government and foreign powers. I invite your thoughtful attention to the subject, confident that you will bestow upon it that deliberate consideration which its importance justly demands.

THE SICK AND WOUNDED SOLDIERS IN HOSPITAL.

The communication from my predecessor, already laid before you, gives the full particulars on this subject. It appears that over twenty-five hundred sick and wounded Vermont soldiers, in more than one hundred general hospitals, in the different states, have been visited, and over one thousand have been transferred to the hospitals in the different States, have been visited, and over one thousand have been transferred to the hospitals in Vermont. The change of air and treatment thus secured, has not only been of immense value to the poor soldier, but has contributed a larger percent of cured and returned to duty, than from any other general hospitals known.

The system is of great value, and no effort of mine shall be wanting to give it all the efficiency the nature of the case will admit of.

THE STATE IN HER AGRICULTURAL INTERESTS AND PROSPECTS.

I have only time to allude, in a general way, to the material interests of Vermont, in that department of her industry which constitutes alike her pride, and her chief source of wealth. In an eminent degree, Vermont is an agricultural State, and it is to this, more perhaps, than to any other source, that she is indebted for the high character for virtue and morality, which she everywhere sustains – for that spirit of exalted patriotism, which has ever been her leading characteristic, and for that love of freedom and free institutions which have secured for her an enviable distinction on the records of our nation's history.

Within the last decade of the agricultural interests of Vermont have received an impetus and a growth which has placed her in the foremost ranks. The ready means of transportation to market, afforded by her railroads, placing her thus in ready communication with the seaboard, for foreign markets, and with the large and prosperous manufacturing districts of neighboring States, have contributed in no small degree to the advancement and prosperity of the State in this her leading interest.

Already have her dairy products and her horses found their way to foreign markets, and acquired an enviable notoriety, and still more recently, her sheep have been introduced into favorable notice in foreign countries, and under circumstances likely to secure to Vermont, not only a high reputation, but to bring her in return, a rich and extensive trade in that branch of her industry. In February last, the State Agricultural Society appointed Hon. Daniel Needham, the efficient Secretary of the Society, Commissioner to attend and represent the to be held at Hamburg, in Germany. Other States were represented at the Exhibition by Commissioners appointed under State authority. New York, Rhode Island, Massachusetts, New Jersey, Illinois, and I think Pennsylvania, were all represented. Among another products taken from Vermont by the Commissioner for exhibition, were taken from Vermont by the Commissioner for exhibition, were twelve merino sheep, and I am happy to congratulate the State upon the success which attended the enterprise.

In the list for competitors for prizes at the Exhibition, were more than two thousand sheep, representing the best flocks from all the Germanic states, from France, England, and nearly all the countries of Central Europe. Against this strong competition, and contending against the natural prejudices existing towards American products, Vermont won, at the hands of an able and impartial board of judges, the two first prizes, and one second prize, for her sheep. The result of this to the sheep breeding interests of Vermont, can hardly be

estimated. It was a great achievement, and is destined to give to America, and especially to Vermont, that which Europe has for so long a time almost exclusively enjoyed, to the rich and valuable trade in stockbreeding sheep.

AGRICULTURAL COLLEGE – LAND SCRIP.

The Legislature at its last session passed an act “providing for the appointment of agents to receive and dispose of the land scrip to which this State may be entitled under the act of Congress, approved July 2d, 1862.”

The act, after appointing the agents to receive the scrip, and conferring upon them certain powers, and imposing upon them certain duties, authorizes the Governor of the State to receive proposals for such donations of land, buildings and funds, as may be tendered from any portion of the State, or from any person or persons, for the purpose of establishing a College, according to the provisions of the act of Congress. The act also provides, “that all moneys derived from the sale of the land scrip shall be invested by the Treasurer of the State, in safe stocks, yielding not less than five per cent. Upon the par value of the stocks, and the interest of the fund shall be appropriated for the purposes declared in the act of Congress.”

The act of Congress donates to each State land to the amount of thirty thousand acres to each Senator and Representative in Congress, the proceeds of the sale of which, or of the land scrip to be issued therefor, is to be invested in stocks of the United States, or of the States, or some other safe stocks, yielding not less than five per cent, upon the par value of said stocks, and to constitute a perpetual fund, the interest of which is to be inviolably appropriated to the endowment, support and maintenance of at least one College in each State, where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to Agriculture, and the Mechanic Arts, in such manner as the Legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life, — and further providing that any State which may take the benefit of the provisions of the act, shall provide, within five years from the date of said act, at least one College, as described in the act, or the grant to the State to cease; and requiring the State, by its legislation, to express its acceptance of the provisions of the act within two years from the date of its approval.

This brief synopsis of the general features of the act of Congress will enable you to understand more readily the position which this State, by its action at the last session of the Legislature, occupies in reference to the subject. The act of last fall expressed the acceptance, by the State, of the provisions of the act of Congress, within the prescribed period. It also appointed agents to procure the land scrip from the United States Government, to which this State is entitled, to dispose of the same, and invest the proceeds of the sales in safe stocks, bearing not less than five per cent., and appropriated the fund to establish a College, as required by the act of Congress.

The agents appointed under the act will, in due time, submit a report of their doings. I understand, however, that application has been made to the Secretary of the Interior for the land scrip, and that the scrip either has already been, or will soon be, issued by the State.

There remains now but a little more than three years, within which time the state must comply with the provisions of the act of Congress, and establish a College for the purposes specified, or the grant, as to this State, is to cease.

The shortness of the time, the importance and magnitude of the enterprise, its effects upon the education interests of the State, and the great variety of questions involved, justify me in calling your especial attention to the subject at this time.

By the terms of the grant, there will fall to the share of Vermont one hundred and fifty thousand acres of land, which, at the minimum valuation of government lands, is equivalent to one hundred and eighty-seven thousand five hundred dollars, which, safely invested in our own State stocks, bearing six per cent. Interest, would yield an annual income of eleven thousand two hundred and fifty dollars, for the support of the institution to be established; or, computing the valuation at double the minimum price, which it is not unreasonable to expect to realize for the scrip, and which is the rate for railroad grants, the valuation at double the minimum price, which it is not unreasonable to expect to realize for the scrip, and which is the rate for

railroad grants, the valuation would be equivalent to three hundred and seventy five thousand dollars. These valuations of land, or amounts to be realized from the sales of the land scrip, will be varied according the circumstances, and may be enhanced or diminished according to the location, and the judgment and skill used in making sales of the same, and a variety of other causes that may contribute to appreciate or lessen the demand for them. Taking into account the tide of emigration setting towards this country, growing out of the efforts being made, and the various organizations which have been formed, in various parts of the country, to stimulate and encourage it, it is but reasonable to suppose, that with proper care in the location of the lands, and judgment in the sales of the scrip, at least the last figures named above may be realized to the State.

The object of this generous grant is fully expressed in the act itself, “the endowment, support and maintenance of at least one College, where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislature of the States may respectively prescribe, *in order to promote the liberal and practical education of the industrial classes, in the several pursuits and professions in life.*” A most worthy object indeed—and sustained by a most munificent grant,—available to every state and abundant, if properly managed, to secure the desired end—the education and consequent elevation of the masses of the people. Fully harmonizing with the genius of our democratic institutions, utilitarian in its scope and plans, favoring no privileged class, but generously opening broad the door for the liberal and practical education of the industrial classes, affording them access, not only to the higher branches of a scientific and classical education, but superadding to this a systematic and thorough training in the every-day, practical, and hitherto almost untaught, science of agriculture and the mechanic arts.

To Vermont, this scheme has a peculiar values and importance. Eminently practical in all her pursuits and interests, with a population hardly equaled, certainly not surpassed, in intelligence and virtue, her hardy sons only need the stimulating influences which a thorough education in such an institution, properly managed, would afford, to place them in the foremost ranks among the cultivated and refined, and secure to her a position for intelligence, wealth, influence and refinement, second to none in the great sisterhood of states.

The grave question, however, arises, how the benefit to be derived from such an institution can best be secured. Shall it be established as a separate and independent institution, in which shall be taught all the higher branches of a scientific and classical education, with a school for military tactics, and the agricultural and mechanical branches? This is, manifestly, the design and scope of the grant. But can such a College be sustained, and yet justice be done to the other institutions, already established in the State, and which, to a greater or less extent, have always been under its fostering care? Can a department of agriculture and mechanic arts, and of military tactics, be attached to one or the other of these institutions, without creating local jealousies, and in this way secure the benefits of the act?

There are now in the State two Colleges and one Military School, — each of them established under the authority of the State Legislature, with certain powers and privileges, and each having been made the beneficiaries, to greater or less extent, of gifts, bequests and endowments, and yet, so far as my knowledge extends, neither of them is fully self-sustaining, and although they all rank high as seminaries of learning, and have accomplished a good work in the cause of education, numbering among their alumni many of the noblest minds of the country, of whom the State and the institutions may well be proud, yet, in financial resource, they have not that healthful vigor and strength necessary to a full and proper development, and without which it is, and ever must be, impossible to realize the true idea of their creation.

If a plan could be devised, by which the several institutions could be combined into one, uniting the strength and resources of all, and adding to this the departments contemplated by the act of Congress, and securing thereby the funds to be received from the grant of lands, then, indeed, might be realized the true idea of a University for the State, an institution which would justly be the pride of the State, an institution which would justly be the pride of the State, and which, without being its beneficiary, would yet receive its liberal countenance and its patronage. For such an institution, in all its various departments, the best talent of the country could be secured, and a rank and character given to it that few institutions now enjoy.

I am by no means unmindful of the difficulties that lie at the threshold of such an enterprise. There are local questions and jealousies to overcome, all the feelings which so strongly attach to Alma Mater, and a variety of difficulties, that will naturally occur to the minds of all. Still, are not the benefits to be derived from a combination of these several institutions, and the establishment of one, on the basis which I have suggested, sufficient to override all these objections and difficulties? Will not the new impulse be given to the cause of education, and the facilities to be afforded to the industrial classes in the State, through the agency of a well organized institution of this kind, be sufficient inducement to overcome local prejudices and feelings, and other minor difficulties that may stand in the way?

There is another feature connected with this subject, which may not be unworthy of consideration.

By the act of last fall, the Treasurer is authorized "to invest the proceeds of the sales of the land scrip in some safe stocks, yielding not less than five per cent. Per annum;" and the act of Congress authorizes the investment in United States stocks, or in State stocks. The amount to be realized from the sales of this scrip, as has already been stated, will vary according to circumstances, but it is not unreasonable to hope that it may reach the highest figures named.

The present funded debt of the State, as now authorized bearing six per cent per annum, is one million six hundred and fifty thousand dollars.

May not a portion of this debt be permanently merged in this land-scrip fund, and thus the State be benefited to that extent, in a permanent investment, the interest of which shall be paid to her own institution, and for the benefit of a cause, so commendable as that of the educational growth and prosperity of her own citizens?

Whether any action is required at the present session of the Legislature in reference to this subject, is left entirely for you to determine. The suggestions which have occurred to me I have given, merely for your consideration and not as seeking to direct your action. If the attempt to unite the several institutions should be deemed advisable, and it should be found practicable to do so, some legislation will doubtless be required, as the charters creating them do not, I think, contemplate any such union.

Whether it may be advisable or not to pass an enabling act, at the present session, to provide for such an event, if the public and the patrons and friends of the institution should desire it, or whether it may not be sufficient to refer the whole subject to a Board of Commissioners, to inquire into and report at a future time, are questions for you to determine. It will give me great pleasure to conform to, and to aid any course of action which the Legislature may be pleased to adopt in the premises.

THE SOLDIER AND THE STATE.

I would earnestly recommend the passage of a law securing to the soldiers who are now already, or who may hereafter be called into the service of the United States, from this State, the right to exercise their elective franchise, and guaranteed and secured to the freemen of this State by its Constitution; and I would respectfully urge this measure upon your consideration, as an act of justice to the brave sons and freemen of Vermont, who are so nobly doing battle in the cause of the country and as a fitting testimonial of the appreciation in which those services are held by the people of the State.

Moved by an earnest patriotism, and in the holy ardor of an undying love for the great blessings of civil liberty, restrained by no mean circumstance of personal cost or sacrifice, and with a devoted loyalty to that government which has been their shield and protection, they have gone forth from among us, a noble brotherhood, to imperil life, and all that life holds dear, to battle, not for glory or renown, but to maintain for and perpetuate to us, in common with all the country, the great and glorious principles of constitutional liberty, the heritage of a free people.

Enduring all the hardships and privations of the camp, denying themselves the comforts, the luxuries and privileges of home communions, which we are permitted to enjoy, far away from us, on a stranger and hostile soil, worn and wasted by many sufferings, yet nobly bearing up under them all with a patience and fortitude worthy of the cause for which they suffer, knowing but one duty, service to their country, they appeal in language too strong to be resisted, for that privilege which all freemen so highly prize, which, whether at home

or on the field, is ever dear to their hearts, the right to exercise the elective franchise, that distinguishing mark of freedom and freemen. It surely needs no words of mine to urge this upon your consideration, and while I am deeply sensible of the difficulties that surround the question, and of the opportunity which would be afforded for abuse of the privilege, yet, I am fully confident, that it is in the power of the Legislature to frame a law, which, while it will secure the State to all reasonable extent against frauds and abuse, will also secure to the citizen soldiers a privilege which it is ungenerous to deny, and which can, in all soundness of convincing argument, be urged and claimed as a right. They are rendering high service to the country, in the stupendous conflict which is now stirring the nation to its foundations, by their presence on the field' and shall they be denied a voice at the ballot-box, where preeminently the measures which are to affect, for weal or woe, these great and pending issues must of a necessity be decided.

None, more than they, have a vital interest in these great questions, none have a higher appreciation of the merits involved. Ours are no hireling soldiery, who blindly execute the will of superiors, without knowing for what they fight. They have gone from among the sovereign people, intelligent freemen, constituent elements of the government, to contend for a cause in which they have a personal interest, and to maintain principles which, when the contest is finally closed, will affect them in common with all the rest, and are fully entitled to the privilege of exercising this right.

Proudly do we this day recall the high deeds of valor of our gallant sons and brethren. Nobly have they sustained the well earned fame of their Green Mountain State. With unfaltering courage and heroic endurance have they borne themselves in every contest, and whether on the tented field, or in the dreaded hospital, whether on the long and weary march, or before the murderous fire of traitor bands, everywhere and under all circumstances, have they borne themselves with veteran intrepidity; shrinking from no dangers, quailing under no assaults, but attesting their prowess in every battle, and adding fresh and still brighter laurels to the name and fame of their noble State.

But sadly do we turn to the Heroic Dead! Softly would we touch the strings that vibrate only to plaintive notes, – Husband! Father! Brother! Son! The loved, the fondly cherished! Nobly have they fallen, and in a glorious cause. Their country called, and in the great cause of Humanity, they died, and though their bones lie bleaching on a distant soil, far away from home and friends, yet ever fresh will be their memories in the hearts of the living and the loved.

“ 'T were sweet, indeed, to close our eyes
With those we cherished near,
And wafted upward by their sighs,
Soar to some calmer sphere;
But whether on the scaffold high,
Or in the battle's van,
The fittest place for man to die
Is where he dies for man.”

THE COUNTRY.

In no doubtful sense, is Vermont the uncompromising foe of tyranny and oppression, in whatever form or wherever it exist. Free, as the air of her native hills, in all her own institutions and policies, she has ever advocated the great principles of Constitutional Liberty, in their broadest sense, and maintained them with unwavering fidelity, yet adhering steadfastly TO THE Union in all its integrity. It was this that actuated her, when at the outbreak of the war, the first of all the States, she threw off the shackles of party, and declared herself unqualifiedly for the Constitution and the Union, and for sustaining the Administration in all its efforts to suppress the rebellion. Applying no test of political faith, but loyalty to the Government, and yet, in all this yielding up none of the great cardinal principles, for which she has for years so faithfully contended. Hence it was, that when the proclamation for the emancipation of the slaves was promulgated, she hailed the measure with extreme satisfaction, not only as a military necessity, but as a harbinger of the great work of ultimate destruction to that institution, which has been the origin and cause of all our national troubles.

The progress of events within the past year, in the struggle which now involves the country, has been such as to call forth our devout gratitude to Him who controls the affairs and destinies of nations. We are permitted to enter upon our labors at this time under brighter auspices and more cheering hopes than when we met here, as a legislature, one year ago. Then the clouds hung portentously over our national affairs. Since then, victories have taken the place of defeat, confidence has succeeded to despondency and distrust, and the power of the government is being felt and demonstrated, as one stronghold after another of the rebellion is giving way, and its limits and boundaries are being narrowed and circumscribed.

But while we thus indulge joy at the brightening prospect, let us not be unmindful of the burdens yet to be borne, the sacrifices yet to be made, and the work yet to be accomplished, before we are permitted to enter upon the full and perfect realization of a peace, permanent in its character, a government restored to its pristine power and authority, strengthened and purified by the ordeal through which it has been called to pass, and rendered dearer to the hearts of all its subjects, by the new and added cost of treasure and blood, which have been expended in redeeming it from the assaults of treason, and the machinations of ambitious and designing men.

Reposing with humble faith in the power of an Almighty Ruler to work out his own plan and purposes, and earnestly entreating Him, that he will forgive all our great national sins, and speedily re-establish us, as a nation, wherein shall dwell peace and righteousness, let us steadfastly adhere to the great principles of our fathers, and yield to the government all the aids and encouragements which it is in our power to furnish, whether by active material assistance, or by the no less powerful agency of loyal and hearty sympathy. Let us guard ourselves against the insidious efforts of disloyal men for a dishonorable peace, and firmly resolve to endure to the end, until the last vestige of treason is effaced, and the rightful authority of the Federal arm is fully asserted and willingly confessed throughout each rebellious district, and the people thereof brought into complete subordination to its power and rule.

*Senators and
Gentlemen of the House:*

Upon you as the exponents of a free and sovereign people will devolve the high duties of contributing in a legislative form to the further and more efficient support of the national government. As one of the great sisterhood of States, Vermont has, through you, to utter with still higher power her allegiance to the Federal Government, to express her willingness to endure all needed burdens, to lay upon the sacred altar of our common country the world that she still maintains, in its highest devotion, her love for the great principles of "Freedom and Unity."

In no partisan spirit, therefore, and with a high resolve to admit of no disturbing elements, let us each enter upon our respective duties, and with mutual forbearance, as co-laborers in a great cause, discharge them with a faithful regard to the best interests of our commonwealth.

J.G. SMITH

EXECUTIVE CHAMBER, Montpelier, Oct. 9, 1863.

Inaugural address
of
John Gregory Smith
As it appears in the
Journal
of the
House of Representatives
Annual Session
1864

Friday, October 14, 1864
Inaugural Address

Gentlemen of the Senate
and House of Representatives:

After a year of many mercies and great prosperity, as we meet to perform the duties imposed upon us by the constitution of the State, I would earnestly invite you to join with me in rendering to Almighty God the honor and praise that is His due, and to seek His favor and blessing upon the deliberations for which we are now assembled.

I respectfully submit the following statement of the transactions of the State for the year, with such recommendations as seem to require your consideration.

FINANCES.

The detailed report of the Treasurer, which I transmit with this, will clearly exhibit to you the financial condition of the State.

From this it appears that the total receipts into the Treasury from all sources have been		\$2,327,527 66	
Balance September 1st, 1863,		122,433 75	

		\$2,449,961 41	
Total disbursements,		2,025,864 85	

Leaving balance on hand, September 5, 1864,		\$424,096 56	
The amount of funded liabilities is stated to be		\$1,425,401 41	
		41	
The amount of current liabilities,	\$644,982 13		
The amount of current resources,	429,538 42		
Excess of current liabilities,	-----	\$215,443 71	
The current expenses of the year are approximately estimated as follows:			
Extra pay of \$7 00 per month,		775,000 00	
Ordinary State expenses,		150,000 00	
Interest on loans and funded debt,		120,000 00	

		\$1,260,443 71	
Deduct bonds authorized in 1862 and not issued,		250,000 00	

Leaving to be provided for by tax or loans,		\$1,010,443 71	

This amount may be increased to the extent of whatever expenses may be incurred in raising additional troops.

The balance due from the United States for raising and furnishing troops, as reported in my last communication, is about \$60,000 00. This amount still remains unpaid. Efforts have been made to procure an adjustment of the accounts, but causes beyond my control have thus far prevented. The accounts against the United States for the current year also remain unliquidated. These will amount to about the sum of \$30,000 00. I hope soon to be able to effect a full settlement of all these accounts.

Orders have been drawn by me on the Treasurer to September 1st, amounting to \$63,617 48, which may be classified as follows:

Services and expenses of recruiting officers,		\$24,719 84	
Subsistence of recruits not mustered,		1,934 82	

Transportation of recruits not mustered,	785 07
Medical attendance and inspection of recruits,	73 70
Arrest of deserters,	93 54
Barracks for Co. A, 17th regiment,	485 57
Equipment for recruits for old regiments,	1,577 14
State pay prior to muster and pay of officers,	17,474 42
Expenses of Adjutant and Inspector General's office to June 1st,	6,570 18
Expenses of Treasurer, November 1, 1862, to November 1, 1863,	3,475 69
Services and expenses of Surgeon General,	325 55
Expenses of Executive Department,	435 33
Expenses special agents,	322 20
Care of sick and wounded soldiers, including services and expenses of Commissioner and State agents,	\$4,184 98
Telegrams to August 1st, 1884,	1,159 45

	\$63,671 48

STATE AID TO SOLDIERS' FAMILIES.

In October last, I appointed John Howe, Jr., Esq., of Brandon, agent of the Slate, to furnish the necessary aid to the families of the soldiers. The report in detail of that department is herewith transmitted.

From this it appears the amount expended during the past year is \$18,700 42. The number of families aided, 471. Number of aided, 2058.

The transactions in the department under Mr. Howe's management have been concluded with great ability and discretion, and while the duties have been delicate and the labors arduous, prompted purely by motives of patriotism and without compensation, the interests of the State have yet been protected with great fidelity, and the destitute families of the soldiers have received that care and assistance which it was the object of the law to furnish them.

MILITARY.

On the 3rd day of August, 1863, the War Department authorized the raising of two additional regiments of infantry and one battery of light artillery.

In pursuance of this order, my predecessor made arrangements for, and appointed the necessary recruiting officers to raise the 17th regiment of infantry and the 3d battery of artillery, and also to a partial extent the 18th regiment of infantry. It was expected under this order that these could be raised as veteran organizations from the men just returned from the nine months service, and, as inducements for speedy enlistments, the Government authorized the payment of a bounty of four hundred dollars to veterans, and one hundred dollars to new recruits.

The severity of the service which experienced in the battles at Gettysburg, which occurred just on the eve of the expiration of their term, deterred them from immediate enlistment, and at the time of my entering upon the duties of my office but comparatively few men had enlisted into these organizations.

On the 14th of October, 1863, the call for three hundred thousand men was made by the President, to serve for three years, and authority was given for the payment of four hundred dollars to veterans and three hundred dollars to new recruits. The quota, under the call, assessed to Vermont, was three thousand three hundred and thirty men, and the period within which to raise the troops was limited to January 5, 1864. The work was at first very greatly retarded from the difficulty of properly adjusting the credits due and belonging to the several towns, from the fact that towns, as sub-districts, were not recognized by the Government. Efforts were, however, promptly made, by application to the War Department, to remedy the difficulty, and after some delay an order was obtained recognizing towns as sub-districts, and the quotas were accordingly assessed to the towns and their credits properly adjusted. The quota of the State was then promptly filled within the period limited by

the call, and on the 1st day of February following, sixteen hundred and twenty-one enlisted men stood to the credit of the State as a surplus over all calls that had been made. This surplus continued from that time constantly to augment, with slight variations, under the calls of February 14th and March 14th, so that, at the date of the last call by the President, July 14th, the State had an entire surplus of two thousand two hundred and one men.

Under this last call for five hundred thousand men, the quota of the State was five thousand one hundred and fifty-six. Fifty days from the date of the call was the time allotted for filling the quota, and it is with a feeling of just pride that I congratulate the State upon the promptitude with which she has responded to it, and that on settlement with the General government to October 1st, there was found to be due to the State a surplus of *one thousand and fourteen* men, which stands to her credit against any future call, should one hereafter be made.

The report of the Adjutant and Inspector General, which will in due time be laid before you, will furnish you more fully in detail the transactions of his department. It is but justice to that officer to say that the State is largely indebted to him for the energy and efficiency displayed in the details of his department. The services rendered by him have been of great value, and have contributed largely in securing to the State the proud position which she this day enjoys.

The efforts which were made throughout the State to fill the quotas under the first call, the liberal bounties paid by the towns generally, and the fact that under this call new recruits received three hundred dollars bounty from the General Government, while under the order authorizing the raising of the 17th and 18th regiments and the 3d battery, only one hundred dollars was authorized, all conspired to retard enlistment in these organizations, and the question was seriously entertained of disbanding them altogether. Great expense had been incurred up to that period in the attempt to raise the men, and to abandon it at that point would have involved the State in a very heavy burden. I, however, did not feel justified in attempting further to fill the 18th regiment, and accordingly directed the transfer of the men enlisted for that to the 17th regiment. Application was then made to the Secretary of War for authority to pay new recruits for this regiment Government bounty of three hundred dollars, instead of one hundred. This authority was finally, and after repeated efforts, on the 29th of December, granted. Still further difficulties were experienced at this time by the withdrawal of the town bounties. The embarrassments thus encountered delayed greatly the organization of the 17th regiment. The 3d battery was filled and mustered into the service of the United States on the 5th of January, 1864.

On the 18th of last April seven companies of the 17th regiment were sent to the field under the command of Lieut. Col. Charles Cummings. On the 19th day of May the 8th company, and on the 6th day of July the 9th company, were also sent to join the regiment. The 10th and last company has been fully organized, and is now at New Haven, Connecticut, waiting to be ordered forward. By special arrangement with the Secretary of War, in this regiment, though its ranks have been sadly decimated by the recent severe battles, has been accepted as a complete organization, and authority has been granted to muster its colonel.

The total amount of men furnished by the State, since the commencement of the war, is thirty-two thousand seven hundred and ten men—as follows:

For three months service,	782
For nine months service,	4,833
For one years service,	1,758
For two years service	1
For three years service,	25,336

	32,710

The total number in service on the 1st of October, as near as can be ascertained from the latest returns, is about twelve thousand two hundred and fifty.

The total number raised since October 1, 1863, including 17th regiment and 3d battery, and credits not heretofore allowed, is 14,020.

The State has thus furnished during the past year more men than in any previous year since the commencement of the war. And the promptitude with which they have been furnished indicates in most unmistakable language the determination of her people to vindicate the power of the Government in this great struggle, and to favor a vigorous prosecution of the war as the only sure means of establishing a peace that shall be alike honorable and enduring.

AMENDMENT OF ENROLLMENT.

Previous to the call of the President for five hundred thousand men in July last, orders had been issued by the War Department to the Acting Assistant Provost Marshal General of Vermont, to have the enrollment lists in the several towns in the State properly revised and corrected up to July 1st, 1864. Notices were accordingly published in several newspapers in the State, calling upon the selectmen to see that the enrollment lists were properly corrected. Upon the returns thus made the quotas of the several towns were assessed. Owing, however, either to the fact that the notices did not reach all the towns, or to a misunderstanding and neglect on their part, great discrepancies were found to exist when the quotas were announced, and numerous applications were made to the Acting Assistant Provost General for the correction of these errors and the reductions of quotas. A careful examination into these complaints satisfied that officer that there were just grounds for them, and that further opportunity should be given for correcting the lists. Accordingly on the 24th day of August notice was given to the towns to correct the lists, and upon returns being made, it was ascertained that the former enrollment was too large by nearly five thousand, and that consequently the State had been assessed nearly eight hundred men too many. A new assessment of quotas was therefore ordered. The Acting Assistant Provost Marshal General, however, did not feel authorized to make any alteration or reduction of the general quota assessed to the State at large, or to the several congressional districts. Consequently the new assessment to towns was made upon the amended enrollment, still retaining the basis of the old assignment of quotas to the State and congressional districts. This mode of assessment, although affording relief to some towns, only increased the burden to others, without relieving the real point of difficulty. It became necessary, therefore, to apply to the War Department for the necessary relief. I accordingly made application, and succeeded in obtaining not only the proper reduction of the enrollment, but also the corresponding reduction of the quota of the State, and authority to apportion this to the several towns entitled to the same, so as to equalize the several congressional districts. The number thus credited was seven hundred and sixty-seven men, which have been properly distributed to the towns, thus giving to many towns who had already promptly furnished their full quotas, a large excess and credit to apply on future calls, while at the same time those towns which were unjustly burdened by too excessive an assessment have been properly and justly relieved.

The question of the expiration of the term of service of the recruits who enlisted into various regiments from this State in the summer and fall of 1862, has been an exceedingly delicate and troublesome one, both to the State authorities and to the General Government; and while I have labored earnestly both by frequent correspondence with the War Department, and by personal interviews, to secure for them what seemed to me but an act of justice, I am yet compelled to report my inability to accomplish any favorable result.

A simple narration of the facts will better convey to your minds the true position of affairs, and enable you to judge of your duties to these men under the peculiar circumstances in which they are placed

In 1862 the Governor of Massachusetts obtained from the War Department a special order for that State, to the effect that the term of service of all volunteers enlisting in regiments then in the field, would expire with that of the regiment to which they might attach themselves, which order was promulgated in the usual form by publication in the papers of the day. At the same time efforts were being made to recruit for the Vermont regiments, and the order from Massachusetts being published in the form of a general order, and in papers that were extensively read in this State, inquiry was made of the State authorities, both by officers recruiting and by the recruits themselves, whether the term of service of such as might enlist in the Vermont regiments would expire with that of the regiment into which enlistments might be made. To this inquiry, reply, as I am informed, was uniformly made, that it would, and assurances were freely given in all cases where the question was raised, till it became the general understanding throughout the State. Upon the strength of these, coming thus authoritatively, recruits enlisted freely and joined the regiments of their preference.

My attention was first called to the subject by a memorial, signed by several of these recruits, who had been informed unofficially that they were to be held for the full three years' service. The enlistment contracts and muster rolls, signed by the recruits, were for the period of three years, but these were at the time regarded as mere form, the assurances given being most prominent in the minds of the recruit, and being wholly relied upon by them. The faith of the State thus became strongly pledged to these men, and they had the right to believe that the pledge would be preserved inviolate.

In May last I first called the attention of the President and Secretary of War, to the subject, and they informed me that no authority had ever been granted to this State for such assurances as were given, and while they deeply regretted the disappointment to these recruits, and would cheerfully grant the request for their discharge with the several regiments to which they were attached, if it could consistently be done, yet that regard for the public safety compelled them to deny the request. That the same question existed in other States, and to grant the request in one instance would settle the principle as to all, and great injury would consequently result to the service, just at the critical period of an important and active campaign. Subsequent applications have resulted in a similar manner. The disappointment to the recruits in many instances is very great, and yet, I am proud to say, that, so far as has come to my knowledge, these soldiers have borne their disappointment manfully, and have performed all the duties assigned them with a cheerfulness and alacrity that speaks loudly in their praise.

I would respectfully submit for your consideration whether it might not be well to place these recruits for the remainder of their term on the footing of re-enlisted men, and, if anything should be done for these latter, in the form of a bounty from the State, that these recruits should also, under these circumstances, be considered, and receive the same or a proportionate bounty. These recruits embrace those who enlisted in 1862 into the regiments and organizations then in the service, and companies L and M of the 1st Vermont Cavalry.

STATE MILITIA AND MILITIA LAW.

In my last communication I took occasion to direct your attention briefly to the subject of adopting an efficient and active militia system. The events of the past year and the present threatening aspect of affairs, render it especially proper that I should again and more earnestly, invite you to a serious consideration of the subject.

Vermont stands to-day utterly destitute of any arm of defense or any efficient power to resist or to prevent invasion. The dangers to our northern frontier are by no means inconsiderable, nor can I with a just regard for the welfare of the State overlook them; nor, in the light of the evidence now in my possession, can I justify myself in withholding an urgent appeal to the Legislature to frame such law as will place the State in that position of security, and afford those means of protection to her people, without which they are left exposed to the most wanton and high handed predatory incursions. A prudent regard for the public interest does not admit of my communicating, in this form, all the facts in my possession tending to show the actual dangers to which, during the past year, the State has been exposed. It is sufficient for me to say that such evidence, coming from authoritative sources, was placed in my possession as satisfied me that the peace and safety of our border were seriously threatened, and to lead to the adoption of proper measures to prevent disasters which would have been most serious in their consequences to the entire community. Nor are the dangers by any means altogether averted. The more recent movements upon the western lakes and along the northern frontier are but evidences of thoroughly organized plans, limited by no means to those special localities, but extending to the whole line of our frontier, manifesting themselves now upon the more easterly portion and now at other and more remote points along the western border, but all partaking of the same general purpose, and bearing unmistakable evidence of being controlled and actuated by one master mind.

I am not unmindful of the sentiment that has hitherto so extensively pervaded the minds of the people of the State, in regard to organizing the militia; and the arguments that have been urged against such a measure have appealed to my own mind heretofore with controlling force. The burdens already resting upon the State are large. The young men who would have been relied upon to bear the most prominent part in such organization have been drawn from us to engage in the active service of the country; the enterprises of the State have thus to

a great extent been made to suffer, and heavier burdens are in consequence thus imposed upon those who are left at home.

These and kindred arguments have weighed with me hitherto with great force, and I have been not altogether free from doubt as to the expediency of attempting such an organization at the present time. I have, however, become fully satisfied that a just regard to the safety of our commonwealth demands now at the hands of the Legislature an immediate and vigorous preparation for defence.

If there were ever a time when our safety depended upon our vigilance, when a well ordered and efficient militia would prove a bulwark to preserve our peace, and a "basis of defence" against threatened invasion, and perhaps the only means of averting it, that time has, in my deliberate judgment, fully arrived.

Feeling thus the importance of the militia, and with a view to relieve the State, so far as is practicable, of the great and principal source of expense attending such an organization, I made application to the Secretary of War for a sufficient quantity of arms, accoutrements and ordnance stores to arm and equip the militia of this State to the extent of fifteen thousand muskets, in the event of an organization of the militia by the Legislature. In reply the Secretary of War has signified his willingness to furnish the amount required. The State will thus be relieved of the great and principal item of expense; and that which has hitherto been used as a most potent argument against an organization, is now removed. I also received personal assurances from the Secretary that camp equipments such as might be required for drill and instruction in camp would be freely furnished by the department to the extent needed, on the proper requisition.

I transmit with this the correspondence with the Secretary of War on this subject, to which I would respectfully call your attention.

I would therefor respectfully recommend the passage of an act providing for an immediate and proper enrollment of all the arms-bearing population of the State, with proper provisions for examinations and exemptions; from the number thus enrolled. Such number of regiments, brigades, and divisions to be organized, armed and equipped, as in your better judgment may be thought expedient, and suitable provision to be made for necessary drill and instruction in military duty, and for calling out the militia as occasion may require, with power to the Executive of the State to draft from the enrolled militia to fill up from time to time the regiments organized, or if necessary to organize new ones.

Upon the proper details of such an organization you will be best able to judge, and I commit the whole subject to your careful consideration, trusting that you will be led to such favorable results, and perfect such a system as will be simple and efficient, and at the same time secure to the State that sure and ample measure of protection from foreign aggression which can be best found, in the form best adapted to our free institutions, only in a well trained and thoroughly-disciplined, patriotic citizen soldiery, "ever present, rarely seen, quartered among us, not in camps and forts, but at the fireside, in the counting-room, the workshop, the place of business," ready with stout hearts and trained hands to defend our firesides and our homes from the aggressions of a foreign foe, or from the more ruthless attacks of bold marauders, instigated and led on by domestic traitors.

HOSPITALS.

In obedience to the joint resolution of the two houses authorizing and requesting the Governor to provide further and ample accommodations for the sick and wounded Vermont soldiers, I proceeded at once to make such provisions as the interests of the State and the exigencies of the service seemed to require. Instructions were given to the acting Surgeon General of the State, Dr. S. W. Thayer, to make provision for the enlargement of the hospital at Burlington to the extent of two hundred beds and also to examine and report the best location for the erection of hospital buildings, regard being had to the best accommodation of all parts of the State. In obedience to the instructions given, the acting Surgeon General made the proper examinations, and submitted his report, recommending Montpelier as the best and most desirable location, all things considered, and that the necessary buildings for the accommodation of three or four hundred patients be erected, as soon as practicable, provide the location should meet the approval of the Medical Director of the Department of the East. The Medical Director in a personal interview approved the location and the report of the Surgeon General of the State was subsequently submitted to him, and received his cordial approbation. The report and letter of approval

are herewith transmitted. Preparations were accordingly made for the erection of the necessary buildings, and the work was placed in charge of the Quartermaster General of the State.

In the early part of June last the buildings were partially completed, and accommodations prepared for about three hundred beds.

The reports from the several hospitals show that an aggregate of four thousand two hundred and sixteen patients have been received during the past year, as follows:

At the United States General hospital a Brattleboro, since October 1, 1863,	2412
At the Baxter United States General hospital at Burlington, since October 1, 1863,	933
At the Sloan United States General Hospital at Montpelier, since the completion of the Hospital in June,	871

The same reports show remaining in Hospitals, October 1st, 1864, an aggregate of thirteen hundred and four, as follows:

United States General Hospital, Brattleboro,	487
Baxter United States General Hospital, Burlington,	338
Sloan United States General Hospital, Montpelier,	479

	1304

The large number of wounded in the recent battles will soon increase this number, and added to this the usual proportion of sick among the new levies who have just gone to the field, the hospital accommodations will soon now be found too limited.

The amount expended in enlarging the hospital at Burlington has been assumed and paid by the General Government, and that amount does not appear in the accounts of the State. The Treasurer of the State has advanced, by my direction, for the hospital at Montpelier, the amount of thirty-two thousand five hundred dollars. Other buildings are now in process of construction, consisting of a chapel and barracks for the Veteran Reserve Corps. The work has been under the supervision of the Quartermaster General of the State, and all vouchers and details of expenditures will be found in his accounts.

In May last, arrangements were made with the War Department to occupy the hospital so far as finished, and to supply the necessary furniture. Notwithstanding the large increase of hospital accommodations, there is not yet sufficient in the State to supply the demand, and many soldiers are still left in distant hospitals unable to be transferred to Vermont for want of room.

No State has made more liberal provisions for its soldiers than Vermont, and I am happy thus to congratulate the State on the position which she occupies in this respect. Whether it would be advisable to make still further provision to increase the accommodations, is a question left to your careful consideration. The matter of expense to any reasonable amount is unworthy of consideration, in comparison with the welfare and comfort of the men who thus nobly offered their lives to their country.

GETTYSBURG CEMETERY.

Soon after the memorable battle at Gettysburg in July, 1863, the plan for locating a place for the interment of the remains of the heroes who fell there in defense of the Union, was originated. In pursuance of this design, arrangements were made by the Governor of Pennsylvania for the purchase of the land necessary for the purpose, and with a view to make it national in its character, correspondence was opened with the Governors of the loyal States having soldiers lying on the battle-field, and their co-operation invited.

Arrangements were also completed for repairing and beautifying the grounds and for gathering in from the rude graves, where they were temporarily buried, the brave and gallant dead of the different States, and interring them in lots set apart to each State.

To secure for Vermont a suitable lot, and the more carefully to superintend the disinterment and reinterment of the fallen soldiers from this State, on the 23rd of October last I appointed Col. W. G. Veazey agent in behalf of the State, with instructions to proceed immediately to Gettysburg to discharge the duties assigned him. The report of Col. Veazey is herewith transmitted for your information.

The cemetery grounds were formally dedicated with appropriate ceremonies on the 29th day of November, 1863. The title to the grounds is vested in the State of Pennsylvania "in trust for all the States having soldiers buried in said grounds."

The total number buried in the cemetery from all the States, is three thousand five hundred and twelve, and the number from this State is sixty-one. Great care has been taken to ascertain and preserve the identity of the bodies, and they now rest in the new cemetery grounds, near the spot where they fell, surrounded by all that art and love can do to adorn their final resting place, hallowed by the memories of that great struggle for liberty and humanity, to which they consecrated themselves, and in which they so freely yielded up their lives.

Pursuant to the provisions of the act of incorporation, I appointed Hon. Paul Dillingham commissioner for the State of Vermont.

The total cost of completing the cemetery is estimated to be six thousand five hundred dollars, and the several States interested in the enterprise are called upon to appropriate their proportion to this amount, to be divided on the basis of the representation of the several States in the Congress of the United States. The proportion of Vermont will be about twelve hundred and sixty dollars. An order for one-fourth of this sum, three hundred and fifteen dollars as the first installment, was drawn upon the State, but there being no appropriation specifically made for this purpose, the order could not be accepted. Strong assurances were, however, given by the commissioner, Lieutenant Governor Dillingham, that the necessary appropriation would be made at the present session of the Legislature. I would, therefore respectfully recommend that appropriation be made of a sum sufficient to pay the proportion of these expenses that may be due from Vermont, and empowering the Governor of the State from time to time to appoint commissioners under the act of incorporation.

I herewith transmit the report of Hon. Paul Dillingham in reference to the subject.

BOUNTIES TO RE-ENLISTED SOLDIERS.

I would most respectfully call your attention to the propriety of providing for the payment of some suitable bounty to the veteran soldiers who have re-enlisted for another period of three years. It is but an act of justice to these gallant soldiers that they should receive some fitting recognition of their devotion, and this new act of consecration to the service of the country.

The State and several towns entitled to them have been credited with these re-enlistments, and have thus been enabled to fill their quotas to that extent with veteran soldiers. Upon the return of these veterans on the promised furlough, they confidently expected, as I have reason to believe, that they would participate in the bounties which were being so liberally offered by the towns for recruits. In this, with but few exceptions, they were disappointed, and were compelled to submit to the manifest injustice of seeing the liberal bounties paid to men in experienced in the service, while they, war-worn and veteran, having originally responded to the calls of their country without reward, and having by their gallantry won for the State an imperishable and glorious record, were obliged to return to their service unrequited. I would, therefore, recommend the passage of an act authorizing the payment of a suitable bounty to all these re-enlisted men who have not already received a bounty from the towns to which they are credited.

TOWN BOUNTIES.

The subject of the payment of bounties by the towns demands a careful consideration at your hands. Some sound and judicious legislation is required in order to check the evil tendencies of the present system, and to prevent the excessive extravagance and inequalities which are working so much mischief and injustice in the State. A proper regard to the public interest, in my view, requires that these bounties should be kept within the control of the State, as in this way only can a uniform system be secured. It is also a subject for you to consider

whether the bounties thus far paid by the towns shall, upon some equitable basis, be assumed by the State. I allude to the subject, however, at this time, not designing to make any recommendation, but simply to direct your attention to it, leaving it to your better judgment to dispose of.

LAW AUTHORIZING THE GOVERNOR TO SUMMON THE JUDGES OF THE SUPREME COURT TO HIS COUNSEL WHEN NECESSARY

There is no law at present existing by which the Executive is empowered to call upon the Supreme Court of the State for an opinion in cases affecting the interests of the State, and involving important legal questions. Such cases are not of unfrequent occurrence, and the responsibilities thus devolved upon the Executive are very great, and oftentimes extremely embarrassing. Similar provision is made by law in other states, and it is made the duties of the Judges of the Supreme Court to render opinions when called upon by the Executive, in all cases affecting the general interests of the commonwealth. Such a law, I doubt not, would be very salutary here, and especially in the present state of affairs, and the interests of the State thereby greatly promoted. I would, therefore, respectfully suggest that a law be passed making it the duty of one or more of the Judges of the Supreme Court, whenever called upon to do so by the Governor of the State, to render an opinion, in writing if necessary, upon such questions as may be submitted to them affecting the general interests of the State.

LAW PROVIDING FOR SOLDIERS VOTING.

The law passed at your last session providing for soldiers voting contained a provision that the “act shall not take effect until the Governor submit the same to the Judges of the Supreme Court, with the inquiry, Are the provisions of this act constitutional? and until the Governor has obtained in writing the opinion of said Judges thereon; and if said Judges decide that the provisions of the act, or certain parts thereof; are unconstitutional, then the same, or such parts thereof as said Judges shall decide are unconstitutional, shall be null and void, and the residue shall remain in full force and virtue.”

In pursuance of this provision I submitted the act to the Judges of the Supreme Court with the inquiry specified. The Judges of the Supreme Court replied to the inquiry, giving a full and unanimous opinion in writing, deciding the act so far as it relates to the right of the soldiers to vote for members of Congress and Electors of President and Vice President of the United States, to be constitutional, but that so much of said act as confers the right to vote for Governor, Lieutenant Governor and Treasurer of this State, was unconstitutional. So much of said act therefore as relates to the right of soldiers to vote for members of Congress and Electors of President and Vice President of the United States was declared to be in full force and virtue I therefore caused to be prepared suitable and proper blanks and forms for making the necessary returns to the proper officers, and forwarded to the several organizations in the field from this State n season for the soldiers to vote for members of Congress at the regular election for those officers.

There are some amendments to the law which should receive your immediate attention. The law now provides that at the election for electors, to be held on the first Tuesday of November, each elector authorized to vote by this act shall have the right to vote for Electors. The election for Electors is by law to be held on the Tuesday next after the first Monday of November, instead of the first Tuesday. This error should be corrected to conform to the proper day. Section eleventh of the act provides that “the Secretary of State shall return said votes to the General Assembly, to be canvassed the same as provided in reference to votes for the same officers cast in this State.” By the laws of this State the County Clerks “shall meet at the State House, in Montpelier, on the third Tuesday of said November, and there publicly canvass said votes.” The law should be so amended as to provide that the Secretary of State shall return the votes for electors to the Board of Canvassers when assembled. Provision should also be made for qualifying the electors. According to the present provisions of the act, only qualified electors are permitted to vote. As there are many now in the military service of the United States from this State, who have, since entering the service, arrived at legal age, they should be entitled to the privileges of the act; and provision should be made giving authority to special constables to administer the necessary oaths. Provision should also be made giving to volunteer officers having commissions from the United States authorities, who are citizen of this State, the right to vote at the polls of any company from this State in the brigade, division or corps to which they may be attached.

I would therefore recommend that the act be amended in these respects at an early day, that proper instructions and blanks may be forwarded to the field in season for the approaching election.

I herewith transmit the opinion of the Judges of the Supreme Court upon the question of the constitutionality of the law.

LAND SCRIP.

The agent appointed under the act providing for the sale of the land scrip approved November 11, 1863, has effected a sale of the same. The proceeds of said sale amount to the sum of one hundred and twenty-six thousand two hundred and forty-one dollars and forty cents, which has been duly invested in the bonds of this State at par. In October last the Hon. Homer E. Royce, one of the agents appointed under the act, resigned the trust. I appointed Henry W. Hickok, Esq., of Burlington, to fill the vacancy.

VERMONT STATE UNIVERSITY AND ASSOCIATE COLLEGES.

The act incorporating the Vermont State University, and appropriating the income arising from the proceeds of the scrip for public lands, approved November 11, 1863, provides for the union and incorporation of the three existing corporations in this State—the President and Fellows of Middlebury College, the University of Vermont, and Norwich University—or either one of them, with the corporation created by the act aforesaid, and for the transfer and conveyance of all their property both real and personal to the State University.

It was strongly hoped that this act would have secured to the State and to the cause of education the full beneficial results of a union of all the present colleges, and the formation of one institution, uniting the strength and resources of all, and realizing the true idea of a State University, managed and controlled by no sect or denomination, but established and maintained upon a broad and liberal basis, that should secure to the State that strength of position in all her educational interests which such an institution properly conducted alone can give. Efforts have been made during the past year to secure such an union and incorporation of the several colleges, but the difficulties which necessarily attend such an enterprise before harmony of action can be secured and a proper basis determined, have thus far prevented.

The University of Vermont has, however, elected to become united and incorporated with the State University, and have elected seven persons of their number to become members of the corporation created by the act aforesaid, and have transferred by their vote all the property of the University, together with the rights to the rents and uses of the lands belonging to them, and have left for record and caused to be recorded in the office of the Secretary of State, in the book of records a true and attested copy of the record of the proceedings of the meetings of their board, duly certified by their secretary, in compliance with the provisions of the act aforesaid. By this act of union the corporation of the Vermont State University becomes, on the first of November proximo, valid and legal, under and by virtue of said act of incorporation. To a partial extent, therefore, has been realized the plan of a State institution; into which shall be incorporated the elements contemplated by the act of Congress, namely, instruction such branches of learning as are related to agriculture and the mechanic arts, not excluding other scientific and classical studies, in such manner as to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life.

It is to be hoped that the union of all the colleges will yet be effected the sentiment of the State, which has so strongly favored such an union, and which has increased in proportion as the subject has been agitated, will yet find its realization in an institution strongly established on the broad basis of a university in its true idea, sustained and patronized by the people, and contributing by its power and influence to the great and paramount interests of education, until Vermont, now occupying a distinguished position for her devotion to the great cause of liberty, shall stand second to none in her institutions for the education of her people.

Time and a patient effort on the part of the friends of education can alone secure this end, and it is to be most earnestly hoped that this effort will not be relaxed. The order still to give opportunity for the accomplishment of an end so desirable, I would suggest the propriety of extending the time limited in the act incorporating the Vermont State University, so that, within any reasonable time in the future, either one or both the other institutions in the State may become united with this, if they shall so elect.

NATIONAL HALL FOR STATUARY.

By a joint resolution of the two houses of Congress at the last session, the old hall of the house of Representatives was set apart as a hall for statuary, to be filled by the statues of the worthies from each and all the states. The record which Vermont has made in the present struggle, as well as her past historic fame, renders it eminently fit and proper that she should be represented in the collection that will be gathered there, by a statue of some of her worthy heroes. Possessing in rich abundance and of a quality unsurpassed the marble for such a work, and counting among her sons some of the best sculptors of modern times, from no other state could a work be produced that would combine so much of interest, and be so eminently representative in its character, as Vermont. I commend the subject to your favorable consideration.

STATE AUDITOR.

The office of Auditor of Accounts became vacant in June last by the death of Hon. Jephtha Bradley. I appointed Hon. Dugald Stewart, of Middlebury, to fill the vacancy. The proper bonds were duly executed and filed, and the books and papers of that department were duly passed over to him.

SURGEON GENERAL

In October last I appointed Samuel W. Thayer, M.D., of Burlington, acting Surgeon General of the State. Though there exists no law recognizing such an office, I felt that the interests of the State, and the welfare of the soldiers, would be greatly promoted if there were some distinct department of that kind established, whose duty it would be to look carefully after the sanitary condition of the soldiers in the field and in the hospitals, and an officer appointed who, from his professional experience, would be able to make from time to time such suggestions, and recommend such plans, as would conduce to their comfort and welfare.

In these respects I have derived great assistance during the past year from the ready and active co-operation of the acting Surgeon General. In May last, at the opening of the summer campaign, when our soldiers suffered so severely in those memorable battles, I was enabled, through the efficient preparation which had been made by him, to forward a corps of surgeons directly to the field, where their services were greatly needed in administering to the wants and alleviating the sufferings of our wounded.

I would therefore recommend that an act be passed establishing such an office, to be filled by appointment by the Governor, and to be attached to his staff with the rank of brigadier general, and that provision be made for a reasonable per diem compensation for actual services, and for the payment of his expenses.

ARMS FOR THE STATE.

In compliance with the joint resolution of the two Houses, adopted at the last session, that the Governor be requested to solicit from the General Government five thousand stand of arms, to be deposited and kept in the arsenal of the United States within this State, subject to the order of the Governor, in case of invasions, insurrection or domestic violence, I made application to the Secretary of War, and obtained from him five thousand Springfield rifled muskets, with the necessary accoutrements and ordnance stores, which are now deposited in the United States arsenal at Vergennes.

ENLISTMENTS IN REBEL STATES.

By the provisions of the act of Congress approved July 4, 1864, the Executive of each State was authorized to send recruiting agents into any of the States declared to be in rebellion, except the States of Arkansas, Tennessee and Louisiana, to recruit volunteers under any call, under the provisions of said act.

In conformity with the provisions of said law, I issued the necessary orders, and appointed recruiting officers for the several stations authorized by the orders of the War Department. Authority was given to such towns as desired to avail themselves of the benefits of the act, to deposit with the Treasurer of the State, to the credit of the Adjutant and Inspector General, the sum of three hundred dollars for each recruit desired by such town, not, however exceeding forty per cent. of the whole number needed to be raised to fill the quota of such town under the then existing call of the President; the amount so deposited to be used for the payment of such bounties, and such necessary expenses incident thereto, as might be required to raise the men; the recruits so

obtained to be mustered into the United States service to the general credit of the State of Vermont, and to be afterwards assigned to the credits of the several towns making such deposits, in proportion to the number of recruits for which each town should have made such deposit. Such sum of money as should remain in the Treasury, to be refunded to the several towns after final adjustment.

Twelve recruiting agents were appointed under this order, and were stationed as follows: Two at Nashville, Tenn., for the district of Georgia and Alabama; two at Hilton Head, for the district of South Carolina and Florida; two at Alexandria, for the district of North Eastern Virginia three at Fortress Monroe, for the district of South Eastern Virginia three at Fortress Monroe, for the district of North Carolina. The number of towns which deposited money for obtaining recruits was one hundred and forty. The whole number of recruits obtained from this source was one hundred and twenty-four, who have been properly distributed among the towns entitled to them. The details of the distribution, the expenses attending enlistments, and the amount of bounties paid, will more fully appear in the report of the Adjutant and Inspector General.

ENLISTMENTS FOR SERVICE WITHOUT THIS STATE.

I would respectfully call your attention to the present statute in reference to enlisting persons in this State for military service without this State. Great difficulties have been experienced heretofore and especially during the past year, from persons procuring enlistments of recruits in this State to serve in other States, and the present law is wholly inadequate to prevent the evil. The difficulties in the way of finding the necessary evidence to convict, and the small fine imposed, render it an easy matter, for the offender to repeat the offense almost with impunity; and in some instances, where a conviction has been had, the fine, though imposed to the full extent of the law, has been promptly paid, and the offense repeated almost in the face of the court who imposed it. At the high rates which have been paid abroad, as well as here in our own State, for recruits, it is an easy matter to pay the fine imposed, and still leave to the party obtaining the recruit a large margin for profit, while the victims to this abuse have been led away from their duties to their own State, to find too late that they have been most shamefully deceived and imposed upon.

In addition to this, the practice which has obtained to so large an extent here in the State of trafficking in substitutes and recruits, has operated very prejudicially to the service, and with all the efforts of the State authorities, seconded by the officers of the United States within the State, it has been found almost impossible to reach the difficulty and prevent the traffic.

I would invite your serious attention to the subject, and recommend such amendments of the present law, providing the most stringent and summary remedies, as will not only effectually prohibit the attempt to enlist men for other States, but also put an end to the system of "substitute brokerage" at home.

INSPECTOR OF FINANCE.

Under the law requiring the Governor annually to appoint an Inspector of Finance, to assist the Auditor of Accounts in his annual examination of the Treasurer's department and to examine the books and papers in the Auditor's department, I appointed Evelyn Pierpoint, Esq., of Rutland, who duly accepted the appointment, and entered upon the duties of the office.

THE SOLDIERS.

Fresh in the memory of us all are the deeds of noble valor and undaunted heroism achieved by the gallant sons of Vermont during the past year. History furnishes no brighter record than theirs. In every conflict, on every battle-field, ever and always the invincible heroes of the Green Mountain State. Their thinned and wasted ranks speak in language stronger than words, of their daring bravery, their undying devotion, and their fervent patriotism; and, in after years, when the glittering pomp and circumstance of war shall have become mellowed into sober history, the memory of their high achievements will still remain fresh as now in the hearts of all true patriots, and their names will be treasured as household words, and be rehearsed to generations yet to come, to kindle anew in their hearts the sentiment of loyalty and patriotism.

To those still engaged in the deadly strife would we this day speak in words of encouragement and praise. To them does the Nation look with confidence and hope for its deliverance from the foe that seeks to destroy it.

To them are turned the waiting eyes of millions of bondsmen, with trustful faith for deliverance from the power of the oppressor.

For the fallen! In our hearts do we mourn for them, and yet not altogether in sadness. Theirs was a glorious death. They died as the patriot loves to die, martyrs in the glorious cause of their country; and though their forms lie whitening on a stranger soil, yet they live still in the hearts of their countrymen, crowned with an imperishable fame—

“These shall resist the empire of decay,
When time is o’er, and worlds have passed away;
Cold in the dust the perished heart may lie,
But that which warmed it once can never die.”

THE STATE AND COUNTRY.

Once more has Vermont uttered, in language not to be mistaken, her devotion to the great and cardinal principles of “Freedom and Unity.” in the great struggle in which the nation is now convulsed, she has pursued no doubtful or hesitating course, but has steadily devoted herself with all the strength of her resource, to the great and paramount idea of sustaining its integrity. Freely has she offered her sons, and with unsparing hand has she given of her substance, and now in the great crisis, when the returning season for the election of a Chief Magistrate to preside over the councils of the nation enters to disturb the already distracted state of the country, when upon the issues of this contest hang the last hopes of rebels in arms, and their sympathizers at home, she proudly leads the van, and sounds the key note in the great and glorious anthem of the Union.

The signal victories of our armies have inspired the country with new and increasing confidence, and the ever narrowing circle of the conflict assures us beyond a doubt that the end is drawing near, and that the power of the rebellion is fast being broken. This day our hearts are doubly cheered by tidings of renewed expressions of loyalty, as state after state declares its unalterable determination to vindicate the power of Government, to accept no terms of dishonorable peace, but to fight on till the last vestige of treason shall be removed, and all the states shall return to their rightful allegiance.

Gentlemen of the senate and base of Representatives, to you are now committed the sacred trusts of the constitution. In the hope that your labors will be characterized by that spirit of harmony and sound deliberation so essential to wise and prudent legislation, I commend you to the guidance and direction of Him who rules the destinies of nations, imploring you to seek His counsel at all times, and to so legislate that the Commonwealth may be advanced in all her material interests, and that as one of the great sisterhood of states, Vermont may still maintain her high position, and be made to contribute for the future, as she has in time past, to the extent of her resources, to the maintenance of the Government under which we have so long lived and prospered.

J. GREGORY SMITH.

EXECUTIVE CHAMBER,
Montpelier, Oct. 13, 1864. }

Inaugural Address
of
Richard A. Snelling

as it appears in the

JOURNAL

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1977

Address Thursday, January 6, 1977

Inaugural

Mr. President, Mr. Speaker, Mr. Chief Justice, Members of the General Assembly.

Although I know that I am no longer entitled to points of personal privilege in this body, I should like to ask your indulgence that I might say a personal word before I begin the more traditional comments expected of me this day.

I do want to say how glad I am to see so many Former Governors and their First Ladies here today. I want to say that I miss, and I am sure that you all do, the presence of Deane and Marjory Davis. I know that you all pray, as I do, that they will be back among us shortly and in good health. I want particularly to tell you how good it is to be back in this Hall among so many treasured friends. Remembering how moved I was by your generosity to me on the occasion when I said good bye to you last year uncertain then if I would ever have a future opportunity to work with you. So it is a particular joy to have the pleasure to be back here again. I do want to tell you before I start that I understand in our common cause we must now proceed down different roads. I hope that you will be permitting me to continue to think of you as my personal friends as well as my colleagues without fearing that I will obscure the important separation between the branches. Above all, I want you to know how much I respect the legislative process. We are sure to disagree from time to time but when we do, I will always know that your sense of responsibility, your thoughtfulness will be no less than mine, only different. What you have taught me in this Chamber cannot be un-learned. I told you as I said good bye that there are other offices in the State of Vermont other than Legislator, but to me, there is none higher. I also want to take this occasion to express my appreciation and, I believe that of Vermont, to Governor Thomas Salmon. What he has done for me and you, I believe, this last nine weeks in making it possible for me to start early studying that which needed to be studied in preparation with his staff. I am sure that other Governors have assisted those who were going to take their place, but although I have known Tom for many years and liked him we could not call each other personal friends and we were of different parties but he spared absolutely nothing to give me the best opportunity to start this work, this day. I think that that deserves to become the tradition and I pledge to you that I will do no less for those who follow me.

Mr. President, Mr. Speaker, Mr. Chief Justice, Distinguished Former Governors and their First Ladies, Members of the Judiciary, Distinguished Guests and Members of the General Assembly.

On this occasion, one hundred years, three months, and one day ago, Governor Horace Fairbanks said about Vermonters—"In the memorable year of 1777 . . . though claimed on the east by New Hampshire,—claimed and menaced on the west by New York,—oppressed and warred against on the north by Great Britain,—unrecognized and unsupported by the sister colonies, they, a mere handful of sturdy yeomen, stood manfully and independently for the right. May the same infinite wisdom guide *us* in all legislative deliberations . . ."

"Standing on the dividing line of the centuries, it is the part of wisdom to consider not alone the present, its comforts and privileges, but as well the past, that we may learn their cost, their lessons, and take warning from any mistakes by the way, and that we may plan broadly, intelligently and wisely for the future."

So spoke Governor Fairbanks one hundred years ago today.

* * *

I could not accept the honor and challenge of delivering the message which tradition calls upon me to make this day without the counsel and perspective of those who have preceded me in such a challenge. And so I have been reading the gubernatorial messages delivered in Vermont through these years.

To do so is to marvel at the genius, the optimism, the versatility, and the abiding courage and faith in God which are revealed by those messages, not alone of the men who spoke them, but as those qualities are fully revealed in the character of the free men and women with whom they shared hopes and fears, burdens and goals.

History has its lessons, and its perspectives. It is at once intimidating and encouraging. It must intimidate us and humble us to know that so many great men and women have preceded us in these halls and set so high a standard of service and accomplishment against which we must measure our worthiness. But, at the same time, history furnishes us with encouragement as it notes that the giants of the past erred, too, yet tried again and again—succeeding often enough to let us know man can better himself, failing enough to let us know that they, too, must have had fears and self-doubts.

* * *

Perhaps one of the repeated lessons of history is that many of the needs of men are never, and can never, be fully satisfied. We must find and know the limits of what we can do.

While we find not one single governor who turned away or who counseled Vermont to turn away from its obligations to educate, to heal, to feed and to house, to protect and to build, we find many who faced the dilemma of balancing some over-riding need against all others—or of weighing countless possibilities for service against limited capability.

And, from year to year, we see our forefathers searching for a satisfactory answer to the question which has plagued both philosophers and kings throughout recorded history—how can government serve widely and well without in the process becoming the master instead of the servant?

* * *

Perhaps, while historical perspective is still sharply in mind, we should ask: What are the prospects for Vermont as it enters its third century?

In the state and in the nation we have traveled for more than a decade through shoal waters. Now, although we would not claim to be entirely free of danger, the way would surely seem to be more clear, and the risks at hand and ahead far less than those that lie behind. The nation is at peace, after a long siege which divided her as no war since that between the states. A national crisis between the generations which for a period seemed to threaten the continuity of our basic beliefs seems to have passed, and parents and children, teachers and students, seem once again to be communicating and learning from one another. The dreadful inflation of two years ago has greatly subsided. The deepest recession this country has seen since the great depression reached its turning point in April of 1975, and for eighteen months this nation and Vermont have seen greater employment, greater productivity and greater confidence among its people.

Here in Vermont a period of declining tax revenues is over. The deficit many feared for the fiscal period ending this coming June 30th will not come to pass—we will end this biennium with no deficit, and we will have erased the deficit with which it began.

* * *

During the two years for which you will allocate spending, we can look forward to a modest increase in revenue available from existing taxes. The total is not likely to be such as to permit spending all that any of us might desire, nor is it so limited as to require us either to turn away from legitimate needs, or to increase taxes.

* * *

These better times for Vermont are not, unfortunately, and significantly, better times for all Vermonters. We can and will face our obligations to work for improved circumstances for those who have not fully shared in the state's progress. As we face that challenge, however, we need not fail to recognize and give thanks, for the continued improvement in our opportunities.

There are needs, as always, which must be met by increased spending.

* * *

Once again we are called upon by our Vermont tradition to provide educational opportunities to our children which will enable them to step into our places. The needs of elementary and secondary education, of special

education and of higher education, deserve, and I hope will be assigned, the highest single priority among all proposals for increased spending.

It will not be enough, however, for us merely to appropriate larger sums of money. We must meet, head-on, some problems which have long awaited the leadership of both the general assembly and of the executive. Governor Fairbanks observed one hundred years ago, "It is not so much the amount of money which we expend, as the character which we give to the public schools, that is all important."

The present formula for distributing the state revenue to supplement local school appropriations, pleases far fewer Vermonters than it aggravates. I find much of that aggravation justified. I will, therefore, be asking you to consider legislation to correct the present assumption that state funding should reach some fixed percentage of total educational costs. My proposal will establish a maximum cost for each school student in a school district against which state reimbursement for basic education can be made. I am also carefully considering a number of proposals for other changes in the present state aid formula. However, any change in the manner of allocation of state support for local education must assure that the change will, in fact, result in a more equitable access of all children to a basic education, and that such access not place a disproportionate hardship on the taxpayers of any town.

It is also clear that we must address, once again, the system of equalizing grand lists of the towns so that the respective tax bases of our local school districts are brought into line under some common denominator. I cannot tell whether it will comfort you or dismay you to know how long this problem has plagued Vermont legislators. More than a dozen governors have spoken, some with despair, of the issue. Governor John Page, in 1868, echoed the feelings of many of us, saying, "It is evident to many who have been called to administer our assessment laws that the burdens of taxation do not bear equally on all classes of property." And Governor Fairbanks, eight years later, observed, "Not infrequently has it been claimed that property of the same kind and value was placed in the grand list at different valuations in different sections of the state." He proposed a remedy and then he added "Whether such a revision can be effected in a single session of the legislature may be doubtful." One hundred years later, his appreciation of the scope of this problem comes forth as a masterful understatement.

But in 1977 we must face that issue. No system of distributing state aid which takes the local tax base into consideration will work without a reliable system of equalizing among the receiving districts. The legislature has abolished the former state property tax division, and so it is therefore imperative that we establish a new system for equalization. I believe the time has come for us to establish a regional appraisal system, supervised by a statewide lay-board, and I will support legislation similar to that which was before you last year to accomplish this purpose.

* * *

Vermont has been a pioneer in special education. We are already in the fifth year of a ten-year plan to search out and adequately provide for the needs of our exceptional children. We have been proceeding in a timely and orderly way and are now prepared to *accelerate* this progress. It is my proposal that *we do so*.

* * *

The first legislature of the state of Vermont had the vision to charter a state university and thereby to express its commitment to the advanced education of its citizens. Subsequent legislatures established the state colleges and the community college.

Inaugural messages through the years are sprinkled with warnings, still timely today, of the need for better coordination and cooperation of these institutions. We must satisfy ourselves that we are meeting the needs of Vermonters in education, in research and in service, while avoiding either redundancy or such scope as to assure continual under-funding of the truly essential programs.

At no time has funding for these institutions of higher learning matched the vision which created them. The university and the state colleges deserve the increased funding which will be recommended. To assure the availability of a college education to all qualified Vermonters and to soften the impact of recent tuition

increases at the University of Vermont, we must also increase support for the Vermont Student Assistance Corporation.

* * *

It is inherent in the quality of life which we cherish that neighbors are to be trusted and that all should live in the comfort and peace of mind of being secure in their persons and property. Predictable law enforcement is perhaps one of the most basic expectations a people can have of their government.

We must substantially increase our capacity to protect people by strengthening and harmonizing all elements of law enforcement, the state police, and sheriffs and the local police. Improved morale and delineation of roles and functions for police officers is a first step that must be accomplished by a new attitude towards the process of prosecution, corrections and parole, ensuring that police, judges, state's attorneys and parole boards proceed with shared objectives. The message must be clear to potential offenders that this state holds the protection of its citizens as a matter of deep concern and there must be no misunderstanding as to the intent to enforce the laws.

* * *

There are many Vermonters for whom this bright new year does not seem promising. There are men, women and children who have needs that they are presently unable to meet themselves. Only with sensitive support and assistance will they achieve their highest hope—that of self-accomplishment and self-fulfillment as productive citizens. Some will not be able to do so even with this help. And so in the field of human services I also see a pressing need for both increased funding and for review and assessment of the effectiveness of our various programs.

As inescapable as the financial needs may be, no less obvious is the need for a new and better philosophy. We have tended to assume over the years that suffering can be eliminated by increasing public expenditures. That assumption is as wrong today as it was in 1939 when Governor Aiken reminded this assembly that "The importance of public welfare services has grown far beyond the imagination of a few years past. Public consciousness demands public effort to provide opportunity, to promote security, and to prevent suffering. The demand for these things has far outstretched the taxpayers' capacity to pay."

It is my intention to structure a system which meets the real needs of Vermonters and *gently but firmly* assisting all who can meet their own needs to be placed in a position to do so.

Your understanding and counsel will certainly be required as we attempt to measure program against program, goal against accomplishment, rule against result.

As a first step, I intend to move promptly to integrate more fully the departments of the agency of human services, in order to facilitate a more coordinated and comprehensive delivery of effective assistance. We will move to treat individuals and families with attention to the root problems of their needs. We will seek to emphasize improvement in the capacity of individuals to earn income, as compared to the provision of services. We shall recommend strong measures to reduce abuse of welfare funds and unemployment benefits. We will maximize the possibilities for coordinating the temporary and permanent job finding facilities at the department of employment security and the federally sponsored comprehensive employment and training office.

* * *

But we will be able to meet our responsibilities and to realize our opportunities, only if Vermont continues to strive for a strong economic base which will provide a broader range of employment opportunities to its citizens. Accordingly, sound economic development without unnecessary expansion of population must be a central concern of this legislature, as it will be of my administration.

If we will undertake the job of building up each of our great industries in balance—agriculture and forestry, recreation, and manufacturing—consistent with our goals of conserving our unique Vermont environment, we will be able to withstand the effects of national economic fluctuations far better than most other states. That, too, is a part of our proud and independent heritage.

Any failure to enhance the economic stability of our farms and forests will, over time, inevitably do damage to the quality of our environment. I will accordingly recommend to you several programs to encourage the increase in productivity and market opportunities of our lands.

Sound industrial and recreational development can live in harmony with the preservation of our beautiful Vermont if we use imagination and skill. We do not have to choose between adequate jobs and quality of life. We have only to make government attitudes towards business more constructive—to reap the benefits of increasingly strong employment and better income opportunities in this uniquely beautiful state.

The major thrust of our efforts must be to raise the quality of jobs available, not merely to bring additional jobs to the state. In doing so, we must take great care and make great effort to improve the access to economic development in every part of the state.

* * *

It is my intention to place substantial emphasis on the role of the regional planning commissions as well as development groups in defining the needs and resources of our citizens and in creating the circumstances for broad productive use of our natural and our human resources.

I pledge the help and support of this administration to pursue anew the important goals of Act 250. I will, however, be looking more to the regions and to the local municipalities, for their help to achieve these goals. I will further endeavor to complete the program to assure for future generations that our Vermont streams and rivers will run clear and free from pollution and, I will give you my recommendations for the implementation of that goal. Those recommendations will emphasize the state's role as a coordinator of local efforts and as a seeker of citizen cooperation.

I have spoken particularly to this point of those programs and public efforts where the level of funding very largely defines capacity to serve. My budget message several weeks from now will be far more comprehensive in presenting recommendations for your decisions regarding spending.

Let us now turn to the consideration of areas in which fundamental changes in policy and structure are required.

Vermonters are justifiably deeply concerned about the increasing impact upon their lives of the cost of public utility services. There is no amount of state funding which will address itself to these concerns. It should be clear to all by now that the concept, structure, and operations of the public service board, established many decades ago to deal with problems of that time, fall far short of the capacity to address themselves to present problems.

I will propose legislation to separate the planning, regulatory and judicial functions now handled by the public service board, in order to provide adequate planning and oversight of our public utilities and more objective consideration of both immediate and long-term public interests.

Vermont *can* provide an example of energy conservation. State government must and will lead the way. We must initiate tangible projects which demonstrate that our forests can provide us with a source of energy without harming the environment. We must provide incentives to industry and to private consumers to conserve, including such items as differential automobile registration fees which are based on energy efficiency.

* * *

No government can succeed if its people do not have confidence in it, nor can they be expected to have confidence unless the lines of communications between the citizenry and the government are open and accessible.

The so-called "governor's action line" has opened communications between thousands of Vermonters each year and their government and I believe is a foundation which should be built upon.

I shall propose for your consideration the creation of an office of public advocacy and research to be headed by an ombudsman who should have full cabinet rank to assure all citizens that their problems with any branch of state government will be given friendly, thoughtful, and objective attention.

* * *

In recent weeks I have become increasingly concerned over the lack of trained women in middle management positions in state government. Without a positive effort to overcome this injustice, this situation will continue and will also continue to prevent the placement of qualified women in positions of top leadership. I intend to provide career opportunities for women in government through active pursuit of an affirmative action program. Vermont needs the talents and skills of its women, as well as of its men, and must make a concerted effort to bring this about.

* * *

Now I come to a portion of this message which I believe to be of great importance and significance because it bears directly on the purpose and role of government.

Beyond funding of ongoing needs and even beyond changes in structure and circumstances there are three vital areas that require critical examination and decisive action. They are these: federal, state and local interaction, the effective management of the operating side of government, and the relationship between state government and its employees.

Vermont must seek a new relationship with the federal government, establishing her own authority in those areas where the rights and responsibilities of Vermont citizens must be sovereign.

Increasingly we find our scope of action defined by the structures and mandates of federal programs to which we have subscribed. Where programs and grants call upon us to enter into an area which we would not have chosen to enter at our own expense, we must be increasingly willing to decline participation.

We must also be more aggressive in presenting our positions as the federal administration develops regulations to implement the intent of federal legislation.

Of even greater concern, however, appears a relatively new inclination of the federal government to require the states to take actions at great expense for which the federal government itself makes no provisions for funding.

We must address ourselves to the issue posed by these and other similar federal demands which have the potential to destroy the effective and responsible implementation of Vermont's own programs designed to meet its own needs.

We should also remember that our own state government has an equal capability to needlessly interfere with the appropriate self-determination of the cities and towns of Vermont.

We must strongly reaffirm the proposition that the people will be better served when decisions are made by that unit of government closest to them and over which they have the greatest control.

* * *

If there is one area which demands attention in this biennium, it is that which deals with the relationship between those of us in government and the people we serve,

Neither appropriations, nor legislation will succeed, unless the citizens are satisfied with the attitude and the competence of government.

To restore the people's faith in government, all of the elected and employed representatives of government must make it clear in their every contact with the citizenry that they know their job is service. Regulations must be administered with an intent to make possible the achievement of the valid goals of the citizens. To this spirit, to this attitude, to this determination to show the citizens of Vermont that we are all their servants, I pledge myself and convey the like pledges of those who will serve in appointed positions within this administration.

* * *

Year after year, demands for the services of government have increased, as have taxes—far more rapidly than the income of the citizens who support government. Tax burdens have become a critical element determining the standard of living of tens of thousands of working Vermonters.

If we are not to turn away from essential needs in the face of injunction which wisdom places upon our authority to increase taxes, we must give thoughtful and imaginative attention to how we operate government and each program.

Although this responsibility rests clearly with the executive branch, we can learn much from the private sector about how to do jobs well but without waste.

Work is already well advanced to establish a governor's cost control council financed totally by the private sector, which I believe has great capacity to help us *do* our jobs better.

The work of government is not done by dollars, nor is it done by governors, or their appointees. Though much can be accomplished by competent and knowledgeable leadership. In the end it is the ability, the motivation, the understanding, and the good will of thousands of state employees which actually determines how well the people are served.

* * *

I find no single area in which I believe the government of the state of Vermont to be in greater disrepair than that which defines the relationship between the state and its employees. I believe that for too long we have assumed that because state employees are engaged to serve us, we were entitled to treat them as though they were in servitude. We have not provided them with incomes comparable to those available to their friends and neighbors in private industry—we have not provided them with incentives for higher productivity—we have not given them clear goals. We have not shown them that dedicated service can lead to advancement within the ranks.

Despite these omissions on our part, there are many dedicated and highly competent individuals still in our employ. They are there, of course, because their desire to do a job exceeds their insistence upon the relationship usually to be found between a good employer and a good employee. It is clear that we have neither attracted as many qualified citizens to government employ as we ought to have, nor have we always maintained the best of those who have come to serve.

I believe it is quite possible that with better selection, compensation and leadership, the number of men and women now employed by the state of Vermont might possibly have rendered all of the services requested by all of those who sought additional funding for the next biennium.

And so if we do nothing else in this session, let us make sure we have set in motion a process by which we will have moved toward a more capable body of public servants who will merit the widest possible public support.

The achievement of this goal will place very substantial responsibilities on the governor, the agency secretaries, and the commissioners. But it will require, in addition, broad understanding and authorizations from the legislature to establish the conditions under which we may seek the required progress in this area.

I am prepared to propose to you, on certain vital conditions which I shall make clear in a moment, that the state provide its employees with one of the largest pay increases in history. I am prepared to propose to you total compliance with the findings of the compensation review board of an 11.6% adjustment to bring pay up to that level considered presently comparable to wages in the private sector, plus an additional 5% to allow for inflation from the date of the studies to July 1, 1977.

Before I can make such a recommendation, I shall need to feel certain that the employees and their representatives will assist us to remove all barriers to the establishment of a set of work procedures and standards and opportunities for productivity which will also be comparable to private industry.

Not the least of these will be the establishment of a standard straight-time, forty-hour week as is common in the private sector. Further we shall need to discuss revision in procedures by which we seek out and hire state employees, systems by which we advance and promote state employees, and the procedures by which we are entitled to discharge those employees who do not render service to the state of value comparable to that which they are paid.

I shall seek your approval of legislation in two other critical areas to move toward this goal. First, I propose that the state undertake to bargain collectively, through open and constructive negotiations between employer and employee, all items relating to compensation and economic benefits. I will call on the compensation review board to serve an important function in that process, to assure me that I have the most current and objective information relating to compensation and those other elements which clearly bear on the appropriateness and justice of all elements of the compensation package.

I understand, of course, that no governor can be committed in advance to any group, under any circumstances, to reach any specific agreement as it is my responsibility to recommend for your consideration a course of action appropriately allocating our total capacity against our total needs.

I intend to utilize the process of open and straight-forward negotiation within the constraints imposed upon me as governor to achieve a responsible, rewarding, and mutually satisfactory basis for a strong employment relationship between the state of Vermont and its loyal and hard-working employees.

Secondly, I shall seek your support for legislation broadening the role and the scope of the personnel department so it may become a department of employee relations charged broadly with improving the morale and effectiveness of state employees and with providing services in career counseling and with increasing opportunities for in-service education designed to improve the capacity for service.

* * *

It is clear to me, as it must be to you, that in this address I have outlined needs for action and for funding which will tax both our stamina and our ability. To strive to do great things is to risk great failures. Perhaps that is the inevitable lot of man reaching to fulfill his aspirations. But you and I have no more choice as to whether or not we make history than did our ancestors. We can only decide what kind of history. The wisdom, good-will and dedication so common among those who led Vermont these last 200 years brings us the heritage we so cherish. And now we in our turn must act knowing that our successes, and our failures, will become the heritage of those who will follow. The outcome is in our hands. Let us proceed together asking God's blessings on our labors.

Thank you.

BENEDICTION

The Benediction was pronounced by the Most Reverend John A. Marshall of the Roman Catholic Diocese of Burlington, Vermont.

DISSOLUTION

The Governor, having completed the reading of his message, was escorted to the Executive Chamber by the Committee.

The Supreme Court was escorted from the Hall by the Sergeant at Arms.

The Joint Assembly dissolved.

RICHARD C. THOMAS
Secretary of State, Clerk

Inaugural address

of

Richard A. Snelling

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1979

Thursday, January 4, 1979.

Inaugural Address

Mr. President, before I begin the official task assigned to me on this occasion, may I make a very brief personal observation? I would like to join with your many friends and with all those throughout Vermont in extending my personal congratulations to those of you who have been selected to do the great civic duty on which you embark. I want to express my congratulations to you, Lieutenant Governor-Elect Kunin, to you, Mr. Speaker, and to all the members of the Legislature who have come here, I must share once again with you a sense of feeling almost of relief to have you back in Montpelier. I spent so many delightful, educational and truly rewarding years myself in these Halls that I really do look forward to the period when we will be working together again in the months ahead. I am very glad to see you back.

Mr. President, Mr. Speaker, Mr. Chief Justice, Distinguished Members of the General Assembly:

Each of us, every member of the human race, wakes each morning certain to make history and fated to change the course of events. There is no course of action or inaction open to any living soul which leaves the future unchanged. Only the direction of change, the magnitude and worthiness of it, are our options.

And so it is certain that when the representatives of a people gather to consider what they can do together, in the name of all, history will be made. I may be made mightily, in proportion to the needs and opportunities, or it may be made weakly, shrinking and trembling before the task.

You gather here as surrogates for all Vermonters. They have enfranchised you, subject only to the constitutional balance and reservation of their own ultimate powers, to speak and act for them. And so you make history not only for yourself, but for all of us.

Historically, many Vermont legislative bodies have met to face dramatic crisis. None failed to do what the circumstances required. On those occasions the problems were clearly outlined. Little argument was required to identify the central issue or its urgency. Thus crises became the turning points around which enormous bursts of energy were focused to bring needed change.

But most legislatures, fortunately, are not faced with such dramatic calls for action to meet such clearly identifiable dangers. A feeling of urgency and immediacy borne of mortal threat is the unusual, not the common.

In ordinary times we are tempted to apply politically safe, cosmetic changes to even the most persistent and long festering social problems. Legislatures have often behaved, as individuals frequently do, by satisfying short-term needs in ways that have left more basic problems to become ever more serious, ever more damaging.

This may be democracy's most serious challenge, and this may be its most serious defect—a tendency to tolerate inertia in the face of all but the most dramatic crisis, an urge to do the most popular thing when the real duty may be to call forth the same discipline and self-restraint in the prevention of crises as would surely be summoned to face an obvious threat.

A government which panders to the immediate demands of the public for superficial solutions can only continue to erode the public confidence upon which it rests.

The greatest of all legislatures, those most worthy of our children's approbation, may thus not be those who raised armies to fight wars thrust upon them, or who ordered the rebuilding of lands ravaged by floods still receding. The truly worthy may well be those which have the foresight and the courage to take dramatic action bringing us closer to real solutions of basic problems. Herein lies the distinction between the adequate legislature and the truly great—the courage to make signal accomplishments which are demanded by opportunity, rather than by tragedy or necessity.

And these are for us, for Vermont, times of opportunity, not of tragedy. The nation is at peace and our Sons and daughters are at home.

The productivity of our people and the consequent strength of our economy these last two years have yielded such bountiful revenues for the state as to make possible both the largest tax cuts in Vermont's history and the significant expansion of support for education, for the handicapped and for the needy. After decades of incessant growth of the bureaucracy we have, together, reasserted the people's determination to keep government in its place, always servant and never master to the people.

If you choose to do so, you might be excused for treating this biennium as a period of good, but ordinary times. Although there is an ample agenda before you, few are the calls for heroic action or significant new directions which come so clearly that you would not likely be excused by the jury of public opinion if you count this session as one demanding only prudent and honest business as usual.

But the opportunity for you, for Vermont, and for democracy to prove itself, is, I believe, very much greater than that. Beneath the facade of healthy routine lie significant problems for which solutions are long overdue.

Although I recognize that traditionally the Chief Executive uses the opportunity of his inaugural message to list a dozen or more general problem areas, today I have chosen to identify only four issues of particular, of unusual and concern. I believe the opportunity for singular accomplishment on your part exists in each of these—if you will accept the responsibilities and risks of breaking new ground, of meeting serious problems and opportunities head on, with measures of proportion and scale equal to the objectives.

The first of these is in the field of finance.

One year ago, appearing before this body, I said, "Huge basic changes in the fabric of society come rarely, and when they do, they are often difficult to perceive. I believe that right now in America, and in Vermont, a basic change is occurring which in a fundamental way changes the role you and I must play if we are to accept the responsibilities of leadership. That change is that after a long period of years during which the burdens of government have risen to require a larger and larger share of the total wealth of the people, it is no longer possible to increase that share without imposing unfair hardships on the people."

We went on, here in Vermont, to enact the largest tax cuts in history. And five months later the people of California adopted a constitutional referendum so severely and dramatically abridging the levels of taxation in that state as to set off shock waves which still reverberate throughout the nation.

The circumstances under which you will consider matters of appropriation and taxation this biennium are unprecedented. Since we last met, a public demand has risen for a fiscal accountability far broader and more difficult than that of merely balancing the budget.

I believe that we see clearly now that when government feels compelled to fund every program, the total burden of taxes will inevitably make it impossible for our citizens to afford their own personal programs, for their own households and for their own families.

And so, at long last, the people call for restraint. But most national and state legislative bodies have not yet attempted to draft budgets under these new circumstances. It is a dangerous oversimplification to say that it was the thoughtlessness of elected officials alone which brought us to this calamitous level of public expenditures. When existing tax measures provided revenues each year far greater than those of the preceding year, the public applauded the legislators who matched newly identified good works with new public programs, or who vied with one another to announce their support of all public programs in terms of the size of the increases.

Now, the loudest public cries are for budget limitations, and for zero growth. Many, to be sure, call for full retreat and retrenchment by enactment of funding levels which will not provide, in purchasing power, even maintenance of the programs so recently considered essential to the dignity and worthiness of a thoughtful government. I urge you to recognize that instant blind obedience to these calls is no more worthy of this legislative body than it was for your predecessors to enormously expand the scope of government, year after year, to please those who refused then to consider the future consequences of that long and debilitating trend.

What I see Vermonters asking each of us to provide is a government which has reached financial maturity. A government that recognizes that it can not take a larger share of its citizens resources each year, or fail to adequately provide for the real needs of its citizens within those bounds. A government that is capable of

establishing a financial stability which sets limits of reason because it has had the vision and leadership to plan for the future.

When it is possible, the easiest approach to budgeting is to provide all sums asked for. In that, at least at the moment it is done, there is no pain and there is much self-gratification. That is not possible in these times.

The easiest task of those who prepare budgets is in times of financial extreme—of depression or deep recession—when funds are simply and clearly not available as the result of external and uncontrollable forces. In such times denial is the common denominator. Since all claimants go away disappointed there is a sense of equity, parallel to the pain of leaving so much undone. These are not times of depression.

At this moment in history we are asked to provide a leadership which recognizes that Vermont is neither so rich nor so poor that it can avoid the anguish of choice.

We will find some programs worthy, but must risk the criticism of their proponents by admitting we find them less worthy than others. We must agree that some programs would benefit Vermont, yet announce our sincere conviction that others are more timely because they will strengthen our future capacity to finance social accomplishment.

We will still accept new challenges and expand expenditures in some areas, knowing that to do so will offend those whose requests are reduced or denied, as well as those who demand absolute contraction of the levels of expenditure.

To establish your willingness to meet these new budgetary challenges in an era of governmental maturity, I hope you will early adopt a bill which limits 1980 expenditures from the General Fund to an increase of 6 percent, and those of 1981 to a further 6 percent increase, in full knowledge that inflation is currently reducing the purchasing power of each dollar approximately 10 percent per year.

I am asking you to establish for yourself such a spending limit independent of any estimates of revenue. I am asking you to start a new Vermont tradition of setting spending limits based on your judgment of what is necessary and appropriate, rather than on what might be conjectured to be available.

No one knows for sure today, nor will we at the time of the budget message a few weeks from now—nor even a full year from now—precisely what our revenues will be. However, I believe we can agree that in the foreseeable future expenditures held to the level I am recommending will put us on the track of fiscal stability and assure us there will be no need for harsh corrections in this biennium or even the next.

I believe that your treatment of the modest surplus currently in the General Fund is another opportunity to speak boldly in favor of fiscal stability. Such a surplus is a fortunate but unpredictable occurrence.

We must avoid the temptation to appropriate this money for an ongoing state program or to enact new tax cuts.

Although I fully understand the validity of the argument that the surplus should be returned to the taxpayers on a onetime bonus basis, I hope you will not take this action either, until you have satisfied yourself that the monies will not be, in the words of the Vermont Constitution, “Of more service to community.”

I believe there are several onetime opportunities of such potential value to Vermonters as to warrant your considering the allocation of these funds to accomplish those future-strengthening purposes. I will speak in a moment of the largest of these.

Although it is true that a dozen problems have claimed the attention of my predecessors and yours endlessly over these last two centuries, none have been more frequently mentioned with frustration and anxiety in inaugural messages, retirement messages or proposals for legislation, than those dealing with taxation and with the support of the public schools. The two problems are closely linked.

It has been an article of faith in Vermont since the days of the Constitution that a uniform quality of education for all young Vermonters is the foundation of future opportunity, as well as future liberty. And it has been a source of growing rather than receding anguish that there is both disparity in the quality and scope of public education among the towns and great disparity in the burden which education places upon the taxpayers.

I believe we have an opportunity, and a rare one, to initiate action in this session which has a reasonable likelihood of leading us, at long last, to something approaching a solution to the problem.

The unavoidable lesson of history in this matter is that either property must not be used at all to support local education, or that it must be appraised so uniformly throughout the state that all men and women of good will can accept the basis of appraisal in other towns, as well as their own. The time has come for us to build the one indispensable foundation of a program aimed at equalizing educational opportunity and providing tax equity.

We must accept the responsibility of moving promptly and decisively to appraise, fairly and uniformly, all the property in the state. I am advised that this project could be completed in two years. Obviously, this will require considerable expense. It is perhaps the magnitude of the expense as much as any thing which has so long stayed our hand in taking this critical first step towards the solution of this historic problem.

An effective and responsive tax system cannot be achieved without balancing our broad based sales and income taxes with a property tax raised under a uniform system of appraisal, tempered for low-income Vermonters by our property tax relief program.

When I speak to you later this month concerning my recommendations in the area of financial matters, I will recommend to you that you use a sizeable portion of the surplus available June 30, 1978, to appraise all of the property of the state starting first with the nonresidential property.

I hope to be able to make some additional recommendations aimed at decisive action in the direction of public schools which are more equitably financed and thus provide more equal opportunity. A just appraisal of property values is but one of two great omissions which must be corrected in this area. The second deals with the amount of money which must be available in any equalization formula if there is to be any real hope of equalization. It is mathematically obvious that if disparities between property wealth and the number of students to be educated varies as much as tenfold, no fund for equalization which is only a small fraction of the total cost is likely to succeed, even if it be a so-called "perfect" formula.

Therefore, I hope this body will join me in the search for a more equitable method for assuring that the capacity of the entire property tax base of the state be used to achieve equal educational opportunity in harmony with equal tax burdens.

The third area where I believe this General Assembly has a unique opportunity for significant accomplishment is in the consideration of some fundamental principles for the reform of our welfare system.

The will of our people to tax themselves to assist the truly needy, springs from the heart of the social compact. But it has become clear that in the area of welfare, one of our most noble undertakings has evolved into one of our least effective institutions.

I must warn you that in a time of budgetary limits, the need to establish a new philosophy for welfare marks the emergence in Vermont of a truly great social challenge—a challenge which will grow each year and which cannot be met with tiresome debates over old remedies.

It is self-righteous to label as generosity a system which creates as many problems as it solves.

We have taken from people in the name of a good cause but have left them, and ourselves, in doubt as to whether the good cause was accomplished. For example, it is shocking but true that some of those now in receipt of public assistance, often find themselves in better circumstances than many of those whose hardearned tax dollars provide that welfare support.

We must stop blind acquiescence in dependency. Whenever possible, welfare should assist people on the path to independence. To accomplish true welfare reform in Vermont, we must accept the risks of turning away from those policies which for years have been the cornerstone of our approach to funding the needs of the poor.

We must take a second look at what it really means to be compassionate and we must not permit our good intentions to cripple the very individuals we seek to serve. Accordingly, it is my conviction that the following four principles must guide our efforts toward substantive welfare reform.

1. That the goal of welfare be to foster and assist personal independence whenever such an alternative is feasible, and not in such situations to continue relief indefinitely;

2. That state funds which directly support consumption and spending be made available in accordance with real and demonstrable needs, objectively determined, and not merely according to the demands of those receiving the funds or services or those being paid to distribute them;

3. That we accept, as one measure an ultimate goal of fairness, the principle that total welfare support from all sources must not exceed the levels of income a fully taxed working person can expect to achieve. The equity of such a principle clearly rests on the availability of decently compensated employment;

4. That after basic levels of support required to meet the genuine need of our fellow Vermonters have been met, the priority for additional expenditures should be programs which strengthen our people by improving mental health, alleviating drug abuse, relieving handicaps and removing barriers to employment.

The implementation of this philosophy is already under way, and has been for two years. This policy of confidence in the ability of dependent Vermonters to learn to stand on their own has been demonstrated by substantially reduced welfare rolls of unemployed fathers. Additional confirmation of the reasonableness of our direction is provided by the fact that two years ago only 17 percent of those enrolled in our basic family welfare program were employed. One year ago, 20 percent were employed. A month ago 25 percent were employed. With this legislative body's encouragement we believe before the end of this biennium 35 percent can and will be employed. In each area of the Human Services Agency, legislation and budget, you will find specific evidence of this new philosophy at work, and you may at first find some of them difficult to accept. However, unless we can accomplish a transfer and coordination of the WIN program; unless we can substantially increase support for the mentally ill; unless we can decide that an emergency fuel program has outlived the emergency which gave it birth; unless payments to providers of services such as Day Care and Medicaid can be thoughtfully controlled and exposed to reasonable limitations we will fail to achieve our goal.

Over the past two years, this administration has undertaken a major effort to make the basic welfare programs operate at greatly increased levels of achievement. However, this increase of effectiveness of existing programs alone will never solve the underlying weaknesses in our welfare system. What is required of us over the next two years, is a willingness on the part of government to address the real inequities in our income transfer programs.

We have in this state at the present time, a multiplicity of programs designed to fill a large variety of basic needs for various categories of people. Each program has its own eligibility requirements and its own constituency of advocates, some of whom have demonstrated a willingness to defend programs even at the expense of the people they claim, to serve.

We also have thousands of low income people who are eligible for, one, or more often, many of these programs. Few are well served by this shotgun approach and many inequities arise because of it.

I have asked the Secretary of Human Services to accelerate the task of evaluating each of these programs, their interrelationships with each other, their effectiveness and the equity by which each acts as a conduit for taxpayer's money to those in need. Before the term for which I have been today inaugurated is far along, I will be presenting to you my recommendations for substantive changes in our method of transferring income to the people of Vermont who do deserve assistance. In making these proposals, I will be guided by the principles I have spelled out here today because, in times like these, there is no other way to assure that those who are truly, in need will receive our help in adequate measure.

Finally, I call upon you to share a vision to establish now the foundation for an industrious and, prosperous Vermont for coming generations which will measure its success against new and far higher goals.

Vermont was wrested from the wilderness. Its early history speaks of the tasks of assuring survival in a new place uncommonly attractive to settlers, but requiring enormous energies to create from scratch the elements of a civilized place.

Although what we have in 1979 goes far beyond that which might have seemed to be “success” beyond the dreams of our forefathers, it falls short of what our realistic aspirations should be now that we know better the shape of our opportunity. The time has come to raise our sights and to set new standards for ourselves and our society.

I believe it is time for Vermont to reject underemployment, just as unequivocally as it has consistently in the past rejected unemployment. We are unusually situated and have already established for ourselves a national and international reputation as a people of special skills in a special environment. We can build upon that reputation to the immense personal benefit, pride, and security of every Vermonter.

Through the last several national recessions, some industries vital to more permanent trends of progress in this country have continued to prosper and to seek out individuals possessing both the talents and work ethics of the craftsmen of old, and the training and knowledge required by the pacesetting industries of the future. Such employers are seeking out Vermont as a place where people bring an intense Yankee pride in quality and achievement.

The times call for a new partnership embracing every public institution seeking to match people with opportunity and to enhance occupational and professional skills.

A new relationship between our vocational institutions, our colleges and universities, our employment programs, our employment and training efforts for the disadvantaged, and our private industries, will be required to achieve this vision, and I will be asking you to join in the first steps toward the design of a new integration of these many programs now spread so widely throughout government and the private sector. If we succeed, our children and grandchildren will be able to look forward to a life in Vermont, armed with skills which will open to each of them an opportunity of prosperous employment, and which will make Vermont a spectacularly productive place.

The font initiatives I have chosen to present to you today address as yet unresolved problems which we, as the representatives of all Vermonters, must agree to face. If we fail, these problems will rise again and again.., slowly eroding the public’s confidence in both our ability and our will to determine our own future. There are many other more routine issues which together we will resolve in the coming months and which I have not mentioned here not because they are unimportant, but because of my conviction of the over riding need for me to identify the more fundamental opportunities and responsibilities which face us.

I know you will feel the usual pressures to keep this session brief. But I truly believe that Vermonters will judge the session far more by the scope and worthiness of its accomplishments than by its length. There is, perhaps, no reason why a session cannot be both brief and fruitful. However, I believe that what is expected of us in these times of negative public attitudes about government is most of all that we make real progress, that what we do will make it unnecessary to address the selfsame problems two years from now, and that our works will stand the test of time. If our efforts are invested toward putting the right questions and answering them with courage and vision, this will be a Legislature and a session worthy to be remembered.

As our forefathers failed us not, we now begin the deliberations which will decide if we have fully accepted the duty and opportunity to preserve, defend and strengthen this Vermont we all so love.

BENEDICTION

Benediction was pronounced by Rabbi Max B. Wall, Ohavi Zedek Synagogue of Burlington.

Lieutenant Governor Buckley requested that the Committee escort the Governor from the Chamber.

REMARKS BY THE CHAIR

Since it is necessary for-us to wait for the committee to return, I would like to avail myself of the opportunity to say to you all that I thank you for all the kind things you have done for me and I would like to leave you with a thought if I could. Having been your Lieutenant Governor it has been my privilege to visit quite a few other legislative bodies, both domestic and foreign, and I would have to conclude, I do not mean to be irreverent, but some of them could be—as far as being compared to the Vermont House or the Vermont

Senate or a Joint Assembly—could properly be described as a zoo. I would like to tell you very seriously that I think that this is one of the last few places in the world where citizens are represented by a citizen legislature and the will of the people still prevails. I want to tell you that when I go home, I will feel very, very secure knowing that a group of people like this Vermont House and this Vermont Senate are here to look after things.

There are people out there who are well intended, have the best of intentions, and would like to see your government grow and would like to see more and more attention placed at the top. For God's sake, keep it the way it is as long as you can. Thank you and God bless you all.

DISSOLUTION

The Joint Assembly dissolved.

JAMES A. GUEST.
Secretary of State, Clerk.

Inaugural address

of

Richard A. Snelling

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1981

Friday, January 9, 1981.

Inaugural Address

Madam President, Mr. Speaker, Mr. President *pro tempore*, Mr. Chief Justice, distinguished officials and servants of Vermont, guest and friends:

If one were denied access to all of the written texts describing the history of this nation, save only the inaugural messages of those who have served as Governors of this unique and marvelous state of Vermont, from those messages alone one would gain a clear view of the blessings and tragedies, the opportunities and obstacles which have shaped this nation and this state.

Vermonters have always prided themselves on their independence. From the earliest days of Windsor, those who risked all to form the Republic of Vermont, quietly and firmly declared their independence, not only in government but in character. And through the years, the Vermont determination has been to cope with the challenges of the times, in ways specifically appropriate for Vermont and the Vermonters' sense of values. But we have not been isolated or estranged from the destiny of America. My predecessors have seldom listed agendas for Vermont which did not speak of the state of the nation in which those actions would be taken.

Denied access to the Federalist Papers, a Vermonter could learn a great deal about the nature of this new union from Isaac Tichenor's inaugural message of 1798. The agonies and stresses of war are clearly revealed in 1813 by Martin Chittenden, in 1861 by Governor Holbrook and in 1947 by Governor Gibson. Difficult economic times and their effects on Vermont can be easily understood reading the words of Urban Woodbury in 1896 or James Hartness in 1921. No less fully can one experience the exhilaration of the eras of great expansion described by Horace Fairbanks in 1876 or John Bartow in 1882.

And so, even as tradition calls upon me to speak to you today about the state of the state and to present a sense of agenda for the legislative deliberation on which you embark, it calls also for me to attempt to relate the Vermont challenge to the national circumstance.

(The National Circumstance)

I believe we are approaching the end of a dangerous era in American history and that as a nation, we now face tasks as compelling and urgent as any we have ever faced.

For a half a century, we have built a life style on the assumption that harvests could be reaped without the responsibilities of husbandry. We have sought to repeal fundamental laws of economics because the rate of improvement in our circumstances which we could earn by our efforts, or from our savings, failed to satisfy us.

For at least a decade some Americans understood that there would come a day of reckoning. But even after, long after, common sense should have told us all that we could not escape the relationship between supply and demand, between productivity and wealth, we continued to spend that which we had not yet earned.

When a problem in some segment of the economy, or a great need of some part of the populace disturbed our sense at tranquility or of plenty, we designed a government program to "fix it". When we consumed more than we produced at home, we simply found ways to import. When we could not pay for our imports, or for our spending, we sold bonds or printed money. When we experienced recessions, we designed so-called counter-cyclical programs funded only by increased debt. And so it is not surprising that the cycles of economic growth and recession have come to swing more severely and more dangerously.

As we prepare to inaugurate a new President of the United States we find ourselves with interest rates near 20 percent, with inflation well into double digits, with families needing homes which they cannot purchase even though builders need work. We drive on highways clogged with outdated and old-fashioned automobiles inefficiently consuming gasoline which we must import from abroad while hundreds of thousands of American auto workers are unemployed — because we are unable to compete with the production of foreign countries whose savings and investment have been triple our own rate.

We will only be able to prepare for the future, if we understand that this year, 1981, is as much a watershed for our nation as 1865 or 1933.

(Federal Funding Changes)

I believe that in the next several weeks President Reagan will call upon all Americans to accept the burdens of rebuilding a national economy, which can truly and honestly support the American dream of opportunity for all. We will be asked by our new President to greatly restrict our public spending, to turn away from over-reliance on debt as a source for funding and to turn back to the people responsibilities which were never safely entrusted to government. And here, in Vermont, we must meet our needs and our obligations to all Vermonters within that context.

It is not in our best long-term interests to try to dissuade the President or the Congress from trimming swollen federal expenditures. Instead we should plan our actions and our expenditures as those may most wholesomely respond to essential changes in federal budgets, and to the long overdue re-assessment of the proper roles of the federal government and of the several sovereign states.

We must make sure that, in the process we do not turn our backs on those in need. We cannot speak of such restraint if the fortunate are protected from the discomfort of such restraint, while the poor or the needy suffer the full consequences.

A renewed determination to make sure that the federal government addresses only constitutionally appropriate federal concerns must not become a recipe for neglect by state or local government of the responsibilities we claim are properly subject of "local control".

(The New Federalism)

Vermont must demonstrate a willingness to specify those areas in which we are willing to accept reductions in federal grants, either because we are willing to pick up that responsibility ourselves, or because we believe that the value of the service does not justify its expense by any level of government. We must assure that remaining federal programs will give us sufficient options in program design so that we can target a reduced amount of federal help to meet our own Vermont needs. We must make sure that federal cutbacks result in less waste and not less social concern. To accomplish these goals, we will need to demonstrate that the legislature, the Governor, and the people of Vermont will face up to the responsibility of choosing among priorities.

The National Governors' Association and the National Conference of State Legislatures have jointly called upon the executive and legislative branches of all states to sponsor, in each, a Convocation of Federalism. These convocations will bring together the state's congressional delegations and executive branch department heads and legislative committee chairmen, to help define and describe the ways and means by which we can establish the appropriate federal-state relationship.

I hope you will join with me in planning a Vermont Convocation on Federalism for early this spring or summer.

(The Limits of Vermont's Financial Capacity)

The budget message which I will offer you later this month will be largely shaped by these views of our times and the limits of our options.

I will start with the firm assumption that we can and must manage our obligations and our opportunities *without any increase* in broad-based, general fund taxes.

That budget will then recognize that our own general funds, even though they are already limited, must be used in part to fund some very valuable programs which were formerly funded largely or entirely by federal grants. As the result of actions taken since the legislature adjourned last spring, we already know, for example, that funding for the continuation of energy audits has been cut by one-third. We already know that federal funding for the entire emergency medical services program has been eliminated. We know of substantial reductions in federal support of programs which seek rehabilitation of alcohol and drug abusers. We know that comprehensive employment and training funds have already been cut severely and we know that law enforcement assistance, which in the past supported some valuable contributions to our criminal justice system, is coming to an end. I do not propose that Vermont necessarily pick up all or any of these programs in the

present form, but parts of *each* must, in my judgment, be maintained. I will ask you to accept funding responsibilities in *each* of these areas, because the services, at levels we can afford, are important to Vermont.

(Our necessary Set of Priorities —)

To give the people of Vermont, in 1981, the most in return from the least we can honorably ask then, to contribute, we must establish as our priorities those programs which are most essential to their fundamental rights as citizens.

I suggest we set the following as priorities:

(Education)

First, education. We can make superior education Vermont's specialty and its fruits a more valuable resource than oil or coal or even gold. Continued strong support for higher education institutions, and particularly for scholarship assistance, is vital even in a budget of great restraint. Vocational education, special education, adult basic education and special skills training programs can be decisive in earning for Vermont the opportunity for a continued trend of high employment, low unemployment and steady increases in compensation for skilled jobs, so that Vermonters will not be disadvantaged in the national market place. Even here, though these are priorities, I suspect that the budget proposals will fail to fully meet the expectations of the advocates and dedicated providers of these services.

(State Aid to Education Reform Needed for Equal Opportunity)

But our highest priority and our most powerful weapon for the future is a public elementary and secondary education school system which assures Vermont Children the *opportunity* to recognize and develop fully their individual potential. Vermont can afford the total cost of the best, the most successful, public school system in America. Because we are a state of a half mission people situated in a beautiful but mountainous and cold place, without any of the most vital or expensive mineral or energy resources of our time, we cannot afford to fail at fully developing our human potential. If we are to remain a special place, we must triumph by our wits and our industry and our sense of values and priorities.

I believe Vermonters will pay what is needed to build such a school system — if it is a fair burden, fairly distributed. Our present plan for funding public education cannot, however, provide for equal educational opportunity throughout the state.

Some towns are fortunate to have both a large tax base, consisting disproportionately of non-residential property, and few children to educate. In these towns generous school budgets can be passed while tax rates are kept at a fraction of the state average. And in these towns summer homes and factories and ski areas escape their fair share of Vermont's overall tax burden.

At the same time, parents in other towns find themselves with many children to educate and only their own residential or farm property to tax and they must often choose between ruinous tax rates and barely adequate, even inadequate, educational opportunity.

For this there is no solution available which can be met by a state appropriation. To implement the underlying philosophy of providing a state-aid fund large enough to provide the degree of equalization which the Miller Formula was designed originally to achieve, this legislature would need to appropriate an additional 60 million dollars to state aid, an amount equivalent to a 75% increase in income tax rates!

I urge you to deal with the root cause of this problem. *First*, please heed the recommendations made in this hall by a host of Vermont governors who preceded me — that effective legislation be enacted to assure that all property in Vermont be uniformly appraised at 100% of fair market value. I urge legislation which will authorize the state to hire competent appraisers to perform, at the expense of the towns, those appraisals required because a town remains, after warning, in contempt of the present law which requires appraisals to be at 100% of market value and regularly updated. *Second*, set in place a formula which establishes a state-aid trust fund based on a general fund appropriation at least as large as that appropriated for 1981, plus a sum to be raised by a uniform state-wide property tax assessed on non-residential property. *Third*, use this opportunity to

eliminate the listing and taxing of inventory, and to implement a board public policy which recognizes the difference between theoretical “market value” of farm and forest and actual use value by legislating that valuations of these properties be made at 50% rather than 100%.

(Problem Interception — Alcohol Abuse)

We must revise the basis upon which we invest in our own people. We must recognize the treadmill on which our present approach to certain social problems places us. We know that alcohol and drug abuse are often a *contributing factor* to early school drop-outs. We know that alcohol contributes to 52% of our highway fatalities. We know that large numbers of our chronically unemployed have problems with alcohol and that their problem often isn't that they can't get a job, but rather they can't keep one. We know that a significant percent of those in our correctional institutions are young people, who have dropped out of school *and* who have problems with alcohol.

We pay a part of the price at the wrong end. We pay for the costs of incarceration. We pay the unemployment costs. We pay the welfare costs. We don't, and can't ever, pay the costs of suffering — by the victims of intoxicated drivers, victims of crime, or of lives wasted in despair or by new generations raised without hope.

Let us recognize the limits of what we can do here, but nevertheless make a start towards doing something. There is no known externally-imposed cure for alcoholism. But experts in this area tell me a sound comprehensive program might make a difference for a quarter to a third of those whose lives will otherwise be most tragically distorted by this illness.

I propose Vermont mount a pioneer model effort to reduce alcohol abuse. *First*, I propose the state general fund continue essential programs in this area which are being dropped by the federal government. *Second*, I propose that we undertake a strong, sustained effort to communicate to the general public the nature and the social costs of alcohol abuse, starting in the schools. *Third*, I propose funding an alcohol-abuse counselor in each of the state's eight administrative districts to coordinate the location and treatment potential of all whose welfare, or unemployment, or criminal problems appear to be largely alcohol or drug related. I propose an expansion of project C.R.A.S.H., both as a means of removing dangerous drivers from our highways, and as a way of identifying those who need our help.

And finally I propose the state fund a community challenge program to assist communities in marshalling their resources and efforts to deal with alcoholism and alcohol abuse. This program will challenge Vermont's communities to devise new and imaginative methods for early identification and intervention in cases of alcohol abuse. We will provide financial support for those communities which design, with state assistance, programs which offer real hope of showing us new ways of coping with the troubles caused by alcohol abuse.

(The Safety and Security of our Citizens)

I believe a sense of security of person and property is essential to the stability of our society.

We must see to it that our criminal justice system makes it clear to those who would break the law that we will not stand idly by or quietly tolerate violence which makes it impossible for us to live together as neighbors and friends. Together with Vermont's new Attorney General, I will propose a series of reforms to our criminal justice system, the specifics of which will be announced within the next few days.

Included will be recommendations to increase the legally authorized sentences for certain crimes of violence, where those crimes are committed against the elderly, or where firearms are involved. Also included will be recommendations for lowering the blood alcohol level which gives rise to presumption of impairment while driving. Both the Attorney General and I urge you pass, for the second time, the Constitutional amendment to our Bail Law.

Although many more towns have local police capacity than did a decade ago, and even though some counties have considerably strengthened their sheriffs departments, this rural state still must count on the Vermont State Police for law enforcement to a very considerable degree. Our present force is well below the strength required to provide the protection and detection expected and required of it. The burdens of arson and

criminal investigating units rise at the same time the responsibilities for local patrol and highway law enforcement also increase. Therefore, I will recommend the most substantial increase ever in the strength of the Vermont State Police. I will ask for sufficient funding to recruit, train and equip 50 additional troopers and will plan to locate these additional men and women with particular emphasis on expanding the outpost system so that we will have a grid of State Police officers strategically located throughout the state.

During the past two years the Department of Public Safety has been the subject of intense controversy and concern. But throughout that difficult time the men and women who make up the Vermont State Police force have continued to do their jobs with a dignity and professionalism which deserves that their uniform continue to be a source of pride and respect. They spend long hours at difficult and dangerous work, and they receive all too little in the way of respect and recognition from those of us whom they serve and protect.

(Economic Development and Employment Opportunities)

Tight budgets do not justify a lessened determination to invest now in better jobs for the future. We list as priorities our programs for strengthening our agricultural, manufacturing and recreational sectors. I will ask for modest expansion of the program for agricultural product marketing and continued support of Vermont Industrial Development Authority grants and bonding authority.

We also list as a top priority in a time of growing fiscal constraint, adequate funding for the continued protection and management of Vermont's environmental and natural resources.

The base we laid down in the 70's and have build steadily upon has put us 10 years ahead of most other states in the field of environmental management and it has begun to repay us handsomely.

To encourage the continued recoument of one environmental dividend, last year we initiated a program of matching certain additional private sector promotional efforts to increase our travel and recreation industry.

For every dollar invested in travel promotion, experts tell us seven dollars are returned to the state from increased tax revenues. Accordingly, I am recommending a self-liquidating program of additional state promotion of the travel industry.

(Safe Highways)

Although the budget message is the proper place to deal in detail with revenue and spending proposals, any list of priority legislation must include an adequate highway system. There will never be equal economic opportunity in areas isolated from the rest of Vermont by unsafe roads designed to carry the traffic of half a century ago.

Because of events beyond our influence, income to the highway fund falls further and further behind that required to support even the minimum level necessary to provide such a system. I continue to believe the people will support any fair schedule of taxes on gasoline or vehicles necessary to maintain safe highways, and I will recommend one such schedule to you.

You will find no easier or fairer way to solve this problem than to face it squarely by providing adequate revenues within the highway trust fund to pay the costs of services traditionally charged to that fund.

(Our Obligations to Those in Need)

In an austere budget, it is sometimes necessary to measure our priorities by our ability to continue programs rather than to enhance them. While it is little solace for the provider or the recipient of needed public services, it is true in times such as these that priority status may only provide insurance that a program will continue and not be cut back.

In the area of welfare, the time has come and the opportunity has now been presented for significant welfare reform. A new administration begins in Washington amid a growing public recognition that too often those who work and pay taxes are unable to afford a standard of living as satisfactory as that provided to some welfare recipients. We can now move forward with the reform of this basic inequality and seek federal flexibility to assure that in Vermont, welfare recipients who can work will not be encouraged as a result of the

current system by receiving amounts comparable to those Vermonters who do work. Nevertheless, it is necessary to recognize that real need still exists for those who cannot provide for themselves and their families.

Although the budget which I will present to you is austere, it is clear that a modest increase in ANFC (6% to be specific) must be included. Such an increase will in no way place either welfare recipients or working poor in a position to be envied. I know of few more difficult or more important tasks than that required to eliminate inequality and inequity between those who can and do care for themselves and those who cannot.

It is evident that a 6% increase does not fully compensate for the ravages of inflation. But it is equally true that in the last three years we have increased the average welfare benefit in Vermont from \$379 to \$531 per month, a 30% increase, and those increases were at one and the same time the highest in the northeast and greater than the improvement in after-tax income of many wage-earners.

I will also be recommending to you that the state begin the first steps toward containing Medicaid expenditures. It is vitally important as a matter of public policy that we begin to bring under control what has become the fastest growing single welfare expenditure of the past decade.

(The State of the State)

Your deliberations will face you with many difficult, sometimes painful choices. Many of the problems you will be addressing will be facing legislators in every state of this union, as they meet in the months ahead.

As perspective helps us to see our problems and our duties, it should also help us to see those ways in which we should count ourselves fortunate as we compare our burdens with those of others.

Vermont is well prepared for the challenges of these times.

As long ago as 1976, this legislature, faced with receding revenues, broke with tradition by determining to reduce expenditures rather than increase broad-based, general fund tax rates.

We've been improving the operations of the machinery of government for four years. The adopted recommendations of the Cost Control Council have made it possible to wring tens of millions from budgets which otherwise would be required to support the programs we manage.

Since 1977, we have voluntarily amended tax legislation to reduce tax receipts by more than a hundred million dollars.

We will not be starting for the first time this year to accustom ourselves to living within our means. Over the past six years our state government budgets have decreased, in inflation-adjusted dollars, by at least 21% in relation to the income of Vermont's taxpayers.

In those same six years we have soundly managed the state's general obligation debt and have reduced the burden of that debt, as compared to personal income, by more than half.

We approached the need to focus on future-building priorities with some experience. We are already seeing positive results from our efforts to build up our industry, tourism and our agriculture. In past recessions, even as recently as 1973 and 1974, Vermont entered recessions with unemployment higher than the national average, lost a larger percentage of personal and governmental revenues than the national average, and ended the recession with more ground to regain than the people of other states.

So far, in the recession of 1980, the Vermont record is better than the national. At the start we had higher employment than ever before in history and our unemployment was lower than the national average. Our work force and the number employed have increased since the recession of 1980 began, and we have added a record number of new jobs in manufacturing, so that our unemployment rate is now well below the national average.

Your tasks in 1982 will not be nearly as severe as they were for your predecessors meeting in 1921 or 1935 or 1975.

This Assembly's appropriations for the fiscal year ending last June 30th reflected a common expectation of a national recession and although the general fund accounts reflected a small deficit, they also reflected very substantial cash balances in funds to which earlier surpluses had been placed.

Revenues for the current fiscal year started somewhat behind expectations as to the timing of economic recovery, and in response this administration reduced expenditure outlays by up to 3% in certain budgets. As a result, the so-called "Budget-Adjustment" Act which you will receive shortly will not ask for any net supplemental appropriation for this year.

I am pleased that overall revenues are now being received at a rate which will fully meet the expectations for this year — reflecting for the first six months more than 10% more revenues than were received in the same period one year ago.

I am confident there will be no general fund deficit facing you in this fiscal year.

For all these reasons we are in a good position to face the future — and we should do so with determination and confidence.

In changing times, when the decisions which will most alter destiny must be made, those on whose judgment outcomes depend often find themselves torn with doubts. That which seems clear and compelling to one, appears to another as of little merit or certainty.

In such times some will fail the test of history because they are sure that those with whom they disagree are of less noble spirit or intent. Others will fail because, unable to discern in the morass of conflicting opinions and beliefs a course of action which perfectly reconciles their own judgment with that of others, they will risk no conclusion at all!

I believe success will come more likely to those who can perform their duties with the advice of Justice Brandeis in mind.

Brandeis wrote "Some questions can be decided even if not answered. And it isn't necessary that one side be wholly right and the other totally wrong, because that seldom happens either . . . it is enough that the scales of judgment be tipped in one direction and, *after* a decision is made . . . one must go forward wholly committed."

I am confident that this Vermont General Assembly will face the changing times of 1981 with good will, with respect for all the opinions which must be heard if we are to find the best path of service, and with the courage, once the scales of judgment have been read, to go forward, wholly committed to Vermont's future.

Benediction

The Benediction was pronounced by Rabbi Max B. Wall, of the Ohavi Zedek Synagogue of Burlington.

Dissolution

The Governor, having completed his inaugural message, was escorted to the Executive Chamber by the Committee.

The Supreme Court was escorted from the Hall by the Sergeant-at-Arms.

Inaugural Address
of
Richard A. Snelling

as it appears in the

JOURNAL

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1983

Thursday, January 6, 1983
Inaugural Address

Mr. President, Mr. Speaker, Mr. President *pro tempore*, Mr. Chief Justice, distinguished officials and servants of Vermont, guests and friends:

For generations, we and the people throughout our nation have spoken of and valued the independence of Vermont and her people. We cherish our heritage of independence and strive to act so that over time we too will be judged as having contributed to the preservation of that treasured heritage.

Today's problems call upon us to examine closely the stuff of which independence is made. As we study history we recognize that those who settled these fierce hills understood that independence is not only the fruit of hard work, but also of careful planning. They knew that to be independent requires the acceptance of some special responsibilities for the present and some special risks in building for the future.

Time has not changed those requirements even though the complexities of a highly specialized society make the realistic definitions and goals of independence quite different from those of earlier days.

Clearly, in 1983 if we are to seek the values of independence in the circumstances of this century, we must understand first, which elements of our quality of life are under our control and which are largely determined by national circumstances.

I am convinced this nation has begun, though only begun, the monumental task of repairing serious damage to its fundamental economic capacity. In the end, the American dream of justice and opportunity for all depends upon an economic system capable of meeting the reasonable needs of all. A determination to restrain public expenditures, and to reduce tax burdens will, if compassionately designed so as to justify increasing public support over a long period of time, be of great benefit to the nation. The dramatic reduction in inflation, from more than 14% to less than 6% within the last year, is an important harbinger of a return to economic well-being. In time, restored faith in the integrity of currency and the wisdom of private savings and investment will result in interest rates affordable to consumers needing housing and other major tangible goods, and affordable also to manufacturers whose investments are required to assure adequate capacity and efficiency of the nation's economic engine.

The nation has been in deep recession for more than a year. In many communities throughout the United States, unemployment has affected 20 per cent of the work force. Vermont, thus far, has escaped the worst ravages of these times of economic tumult. Our unemployment rate is a little more than half the national figure. But for individual Vermonters — those who are experiencing the dislocation of our national transition--the recession is, painfully, much more than a mathematical definition. We can be grateful, though, that this legislature and those of the immediate past, were attentive to the cultivation of our economic capacity. Together, we and concerned citizens from across our state, have invested our energies in economic development on a state, regional and local basis. Those efforts are saving Vermont from sharing the worst of the current unpleasant national circumstances.

The vast majority of Vermonters remain in a position to meet the needs of their own families and to contribute reasonable amounts to assist those of their neighbors in need. We can be grateful that the revenues of this state disappoint us because they have not grown more rapidly, rather than because they have decreased.

We are weathering the truth that our financial capacity as a state is being dramatically affected by both the national circumstances and by the federal government's remedy. The principal tool that the federal government is using to fight inflation and to provide for increased capital investments in this country is the enactment of tax cuts. Vermont lost state revenues of 24 million dollars in the last two years because the Vermont income tax is determined as a percentage of the federal tax obligation. In the current fiscal year alone, Vermont's income tax revenues will be fourteen million dollars less than they would have been had the federal government not enacted those tax cuts. Under these circumstances, even after providing for a rescission of 4.3 million dollars from the level appropriated last year, our expected revenues will not fully match approved expenditures. We will probably end this year with a deficit in the order of eight to ten million dollars. We have a duty to make responsible plans to liquidate that deficit promptly.

But as we determine how best to do that, a sense of perspective is in order to understand our true capacity — not just for the short term, but for the long term.

It is imperative that we continue to meet the current needs of Vermonters in these difficult times and equally imperative that we continue to look to the needs of the future. It should be comforting that we approach that responsibility at the end, not the beginning, of national recession.

Next week I will present a budget which will address the problem in detail, meeting the challenge squarely, but at the same time recognizing that our concern is for the future, rather than with the past. It is no secret that the economic engine which drives state tax revenues has been impaired in the last year. Planning for stability and orderliness requires us to recognize the historical evidence that the fiscal year following the end of recession tends to be a year of very dramatic increases in state revenues. It is fresh in my memory, as it no doubt is in the minds of many in this room that the deficit of 1975 was used to justify both demands for substantial permanent tax increases and serious cut-backs in essential programs of public service, but that Vermont subsequently ended fiscal year 1977 with a record nineteen million dollar surplus.

I know of no way to cure a deficit this year without impairing the necessary capacity to meet fairly our current obligations and prudent plans for the future. I do suggest, however, that settling for a slightly smaller tax cut than might otherwise be available seems like a mild price to pay for the assurance of fiscal integrity. The method would be to raise by one percent, for one year, the rate at which we tax Vermont incomes as a percentage of the federal income tax obligation. So limiting the unplanned Vermont tax cut in fiscal 1984 to six million dollars instead of fourteen million dollars, we will cure the deficit in the first year of the new biennium, and at the same time assure adequate funds to meet present and future needs. To do so will not increase taxes. In fact, we will have once again reduced the portion of Vermonters' incomes which are taken by Vermont for general fund taxes. A Vermonter who paid \$100 in state income taxes in 1976, paid \$75 on the same income this year, and would pay only \$69.44 on that same income next year at the temporary rate I propose. I am saying we do have the capacity to meet our responsibilities. Clearly, however, that assumes a thoughtful sorting out of both our priorities and our needs. We face no crisis, but we do have solemn and difficult duties. Fortunately, we have both the will and the resources to meet those duties.

I believe our mission in this biennium is to assign our capacity judiciously as between present needs and future goals.

First, let me address that category, that group of things we should do because they are necessary to meet urgent, immediate needs.

As a significant priority in this category I am recommending to you a proposal which addresses our immediate obligation to many unemployed Vermonters. We must accept such an obligation not only out of moral duty, but because it is also clearly in the overall interests of the state to retain this great human resource of skill and productivity as a valuable asset for our future growth.

There are two groups of Vermonters who, unless we act, are likely to suffer the agonies of unemployment even as their neighbors enjoy the fruits of present jobs and of the expected economic recovery. They are those who live in certain areas of Vermont where unemployment has stubbornly resisted state and local efforts at development for decades and those who were, until recently, employed in industries suffering from special cyclical problems not likely to vanish in the first year or two of national recovery.

In responding to the short-term needs of the recently unemployed, I suggest to you that we establish a vehicle to apply their skills to meeting long-term state requirements for enhancing and preserving publicly-owned, vital capital assets. Our forests need thinning to increase the growth of fiber and the value of the timber. Our parks will be more valuable and attract more visitors in the future if we improve them, and start now an integrated network of multi-use trails to further enhance Vermont's allure for all who like to hike and ride. Better weather-proofing and insulation of our state buildings will pay for itself in the savings of fuel, yet past limits on available bonding funds have forced us to continue wasting both dollars and energy. As you know, thousands of miles of state roads need maintenance to preserve the investments we have already made in them. The work required is labor intensive.

Our task is to match resource with need. We have Vermonters who have demonstrated skills and a preference for honest accomplishment over welfare. At the same time, the people of this state own capital assets which will become more valuable upon the application of labor. This is a good time to bring the two together. I will present you with a proposal for a special \$5 million bond authorization to finance a "Vermont Futures" program to accomplish this. Clearly, such bonding ought to be in addition to any formula limit this legislature sets on routine bonding. In the last six years the debt of the State of Vermont has fallen to about half of its prior level, measured in comparison to annual personal income.

A second immediate priority is a group of non-literate adult Vermonters who urgently need functional literacy skills as a basic prerequisite to economic and social self-sufficiency. They cannot be independent because they cannot communicate with their fellow Vermonters, or with prospective employers with written words or simple arithmetic concepts. Using methods which have become national and international models of efficiency and effectiveness, five thousand Vermont adults in 1982 gained their literacy at an average cost of \$156.20 per person. As we have become increasingly aware of the need to bridge the gap between literacy and jobs we have the obligation to guarantee all adults who will make the effort an opportunity to gain the basic skills which they need to improve their lives. It is surprising that a program which has so much effect at so little cost per person operates at only about half the level needed to get ahead of illiteracy in Vermont.

Another urgent concern of many Vermonters is the rising cost of health care. This cost has put a tremendous strain on our medical assistance programs and on individual citizens and employers through higher insurance premiums. We must develop a system that makes adequate care available, but at reasonable and affordable cost. From the work of my Commission on Cost Containment, we will propose legislation establishing an annual ceiling on hospital expenditures. This "maxicap" will be negotiated by key parties—including hospitals, employers, Blue Cross/ Blue Shield and the state—and will reflect the realistic needs of Vermonters. This is a complex problem, but the direction we will propose is likely to make a start toward reducing the runaway financial burden, while insuring quality health care.

Action taken by recent legislatures has already demonstrated the effectiveness of tough enforcement of our DWI law. But measures in practice are simply not adequate to the scope of the problem! We must do more to get drunk drivers off our roads! It is of utmost importance that those who drive while impaired know that they will be caught and punished appropriately. Legislation is required to assure that first-time DWI violators quickly lose the privilege of driving. Quick suspension, through a civil proceeding, has been proven to be one of the most effective deterrents, and processing first-time DWI offenses through civil courts will greatly reduce the time required to remove these violators from the road.

I will be also asking for a significant increase in the number of state troopers. Although increased law enforcement capacity is clearly needed to meet a wide range of threats to the security of our persons and property, I believe the additional cost of a strengthened state police would be justified alone by the removal of more drunks from our roads.

As the state and federal governments have grown increasingly interdependent, so have the relations between state and localities become more intertwined. Domestic issues have both local and statewide dimensions: for example, taxation, environmental quality, police protection, streets and roads, and sanitation. The time has come to address these intergovernmental matters directly, cooperatively, and on a continuing basis through a joint state-local-civic undertaking to help our citizen leaders in a professional, advisory way. We need to establish a Vermont Advisory Commission on Intergovernmental Relations, patterned on the successful national counterpart.

Within the last year we have heard a growing clamor for higher state taxes to fund increased aid to local communities. Vermont already appropriates a larger share of general fund revenues to local services than all but a handful of states. If those distributions do not provide justice to the people of the communities of the state, we should deliberate together about the entire state/local relationship before establishing huge new claims on our general fund.

Another urgent charge of this Commission would be to improve the complex procedures through which Vermont administers growth management. I propose development of a prudent program of coordination and

localization for the growth-permit system to eliminate redundancy and, where feasible, to decentralize decision-making. Projects of statewide or regional significance will remain direct state concerns, and technical and financial assistance will be provided to guarantee local administrative and professional competence. Such a program will return decision-making to local governments when sensible, eliminate unnecessary procedural overlapping, and yet retain Vermont's unshakable commitment to high environmental, health, and safety standards.

Protection of the people's billions invested in our roads is an urgent priority. We must proceed with the second year of Vermont's five-year-catch-up repaving program. There are still over 700 miles of state highway that are in critical need of repair. We cannot afford to be diverted from this commitment. Further neglect of our multi-billion dollar capital asset would compound the future costs of repair. Unfortunately, the recently enacted federal legislation will not substantially assist this effort. I will be presenting a budget which reflects Vermont's priorities to continue our repaving program. Funding of this project will require an increase in Vermont's gas tax and other highway user fees. Without good roads, Vermonters cannot have that mobility which is an integral part of independence in today's world.

Over ten years ago I was a leader on the floor of this House in urging that Vermont ratify the proposed federal equal rights amendment. I am proud that Vermont was among the first states to do so. While I remain firm in my belief that we must have such an amendment, I believe it is now appropriate to adopt a Vermont Equal Rights Amendment to assure the rights of all of Vermont's citizens — both female and male. I believe justice requires us to see such action as a priority.

In times of difficult decisions it is tempting for legislative bodies to avoid new ideas—even when no appropriation is involved—and to allocate available funds entirely to old programs. Such a policy makes people prisoners of the status quo. It dooms them to facing later crises, which might have been avoided and to funding service programs which otherwise might not have been necessary. Let us avoid such temptations.

Vermont's strength is in large part a result of our willingness to look ahead and to act early in areas where such actions can bring our future more under our control.

Vermont is its people. It is incumbent on us to prepare Vermonters for the challenges of the future. Steps to better achieve that goal are always timely.

The last general assembly put in place what I believe is an essential foundation upon which we can now build one of the best public school systems in America. At long last, we have a fair method of aiding communities so that the state's resources augment those communities that have educational responsibilities which are beyond their fiscal capabilities.

Classroom teachers have long understood that education in the early years determines the capacity and the rate of learning in later years, and the self-sufficiency of students in pursuing further knowledge. It is self-evident that first children learn to read that they may thereafter read to learn.

Research data clearly indicates that carefully designed educational programs for children from age 3 through grade 3 can have enormous long-term benefits, not only in improving academic performance but also in reducing the need for programs designed to compensate for learning deficiencies. We should strive for the best educated young students in this country. To accomplish this, I am proposing an early education initiative which will enable local school districts to develop effective and innovative programs involving not only educators, but also parents, community volunteers, and businesses. These programs will include early screening, pre-school education, intensified instruction in math, reading and writing, and much greater exposure to the arts and our cultural heritage. Obviously an initiative of this significance cannot be accomplished overnight, so we will propose several start-up programs in fiscal year 1984 and continue progress from there in the following year.

One of the most pervasive and basic problems of our society is the abuse of alcohol. Alcohol is a significant factor in chronic unemployment, in the majority of all crimes against people, and in the majority of suicides, drownings and fatal accidents. Any progress that can be made in combating alcohol abuse will affect the lives of thousands of Vermont families. History illustrates clearly the failure to reduce that problem in any meaningful way by legislating prohibition for all or any part of the population. We need to make our citizens

aware of the insidious dangers of alcohol through a comprehensive alcohol education effort beginning in our elementary schools and continuing through high school and into the adult community. I am creating a special cabinet task force, chaired by Human Services Secretary Lloyd Novick, to review the state's many and diverse educational and treatment programs, in order to recommend ways to make these programs more effective. One certain recommendation will be that all state-approved driver education programs include a comprehensive segment on the effects of alcohol use on driving ability and safety.

To have a healthy economy tomorrow, advancing further our already encouraging steps to make Vermont resistant to national recessionary cycles, requires that we continue our many-sided efforts to enlarge present industry and bring in new investments. Education and training do, of course, have a major part in this, but so do more direct development tools — siting assistance, attractive credit, local cooperation, and others. The funds available to the Vermont Industrial Development Authority are important to this effort.

I hope that this year you will authorize expanded efforts to strengthen agriculture in Vermont — this is at a time when changes in federal price supports pose a problem for many farmers. These initiatives will be grouped into an agricultural enhancement program, to enable our State Department of Agriculture to give additional assistance to farmers and agricultural industries. This modest investment will pay for itself many times over through promotion of Vermont products, development of new markets, increase of milk consumption, and improvement of milk quality.

As a further step in preparing for the future I urge the enactment of constitutional amendments dealing with the structure of the executive branch. Recognizing that thoughtful planning and skilled, orderly implementation were a prerequisite to stability, Vermonters in 1870 amended the constitution to extend the term of governor and other offices from one to two years. The structure and complexity of our society and the value of experienced administrative leadership furnished by a governor have increased fully as much in the hundred years since the two year term was enacted as in the hundred years prior. The wisdom which guided that change today calls upon us to lengthen the term of office to four years. Nearly every other state has come to believe the public's interest is best served by a longer period of governance and reduced intervals of campaigning or transitioning.

I believe, too, that Vermont should amend its constitution to elect the governor and lieutenant governor from the same party as a team. Clearly, a cooperative and supportive relationship between Vermont's two highest elected officials would be beneficial to all.

Surely there is much for us to consider. The responsibilities are greater in these times of national transition and major change in economic circumstance than would be the case in more settled times. But Vermonters have a history of meeting challenges squarely. We must once again demonstrate our foresight and our courage.

For in these directions, lie, in some instances, the beginnings, while in others . . . the aspirations, the self-determination and the resolve of Vermonters to carry with us the independence of our past as we prepare to build new strength and enduring independence for our future.

Inaugural address

of

Richard A. Snelling

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1991

Thursday, January 10, 1991.
Inaugural Address

I would like to make a few personal observations before I begin my formal remarks:

My prayers, all Vermont's prayers, are with our Sons and daughters who are this day in, or on their way, to the Middle East. In the days and months ahead Vermont will often be faced with serious problems, but with perspective we know how much more important it is that all of this world find a way to reject both aggression and war. There is no higher goal or deeper wish than peace as the basis of a new world order.

And I extend my congratulations and best wishes to Governor Kunin. Her agenda was full, her contributions are many, and her service will long be remembered. I wish her a continuing life of leadership, fulfillment and satisfaction.

And finally, may I tell you how much I love this Chamber and all it stands for. I will never forget my impressions at the moment when I first took my place here as the Member from Shelburne, more than thirty (30) years ago . . . of the beauty and the grace of this Hall. Nor, by the way will I forget what I learned here, from many of you. In my six (6) sessions of service, or the friendships made in those years. I am happy to be back with you again.

Mr. President, Mr. Speaker, Mr. President *pro tempore*, Mr. Chief Justice, distinguished members of Vermont's Legislative bodies, public servants, family and friends:

Even as I return here for my fifth time, I wonder if it is possible for anyone to stand on this spot, on this occasion, and not find their heart pounding as they think of those others who have gone before, and of the mighty contributions of those historic figures.

Precisely two hundred (200) years ago today the Vermont Assembly in Bennington voted to ratify the Constitution of the United States in order to be included as the fourteenth (14th) state of the United States of America. This is a very special year for us, our Bicentennial, a year of anniversaries and of remembrances.

Thomas Chittenden made clear his exhilaration in anticipation of returning to office to lead Vermont as the fourteenth (14th) State when he told the Assembly "The Constitution, gentlemen, groped in the dark for days, months and years, but now it shines with pure lustre. By it our lives, properties, liberties and privileges, civil and religious, are protected. By it we retain a right to choose our own rulers and that from among ourselves; – by it we are rescued from submitting to the edicts of any foreign power, or neighboring government, while every civil officer is annually taught his dependence."

But even Thomas Chittenden had self-doubts about his readiness for the task of serving as Governor. As he stepped forward to accept his role in 1790 he said "It is with some reluctance that I shall enter again into public service, all circumstances considered; yet the good of this people lies so near my heart, that when duty calls, nothing shall deter me from acting that part I judge will contribute most to the peace, happiness and prosperity of the people. Therefore with a firm reliance on receiving that kind aid and support from the Council and House of Representatives that the nature of my office requires, I shall accept the office to which I am elected – and I pray God to grant me wisdom to conduct agreeable to His will and then I trust it will be for the best good of His and my people."

I confess that, like Thomas Chittenden, all circumstances considered, it is with some reluctance that I enter public service again today. But with Chittenden and with all of you, I share the determination that nothing shall deter any of us from acting the part we judge will contribute most to the peace, happiness and prosperity of the people. As our predecessors have succeeded together, so shall we.

1991 will be both an anniversary and a beginning. It is the end of our first two hundred (200) years but it is even more significantly the first year of Vermont's next two hundred (200) years. Governor Chittenden and the legislators to whom he spoke wanted those precious legacies of peace, happiness and prosperity for all of us down through endless generations, and that was their vision. Their vision is now the basis for our quality of life. It is our turn to dream our dreams and describe our visions, because they will determine the quality of life and the legacy we leave for our descendants.

Vermonters have always been generous. Those who do not know or understand Vermonters sometimes believe that frugality and generosity are opposites. The true Vermonters are both. To make a living in these hills one learned to use wisely each asset ... "waste not, want not" was a motto to live by. We have always reckoned with limits and so we understand them.

But the spirit of generosity springs from the same well. We were a rural people. Those who cleared and tamed a wilderness, those who lived apart, in tiny hillside clearings and small villages weeks away from distant cities, came to prize most the helpful and caring neighbor. Neither decades nor technology dim this understanding of how important the welfare of others is to each of us. A combination of frugality and concern for others must continue to guide us as we cope with the problems of the present and lay visionary plans for the future.

A reading of our history will bring us face-to-face with the reality that over and over again we have found the limits of the application of public resources to material social goals and have been forced, with reluctance and pain, to recognize that the ultimate humanity we seek is not the task of government alone, but is the goal of a society in which both public and private efforts must go hand in hand.

My oath has been sworn, and I must begin discharging my obligations now by telling you frankly and clearly that Vermont faces an immediate and urgent need to limit its public spending to a rate which can be supported by reasonable levels of taxation even in years of average economic activity.

About a week from now, I will ask to speak to you in great detail about this problem and to spell out a comprehensive approach to its solution. But the importance of the matter requires that it occupy far more of this occasion than I would like and I must make clear at least the fundamental nature of the problem.

Our state General Fund budget is being driven by a very small number of very expensive programs, all of which are escalating in cost remarkably faster than either the United States or the Vermont economy can be expected to support on a dependable and sustainable basis. Just seven (7) programs - Welfare, State Aid to Education (including retirement funds and aid to higher education), Property Tax Relief, Use Tax reimbursements, Corrections, Medicaid and Debt Service are together responsible for about 490 million dollars.

This is nearly 80% of the approximately 630 million dollar estimated spending for 1991. To those who wonder where the money is going, let it be clear that it is not going to hundreds of hidden items. It is not dust in the corners of the bureaucracy. It is mountains in the center of the public policy stage.

Each of these expenditures, while technically not all "entitlements," has the built-in capacity to grow in cost without any relationship to the growth of the state's revenue. Each and every one of these cost items has been growing enormously faster than the economy of the state.

The consequences are clear. Only when the economy is extraordinarily and unsustainably robust are the revenues from any reasonable or nationally-competitive tax system able to match expenditures. The recent years, through fiscal year 1990, were unusually strong years. For a few wonderful years Vermont experienced average annual real growth of nearly five percent (5%), more than double the long term average of two percent (2%).

When the economy is only average in vitality, budgets of the level we have reached will produce deficits or require punitive tax levels. In just a few years our overall tax burden has gone from 24th in the nation to about 12th highest.

On the basis of my own studies to date, I agree essentially with the calculations of Secretary Menson that just to maintain current programs at current service levels in Fiscal 1992, and meet some unavoidable but unusual debt service obligations of the coming fiscal year, will require 733 million dollars. But despite last years tax increases, the revenue expected in fiscal 1992 is expected to produce only about 582 million dollars. The gap is 151 million dollars. Even allowing considerable room for argument about either what is or is not required to maintain current programs, and room for disagreement about revenue projections; we must recognize that the fundamental problem begs for immediate acknowledgment, and the earliest possible attention from this body.

The task is formidable. Those in this Hall cannot accomplish this task alone. Only an understanding of the situation by the entire State can bring about adjustments of this magnitude. We Vermonters will need to call on our roots and our spirit to make these major changes.

And while we must solve this fiscal problem, it cannot occupy all of our attention this biennium. We cannot turn away from the countless opportunities to make life better in Vermont, in those ways that we can afford. We must look with optimism and enthusiasm to a future that is still ours to create.

The task of this session is not only to get our budget in order. It is to do that and find the ways we can meet our goals. Having to trim budgets is not a tragedy unless it is used as an excuse for turning away from responsibility.

We cannot and will not set lower standards for the education of our children, for the health of the population, for assistance to the troubled, jobless or homeless, or for protection of the environment. But we clearly must rethink how those goals are to be achieved.

Today there is not sufficient time to spell out a complete legislative agenda and I will not attempt to do so. I will speak at a later date about a number of concerns in the area of law enforcement, but I largely endorse recommendations already made in this area by the Attorney General. My recommendations regarding transportation matters will be included with the budget message. The legislation I will propose does not offer anything like a set of miracle cures for our problems. While the need for change may be made clear by the obvious failure of the old system to meet our expectations, the new procedures cannot be produced in a year or a biennium.

Changes of this magnitude result from a deliberate process involving literally thousands of people. The new systems are negotiated among those most knowledgeable about the strengths and weaknesses of the systems that have proved to be inadequate.

I will offer an approach and a beginning, based on the assumption that what is not working at levels of funding we can afford must be redesigned, and that it is time to make a beginning.

With this objective, I am committed to breaking down the state regulatory mandates and barriers to local interest and responsibility and just as committed to attacking the federal regulatory tangle which blocks so many of Vermont's efforts. At both the federal and state level the bargain must be to trade regulations and mandates for performance commitments.

HUMAN SERVICES

I will propose that we begin a comprehensive process of redesign of services and benefits provided through our Agency of Human Services which will thoughtfully address the resources available to those in need. Secretary Hogan has already begun this process.

The integrity of programs serving the most vulnerable and dependent citizens will be maintained although limited resources by necessity require the setting of priorities. Wherever we can, we will seek to alleviate the root cause of need by better integration of welfare, child care, and community mental health, health, substance abuse programs and education aimed to improve options and opportunities for the Agency's clients. Our goal will be always to treat individuals as whole persons not segmented or targeted only by their immediate problems. Our goal will also be to support and reinforce the family unit as the best long-term solution to many problems

This process of change will involve program administrators, advocates, consumers and the general public and be responsive to legislative mandate. The end result will be a system which will be financially sustainable in good times and bad.

ECONOMIC DEVELOPMENT

Social needs fall and tax revenues rise when the economic engine gets stronger, and vice versa. The world is just beginning the most intense period of international economic competition in history. In such a world the standard of living in the United States and in Vermont will be determined by our capacity to produce the goods and services needed in a peaceful and environmentally-sound world.

We must begin by a determination to nurture and sustain what we have — the existing manufacturing, recreation and travel, agricultural and service employers. We need to build on our existing educational and medical service organizations. We must create the reality and recognition that Vermont is a good place to work, to invest in good jobs, and to do business.

I intend to protect, defend and build upon Vermont programs to protect the environment. But we will put an end to any notion that Vermont does not want business or jobs or that reasonable permit requirements must be hostile to reasonable business interests.

I will take a personal role in stimulating public-private partnerships to help strengthen the economy and make clear that Vermont is as it always has been, a State which understands and appreciates entrepreneurship, and will work with both state and regional development groups and private business interests in expanding the effectiveness of international marketing of Vermont and Vermont products, particularly in Canada.

EDUCATION

We must strengthen Vermont's educational system. This is the best example of where we can make a difference which is not in proportion to public expenditures but is much more likely to respond to broad public commitment!

Let the Bicentennial year be the year of education in Vermont. First, let us each agree, regardless of our age or prior education or employment circumstances, to reach out for at least one significant personal educational advancement this year: a course or a set of books on a subject important to us, or our family or our careers, and let us make this a year in which each of us reaches out to help others learn the joy and rewards, of reading. Literacy for all Vermonters must be our goal if we are to improve the quality of life. I will ask leaders of every part of the Vermont educational system, the Library system, and related private endeavors to help me put together a program to help achieve our goal.

Secondly, let this be the year we make it clear that teachers and schools are only part of the process, and that parents must be at the heart of the educational partnership. No change in educational funding could accomplish what would result if all Vermont parents asked and expected more from their children.

Commissioner Mills and the Department have made great strides in these last several years. I am committed to helping to keep that progress going. I applaud the statement of education goals developed by the State Board and encourage Vermonters to participate in further definition of those goals and the strategies for their implementation.

THE ENVIRONMENT

I am committed to keeping Vermont a national leader in the scope, wisdom and effectiveness of its programs to protect the environment.

I recognize that to preserve and protect the environment, planning must be one of the highest goals of Vermonters and it must be the citizens who create the plans. Let Vermont's planning process be a blending of certain central and unifying principles with local and regional ideas which express the rich diversity of our communities.

I recognize and support the goals and aspirations of Act 200. However, I will ask the Legislature to remove any link between regional commission approval of municipal plans and state funding for planning at the local

level. Instead I will encourage regional commissions to act as resource and service providers for local communities and to assist in developing the cooperative processes to reconcile material differences between local plans.

The Public Trust doctrine provides that each State holds its public waters and the land underneath them for the benefit of the public. I have requested that Secretary Eastman review the work in progress on this matter in the Agency of Natural Resources and, as necessary, other studies, in order to prepare recommendations to the Legislature with respect to the precise nature of an effective doctrine for Vermont which recognizes both public and private interests.

During the last twenty (20) years Vermont has adopted, with the best of intentions, a multiplicity of statutes, regulations and funding programs with the objective of protecting the natural environment and encouraging better land use. We have now had sufficient experience with many of these regulations and statutes to design systems of administration which are clearer, more coherent, better focused and able to achieve a greater public benefit with reduced resources.

These initiatives along with those that I will include in the budget message will form the thrust of my recommendations to the Legislature. Our broad goal for Vermonters will echo that of Governor Chittenden peace, prosperity and happiness while preserving the beauty and grandeur of our State.

Our challenge will be to find new ways as a government to help each and every Vermonter achieve those aspirations that can only be met through the combined efforts of the individual, the public and the private sector.

Vermont is a small state that has always had a strong sense of community and a shared identity which we must strive to cherish and renew. With this legacy from prior generations we can forge creative ways within our means to meet our responsibilities as a state that reaches beyond the confining strictures of the past, and that truly reflect our compassion for those in need while enhancing independence and opportunity for those that can do for themselves. What I am proposing will not be easy nor immediate. It will mean a commitment from each of us to look beyond the present and our personal, material striving. A shared vision of how to shape our future will take hard work and imagination built on sound knowledge. It will involve us all in countless meetings and discussions. But this biennium must mark the beginning of a change in Vermont's methods of reaching for a quality and social justice. I will do everything in my power to assist you in this process.

God Bless You All.

Benediction

The Benediction was pronounced by the Most Reverend John A. Marshall, Bishop of the Catholic Diocese of Burlington.

Dissolution

The Governor, having completed his inaugural message, was escorted to the Executive Chamber by the Committee.

The Supreme Court was escorted from the Hall by the Sergeant-at-Arms.

The Joint Assembly then dissolved.

ROBERT H. GIBSON.
Secretary of the Senate, Clerk.

Inaugural address
of

Robert T. Stafford

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1959

Thursday, January 15, 1959

Inaugural Address

Mr. President, Mr. Speaker, Members of the General Assembly, The Supreme Court, Ladies and Gentlemen:

First, let me thank the President for his most gracious words. When I got up here, I said to him that I was most thankful that the firm of Babcock and Stafford was still in business.

The opening events of this Session are unprecedented, in the recent history of our State, yet they are most gratifying. They have demonstrated clearly that Vermonters have not lost their talent to deal speedily and effectively with a complex, unique situation.

Your Canvassing Committee, under bi-partisan leadership, has done a truly remarkable job of ballot counting with complete fairness. It has done the work much faster than even the most optimistic believed possible.

It has set the tone for a short, hard and productive Session of the General Assembly.

Naturally I am elated at the outcome not only from a personal standpoint, but more particularly because it has completely vindicated the faith most of us have always had in the integrity of Vermont election officials.

We may have some rather unique ideas about ballot storage here and there, which can be easily corrected, but our elections are fundamentally honest and reliable. We can rejoice that this fact has been proved to our own satisfaction before the eyes of the nation.

There is no honor I would exchange for the opportunity to work with you on behalf of the people of Vermont. We are faced with difficult and challenging problems.

Following the example of the Canvassing Committee, let us get the job done promptly.

Let us operate on a full work week at once. If we do, this session can be materially shorter than those of the recent past.

You will have the fullest cooperation of the Executive Department to expedite your consideration of legislative work. I propose, in fact, with your consent, to deliver the Executive Budget Message to you during your next legislative day, so that your biggest task will be ready for your immediate consideration.

As Governor, I plan while you are in session, to decline all social and ceremonial engagements which might interfere with my first duty, as I conceive it, and that is to be available at my office in connection with the operation of our State Government, and your deliberations. I trust Vermonters will understand and will prefer things to be this way.

The problems you face as legislators are enormous in comparison with those of your more recent predecessors. Our State has unquestionably reached a crucial economic point where clear thinking, sound judgment and prompt action are necessary.

There can be but one ultimate aim for all of us. It is to take the necessary action today to make Vermont a better place in which to live in every spiritual, social and economic sense for ourselves and our children.

The budget for the next biennium will present your thorniest problem. It will require you, as it has me, to guess ahead concerning probable revenues for two and one-half years – a difficult task in the rapidly fluctuating conditions of this jet-propelled age.

You will do well to keep these facts in mind as you consider the amount of money you will authorize your State Government to spend in the next biennium.

First, Vermont's population has remained nearly constant in recent years. Increased spending on your part will mean higher taxes from present citizens.

Secondly, experts tell us that all taxes together—federal, state and local, now take about 24% of our citizens' income—a level of taxation approaching the point where taxes can become a stagnating influence upon the economy of the State.

Thirdly, your State Government is vastly larger and more expensive to operate than it was even eleven years ago. It has grown from 1537 full-time employees and total expenditure from all sources of \$27,500,000 in 1947 to 3321 employees and total expenditures of \$75,000 000 in 1958. Per capita incomes have risen in Vermont during this period, but nowhere near as fast proportionately as has the cost of your State Government.

Fourthly, we are just emerging from a period of recession and unemployment which has slowed the development of the State's economy over the past year.

These factors may well influence you, as they did me, to come to the conclusion that this is not the time to heap large new taxes upon our people.

I repeat that one of the main concerns of this administration will be the economic welfare of the people of Vermont. Unless our citizens are economically sound and have enough money to purchase the material goods necessary to their own existence, they cannot, they should not, be asked to support costly additional state services no matter how desirable such services may be. Let me also emphasize that an expanding economy in our State can in future years provide the necessary revenues from present taxes to pay for many additional state services.

The budget I shall present to you will not require major new taxes. I urge its adoption.

The program this administration proposes has three main objectives:

1. To stabilize the cost of governmental operation as the level of the last biennium as possible.
2. To make capital investments in projects best calculated to develop the economy of the State and thus provide new jobs and higher incomes.
3. To adopt such recommendations of the so-called "Little Hoover" Commission as will most likely make our State Government more economical and efficient.

May I now turn to a brief discussion of portions of the administration program which are not to be covered in the budget message.

SOCIAL WELFARE

You have an opportunity to do an immediate and outstanding service for the people of Vermont in the Social Welfare field. The new proposals in respect to liberalized policies and increased payments in the programs of Old Age Assistance, Aid to the Blind, Aid to the Permanently and Totally Disabled, and Aid to Dependent Children, are the most far-reaching and liberal since these programs were inaugurated many years ago.

The Department of Social Welfare has completed a review and adjustment of its entire caseload and is in a position, with our prompt cooperation, to make higher payments on February 1st of this year. The Commissioner of Social Welfare informs me that there are sufficient unencumbered funds available to permit an increase in the three adult programs to maximum of \$75 a month. Legislation is ready for your immediate attention to this matter. I urge its prompt adoption so that the new benefit rates can be made this February 1st.

A method of utilizing other available funds to finance a program of nursing home care and hospitalization service for eligible recipients of Old Age Assistance, Aid to the Blind and Aid to the Permanently and Totally Disabled, has also been proposed and appears to offer considerable financial relief to the towns and cities of the State. It will insure better care and protection for those in need of such service.

HIGHWAY SAFETY

Substantial experience in the field of law enforcement has clearly demonstrated to me that there is no single measure no panacea which alone can cure our highway safety problem. Personally I believe that, notwithstanding the excellent reduction in number of deaths last year, the continuing loss of life, loss of

property and infliction of pain and suffering which results from automobile accidents within our borders, in spite of able law enforcement work, is so inexcusable, so unnecessary as to rank as the great tragedy of our time in Vermont.

The following measures will improve the situation:

1. Satisfactory completion of a driver education course for all who first apply for an operator's license in Vermont.
2. A re-examination program for accident-prone drivers.
3. Adoption of a point suspension system for Vermont drivers.
4. Adoption of so-called "implied consent" law with reference to drunken driving.
5. Jail for those driving while license is suspended.
6. Uniform traffic laws, so far as practicable, with those of our neighboring states.

HIGHER EDUCATION

This administration proposes to see that the encouraging increase in the numbers of Vermont youth who are able to continue their education beyond the high school level continues in the next two years. With this purpose in mind we recommend that tuition at the University of Vermont be maintained at \$345 for Vermont residents during the coming biennium. Further will be said on this matter in the budget message.

You will also be asked to create a State Scholarship Board composed of three educators and two senators to be appointed by the Governor with the consent of the Senate. One of the Board's principal functions will be to award the 300 scholarships now handled by our State Senators. This proposal is not made out of a feeling that the Senators have handled the scholarships badly but in the belief that the Board could do the matter better and at the same time administer a \$50,000 revolving fund for scholarship loans to outstanding and needy Vermont students who could not obtain a college education. You will be requested to authorize the Emergency Board to make such funds available at an appropriate time during the biennium.

PRIMARY AND SECONDARY EDUCATION

The highly successful program of state aid in the construction of new schools should be continued during the coming biennium. The details of the administration proposals in regard thereto are contained in the Budget Message.

It is also recommended that you provide our public school teachers with an opportunity by referendum on their part, to join their retirement system with Federal Social Security upon the same alternatives that were available to the members of the State Employee's Retirement System.

AGRICULTURE

The administration will make every possible effort to utilize effectively the resources of the State Government to assist our farmers to expand present and find new markets for the produce of Vermont farms. The drive to completely eradicate brucellosis from our dairy herds will be continued. I am personally prepared to take an active part in efforts to establish a plant of one of the large meat processing concerns in our state.

LABOR

The recession of the past year, with its attendant unemployment problem, has highlighted the necessity for a general overhaul of our laws affecting unemployment compensation. Bills are already in the legislative draftsmen's office which can serve as a basis for your consideration of this problem. I suggest that you consider:

First, increasing the maximum benefit amount payable to a figure approaching one-half of the average weekly wage of covered employees or a figure which would currently be about \$36; in Vermont;

Secondly, making provision for an allowance to dependents of \$2 per dependent up to five of a covered employee whose spouse is not working;

Thirdly, establishing an emergency fund for payments beyond 26 weeks duration when seven per cent or more of the labor force is unemployed for a period of four consecutive weeks—to continue until less than seven per cent of the labor force is unemployed for four consecutive weeks; such plan to provide for 13 additional weeks of payments.

Fourthly, that you permit a covered employee to earn up to \$10 a week from other sources before being disqualified from eligible for benefits; and

Fifthly, that the protection of unemployment insurance be extended to those employees working for employers of one or more.

The extension of this protection would exclude—those employed by employers otherwise exempt from coverage, such as agricultural laborers, domestic servants, casual laborers, etc.

It is also recommended that our minimum wage law be raised to one dollar to coincide with the present minimum under federal law.

HIGHWAYS

Modern highways are essential to the development of Vermont's agricultural, recreational and industrial future. They are equally important to the safety of our traveling public. Realization of this fact has spurred us on to undertake an ambitious highway construction program which is partially completed.

Modern highways cost a great deal of money. We want to build roads as fast as we can afford the cost of their construction and maintenance, but it would be courting financial disaster to go beyond this point. The financial problems inherent in future highway construction and maintenance will be discussed in the Budget Message. Let it suffice here to say that this administration believes we should complete our present construction program and re-evaluate our needs and financial resources before considering another large bond issue. With this in mind I propose that we authorize only enough additional highway construction bonds in the second year of the biennium to insure utilization of all available federal funds. About \$3,000,000 in bonds will be required to attain this objective.

RECREATION

Americans are estimated to be spending some twenty billion dollars a year on recreational travel. Naturally we want our share of this growing economic bonanza and we can get it in spite of the sharp competition of neighboring states if we act with vigor and imagination to fully develop Vermont's outstanding four-season natural attractions.

There is need in our State for many more public parks, campsites, bathing beaches and the like. We need to build them at the right time and in the right places. In short, we need a carefully and scientifically prepared long-range plan for public parks expansion. Specifically we should embark upon an eight-year program of public park construction calling for a total investment over the full period of four million dollars. The program can be financed by bond issues which in turn can be, to considerable degree at least, self liquidated by revenue from the facilities they will construct. In the Budget Message you will be asked to authorize the first step in this program whose objective will be to make Vermont the undisputed vacation capitol of eastern America.

INDUSTRIAL DEVELOPMENT

Vermont's growth in the years ahead will depend to a considerable degree upon the acquisition of new industries and the expansion of those we now have.

Competition to secure the presence of an industry seeking a new location is severe, yet we in Vermont can obtain new industries if we create the right "climate" and take the necessary steps.

One step which has proven to be a successful means of bringing an industry to a community is to have a modern manufacturing plant ready for immediate occupancy. There are all too few such plants available in Vermont. We need many more to serve as the basis for a state-wide industrial solicitation program.

Such plants are frequently put up by local non-profit development corporations but they are expensive and often the local development corporations require help in the form of some guarantee of their financial obligations in order to raise the necessary money.

Many states, including some of our neighbors, assist local development organizations by guaranteeing their bonds through the agency of a State Industrial Building Commission. We do not have such an agency in Vermont as yet, but one is required if we are to keep up with the rest of the country in the acquisition of new manufacturing concerns.

A State Industrial Building Commission is recommended. Its principal function would be to guarantee the financial obligations of approved local development corporations and to make such obligations when guaranteed legal investments for all purposes.

Such an agency would cost nothing, yet it might well be the catalyst which could bring about significant plant construction and expansion in our State. This would mean, in turn, more jobs, more people, more pay and a broader tax base.

CONSTITUTIONAL AMENDMENTS

Vermont's Constitution can be amended but once every ten years. The next opportunity will be in 1981. I propose we prepare for that time by creation of an interim commission to make recommendations for, the amendment of the Constitution to the General Assembly of 1961. It is hoped that such a commission will consider possible amendments:

1. To eliminate the ten-year interval between opportunities to make changes in the Constitution while retaining all of the other safeguards against hasty action such as two successive legislatures and a referendum.
2. To provide for a four-year term for Governor.
3. To authorize annual sessions of the Legislature for a constitutionally limited period of time.
4. To change the present requirement for counting votes for Governor, Lieutenant Governor and Treasurer so that legislation may be authorized providing for prompt recount of challenged state-level elections.

So much for the highlights of the administration program. The proposals for Constitutional amendments lead me directly to some final observations. We live in an age of jets, atoms, satellites and electronics. The pace of life has vastly accelerated within a decade. Emergencies, social and economic, come and go with amazing rapidity. They make the task of shaping Vermont's destiny for two and one-half years in the future infinitely complex and difficult. The work could better be done by annual sessions.

I am shortly to present to you a budget. My advisors and I have worked hard to make it a realistic budget, yet none of us is sure what the economic situation will be in the, second year of the biennium. We could plan more accurately upon annual basis.

You are about to receive and consider many proposals from the so-called little Hoover Commission. These will require careful study and under standing on your part and on the part of the public as well before final action is taken upon them.

An adjourned session of this General Assembly could not only provide an interval of time to permit general understanding of the Commission Report, but could also afford us an opportunity to deal on a timely basis with one or two other matters which will be discussed in the Budget Message.

The programs outlined here provide for a stable government, some desirable economics and some capital investments calculated to make Vermont more attractive to visitors and to ourselves. I believe this course at the moment, rather than a program of vastly increased expenditures, is the one of real progress. Our economy will grow if we do not smother it with taxes.

I share with you great faith in the future of our State. It can be any thing we want it to be if we are willing to work hard, plan intelligently, and act promptly.

Let us work together to make our State a place in which we can live in comfort and dignity—a place in which our children will be able to lead an abundant life—a State in which democracy can continue to flourish.

I shall look forward to working with you in the months ahead. Thank you.

Inaugural address
of
John W. Stewart
As it appears in the
Journal
of the
House of Representatives
Biennial Session,
1870

Thursday, October 6, 1870 Inaugural Address

*Gentlemen of the Senate
and House of Representatives:*

Our reverent thanks are due to Almighty God for the blessings of health and prosperity with which He has crowned the year that has elapsed since your last Annual Session.

It seems fitting, that in the name of the people whom he so ably and faithfully served, I should advert to the great public loss our State has sustained in the death of the late Governor Washburn. The wide-spread grief it occasioned is still fresh. The loss of a public servant, so upright, faithful and capable, so earnestly devoted to the best interests of the State, is indeed irreparable. We may find some solace in the thought, that he lived to meet the approval which his eminent services merited, and that his public and official life, henceforth a part of our history, is worthy ever to be held in grateful remembrance.

FINANCES.

The financial condition of the State is satisfactory.

The following is a summary of the Treasurer's report, herewith submitted.:

RECEIPTS.

Balance in Treasury, Sept. 1 st , 1869,	\$36,931 24
Vermont Bonds in the Treasury,	27,500 00
Amount of Sinking Fund,	75,694 02
Income of Agricultural College Fund,	8,151 00
Balances received from Judges of Probate,	8,218 00
License fees from foreign Insurance Companies,	476 00
Received from sundry railroads for Commissioner's salary and expenses,	547 13
Temporary loan of 1864	\$5,000 00
Temporary loan of 1867	14,500 00
Temporary loan of 1868	100,000 00

	\$119,500 00
Balance of State tax for 1868,	3,934 29
Amount collected on State tax for 1869,	511,475 37
Received from other sources,	13,141 68

	\$830,397 38

DISBURSEMENTS.

For debentures of General Assembly, 1869:

Senate,	\$4,372 00
House of Representatives,	29,315 60
Miscellaneous,	2,635 60
Council of Censors, 2 ^d and 3 ^d sessions,	1,631 60
Constitutional Convention,	10,752 80

	\$48,707 60
Extra State pay of \$7 per month,	8,644 85
Allotment pay of officers and soldiers,	5,301 00
Court orders,	56,438 82
Auditor's orders,	190,611 14
Discount on taxes allowed to collectors,	16,705 13
Suspense account on outstanding checks,	14 00

Temporary loans paid,		119,500 00
Vermont bonds redeemed,	\$61,000 00	
Less registered certificates issued,	31,500 00	
	-----	\$29,500 00
Interest paid as follows:		
Coupons from bonds,	\$49,200 00	
Registered loan,	13,335 00	
Temporary loans,	1,560 83	
Surplus fund to towns,	639 11	
Allotment accounts	1,708 10	
	-----	\$66,443 04
Vermont bonds in Treasury,		43,000 00
Sinking fund for bonds due in 1871,		196,194 02
Balance cash in Treasury,		49,338 78

		\$830,397 38

CURRENT LIABILITIES.

Auditor's orders, outstanding, estimated by Auditor,		\$2,017 43
Due to towns, U.S. Surplus Fund,		11,176 18
Agricultural College Fund,		68 40
Town's interest on Surplus Fund,		27 96
On allotment accounts,		4,558 26
Extra State pay,		17,758 49
Outstanding checks,		1,877 73
Interest on allotment accounts, estimated,		1,000 00
Coupons of '71 bonds, unpaid,		2,280 00

		\$ 40,764 45

CURRENT RESOURCES.

Balance in Treasury,	\$ 49,338 78	
Due on tax of 1869,	5,546 34	
	-----	\$ 54,885 12
Excess of resources over liabilities,		-----
		\$ 14,120 67

FUNDED LIABILITIES.

Under the authority of the act of 1867, certificates of registered loan have been issued amounting to \$247,500, of which \$9,500 have been redeemed, leaving \$238,000 outstanding September 1st, 1870.

The total of funded debt, including coupon bonds and registered loan, is as follows:

Coupon bonds due June 1 st , 1871,	\$448,500	
Registered bonds due June 1 st , 1871,	2,000	
	-----	\$450,500
Coupon bonds due Dec. 1 st , 1874,	\$95,000	
Registered bonds due Dec. 1 st , 1874,	150,500	
	-----	245,500
Coupon bonds due Dec. 1 st , 1876,	\$211,500	
Registered bonds due Dec. 1 st , 1876,	38,500	
	-----	250,000

Coupon bonds due Dec. 1 st , 1878,	\$ 52,500	
Registered bonds due Dec. 1 st , 1878,	47,000	
	-----	99,500

		\$1,045,500
Less bonds in the Treasury,		43,000

Funded debt outstanding,		\$1,002,500

ESTIMATED CURRENT EXPENSES FOR 1871.

Extra State pay and allotment accounts,		\$10,000
Interest on bonds and loans,		65,100
Other State expenses,		270,000
Funded debt due June 1 st , 1871,	\$450,500	
Less amount of sinking fund,	196,194	
	-----	254,306

		\$599,406

ESTIMATE FOR 1872.

Extra State pay and allotment accounts,		\$8,000
Interest on bonds,		35,700
Interest on loans, &c.,		1,500
Ordinary State expenses,		270,000
Sinking Fund for bonds due in 1874,		100,000

		\$415,200

The whole amount of bonds outstanding, redeemable in 1871, is \$450,500; of which \$378,500 were issued prior to the passage by Congress of the legal tender act.

It is held, by a recent decision of the Supreme Court of the United States, that the provisions of the legal tender act are not retroactive, and that debts contracted prior to its passage are payable in coin.

The coupons on these bonds, due last June and yet unpaid, amount to \$2,280; of which \$1,920 have been presented and demanded in coin—payment in which was declined—and the same are now held by the parties, awaiting the action of the Legislature.

I respectfully recommend a prompt recognition of the authority of the Supreme Judicial Tribunal of our county, by an enactment authorizing the Treasurer to pay, in coin, that portion of our debt falling within the scope of the decision referred to.

The Treasurer's estimate of expenses for the year 1871, amounting to \$599,406, is made upon a currency basis; so that if provision be made for the payment in coin of the bonds alluded to, it will be necessary to add to the estimate an amount sufficient to cover the probable premium on gold, when needed. This is estimated at about \$60,000, assuming the value of gold to remain nearly as at present.

The estimate for the year 1871 should, therefore, be \$659,406. Inasmuch as we have reason to expect that the grand list of the State will be increased, it is hoped that the tax required to meet this estimate will not greatly exceed the tax of last year.

CONSTITUTIONAL AMENDMENTS.

Since your last Annual Session, alterations in the Constitution of the State have been made, which will require corresponding modifications of our Statutes. It is not necessary that I should call your attention to all the details of the required legislation, and I therefore specially notice only those which seem most important.

By the change from Annual to Biennial Sessions of the Legislature, the tenure of office of all State and Legislative officials is necessarily extended to a corresponding period. The support of the government must be provided for during the interval between the sessions.

As appears from his report, the Treasurer's estimate of expenses for the year 1872 is \$415,200, and it is incumbent upon you to lay a tax upon the list of that year sufficient to cover the estimate.

It would also seem that some provision should be made for the revision and correction of the lists of each alternate year, when the Legislature is not convened, by the creation of a board competent for that important duty.

Under the existing law, the valuation of real estate recurs every fifth year. It is obviously necessary that the interval between valuations should consist of an even number of years, otherwise such valuations will alternately occur in the year of legislative suspension.

EDUCATION.

I congratulate you upon the manifest advancement the cause of popular education is making in our State. There is a growing interest in our public schools, and the truth is generally acknowledged that the education of the people is an indispensable safeguard to the preservation of free government. For the general diffusion of education, reliance must be had, primarily, upon free common schools. It is, therefore, of vital importance to the welfare of the State, that the instruction afforded in these schools should be of the highest character attainable. It should, however, be remembered that a system of education which fails to embrace the academic and collegiate methods and opportunities is incomplete, and must languish. Where mental culture is broadest and deepest, there are the fountains whence flow the best educational influences, ever drawing up to a higher plane what is below. In turn the common school sends up its select material to the higher institutions, and thus the extremes of the complete system reciprocally elevate and sustain each other.

I commend to your vigilant care the interests of all our institutions of education.

Experiment in all the States foremost in the cause of education, has proved the great value of the Normal School, in training teachers for common schools. Good teachers are indispensable, and the Normal School is the best instrumentality which can be employed to secure the needed supply. I venture to suggest that the time has come for the adoption in this State of a more settled and effectual policy on this subject.

For information relative to the practical working of the plan now in operation, its obvious defects, and the remedy therefore, I refer you to the report of the Board of Education, and I commend the suggestions therein set forth to your earnest consideration. While the plan referred to has not been without beneficial results, yet it manifestly falls far short of our need. The State has not in any proper sense a Normal School. It is for you carefully to consider, whether the policy so cautiously inaugurated should not now be firmly established upon such permanent basis as shall secure the desired end.

It is notorious that no small proportion of the children of the State do not attend any school. The recognized duty of the State to furnish the means of education to all her children, implies the power to compel the attendance of all. Ignorance is a prolific source of every form of social disorder. The propriety of the exercise at this time of your undoubted power for its prevention, I submit to your careful consideration.

ATTACHMENT LAW.

I esteem it my duty to call your attention to the evils of our law of summary attachment. They have long been felt and acknowledged. A perfectly solvent business man is liable to a summary attachment of all his property upon a claim which may prove wholly groundless or even fictitious; his credit may be thereby seriously impaired, and perhaps his business broken up and destroyed. On the other hand, of a debtor be really insolvent, the first attaching creditor may absorb all his assets, leaving without satisfaction or redress all other creditors, frequently comprising widows and minors, who cannot exercise the sharp diligence the law requires.

A law which not only permits by encourages the application of all the property of an insolvent debtor to the payment of one greedy creditor, to the exclusion of all others, is so manifestly unjust, that comment is unnecessary.

Entertaining these views, and believing, as I do, that this law is a positive hindrance to business enterprise, which should receive every encouragement, I respectfully recommend a careful consideration of the subject, and that the law be essentially modified, and stripped of its harsh and unjust features.

THE JAILS.

I invite your attention to the evils of our jail system. They have long been felt and deplored by those most conversant with its workings. While it would be manifestly impracticable to attempt an immediate cure of these evils, it is yet a question, worthy your earnest consideration, whether they may not be gradually ameliorated and finally abolished. For the most part our jails are used as mere houses of detention. Parties charged with crime are confined therein, only pending inquiry as to guilt or innocence. Unquestionably the great evil of the system is in the promiscuous intercourse of all the inmates, in a common room. Thus are brought together the guilty and the innocent, the old and the young, the unfortunate and the depraved. This unchecked association is wholly pernicious. It makes the common jail a public school of vice, maintained at the public expense. An expensive instrumentality for the prevention of crime thus becomes a prolific source of its perpetuation. Shut up in idleness without books, without religious privileges or instruction, the vicious become more hardened, and the innocent corrupted. The released victim of the system goes back, to inflict, in nameless crimes upon society, the penalty for its neglect.

Our jails should be so constructed as to render such intercourse impossible.

I suggest whether it would not be well that the Legislature should prescribe the plan of construction of all jails hereafter to be erected or reconstructed; and that their internal police be brought more directly under legislative supervision.

THE CENSUS.

Returns of recent census show a small increment to our population during the last decade. It is probable, however, that under the new apportionment of Representatives in Congress, to be made upon the census of 1870, our State will lose one member, and must therefore be re-districted before the next Congressional election. In order to avoid the expense of an extra session, I recommend such legislation at the present session as shall provide for the expected contingency.

ANNUAL REPORTS.

The Annual Reports to which no allusion has been made, will be submitted for your consideration. I have had no opportunity for their proper examination.

ASSESSMENT OF TAXES.

Our system for the assessment of taxes is defective. The amount of personal estate which escapes taxation is enormous. Valuations are unequal, and the burdens of taxation bear unequally upon our citizens. Real estate cannot escape, but personal property, through the much abused privilege of offset for debts, and the various shifts of evasion and concealment too commonly practiced, is largely omitted from our annual lists. As a consequence, real estate is always appraised below "its true value in money," and not seldom at less than one third of such value.

It is a serious question whether offsets for debts should not be much restricted. It may be well to inquire whether the evils of the present system may not be at least alleviated by well considered modifications of our law.

COUNTRY AND STATE.

I congratulate you on the condition of our beloved country, reunited upon the righteous basis of universal freedom and citizenship.

The evidences of renewed prosperity are abundant. While other nations are desolated by the ravages of war, we enjoy the untold blessings of peace.

There are encouraging signs of advancement in our own State. Our population and resources have materially increased within a brief period, of a ship canal connecting the waters of Lake Champlain with the Upper Lakes, thus bringing Vermont in the great highway of traffic from the West to the seaboard, will greatly stimulate our industries and develop our resources.

I invoke upon the precious interest committed to you, the Divine blessing, and upon your deliberations the guidance of Infinite Wisdom.

JOHN W. STEWART.

EXECUTIVE CHAMBER }
Montpelier, Oct. 6, 1870. }

Inaugural address

of

William W. Stickney

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1900

Thursday, October 4, 1900
Inaugural Address

Gentlemen of the Senate and House of Representatives:

In obedience to the constitutional requirement to prepare such business as may appear necessary to lay before the General Assembly, your attention is invited to some of the subjects, the investigation of which is deemed important at this time.

STATE FINANCE.

The financial condition of the State on the 30th day of June, 1900, as appears from the Treasurer's report, was as follows:

RESOURCES.

Cash on hand and in banks	\$ 117,161 20
Due from towns, State tax	4,412 79
Corporation tax, estimated	400,000 00
Collateral inheritance tax, estimated	20,000 00
	\$ 541,573 99
	\$ 541,573 99

LIABILITIES

Due to towns, United States deposit money	\$ 14, 383 26
“ soldiers, unpaid balances	8,312 18
“ towns for school and highway taxes-	171,991 08
Auditor's orders unpaid	13,971 54
	208,658 06
	208,658 06

The amount, therefore, remaining available for the current fiscal year from July 1, 1900, to June 30, 1901, is \$332, 915.93.

This shows a very satisfactory condition of the treasury, and is an improvement over two years ago.

By examination of the report of the State Treasurer, and omitting what is not essential, it appears that the receipts, including cash on hand and disbursements for the biennial term ending June 30, 1900, have been as follows:

RECEIPTS.

Cash on hand and in banks, June 30, 1898	\$ 137, 431 76
Tax, collateral inheritance	39,988 89
“ corporation	841,633 47
“ State	355,972 50
From all other sources	255, 675 59
	\$ 1,630,702 21
Total	\$ 1,630,702 21

DISBURSEMENTS.

Paid soldiers, State and allotted pay	\$ 32,438 55
“ debentures, Legislature	57,844 20
“ balance temporary loans.....	145,000 00
“ interest.....	49,930 00
“ Auditor’s order.....	1,228,328 26
Balance cash on hand and in banks.....	117,161 20

Total	\$ 1,630,702 21

STATE EXPENSES

Your attention is especially directed to the foregoing item of Auditor’s orders which, during the biennial term ending June 30, 1900, the Treasurer had paid to the amount of \$1,228,328.26. Besides this item there were orders outstanding and unpaid on that date to the amount of \$13,971.54. So that all the orders drawn for State expenses for the biennial term amount to the sum of \$1,242,299.80.

The Auditor reports that, after deducting the moneys covered into the treasury on account of receipts from the several institutions and balances from officials, the net amount of State expenses for which orders were drawn for the biennial term was \$ 1,095,684.82, of which the follows is a

SUMMARY.

Administration of justice.....	\$ 328,826 62
Agricultural	23,525 64
County commissioners.....	1,632 67
Dairymen’s Association.....	2,000 00
Educational	112,542 88
Executive Departments.....	46,057 03
Fish and game	8,770 94
Insane	259,578 98
Legislative expenses	69,104 23
Libraries	10,514 07
Maple Sugar Makers’ Association.....	1,000 00
Military	39,828 60
Moieties under liquor law	41 25
Noxious animals.....	2,957 50
Penal.....	82,102 26
Pensions	480 00
Public health.....	22,431 09
Printing.....	18,476 45
Railroad Commissioners.....	6,315 13
Soldiers’ claims under No. 86, 1898.....	11,132 62
Soldiers’ Home and deceased veterans.....	25,207 25
Special appropriations, 1898.....	19,627 39
Special commissions	3,532 22

Total	\$ 1,095,684 82

There must be added to this sum what the Treasurer has paid by authority of law, without orders from the Auditor, and it appears that the net State expenses for the biennial term were nearly \$1,180,000.00, or \$590,000.00 a year.

While these figures may not be absolutely accurate, they are approximately correct.

Now, this matter of State expenses is a subject peculiarly within your province, for it is written into our Constitution that “no money shall be drawn out of the treasury unless first appropriated by act of legislation.”

Therefore, there is not an item of expenditure in the foregoing list that does not merit your careful examination in detail. And it at the close of the session there is, under the law, a single dollar of the State’s money expended extravagantly or for an object for which the taxpayer ought not to contribute, we shall be responsible and will remain responsible until our successors are elected.

For you not only make every new appropriation, but also sanction and acquiesce in every existing law which authorizes the payment of money from the treasury.

On the very threshold of the session, then, it is advisable to examine carefully the reports of the several State officers, which have been prepared at great expense of labor and money, so as to be able to form an intelligent judgment upon what expenditures are necessary or reasonable. If you will do this faithfully, you will not find it necessary to take an adjournment for the purpose of going home the first week of the session.

Every member of the General Assembly should make this examination for himself and act upon his own opinion. For it has been well said that the best legislation is attained by the combined judgment of average men.

Within the time reasonable to occupy, I can call your attention to only a few subjects relating to State expenses, and leave the greater part of the field open for your investigation.

It appears that there has been paid during the last ten years, in maintaining the military organization of the State, the sum of \$251,726.04. This averages over \$25,000.00 a year.

It is without question the part of wisdom to maintain a regiment of militia and keep it in a high state of efficiency as a nucleus for military organization in case of war. Thorough preparation for war usually prevents war. At the same time, it is evident that our military establishment is too expensive and its cost ought to be diminished.

We are now maintaining a brigade organization with only a regiment of infantry to command. I would, therefore, recommend that the office of Brigade Commander be abolished, and that the law establishing a brigade organization be repealed. I would also ask you to inquire whether the office of Adjutant and Inspector General and the office of Quarter-master General could not be consolidated and the duties of both offices performed by one person.

Inasmuch as it is thought that Congress may soon enact some measure looking to greater uniformity between the National Guard and the regular army, it would not seem wise, for the present, to make any increase in the number of the militia.

COMMISSIONER OF STATE TAXES.

In recent years offices and commissions have been created for temporary purposes and when, once established have become fixtures. As example, there is the office of Tax Commissioner. Probably it is now the chief sinecure of the State.

The expense of this office for the last biennial term was \$3,087.99 of which \$2,200.00 was paid for salary, \$600.00 for clerk hire, and the balance for stationery and incidentals. Without the possibility of successful contradiction, it is asserted that the whole duties of the office could be performed by the State Treasurer without material addition to his labors.

The army of aspirants who have already applied to serve the State in this position demonstrates the wisdom of the fathers in providing in our Constitution that “whenever an office becomes so profitable as to occasion many to apply for it, the profit ought to be lessened.” And they might well have added, that whenever an office becomes unnecessary it ought to be abolished which I now recommend.

I would also suggest that the duties of the office be assigned to the State Treasurer and that he receive the same sum for clerk hire as the Tax Commissioner is now allowed

I think it worth your investigation to ascertain whether the State would take, any detriment if the State Prison, House of Correction, and Industrial School were all placed under one board of management. These institutions, it is true, differ to some extent in character, but the duties of the directors or trustees are practically identical. The law of 1878, placing the State Prison and House of Correction under one board, seems to have worked satisfactorily. It would appear that this principle might be extended to advantage.

INTEREST ACCOUNT.

The State ought not to pay higher interest than the market rate. Let us take one item as an illustration. There is included in the liabilities of the State an item of \$14,383.26, on account of United States deposit money due to towns. Of this sum \$392.49 belongs to unorganized towns and gores and is property left in the State treasury.

The whole amount of the United States deposit money held in the State aggregates \$669,086.79. As you know, this is divided among the towns according to population and is redistributed once in ten years. A great majority of the towns have complied with the spirit of the law, have elected trustees and have received their proportion of this fund.

The law provides that the State Treasurer shall retain the share apportioned to the towns which have not elected trustees and the shares of unorganized towns and gores and shall pay the interest to the towns and gores to which it belongs.

Eleven towns have failed to elect trustees and are paid interest at the rate of six per cent, per annum on this fund.

I would suggest that the statute regulating this matter be amended, and that the State Treasurer be directed to pay to the towns interest at the rate of three per cent per annum.

It is not equitable for all of the towns to pay a part of the towns more than the market rate of interest on a State loan.

The foregoing observations are intended to be suggestive only and your attention is directed to a consideration of the whole matter of State expenses.

BIENNIAL REPORTS.

I wish to call your attention to the biennial reports of the State officers, boards and commissions. The fact that no special allusion is here made to several of them does not depreciate their importance. Each one of them should receive your careful study and candid consideration.

On account of these extended reports it will be unnecessary to direct attention to all of the various institutions and interests of which they treat.

HOSPITAL FOR THE INSANE.

But I wish to speak briefly in reference to the insane poor supported by the State.

The trustees report that the full capacity of the hospital at Waterbury is five hundred patients, and of the retreat at Brattleboro three hundred fifty, a total of eight hundred fifty. The present number at Waterbury is five hundred fifty-one, and at Brattleboro two hundred ninety-one, making the total number of patients now under State care eight hundred forty-two. They predict that, within one year, both hospitals will be overcrowded, and recommend the feasibility of erecting cottages for the feeble-minded inmates who do not require constant medical attendance.

It is notorious that the hospitals are being filled up with demented paupers, who only need care and a comfortable place in which to live. They require neither restraint nor treatment for insanity.

Now, instead of erecting new buildings at large expense, would it not be better to enforce the present law, or, if necessary, enact a new one so that demented persons who require neither restraint nor treatment would be supported by the several towns in which they belong? The present law does not seem to sufficiently protect the interests of the State. This whole matter should receive your careful consideration.

BOARD OF HEALTH

Your attention is particularly invited to the report of the State Board of Health. From a careful examination of their work, it appears that they have done much to stamp out and prevent the spread of contagious diseases.

The application of special knowledge in this direction has resulted in one of the greatest triumphs of modern science. The results are as beneficent in the security to human life as they are economical in the saving of money.

In connection with the board there has been established the Laboratory of Hygiene at Burlington, which is thoroughly equipped and is a model of its kind. The director, Dr. J. H. Linsley, is a very competent and enthusiastic worker in this department of special knowledge.

Where the public health is involved, the question of cost is secondary.

The appropriations for this board should be sufficient not only to meet the necessary but probable demands that will be made upon it.

LIBRARIES

The Library Commission has done efficient work for a very small outlay of the money of the State. It has demonstrated its usefulness. You ought to inquire if the appropriation for its work is sufficient for reaping the best results. There are in the State one hundred seven town public libraries, eighty-eight of which were brought into existence by the Hazen law of 1894, and the efforts of the Library Commission.

There are over one hundred thirty towns in the State without any library facilities. Many of these towns are small, and cannot support a public library. Yet, for a very small expenditure, they could all be reached by means of the traveling library. For this work you will be requested to make a small appropriation, which I recommend.

For a government organized like our own depends for its existence on the intelligence of the people, and this is greatly promoted by library facilities.

TEMPERANCE.

The promotion of temperance is among the most important objects which should engage the attention of the community at large. The question that comes within the domain of legislation is between permitting, under due regulation, the traffic in intoxicating liquors for the indiscriminate purpose of drinking, and the prohibition of the traffic for such general purpose.

Believing that, in our State as a whole, prohibition is the best method for regulating the traffic, I think the prohibitory system ought to be continued. I concur in the belief of one of my predecessors that the great and manifold evils of in temperance are not to be essentially alleviated by any scheme for licensing the traffic.

UNITED STATES SENATOR.

It becomes your duty at this session to elect a Senator to represent this State in the Congress of the United States for the unexpired term of the late Senator Justin S. Morrill, which ends on the 3d day of March, A. D., 1903, and heretofore filled by the temporary appointment of Hon. Jonathan Ross.

REAPPORTIONMENT OF STATE SENATORS.

The Constitution provides in effect, that the Senate shall be composed of thirty members, that each county shall be entitled to one Senator and the remainder of the Senators shall be apportioned to the several counties according to their population, as ascertained by the United States census.

Since 1890 there has been such a change in the relative population of some of the counties as in all probability to require a reapportionment of the Senators therein,

Such legislation ought to be had at the present session as shall provide for the expected contingency.

CONSTITUTIONAL AMENDMENTS.

The period has arrived when amendments to the Constitution can be initiated.

It seems to me that it would be well to modify the present provisions of the Constitution in reference to the method of securing an amendment to the in itself.

The Constitution now provides "that the community hath an indubitable, unalienable, and indefeasable right to reform or alter the government in such manner as shall be, by that community, judged most conducive to the public weal."

But by the present method, articles of amendment can only be proposed "every tenth year." So that however great the occasion, no change can be made in the interim. Under free government the people ought to be able to trust themselves.

I think the Constitution would be properly safeguarded if amendments were allowed to be proposed at any biennial session of the Legislature, leaving the other provisions concerning amendments as they are at present.

For now, before any proposed amendment can become effective, the Senate must by vote of two-thirds of its members propose it, and it must be concurred in by a majority of the members of the House of Representatives. After that, it is referred to the General Assembly next to be chosen, and, if a majority of the members of the Senate and the House of Representatives of the next following General Assembly shall respectively concur in the proposal, it becomes the duty of the General Assembly to submit the proposed amendment to a direct vote of the freemen of the State, a majority of whose votes is required before the proposed amendment be comes a part of the Constitution.

At present, therefore, no amendment can be adopted until the third year after it is proposed. For example, if an amendment were proposed at this session, it would be referred to the Legislature of 1902, and, if concurred in, then to the people in March. 1903.

By this method, sufficient time intervenes to allow a full discussion and proper consideration.

Proposals of amendment to the Constitution of the United States may be made at any regular session of Congress. Yet none has been made to that instrument within the last thirty years.

Likewise, in most of the States of the Union, amendments can be initiated at any regular session of the Legislature.

I would also recommend that the day for holding the State election be changed to the first Tuesday after the first Monday in November, and the time for convening the General Assembly be altered to the first Wednesday in January.

In every alternate biennial term we hold two elections, one for State officers and another for presidential electors.

The inconvenience and expense of the extra election might be avoided.

Nearly all the States in the Union now hold their State elections on the federal election day. No good reason can be urged why Vermont should not adopt the same method.

I ask the Senate to give these subjects such deliberation as their importance demands.

ALTERATIONS OF PUBLIC LAWS.

The growing evil of the frequent alteration of the public statutes demands attention.

The Legislature ought to be very reluctant to change the law when once established. While it is not to be questioned that our statutory law might be improved in many respects, yet it is well to remember that change is not always improvement.

When the rule of civil conduct answers the requisites of equity and utility, it ought to remain undisturbed. Often times it is not so important what the law is, as that it should be fixed and certain so that the people may have knowledge of the law, which they are bound to know.

Sixty-one years ago the laws of this State were compiled under the name of the Revised Statutes. Of that revision Chancellor Kent, in a note in his learned Commentaries On American Law, which were republished

after that date, wrote the following: "I take the occasion to observe that this new revised code of Vermont does credit to the learning, judgment, and taste with which it is prepared, digested, a published."

It is questionable whether any considerable number of the changes in the public laws upon matters covered by that statute have materially improved the body of the statute law of the State.

In 1894 at great expense to the State our public laws were revised under the title of the Vermont Statutes.

Two sessions of the Legislature only have elapsed since this work was done, and yet more than two hundred and seventy sections of that Statute have been amended or repealed.

The good legislator is the one who votes against every measure which cannot be demonstrated to be a substantial improvement of the existing law.

Permit me to suggest, that there ought to be more of the needed legislation accomplished in the early days of a session and less of it postponed to the end. It is within your power to remedy this injurious practice.

CONCLUSION.

In conclusion, let me say that the State is without the burden of a public debt. Peace, plenty, and prosperity reign within our borders. For these blessings we ought to return thanks to the Giver of every good and every perfect gift.

I cherish the hope that the welfare of all the people will be faithfully guarded and promoted by you.

As for myself, I am deeply sensible of the responsibility which attends the trust reposed in me by the citizens of my native State. The measure of my ambition will be satisfied if the public interest does not suffer at my hands.

Now, with a firm reliance upon Him without whose aid our labors are vain, let us devote our best efforts to the business of the State.

WILLIAM W. STICKNEY

Montpelier, October 4, 1900.

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

Volume IV.

1797

October 16, 1797.

Speech of Gov. Tichenor – 1797

FELLOW CITIZENS OF THE COUNCIL & GENERAL ASSEMBLY.¹

Accustomed to regard the public voice with sentiments of respect, I now appear before you to resign the Office of Senator of the United States, and accept the more arduous & difficult task allotted to the Chief Magistrate of this State. While I acknowledge, with gratitude, this token of the public confidence, it is with diffidence and anxiety that I contemplate the difficulties which I shall have to encounter, in discharge of the Duties attached to it; and nothing but a firm reliance on your candour, friendship and support, under the present existing state of things, would have induced me to hazard an acceptance of the important trust: but however uncertain may be the Success of my administration, no endeavours shall be wanting on my part, to discharge my Duty with fidelity to the public, and satisfaction to my own Conscience.

The general prosperity which attends the public affairs for this State, cannot but afford us much encouragement and satisfaction. — Freed from the embarrassments which attended us in the infancy of our government — Favored with the blessings of an excellent Constitution — Zealously attached to the Interest, prosperity & Glory of our Country — Free from the alarms and Distresses of War, from foreign manners, influence & Connexions; depending on agriculture, the most certain of all resources; perhaps few States in the Union, can be considered in a more favourable situation, or have fairer prospects of deriving substantial benefits from a judicious regulation of their internal affairs.

It has become our Duty to consult and promote the interest of our fellow Citizens, by a faithful discharge of the different offices and trusts which have been assigned to us; and in the performance of this Duty, we ought invariably to be governed by the Constitution of this State, which, designating our various powers, while we adhere to it, in every Legislative & Executive act, we shall proceed on established & just principles. And in all our deliberations upon measures calculated to promote the happiness and prosperity of the state with which we are more immediately connected, we ought to have a constant view to the great Interests of the Nation, of which this State constitutes, though not the greatest, yet a very respectable part.

All the burden of national concerns is by the Constitution of the United States, deligated to the national Government; to *that* government it belongs to regulate our intercourse with foreign Nations, – to secure their friendship by every mean, consistent with our national dignity, our national happiness and prosperity; or, in Cases of the last necessity, with the combined powers of these States, to repel all hostile invasions of our rights.— From this same Government we derive an additional Guarantee of our internal tranquility & the freedom of our Laws & Governm^t.

The wisdom with which that Gov^t has been administered, in the times of the greatest Difficulty and danger — success which has hitherto attended the national measures — the known experience, firmness, & integrity of those who are placed at the head of its Administration, ought to inspire us with a proper Degree of Confidence in the future, & to excite us to every patriotic exertion, in support of those measures, which, under *Providence*, may secure the national prosperity. Happily the Constitution of this State & that of the United States, tho' embracing different objects, are founded in the same republican principles, & coincide in the same important end, the security of the Rights & happiness of the People; Constitutions thus coincident, & confirming each other, leave no room for a difference of principle, but only for a diversity of sentiment respecting measures, best suited to promote the public Interest. There cannot, therefore, be any just occasion among us, for the spirit of party & faction, the greatest evil to which republican Governments are subject; it is only in judging of the tendency & Utility of the measures of Gov^t that there can be the prospect of a diversity of Sentiment; while principles are the same the freest debates & the most critical examination of every subject that may come before you will be of the greatest use; and on every subject while the majority must in all cases decide, temperance & candor will best conduct the Debate.

¹ This speech is copied from the original manuscript in Ms. *Vermont State Papers*, Vo. 38, p. 31.

The necessary business of the session will come before you from a variety of sources. From the sudden transition of an appointment in the federal Government to the Office & Duty on which I now enter, it cannot be expected, that I should be prepared to detail to you the public business, which will demand your consideration. Any communications which may have been made to my deceased Predecessor, Gov^r Chittenden, shall be laid before you; and while I mention his name, permit me to pay a respectful tribute to his memory. It must be a pleasing reflection, not only to his particular friends, but to your fellow Citizens at large, that under his administration, this Gov^t has flourished & obtained a respectable Character among her Sister States. The public good unquestionably was the chief object, to which his political conduct was directed.

Gentlemen of the House of Representatives.

The state of the public expences & Revenues is an object which most properly belongs to your Department, & cannot fail to engage your careful attention. The Economy that will prove eventually the most favourable to the People, is to guard ag^t the introduction of a public Debt; nothing of this nature ought to exist in a time of prosperity & peace; and in whatever form a public Debt may exist, it cannot fail, in its operations, to prove unfavourable to the People. While the public expences are managed with Economy, the easiest way to support them, will be to make the annual provision always adequate to the necessary expenditures.

Gentlemen of the Council and General Assembly,

In any measures which may tend to the promotion of education, & the progress of useful knowledge, in this State, — to the encouragement of industry & frugality, so necessary to the happiness & prosperity of a People, — to insure uniformity & stability to our Code of Laws, without which justice cannot be impartially administered, & to give an extensive & lasting influence to the principles of Virtue & Religion, I shall be happy to co-operate in your Councils & Labours.

As, by our Constitution & Laws, the powers of the different branches of our Gov^t in appointment, in many respects, are to be as well jointly as separately exercised — you will permit me to observe, that it is from among Men of Principle, Virtue and integrity you will find the best public officers; and it is from [the influence of] such men that the wisest measures of Gov^t are adopted, and a steady conformity to the Constitution Laws of our Country is secured; — By a faithful discharge therefore of the Duties, as well joint as separate, thus deligated, you will exhibit to the good people of this State, an example worthy of their confidence.

[Signed ISAAC TICHENOR.]²

² See printed *Assembly Journal* for 1797, pp. 22-27, where the speech is slightly changed — probably by the governor.

Executive Speech
of
Isaac Tichenor
As it appears in the
RECORDS
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OF THE
STATE OF VERMONT.

Volume IV.

1798

October 12, 1798.

Speech of Gov. Tichenor – 1798

Gentlemen of the Council & gentlemen of the House of Representatives.

The political world presents no fairer sight, than the representatives of an independent people convened to deliberate for the common good, and with united information and abilities, to advance the common prosperity.

Collected, indiscriminately from the various classes of our citizens, from all parts of the state, you bring with you to this assembly the unequivocal representation of the interest of your constituents; and your persons and property, being subject equally with theirs, to your legislative doings, affords them a complete assurance of the integrity of your official conduct.

I rejoice that the beneficent Ruler of the universe has been pleased to continue unto us the blessings of our excellent constitution of government. I sincerely rejoice that, in the course of his providence, we are connected with our sister states, in one general government. As a separate state, we were comparatively weak; sometimes, disquieted with domestic insurrections, and at all times exposed to foreign insults: we have become with them, strong to depress domestic inquietude, and to repel foreign oppression [aggression].

Let me congratulate you, gentlemen, upon the prosperity of our public affairs; both as we stand related to the union at large, and as it more immediately relates to our internal concerns, as an individual state.

The prosperity of the United States should be considered as dear to us as our own; the interests of both are in fact inseparably connected. As a member of the union, we may pride ourselves in the wisdom, integrity, and firmness of the administration of our general government. By its wisdom, the specious designs of the French rules, to involve us in a ruinous war, have been discovered and frustrated; by its integrity, a rational love of our own country has been adhered to, in lieu of an enthusiastic preference of a foreign power, and the demand of a degrading tribute boldly resisted; and by its firmness, the wanton depredations upon our commerce have been checked upon our coasts, and the ships of lawless freebooters have been subjected to just reprisals.

Though we cannot with propriety be called a commercial state, yet as the sale of the produce of our farms intimately depends upon its exportation from the seaports of our sister states, when their commerce is destroyed, the tiller of the soil is involved in its ruin; and the enemy, who captures the cargo of the merchant, gives a mortal blow to the harvest of the husbandman.

The return of Mr. Gerry, the last of our insulted messengers of peace [to France,] although without effecting the object of their mission, must be considered, by every discerning man, as a fortunate event: an event which must confound the advocates for French amity, dissolve the last ligaments which bind us to that aspiring, perfidious nation, and convince the most obdurately incredulous, that friendly and sincere proffers of amicable accommodation can have no avail with men whose ambition is gain, and whose policy is plunder. The prolongation of a treaty, the manifest object of which was to delude us with the prospect of adjustment and indemnification for our losses, while the most flagrant injuries to our trade and insults to our neutral rights were professedly continued, could not be desirable.

As a respectable member of the union, it behoves us at this momentous period, when the Sovereignty of our nation is threatened, to express in the most decided manner, by our official acts, our confidence in, and adherence to our national government, and to convince France that, notwithstanding the liberal efforts of some deluded and designing men among us, we are not a *divided people*; and that she may no longer presume upon that intestine division of political sentiments, which has so long invited her insults and to which so many

European Republics have fallen a sacrifice.¹

The instructions of our federal executive to our Envoys to France are strongly marked with candour, and breathe the purest desires for peace; while the diplomatic interference² of our Envoys indisputably evidences the rectitude of our national conduct. While, on the other hand, the conduct of the French Directory displays a series of diplomatic subterfuge, and insidious attempts to seduce the affections of our unwary citizens, and inflame the passions of bad men against the administration of our general government; and instead of meeting our demands for redress, upon the fair field of discussion, they haughtily demand of us large sums of money, for the *beggarly* liberty of uttering our complaints. May we not congratulate ourselves, that a period is put this deceptive and degrading negotiation?

America must now, under God, look to her own resources, and the valour and patriotism of her own citizens, for that justice which she has in vain sought from French *uprightness*, or French *friendship*.

I rejoice, Gentlemen, that such is the state of our Finances, and the general prosperity of our internal concerns, that we are prepared to meet any exigencies, to which our national concerns may expose us, without any peculiar embarrassments. By the wise provision of our last Legislature, it will appear from the exhibits of our Treasurer, that there is in the Treasury the sum of fourteen thousand dollars, a sum equal to the discharge of our civil expenses, to the payment of the average of the thirty thousand dollars due to the state of New-York, and, it is presumed, sufficient for all the outstanding hard money orders. Give me leave to remark upon this species of state's security, that while our taxes are regularly voted, levied and collected, and money remains in public bank, there appears a manifest want of economy in the issuing orders bearing an interest; which orders have become the subject of trade, are often sold at discount, and the interest seldom profits the honest creditor of the government, but oftener enhances the gains of the speculator. Permit me to recommend to your attention the calling in of these orders; and that some provision be made to prevent the issuing of them in the future. As an inducement to this measure it may be observed, that more impediments to the adjustment of the public accounts, with the treasurer, have arisen from this source than from any other.

I shall lay before you some communications from the general government, and from the executives of neighboring states. That from the governor of the commonwealth of Massachusetts is of such import it may be proper to communicate [it] immediately, that it may be subject to mature deliberation.

Provision you are sensible is made in the federal Constitution for such amendments as may receive the sanction of the Legislatures of nine states.³ His excellency, Governor Sumner, has forwarded to me, for your consideration, a resolve of the legislature of Massachusetts, passed June 28th, of the current year, in which, after noticing the expediency "that every constitutional barrier should be opposed to the introduction of foreign influence into our council," They propose that the constitution of the United states should be so amended that "no person shall be eligible as President, or Vice President of the United State, nor should any person be a senator, or representative in the Congress of the United States, except a natural born citizen; or unless he should have been a resident in the United States at the time of the declaration of independence, and shall have continued, either to have resided within the same, or to have been employed in its service, from that period to the time of his election."

The expediency of this amendment must be referred to your wisdom. I will not presume to dictate, but I think it obvious, that a government can be best administered by its own citizens; and this amendment may

¹ This part of the speech is a response to the appeal of President Adams to Congress and the country, on the speech of the French President Barras as delivered upon taking leave of Mr. Madison as the American minister, in which Barras emphatically denounced "the American government" as condescending "to the suggestions of her former tyrants," and called upon the *American People*, "always proud of their liberty," never to forget "that they owe it to France."— See *American State Papers*, octavo edition of 1817, Vol. 3, pp. 489 – 90. President Adams said, in his message to Congress of May 16, 1797:

Such attempts ought to be repelled with a decision which shall convince France, and the world, that we are not a degraded people humiliated under a colonial spirit of fear and sense of inferiority, fitted to be the miserable instruments of foreign influence; and regardless of national honor, character and interest. – See same volume of *American State Papers* above referred to, p. 87

² "Intercourse" in the Vermont newspapers.

³ An error, owing perhaps to the provision that the original constitution should be adopted on the consent of nine states.

perhaps free us from those visionary schemes of policy, which foreigners, unacquainted with the genius, habits, and interests of our community, may rashly intrude upon our national councils.

The recent and excellent revision of our municipal laws [1797] will necessarily abridge your session; impressed with the propriety of economizing the monies of your constituents, I am persuaded you will render it short as possible. No endeavour on my part shall be wanting to forward the dispatch of public business. I wish you, Gentlemen, an agreeable session, and fervently pray the great arbiter of events to direct all your deliberations to the public good.

ISAAC TICHENOR.

His excellency the Governor and Council then withdrew.⁴

⁴ Printed *Assembly Journal* of 1798, pp. 10-16.

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Volume IV.

1799

October 12, 1799.

Speech of Gov. Tichenor – 1799

Gentlemen of the Council & Gentlemen of the House of Representatives.

The confidence of his constituents affords the highest pleasure an upright magistrate can receive; the continuance of that confidence, expressed in their annual suffrages, gives a sanction to his official conduct, and is indeed his best reward; but even this enjoyment is heightened, when he perceives the state, over which he presides, in the possession of peace and prosperity, and the nation advancing in riches and honor. That I eminently enjoy this rich satisfaction, a cursory display of the public concerns of the state, and the Union, will abundantly illustrate.

In our inland state agriculture attaches primary attention. We have to rejoice that our early harvest has been plenteous, and the latter harvest promises speedily to gratify the brightest hopes of the husbandman. While we deplore the pestilence,¹ which has thinned the seaports of our sister states, our mountains and our valleys have been the habitations of health: while war has ravaged other countries, our happy interest in the Federal Union has preserved our land in peace: and while domestic tumult has destroyed the tranquility of others, we have to rejoice that no daring insurrection has disgraced our Government; and that our citizens continue to venerate Religion, Morality, and the Laws.

We may congratulate ourselves, that at no period since the formation of our government, were the duties of the Legislature less arduous. By the wise and prudent arrangement of the last and preceding Legislatures, the debts that were contracted in support of our revolutionary war, and fore extinguishing the claims of a neighboring state, are now happily discharged; and the people of this state, accustomed to industry, temperance, and frugality, are in general prosperous and happy, under a system of laws wisely adapted to our local situation, and adequate to the general exigencies of Government.

As a state, however, we have the ensuing year to meet some expenses which, although reasonable, and by no means burthensome, will call for the exercise of public economy: I allude to the direct tax of the United States, and the sitting of the Council of Censor, which, if the result of their wise deliberations should conclude in calling a Convention, would enhance the demands on the public chest. Perhaps it may not be amiss, on this occasion, to suggest the expediency of the Legislature's giving the efficacy of example to the precept of economy.

The last time I had the honor to address you, our national prospects were clouded, and nothing but a firm reliance, under heaven, in the justice of our cause, and a well grounded confidence in the wisdom of the Chief Magistrate of the Union, and the patriotic energy of our national administration, could have supported the discerning citizen in the assurance of the welfare of his country. But no sooner had the United States assumed a firm and decided attitude, no sooner had our nation equipped and manned her Navy with her native citizens, and enacted salutary laws for the defense and protection of our rights, then foreign aggressors abridged their depredations. Our commerce, under the protection of our Flag, at once revived; and the citizens of the United States, daily experiencing the beneficial effects, manifest their approbations and support: even the combined powers of Europe envy the wisdom and patriotism of our administration, which, without the horrors of open war, has already procured us the respect, and I trust will soon secure us that justice from the French rulers, which they themselves cannot retain, without the sacrifice for abundant blood and treasure.

If, as a member of the Union, we are called upon to defray our proportion of public monies, for the support of measures which have for their objects the security of our excellent governments, the preservation of our property, or our civil and religious rights, and the protection of our commerce, upon which (I cannot too often repeat) the success of our agriculture ultimately depends, what good citizen is there among us that would not yield a ready compliance?

¹ The yellow fever, which had been very fatal.

An unfortunate event, which took place near the north line of this state, within the province of Canada, in February last, and which, in its consequences, might have interrupted that good neighborhood, which it is the mutual interest of people inhabiting adjacent territories to preserve, has led to a correspondence between the Executive of his Britannic Majesty's province of Lower Canada and myself. I shall now only add, that we are indebted to the liberality and justice, which has distinguished the conduct of his Excellency the late Governor Prescott, and the coincidence of the present commander in chief, Governor Milnes, for a happy and amicable adjustment of this disagreeable business. As this correspondence particularly appertains to the executive branch of our Government, I shall lay it before the Council, whose wisdom will direct such further communication as they may think proper.²

I shall communicate to you certain Resolutions from the states of Virginia and Kentucky. These resolutions, in some of our sister states, whose opinions we respect, have met with severe comment; in others with marked contempt: it remains for you to reply to them in the manner you shall judge they merit. For my own part, I have not the smallest hesitation in predicting that they will meet your decided disapprobation: because they contain principles hostile to your best interests, and because I know you love your country, and are rationally attached to the principles of our excellent Federal Constitution.

I wish you an agreeable session, and ardently pray the Governor of the Universe, to direct all your deliberations for the best good of your constituents, and welfare of your Country.

ISAAC TICHENOR.

² See special message on this subject, *post* p. 514.

Executive Speech
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Volume IV.

1800

October 10, 1800.

Speech of Gov. Tichenor – 1800

Gentlemen of the Council & Gentlemen of the house of Representatives.

In obedience to the voice of the people, it is again become my duty to meet you in General Assembly.

The affairs of Government will always be attended with difficulty, and will require much application, prudence and firmness in those on whom is devolved the arduous task of conducting its interests. It is in confidence that I shall be favored with your cordial assistance and support, that I enter upon the office and duties which the Constitution has assigned to the Chief Magistrate of this State. Collected from the different parts of the Commonwealth, you must be intimately acquainted with the various situations and circumstances of your Constituents, and with such information, it will be in your power to pursue the public welfare with candor and success, in all the consultations and measures of the present session.

The business particularly entrusted to me, by the legislature at their last Session, has been strictly attended to, and will be the subject of a future message. – [The claim of Indians to land in Vermont.]

The Auditor will lay before you a general statement of the accounts of the Treasury department; a review of the accounts of that department for several years past, when contrasted with those of former years, will show an increase of wealth in our state, and a degree of economy in the management of our finances that must be pleasing to my fellow citizens. I however consider it to be my duty once more to submit to your consideration the propriety and necessity of redeeming the public securities now in circulation, upon which, without any benefit to our Government, we are annually incurring an accumulated interest. Without adopting a measure of this kind, no complete adjustment of the Treasurer's account can be effected.

The Constitution and Laws of our Country have made it the duty of the Legislature, at this Session, to choose Electors of President and Vice President of the United States. This consideration gives a peculiar importance to the business of this Session. Those men, who are to be immediately instrumental in the appointment of persons who are to fill the highest offices our Country can bestow, ought to be selected from the most worthy of our fellow Citizens. It is sincerely to be hoped, that the importance of the crisis may induce such electors, when chosen, to unite their suffrages on men who are attached to the interests of their country, and who are the friends of order and good government. Should the Chief magistrate of the Union be destitute of the virtues of a *Real* patriot; should a predilection for foreign principles, or an ardor for foreign theories, influence him to depart from the sober maxims of our ancestors, and from those principles of national interest which WASHINGTON recommended, in his last legacy to the people, and which ADAMS has so happily pursued in his Executive administration of the general government; in a word, should our first magistrate be other than an Independent American, the most injurious consequences to us and our posterity are justly to be apprehended.

From the situation of this State, agriculture must be a primary and essential object of attention; separated from harbours of commerce, the inhabitants of Vermont must, at all times, look for support from the labors and productions of the field. And it is with much gratitude to the benevolent author of nature, that we have to remark, that our prospects in this respect are highly encouraging. Not only have the harvests of the present year been greatly productive, but the general spirit of agriculture is much improving in every part of this State, and the happy effects of it are every where to be seen in the improvements of our farmers, in the rapid increase of our buildings, and in the produce of our fields.

But while we observe, with pleasure, the improved state of our agriculture, it is of importance that we bear in mind that agriculture, in all its interests, is most intimately connected with those of commerce and manufactures, and cannot be carried on to any considerable extent, but in connection with them. If the farmer finds no demand for the produce of his land, a great part of it becomes useless; thus the various interests of every state in the union become mutually dependent and connected; and that, which is a benefit to the one, is an advantage to the whole.

All our interests, whether public or private, are so inseparably connected with the principles that regulate the conduct of mankind, the principles of morality and religion, that there cannot be any permanent prosperity in

the one, without a steady cultivation of the other; what can restrain the passions of men, regulate their views and pursuits, confine them to the bounds of reason, duty and integrity, produce industry, economy and regularity, or a steady obedience to the laws of our country, but substantial and permanent principles of action? And can those be expected, or will they be found, in any other principles but those of morality and religion.

If anything can be wanting to convince us of the importance of moral and Christian principles, the fatal and horrid consequences, that have arisen in modern times, from treating them with neglect and contempt, must carry conviction to the mind of every person who has heard or read of the revolution in Europe. In every attempt, therefore, to promote the interests of science, the education of youth, or to render respectable the institutions and precepts of Christianity, we shall be in the discharge of a duty, highly useful in a Christian Country, and every way interesting to a free people.

While the concerns of our state government more immediately engaged our attention, they are so essentially connected with the government of the United States, that we cannot discharge our duty to the former, without taking into view the interests of the latter.

The wisdom, the firmness, the prudence and success with which our late President, the great, the good, the immortal Washington, administered the affairs of the Federal Government, can never be forgotten by us, and will ever be remembered with admiration and gratitude by all succeeding generations. It was never given to any man to render more important services to his country, than was done by him to the States of America; and were the wishes of mankind ever allowed to control the laws of nature, that most worthy and excellent man had never died. But altho' removed to an higher sphere of action, we, and I trust all future generations of men in the United States, will share largely in the benefits he procured for his grateful Country.

The same measures of government have been pursued, by his worthy successor. The effect has been peace, prosperity, increasing wealth and population, in every part of the United States; while the rest of the world are involved in the miseries and calamities of civil war, slaughter and destruction, that have not a parallel in history.

If anything could silence the voices of calumny, or terminate the mischievous effects of misrepresentation as to men and measures, so dangerous to a free government, and so much regretted by all good men, it would be the singular happiness, this country has enjoyed amidst the scenes of general distress, which has afflicted other nations. But whatever may be the language or the attempt of the opposers of our government, the wise and virtuous cannot but find, in the prosperity of our country, abundant reasons for an undeviating attachment to the federal constitution and laws, and to those measures of government that have tended so much to produce public tranquility and happiness.

Our commerce, and with it, our national resources have been extended; our manufactures have increased; our agriculture has flourished; our national government has, by its laws, supported our citizens at home, and by its energy protected them abroad, and a neutral and happily beneficial attitude has been maintained with dignified perseverance: and those among us who have thought that an efficient Treaty with France would add to our political prosperity, must have found great satisfaction in the recent mission of envoys, to that power; indeed it is ardently hoped, that they may honorably accommodate existing disagreements. But should these envoys, like our former messengers of peace, return to their Country, without effecting the desirable object of their mission, it is charitably expected that every mouth will be stopped, and every eye turned to our national courage and patriotism, that sure and only foundation of national prosperity.

That all your wise deliberations may tend to this great and good end, I ardently pray the great disposer of all human events.

ISAAC TICHENOR.

Executive Speech
of
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Volume IV.

1801

Speech of Gov. Tichenor – 1801.

Gentlemen of the Council & Gentlemen of the house of Representatives:

In a state regulated in its expenditures by the strictest rules of economy, the public approbation must be the principal reward of its magistrates. That I have the honor of addressing you again, as your Chief Magistrate, evidences the confidence of the Freemen in my past conduct, and urges to active and zealous pursuit of their best welfare.

The Constitution of this State, under which we are now assembled, is happily formed on the principles of freedom, and has, for its object, the interest of the great body of the people: To discover this interest will be the result of your deliberations; to pursue it, the result of your doings.

Upon the habits, the opinions, the principles of the people both civil and religious, republican governments solely depend: When the people are habituated to respect the laws and their magistrates, and, aided by the impulses of religion, are attached by political principles to their government, its administration will prosper, and the people be happy. But when they are habituated to view their government as prodigal and oppressive, to be ever jealous of the character and conduct of their magistrates, and from bad principles are induced to vilify and obstruct its public acts, and meet no restraint from religious or moral considerations, the government hastens rapidly to ruin. It is then highly important, that the General Assembly, as the political fathers of the people, should endeavor, by all candid means, to direct the public sentiment. To effect this, the Legislature must possess the confidence of the people. This Gentlemen, you will continue to do, by enacting wise and beneficial laws; by providing for pubic expenditures, and enforcing proper economy in governmental expenses; by electing men of abilities, worth and integrity into office; by inculcating sound morals, and recommending a reverence for the great and salutary duties of religion.

The institutions of religious worship, and the establishment of Colleges and Academies in this state, will afford us much assistance. While our youth are trained up in knowledge and virtue, and the people practice in assembling for the purposes of religious instruction and devotion, we may rationally hope that good principles will prevail, and have their happy effects, in all our personal and public proceedings.

The appointment of civil officers is a necessary part of the business which the Constitution assigns to the General Assembly at their annual Session. Unfortunately for our Country, this has become a matter of discord and party contention in some parts of the union. It cannot be necessary, and it cannot be expedient, to make that, which the Constitution contemplates as a very serious and important duty, become a matter of contention or private interest. By avoiding everything which has the appearance of partiality or intolerance, and private interest, and by aiming to appoint those men who are the best fitted and qualified to discharge the public offices and services, we preserve to ourselves the approbation of our own minds, and give to our fellow Citizens complete evidence, that the principles of Republicanism are not the principles of contention, of intolerance, of individual interest, or of factions, but hose of condor, of public utility and national prosperity.

In the transaction and management of public business, in general, a spirit of candor, temperance and prudence is an essential requisite. No affairs of importance can ever be done to advantage when the mind is agitated with intemperate passions, or inflamed by party purposes and pursuits. In a state, heretofore superior to such influences, it may be presumed that they will not be permitted now to prevail: But that Wisdom, discretion and benevolence, will mark all the proceedings of the present Session.

It is with much satisfaction I announce to you the prosperous state of our finances. The public debt, due on hard money orders, has been discharged; a small annual tax will, in future, be fully adequate to meet the expences of government. I cannot omit recommending to your particular attention, the state of our Militia. That brave and useful part of our fellow Citizens, upon whom the sure and immediate defense of our country depends, are greatly deficient in military equipments — the greater part are destitute of arms — the law on the subject, has lain dormant, and six years' experience has evidenced its inutility; the soldier has found it difficult, if not impracticable, to comply with it, and the officers, sensible of this, have omitted to enforce it. Whether it

would be proper to purchase arms for their use, or by encouraging the manufacture of arms in this State, and thereby affording the Militia an opportunity of equipping themselves, is worthy of your serious consideration. Field Artillery is of indispensable use in modern tactics, and in almost all our sister States provided at the expense of government. Two field pieces to each brigade would not be expensive and burthensome in our present state of prosperity. A tax of such a beneficial intent would be cheerfully submitted to by all classes of people; they would feel a virtuous Pride in cherishing that military zeal which has hitherto animated the militia of this State. Surely the public treasure cannot be better expended than for national defense. Assuredly, the brave, hardy militia of the State of Vermont have merited the patronage of their country as highly as any soldiery in the Union.

A letter from the Governor of the State of Maryland, covering certain resolutions of that State, as well as some other subjects of less import, will be communicated by a special message.

It is not barely to the limits of this State that our political duties are confined; they extend much farther, and have relation to the whole of the federal union. Happy in our own State, by enjoying a republican form of government, it is another and important part of our political trust, that we are connected with the other free states of America by a Federal constitution mutually guaranteeing to each other, and to the whole, protection and defense. Our duty to the Federal government does not depend on names, persons, or political distinctions; least of all does it depend on having the other states uniting with us in the election of any particular person to be President of the United States. Whoever holds that important office, by constitutional appointment and authority, is justly entitled to all the respect and obedience which the Constitution and the laws have attached to the office; and that which in the Federal system is to be revered and obeyed, is not any particular name or opinion, but national and constitutional authority. There cannot, therefore, be a doubt, but that it is our duty to support and preserve the constitution and government of the United States.

As the increase of population is one of the acknowledged criterions of the prosperity of a people, I cannot refrain from congratulating you upon the rapid increase of our Citizens since the last census. This will probably call for a new apportionment of the Representatives from this State to the Congress of the United States; and at the next annual Session of this Assembly, it may be necessary to district the State anew for the election of a requisite number of Representatives. At the present Session, it may be expedient to repeal the act directing the election of members to Congress to be holden in the month of September next, and to adopt such measures, as shall render an extraordinary session of the legislature for this purpose unnecessary.

I shall be ready to concur with you, Gentlemen, in any measure of public utility, and humbly rely upon a superintending Providence, that all our honest endeavors for the public good may be crowned with success.

ISAAC TICHENOR.

Executive Speech
of
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Volume IV.

1802

October 18, 1802.

Speech of Gov. Tichenor – 1802.

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

There cannot be a more important civil trust, than that which our constituents have assigned us. To designate those officers, on whose decision all that belongs to life, liberty, or property may depend is a weighty and serious transaction. Instead of being a matter of intrigue, party, or selfish policy, it requires all the calmness of wisdom, all the disinterestedness of virtue. Nor could there be a more unfortunate error, than to make those civil appointments, which by our constitution must be annual, a matter of private friendship, interest, party, or faction. You will meet this part of your business, Gentlemen, with all the calmness, impartiality and attention to the public good, which the honor and interest of the state essentially require.

One of the greatest misfortunes, that attends republican Governments, is the progress and violence of party spirit. We need not recur to ancient history for proof. Our beloved Washington, with all his moderation, wisdom and virtues, was not able to repress the destructive spirit; we know that an ardent love for his country, and a life devoted to its service with the most upright intentions, did not shield him and his measures from its malignant effects. It existed in his day, and has progressed with time, and increased with violence, until now. In a government, where the honors and emoluments of public offices are alike open to all the citizens, it will be natural for many to appear as candidates for public approbation and employment; and many good effects will arise from a spirit of emulation, enterprise and ambition: let them be well directed, and under proper regulations and they will give rise to the most necessary and useful public exertions. But when ambitious men become inflamed, so as to produce a violation of the laws of virtue, the destruction of private character, the propagation of falsehood and slander and established rancorous spirit of party, they introduce into civil society some of the worst evils. One part of the community becomes inflamed against the other; different parties are ranked under different leaders; they have different views and aims, and forgetful of the public good, are most of all active and violent to accomplish their own particular purposes. It cannot be, in such a state of things, but that the public interest will be sacrificed to private views; and the more engaged men are in such pursuits, the more the public interest must suffer and the public peace be endangered.

Republican government cannot be maintained but by a union of the wise and good. It requires the abilities and exertions of the wisest and most virtuous, in every country, to direct the public affairs, to restrain the vicious, to give the laws a proper direction and energy, and to keep up those civil and moral institutions on which the existence and safety of civil society essentially depend. Those, therefore, who, from a spirit of party, or personal aggrandizement, labor to divide and inflame one part of the community against the other, whatever motive and principles they may avow, are the greatest enemies to our republican constitution and form of government. A remedy for these evils, so pernicious to society, is not within the reach of legislative acts; it is only on the virtue and correct information of the great body of the people, that we can rely to stop their progress, or to do away their fatal effects; and when aided by the precepts and examples of virtuous representatives and upright magistrates, [these] will, I presume, be effectual.

It is not barely from the Constitution and form of government, adopted by this State, that our safety is derived. Connected with other States by the Federal Constitution, the interest and safety of each is involved in preserving the union of the whole.

By a late act of Congress, it has become our duty to make new arrangements respecting the choice of Representatives; and it is of the most serious importance that in all our acts respecting the general government, we discover the most anxious solicitude to preserve and strengthen the union, and to support the Constitution and government of the United States. If under any pretence, or violence of parties, the Federal Constitution should be destroyed, perverted or essentially altered, we may discover our error and ruin at the same disastrous period.

In the view of humanity, it must be a matter of joy, that peace, in Europe, has put a stop to the effusion of human blood; while we rejoice in the event, we feel most sensibly, that the produce of our agriculture is not a little connected with commerce. In an agricultural State, like that of Vermont, it is the commerce of the

maritime states that gives value to that part of our productions which are not wanted for our own consumption, and unless the latter be protected by the energies of government, the former cannot be pursued to any considerable extent with advantage to the laborer.

In a free state, a Militia, well equipped and disciplined, has ever been considered as the great and sure basis of the independence. Impressed with this truth, our sister states have made the greatest governmental exertions, to cherish and invite their citizens to practice the arts of war in times of peace, that they might know how to defend their Country in the hour of danger. In some States, they have furnished the Militia with fire arms, at the public expense, and in almost all the field artillery. In our state, the Militia are very deficient in military equipments and totally destitute of field artillery. I have frequently made the situation of our Militia the subject of unsuccessful communication, and can only hope, from the patriotism of the present legislature, that the claims of this brave and meritorious part of our fellow citizens will be fully answered, especially as the late peace has probably brought the price of military articles within that rule of economy which ought to regulate public expenditure.

I cannot forbear to mention, with high satisfaction, that our schools and colleges are assuming a very respectable appearance of utility and reputation. It is in the progress and influence of education, knowledge, virtue, and religion, that all orders of men will receive the most substantial benefits that can accrue, either to individuals or to societies.

If necessary, in pursuance of the duties of office, I shall recommend for your consideration any other business by particular message. I sincerely wish you an agreeable session, and firmly hope, that with temperance and wisdom becoming the assembled Fathers of the people, you will conduct for their best interest

ISAAC TICHENOR.

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Volume IV.

1803

Speech of Gov. Tichenor – 1803.

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

We are again assembled to devise and adopt such measures as will promote the great interest of our fellow citizens.

In the exercise of the duties assigned to us, it may not be unprofitable to look back to the infant state of our Republic, from thence trace the measures pursued by our venerable fathers, to whose wisdom and firmness we are indebted for the rank and privileges of an independent state. It is a tribute justly due to their virtues, thus publicly to acknowledge, that the evils arising from divisions and party spirit, were not known in their legislative councils. Their appointments to offices were fixed on men whose disinterested zeal for the public good was manifested more by their acts than their professions. A patriotic spirit of union, in Council and measures, animated their administrations. They subdued the wilderness, they sowed the seeds of science and the arts, and the elder states saw, with surprise, a few united and virtuous Citizens demanding as their right an honorable station among her sister states. It should be remembered, that it was union alone sustained them, in their infant struggles for right, in their noble exertions for sovereignty. It is wisdom in us to adhere to those rules and maxims, by which they regulated their conduct, and like them, to make the general good the great object of all our public measures.

One important part of the business assigned to us, by the Constitution, is the appointment of public officers; our duty in this respect is plain and easy to be understood: the wisest and best men, those who by precept and example, will cherish obedience to the laws, are evidently the most proper candidates. And while we aim to appoint only such to office, there will be no room for party views and interest to influence our proceedings.

The enacting of laws should ever be a business of mature deliberation. The happiness and safety of society does not depend on the multiplicity of its laws. Laws should be few in number, explicit, and duly enforced. What the operation of a law will be, upon a community, the most discerning cannot often foretell. A partial evil is sometimes noticed upon the promulgation of a law, which is often greatly overbalanced by its more general and beneficial effects. The only sure mode of deciding upon the merits of a statute is to submit to the process of partial experiment. Hence it follows, that Legislatures should be as careful in repealing as in enacting laws. Among the public acts passed by the last General Assembly, it is believed that the act relating to insolvent debtors is not sufficiently explicit and guarded to secure the rights of Creditors, and afford the remedy intended for Debtors. An investigation, by an Assembly possessing accurate knowledge of the operation of this statute, and of some others recently enacted, will determine if amendments are necessary.

By the twenty fourth Section of our Constitution, in order to make sanguinary punishments less necessary, it is strongly recommended, "That means should be provided for punishing by hard labor those who should be convicted of crimes not capital; whereby the criminal shall be employed for the benefit of the public, or for the reparation of injuries done to private persons." Whether the period has arrived, in which this humane and salutary recommendation can be carried into effect, you can best judge; but the weakness of our County Goals throughout the State and the frequent escape of persons convicted for crimes, the great expence sustained by the state and county Treasuries for the apprehension of prisoners, and the yet greater expence of supporting Criminals in our County Goals, impress it upon me as a duty, to draw the attention of the legislature to the erecting of a State prison. I may here add, we have not to venture the expense upon the uncertainty of experiment, but the benefits and even profits of a public penitentiary house or state prison has [have] been abundantly proved in a number of the neighboring States.

In a just arrangement of our fiscal concerns much advantage will result to the people. While we are careful to supply the Treasury with such sums of money as the public exigencies require, it will at all times be useful to pay a strict attention to public expenditures, and to ascertain from time to time, the amount of monies drawn for the support of different branches of our government: for this purpose, the public accounts will be laid before you.

The state of our Militia has strong claims on your attention: by an official communication from the President of the United State, it has again become my duty to invite you to a consideration of this subject: this communication, together with a return of the effective force of our Militia will be laid before you. They are respectable for numbers, they are brave; they inherit the spirit of their fathers: to preserve this spirit, they must be well armed and equipped: this cannot be effected without legislative aid. Our safety and freedom essentially depend on this class of our fellow citizens. It is our highest interest, as a nation, to engraft the character of the soldier on the citizen, and to cherish that spirit, which gave us independence. It will be a sure and cheap defense.

While the horrors of war are again taking place in some of the nations of Europe, I cannot but congratulate you on the happy state of peace and tranquility that pervades the United States. A country that steadily pursues the business of Agriculture, manufactures, commerce and science and avoids war, except in defense of her just rights, is in the surest way of national prosperity and improvement. The glory derived from the increasing population and happiness of a country, is far more eligible and useful, than any thing, that can be obtained by making war, on any nation, or being distinguished by the destruction of the human race.

I shall be happy, Gentlemen, to cooperate with you in any measures that may serve to promote the interest and honor of the state: And I trust that we shall all bear in mind, that the public business will always be done to the greatest advantage, when it is done in the exercise of wisdom, of candor, and of moderation.

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Volume V.

1804

October 13, 1804.

*Speech of Gov. Tichenor – 1804*¹.

Gentlemen of the Council, and of the House of Representatives, – When the Legislative Representatives of a free People assemble to deliberate upon the measures of advancing and securing the welfare of the State, many and important are the subjects before them, and very extensive will be the Influence of their Decisions. To present to your view such objects as Demand your attention is a part of the Constitutional duty of the Executive.

In addition to the ordinary business that may come before you and that which has been referred to this session it may be expedient to enquire into the situation of the Northern line of this State. Some of the Inhabitants residing on the line are apprehensive that the boundaries are not clearly defined, and that it is not distinctly known where the line runs which separate the Northern part of this State from the Province of Canada.

I find that much pains were taken in the year 1767 by the then Provinces of New York and Canada to ascertain by astronomical Calculations, the Latitude forty five Degrees, and to fix a Monument with accuracy at the place where the line crosses Lake Champlain; from thence a line was afterwards run by M^r. Collins to Connecticut River, but with what accuracy never has been ascertained. If it was not properly run and designated by the erection of durable monuments, contests will arise that will not only affect the property of individuals, but the boundaries of this and the United States. The serious difficulties which other states have experience, in settling their boundary lines, admonish us, by an early attention to the subject, to guard against complaints of a similar nature.

A vigilant attention to the fiscal concerns of this State is an essential part of your duty, and is consistent with that economy which the Principles of our Republican Government strictly enjoin and require. It is believed that the State of our Treasury is not sufficient to satisfy the Demands of Government. It cannot be consistent with sound policy, that a public debt should be accumulating in a time of peace and prosperity. The amounts of our annual expenses, and the expenses of the several departments in which they are incurred, should be clearly ascertained and defined, that those, on whom the burden of payment falls, may judge of the propriety and expediency of the public expenditures. Should the debt be found increasing, it will be necessary to provide for its reduction, by the most economical mode of transacting the public business, and of raising and expending the public money.

The time is not far distant, in which a choice must be made of the Electors in this State of President and Vice President of the United States. By the Law now in force a choice must be made by the Members of the Legislature: You will judge whether it is best to continue this mode of choosing Electors, or refer it to the great body of the Freemen, in districts, or through the State at large; both modes are in practice among the several States of the Union, and both consistent with the Federal Constitution.

The Governor of the Commonwealth of Massachusetts has transmitted to me certain Resolutions of their Legislature proposing an amendment of an article in the Federal Constitution, respecting the Principles of Representation [in Congress,] aiming to confine it to the Votes of the Freemen, and not depend upon the number of Slaves, in any part of the Federal Territory. These Resolutions will be laid before you.

That the Federal compact should be approached with caution, and there should exist an equality of political Rights among the several States in the national Representation, are truths of which you can never lose sight. Therefore these Resolutions will receive a candid and deliberate consideration before you are prepared to say, that the number of Slaves already in the United States, and those which are daily imported, ought to increase the power or influence of their masters, in making Laws to bind the Freemen of a State, in which the principles of liberty are so complete and entire as not to admit slavery to appear, or exist within its limits.

The flourishing and happy state of our country, which has been witnessed in years past, cannot but endear to us the Republican principles and maxims on which its government is founded. From recent events in Europe it would seem that our Country is the only place on this Globe in which there is a prospect that the Republican

¹ Ms. *Council Journal*, Vol. 5, p.58

system can succeed. Should that system here fail, in a time and under circumstances so favorable to its continuance, future generations must pronounce it impracticable. To preserve it among ourselves, we must guard against all intolerance, intrigue, party spirit, and party measures. Our Elections and Laws must be made with the purest views and motives. When the Representatives of the People are superior to the views and aims of party; when they steadily and unanimously pursue the public good, a ready obedience will be given to the Laws, and a cheerful support to the Government. A spirit of disunion and the influence of faction in the Legislature, will produce disquietude among the Citizens, and those measures which are not dictated by wisdom and prudence can never find support.

Assembled from different parts of the State, you know the circumstances and interests of your Constituents: while the greatest general good is your chief object, your united endeavors will guard the Rights of Individuals, and promote the present and future prosperity of all.

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Volume V.

1805

October 12, 1805.

*Speech of Gov. Tichenor – 1805*¹.

Gentlemen of the Council, and Gentlemen of the House of Representatives, — It gives me great satisfaction to meet the Representatives of the People, and concur with them in fulfilling the legislative duties, and discharging the important trusts, which our Constituents have assigned to us; and the satisfaction is not a little heightened, by contemplating on the general happiness and prosperity of our Nation and Government. While the fairest part of Europe continues to be the scene of “dreadful preparation” for war, and is menaced, on all sides, with those miseries which flow from that greatest of all human calamities; we are pursuing with peaceful industry, those objects, which constitute the strength, security and glory of a wise and free people. Agriculture flourishes, and a genial soil and climate reward with abundance the labors of that useful and respectable class of our fellow Citizens, the Farmer and the Husbandman. The increase of Commerce enhances the value of productive labor, and the produce of the land. Manufactures daily improve; and the United States presents to the world, a fair specimen of the fruits of a mild and free Government.

It cannot but add to our joy, that the measures adopted by our General Government, for chastising the insolence and repelling the injustice, of the Infidels of one of the Barbary States, have been attended with success. By the blessing of Divine Providence, on the good conduct of our forces in the Mediterranean, seconded by the enterprise, talents and heroism of GENERAL EATON,² our Citizens have been released from Captivity; Tripoli is humbled, and those barbarians, who have extorted an unwilling tribute from the most potent Monarchs in Europe, taught that America is no less irresistible in arms than just and conciliatory in peace.

The business that will engage your attention, the present session, relates principally to the internal affairs of this State; the election of the civil officers of Government; the necessary alteration of existing Laws and ordinances; the encouragement of schools and other seminaries of learning; the improvement of our Militia establishment, and whatever can promote the interest of agriculture, manufactures, public and private tranquility and happiness.

The selection of those Officers, on whose judgment, virtue and impartiality, all that has relation to life, liberty and property may depend, is a weighty and serious transaction. Instead of being a matter of intrigue, party, or selfish policy, it ought to be conducted with all the calmness of wisdom, and disinterestedness of virtue. You will, I have no doubt, meet this part of your duty with a fixed purpose of regarding only the public good, and promoting the honor and welfare of the State.

Of the laws, now in force, that may require amendment, I particularly invite your attention to that, which authorizes the Supreme Court to grant *Bills of Divorce*. One of the necessary qualities and conditions that constitute a good law, is, that it be adequate to its end, and shall prevent the evil against which it is directed. As the existing Law on the subject of Divorce, dissolves the bonds of matrimony on the real or implied criminality of either party, it is justly to be apprehended, indeed experience hath proved the fact, that it includes a temptation to commit the offence, for the sake of separation. Marriage being, of all human institutions, that in which Society is most interested, I have no doubt, the Legislature will give it an attention, commensurate with its moral and political consequences; and duly consider, that as families are the elementary forms of society, their distinct connection ought not to be dissolved on slight grounds, nor the dissolute furnished with an opportunity to free himself from restraint by the commission of a crime.

The business particularly instructed to me, by the Legislature at their last session, relative to the boundary line, between this State and the Province of Canada, has been strictly attended to; and will be the subject of a future message.

I have the honor to lay before you, certain Resolutions of the Legislatures of Kentucky, Pennsylvania, North Carolina and Massachusetts, transmitted by their respective Governors, to receive your concurrence and

¹ Ms. *Council Journal*, Vol. 5, p.150

² As Gen. Eaton had resided in Vermont, served as Clerk of the General Assembly, and commanded the first company enlisted in this State for service in the United States army, his brilliant campaign here alluded to was peculiarly pleasing to Vermonters.

adoption. The Amendment to the Constitution of the United States proposed by the states of Kentucky and Pennsylvania, which has for its object, the abridgement of the judiciary power of the Courts of the United States, and to confine their jurisdiction to certain cases, therein mentioned, will necessarily attract your most serious and careful consideration. Whatever may have a tendency to weaken any part of the conventional obligation of the confederate States, or to diminish that expectation of an impartial administration of Justice, which maintains an unsuspecting intercourse, between the Citizens of the different States, and on which mutual confidence and credit are founded; whatever can open a door for the admission of jealousy and distrust, will, certainly, not be adopted by you, without the most urgent and indispensable necessity.

The amendment proposed by North Carolina and adopted by Massachusetts, for putting a stop to the importation of Slaves into the United States, will, likewise, call for your legislative decision. It cannot, I flatter myself, be necessary that I should impress on your minds, that the *Genius of universal Emancipation* ought to be cherished by Americans; that there is no complexion incompatible with Freedom; and that we owe to the Character of our Country, in the abstract, and the laws of humanity, our best endeavors, to repress that impious and immoral traffic.

It cannot too often be repeated that union and moderation are the principal constituents of national felicity and happiness. Altho' you may have left in your respective towns many individuals, heated with political zeal, and in the eagerness of emulation, contending merely for pre-eminence, I trust this deliberative body will be influenced by a candid, tolerant spirit, which will justly command the attention of the wise and good, and the approbation of your Constituents.

In every attempt of this kind, I shall be happy to co-operate with you, and as far as in me lies, render that assistance which the Constitution has made part of my official duty.

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Volume V.

1806

October 11, 1806.

*Speech of Gov. Tichenor – 1806*¹.

Gentlemen of the Council, and Gentlemen of the House of Representatives, – As the science of forming and administering a good government furnishes the means of procuring to mankind the greatest possible degree of happiness, I confidently hope we shall enter on the performance of the great and solemn duties, assigned to us by our Constituents, with corresponding sentiments of candor and solicitude. And, as a Republican Government is, for an enlightened and virtuous community, the best which human wisdom has yet devised, it necessarily follows, that its ministers and legislators should consider themselves as the Guardians and Trustees of the People, to promote whose happiness they should, on all occasions, exercise their most mature judgment and unbiased opinion.² It is a trust from Providence, for the abuse of which we are highly responsible.

A due regard to considerations of this nature, will secure us against the influence of faction, the rage of party, and the undue exercise of the power committed to our charge. As Freedom lies between the extremes of anarchy and despotism, it has, in every country, been impelled in the one or the other direction, by the prejudices and passions of the inconsiderate and ignorant or the cupidity of the base and unprincipled. If we calmly and impartially recur to the struggles, which have been made in the old world, to introduce and maintain free governments, and the successive changes through which they have passed, owing to the perpetual conflicts between wisdom and folly, between patriotism and unwarrantable ambition, we shall resolve them all into the lust of power, and a disposition “studious of change and pleased with novelty.” From all these, we may derive lessons of practical instruction; and realize the truth of that important political maxim, that “no free government can continue long to exist, unless the utmost harmony and most conciliatory spirit pervades its council.” Rivalship for power produces an abandonment of principle, and ought to be guarded against, by the Representative of a Free People, as the cause of every species of mischief and misery.

In our local relations, no part of the Globe seems to be better fitted for the establishment and preservation of rational liberty, than that in which a kind Providence has placed us. Blessed with a fruitful soil, which rewards with abundance the industry of the husbandman; and engaged in commerce, only so far as it furnishes the conveniences and elegancies of life, and increases the value of our productive labor, we may live independent of the national policy of Europe, and successfully cultivate the arts of peace and domestic happiness.

To adopt measures the least burdensome and invidious for the support of government; to provide for an adequate and impartial administration of Justice; the support of Schools and Colleges; the defense of the State, by a well organized and well armed Militia; to promote the interests of religion and morality, and secure to industry its lawful acquisitions, comprise your principal duties.

While the path of duty is thus plain, and the Public Good the great object to which, as virtuous Citizens and enlightened Statesmen, you will refer all your actions; I may reasonably draw the pleasing conclusion, that the civil officers for the ensuing year will be appointed without any regard to the wishes or jealousies of men who seek only their own advancement; or the combinations of individuals, which are the prolific sources of much mischief and general discontent.³ In the most improved state of society, there will always exist a diversity of opinion on speculative subjects; and every good government will adopt such general regulations as will ensure,⁴ as far as possible, individuals of every shade of opinion against even the fear of injustice or oppression. It is, therefore, highly just and expedient that the civil offices of the State should be filled with men eminent for wisdom, virtue and impartiality.

I have the satisfaction to announce, that the measures taken by the Legislature, at their last session, to ascertain the Northern boundary of this State, promise a very valuable acquisition. Conformably with the power vested in me, by the act for that purpose, I appointed D^r. [Samuel] Williams to ascertain the true divisional line between this State and the Province of lower Canada; which by a course of Astronomical observations, made

¹ Ms. *Council Journal*, Vol. 5, p. 228.

² In the printed speech it is “mature judgment, founded on an unbiassed opinion.”

³ Possibly Gov. Tichenor had in mind the caucus system, which had been introduced into Vermont in 1804.

⁴ “Secure” in the printed speech.

near the ancient monument at Connecticut River he found to be nearly fourteen miles South of the latitude of Forty five degrees. At the Lake Memphremagog the present divisional line was found to be more than seven Miles South of what it ought to be. From these observations, the result is, that the State has been out of possession, owing to the error in establishing the divisional line, of a tract of land equal to Eighteen Townships. The acknowledged experience and profound science of the person employed for that purpose warrants the belief, that his observations and calculations are without material error. The report which has been made to me, on this subject, together with the map that accompanied it, shall be laid before you. So large a tract of land, which on the settlement of the line would probably fall within the Jurisdiction of this State, appears to me to be an object worthy of your attention. The object can only be effected by an application to the Executive of our national Government.

I shall cheerfully and cordially concur in the adoption of every measure, which the wisdom of the Legislature may suggest, for advancing the happiness of the people, and the dignity and Character of the State.

ISAAC TICHENOR.

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Volume V.

1808

*Speech of Gov. Tichenor – 1808*¹.

Gentlemen of the Council, and Gentlemen of the House of Representatives, – With diffidence and solicitude I accept the invitation of the citizens of Vermont again to assume the office of their first magistrate. The experience which I have already had of its relations and difficulties, and the perplexed and critical state of our public affairs, cannot but suggest considerations of caution and anxiety in entering upon the office and assuming the responsibility attached to so important a station: believing at the same time, that every power which a man possesses ought to be devoted to the interests of his country, I shall enter upon a service from which experience has shown that no man can hope to retire wholly free from censure.

The business which our constituents have constitutionally assigned to their General Assembly, embracing the civil and political interests of the state, is the great object which will necessarily engage your attention. It cannot be concealed but that these have been considerably affected by a late law of the United States and the measures pursued to enforce it. Among a people accustomed to honest industry, and under a government which had permitted them freely to dispose of the fruit of their labor, as a natural and unalienable right, it was to be feared there might exist a strong disposition to evade its restrictions. Nothing but an appeal to their patriotism, and a strong conviction of the utility of the measure, could enforce obedience to a law which in its operation blighted the best hopes of the laborer and destroyed every incentive to useful and honorable enterprise. While therefore we regret the stain upon the character of a respectable portion of our citizens, in consequence of the conduct of a few, who had violated a law of the general government, suspending our commerce by an embargo without limitation, we sincerely regret that the law was not accompanied with that evidence of national necessity or utility which at once would have commanded obedience and respect. We also must as sincerely deplore that, instead of an application in the first instance to the civil authority, it was deemed necessary to have recourse to military aid: and feeling, in common with my fellow citizens, the evils which result from that law, I cannot but hope that the wisdom of the national legislature will induce an early repeal of the same. If however this should not be deemed wise or expedient, I must strongly enjoin the necessity of a quiet submission to the privations and inconveniences that may be experienced, until we are relieved in a constitutional way. Nothing could be more erroneous, dangerous, and inconsistent with republican principle, than an avowed or hostile opposition to the law. Our duty and our interest as citizens are undoubtedly to obey the laws of our country, and to avoid and discountenance every measure that tends to impair the majesty of the laws, the authority of government, or the sacred regard which is due to the federal constitution.²

To enact wise and just laws, and to elect able and faithful magistrates are among the most important articles of the business that will demand your attention. Whenever justice is duly administered, and the laws faithfully executed, the public opinion will receive its proper direction, and the public mind will be composed. In addition to the customary appointments of civil officers for the ensuing year, it will be our duty to elect a Senator to represent this State in the Congress of the United States, and to appoint Electors of a President and Vice President of the United States. There can be no time in which the appointment of civil officers is not a matter of the highest consequence and of sacred importance. But if ever there was a period that demanded the united wisdom and virtue of the legislature, that period has come. Your duty to yourselves, and to your country, now calls you to lay aside every party consideration, and exert all your wisdom and all your virtue, in the discharge of this duty. Under these impressions, I trust you will with the most impartial and serious solicitude, inquire for the greatest abilities and virtues, and endeavor to establish and place them in office. The most likely way to benefit and save your country, is to give the wisdom and virtue the pre-eminence and direction in your civil councils and public offices.

It was the sentiment and doctrine of the father of our country, that the best way to preserve peace was always to be prepared for war. The advice of the venerable Washington, respecting the constant arrangement of the militia, has received additional weight in this State, from the calls that have been made on this class of our

¹ Printed *Assembly Journal* of 1808, p. 16..

² Gov. Tichenor alludes to the embargo and the opposition to it, and evasion of it by smugglers, particularly in the portion of northwestern Vermont bordering on Lake Champlain.

citizens to appear in the support of the civil law and power. The promptitude, fidelity and discretion with which they discharged their duty, was honorable to themselves and reputable to the State. At a time when our foreign relations are marked with uncertainty and danger, can we do better than to review this subject, and make it a matter of impartial inquiry, what further measures maybe of use to improve the militia of this commonwealth. Human wisdom has not discovered any way to avoid the danger and expense of a standing army, but by giving disciplining, activity, and legal direction to the militia of a country.

Among the advantages and virtues of a republican government *economy* has always been considered as one of the most natural and useful. You are fully sensible that this should extend to all the branches and articles of revenue and expenditure; and the more critical and minute your attention shall be, on this subject, the better you will discharge your duty to your constituents. Besides the annual income and expenses of the State, it may be of use to inquire into the advantage and emoluments that have accrued to the State from the several banks that have been established by the legislature.³ When the policy, the operations and benefits attending these institutions are fully understood, you will be able to determine with more certainty whether they require any and what alterations or encouragements.

The State Prison, ordered to be erected by the last General Assembly, is a matter of much importance to the State. It will probably be a benefit to this institution and to the government, to inquire into the state of the buildings, the proceedings of the committee, and the expenditures of money appropriated to that object.

In addition to the ordinary business that may come before you, it may be expedient to revise our criminal code of laws, especially an act entitled an act for the punishment of high crimes and misdemeanors, and so to vary the modes and degrees of punishment of certain crimes and misdemeanors, as to carry into complete effect the humane and benevolent intentions of the legislature in establishing the State's Prison.

It has been considered the duty of the executive to lay before the legislature, at their annual session all communications from the general and state governments, which may affect us, with regard to our internal economy, or our relative connection with the federal union. Such communications, at this eventful crisis, might perhaps be expected, not only as important in themselves, but as necessary to aid you in your legislative deliberations. But the absence of my predecessor in office, and circumstance of having received no documents from him, must be my apology for silence on the subject.

I shall co-operate with you, gentlemen, in all councils and measures which can, in any way, be promotive of the true interest of our country, and humbly rely upon a superintending providence that all our honest endeavors for the public good may be crowned with success.

ISAAC TICHENOR.

³ Vermont State Bank, consisting of four branches

Executive Speech
of
Cornelius P. Van Ness
As it appears in the
RECORDS
OF THE
GOVERNOR AND COUNCIL
OF THE
STATE OF VERMONT.

Volume VII.

1823

October, 10, 1823.

SPEECH OF GOV. VAN NESS— 1823¹.

Gentlemen of the Council and Gentlemen of the House of Representatives: Elevated to the office of chief magistrate of an intelligent and virtuous people, by their free, and almost unanimous suffrages, I embrace the earliest moment to record the assurance, that an honour so highly distinguished, and at the same time so cordially conferred, has inspired me with sentiments of the warmest gratitude to my fellow citizens, and the sincerest devotion to their interest and happiness. And having just added the obligations of an oath, to those already imposed upon me, I assume the station which has been so honourably occupied by those who have gone before me, with the deepest impressions of the responsibility incurred, and with the utmost reliance upon the liberality and indulgence of my constituents, in whatever faithful exertions I may make, in the discharge of the trust committed to me. And to none of the others who have preceded me will it be intended as any disparagement, if I mention with peculiar feelings of respect my immediate predecessor.

In casting our eyes over the condition and prospects of our common country, we find on every side abundant cause for gratitude to heaven and felicitation to ourselves. It is but forty-seven years since the United States first claimed the rank of an independent nation, and but forty since that rank was acknowledged by the government whose dominion they had renounced. During this period, the improvement of our country and the increase of her population and her wealth, have been without a parallel. With a government which was erected by the sages of the revolution, upon the broad and durable foundation of equal rights and which stands the loftiest monument of human wisdom, and the most humbling spectacle to tyrants, we enjoy a liberty unknown to any other people on the face of the earth. And being at peace with all the world and likely at present to remain so, we are favoured with every opportunity to attend to the internal improvement of the country, and to the regulation and promotion of her various and permanent interests.

But with all this prosperity, and the possession of these valuable privileges, we cannot overlook a source of regret and apprehension. We are still dependant on foreign nations for the supply of much that we consume, and the sale of much that our soil produces. Hence we are necessarily exposed to the privations and losses incident to the changes that take place in our relations with them, and even in their relations with each other, – and the consequent fluctuations and interruptions of their markets. And from the unfavourable course of trade in regard to us, our citizens are supposed to be already many millions in their debt, while there is much reason to fear, not only that the amount will be increased, but that it will have to be paid in a manner the most disadvantage to this country.

The manufacturing interest of the United States has been left to struggle with obstacles which it can never overpower, until the encouragement afforded to the importation of foreign goods shall be withdrawn, by a sufficient increase of duties, or by direct prohibitory regulations. This, it is believed, might be done without invading the just claims of foreign commerce, considered in connection with the indisputable rights of the other great interests of the nation. On the success of our manufacturing industry depends essentially the prosperity of agriculture, as by the establishment of manufactories is created a market for the articles necessary for manufacturing and for subsistence. And there appears good reason to justify the opinion that by cherishing the resources of our own country, and protecting the industry of our own citizens, we might soon be able, without going abroad to obtain a ready and comfortable supply of our wants, and to find a profitable and steady market for our produce. But if, on the other hand, we should persevere in the course we have been pursuing; if no barrier is erected to the vast importations of foreign merchandise, by which the exertions of our manufacturers have been systematically paralyzed, and the debts, as well as the habits of extravagance of our citizens, constantly increased, it would seem that a period cannot be far distant, which will overwhelm us with difficulties of a most serious and alarming nature.

I am aware that the regulation of this subject belongs to the national government; but it is nevertheless the right, if not the duty of the state authorities, to express their views on a question of such vital and general

¹ From printed *Assembly Journal* of 1823.

importance to the country. And while this is done with due respect, no impropriety is perceived in doing it with that frankness which ought to characterize all the acts of the representatives of freemen.

It is however by no means to be inferred from the remarks I have made, that a liberal confidence is not esteemed to be due to the administration of the general government; at the head of which is a patriot of the revolution, who has devoted the greater part of a long life to the faithful service of this country, with a zeal and ability that have not been surpassed and with a firmness which has never yielded to difficulty, or been dismayed by danger; and who has moreover himself recommended a policy more favourable to the great cause of national industry. With an extensive territory, a variety of climate and soil, a difference of habits and customs, and twenty-four sovereign states, all independant of each other, though subject to one general control, it is not very strange, however much to be lamented, even allowing the purest motives to all concerned, that local and temporary interests should occasionally counteract exertions, and retard the adoption of measures, calculated to promote the lasting honour, and permanent welfare of the nation.

And it is a principle of which we should never for a moment lose sight that notwithstanding the state authorities may sometimes differ in sentiment with the general government, as to the wisdom or propriety of its proceedings, they are not in such cases the loss under obligation to render obedience and respect to the measures of the letter, and to afford the necessary aid to carry them into effect. The men who are called to administer the general government, belong to the same political family with those who compose the state governments, and chosen to office by the same people. It is by means of the general government alone, that the states can act, or move a single step, on any occasion however interesting to their general concerns. And it is to that government only, that they can look for defense and protection in the hour of danger, whether assailed from abroad, or at home. How important it is then that the national government should, be sustained in all its parts, and in its utmost vigour and that we should frown upon every attempt to degrade it, by treating with disrespect any of its measures, or to weaken it, by creating distrust in either of its branches.

Although remote from the nations of the old world, and sheltered from the fury of the storms that agitate them, yet we cannot behold with indifference the enslaved and degraded state of the people who compose them, and the outrages which are committed on their rights. Every American breast must beat high with sympathy at this crisis, for the Greeks and the Spaniards; the former of whom are bravely struggling to break the iron fetters of their slavery, and to reassume a rank among the nations and the latter are endeavouring, though it is feared but too feebly, to defend their constitutional liberties, against the rude encroachments of lawless and despotic power.

In calling your attention to the immediate concerns of this state, I am not sensible that any material alterations in the laws relating to any department of the government, could be beneficially made at this time. And it is now too well understood to be questioned, that such alterations should be resorted to only in cases of pressing and manifest necessity. The stability of laws is next in importance to their wisdom. Yet so great is the desire of mankind for change, and so predominant their ambition for the character of reformers, that they are seldom at a loss for subjects to act upon, and even after starting upon slight and apparently judicious amendments, their zeal will frequently urge them to overleap the bounds prescribed by themselves in the outset, and in their progress to sweep all before them, until they have prostrated the fairest institutions, and the most valuable systems. Let us therefore endeavour to be strict and deliberate, in our necessary examinations of the laws, and when we plainly discover any real defects, to be satisfied when those are provided for.

Knowledge and virtue are the main pillars of a free government and the only foundation on which they can stand, is education. The founders of this state to whom we owe a great veneration, appear to have well understood this important truth. It is declared in the constitution, that "a competent number of schools ought to be maintained in each town, for the convenient instruction of youth, and one or more grammar schools be incorporated in each county in this state," Laws have been from time to time passed for the establishment and regulation of common schools, and for the appropriation of funds to their use by which instruction has been afforded at a low rate, and in some instances almost if not entirely free, for at least a part of the year. Grammar schools and academies have been instituted throughout the state and ample provision has been made for dispensing the benefits of collegiate instruction. A system has been built up which has shed its influence on

every part of the community, and given the people of this state taken together, a superiority in point of useful knowledge and sound information over the population of most, if not all time states in the union.

But while we should not neglect to extend the hand of patronage to the higher studies of literature, as valuable parts of an admirable system, it is that branch of education which is the offspring of the common schools, that we are under peculiar obligations constantly to guard, and anxiously to cherish. The instruction imparted by these schools is both necessary and sufficient for the common purposes of life, and constitutes the preparation for the easy attainment of those higher branches, which are acquired at our academies and colleges on the most reasonable terms. By being rendered so cheap as to be within the reach of all, the diffusion of intelligence becomes universal; and many who would otherwise grow up without any education, are raised from the state of degradation to which the misfortunes or vices of others may have reduced them, and prepared to become useful and virtuous members of society. And besides, it opens the way for the humble and poor to advance, by industry and perseverance, to further attainments, and to the honours and emoluments of public employment; and by raising their condition, and bringing them into associations with those who are higher and richer, it leads to the closer and more permanent connections in life between them; thus tending to preserve that equality in society, which is so just in itself, and so consistent with the simplicity of genuine republican principles.

By a recent decision of the supreme court of the United States, in relation to the rights of lands originally granted under the Crown to the Society for the propagation of the Gospel in foreign parts, and afterwards claimed by this state and the rents arising from them appropriated to the use of schools, it appears: to be settled that the society is to recover the property, and consequently that the schools in a considerable number of towns are deprived of a portion of their support. in consequence of this circumstance and being satisfied of the utility of the measure on other grounds, I would recommend that a particular inquiry be instituted in relation to the schools and if it should be found expedient to raise additional funds for them, that it may be done by an increase of the tax directed to be annually assessed for this object, on the polls and estate of the people, by the act of 1810. I know of no other way in which anything further can be effectually done; and there is, in my view, no injustice in compelling the rich to contribute to the education of the poor. There can be no doubt, that the little which is taken from them, by its effect in improving and elevating the society around them, renders more safe and valuable that which they retain, and enables them, to enjoy it with a greater degree of comfort and pleasure.

Before I part with this subject, justice requires the notice of an institution, uniting civil with military instruction, which has been reared, and advanced to great usefulness and prosperity, by the talents and exertions of a single individual and which is not only highly honourable to the state, but ranks with the most respectable seminaries in our country.²

Agriculture is our leading employment and principal support, and deserves every attention and encouragement that can in any manner tend to the advancement of its permanent prosperity. As it is the most ancient and the most useful, so it should be viewed the, most honourable of all employments. And the general diffusion of this sentiment, and the cultivation of an habitual regard for it, will be sure to conduce to the welfare of the state.

Considerable improvements have been made, within a few years, as it respects the tillage of the soil, and the breed and treatment of domestic animals. These have proceeded, in a great measure, from the spirit of emulation and inquiry excited by the establishment of agricultural societies. To the same source may be traced an improvement in that commendable industry in families, which is directed to the manufacture of articles of clothing, from materials produced on their own farms. These societies do not generally continue to be supported with the same zeal that originated them, though the good effects thus far produced by them, will no doubt be lasting. If it should be considered of much consequence to have them kept up, and their exertions continued to advantage, it would be expedient to afford them some aid, by which they may be better able to distribute premiums, that being one of the most effectual means of their usefulness.

² The allusion was to the late Capt. ALDEN PARTRIDGE, and his Military Academy, which is still continued at Northfield.

On the subject of manufactures I have already expressed myself. But I would add, that I deem it important to afford every facility to manufacturing establishments, by acts of incorporation, by reasonable exemption from taxes, and by whatever other means may be within our proper sphere of action.

By rendering every part of the state easy of access, the advantages for trade, agriculture and manufacturing, would be widely extended. The effect also in promoting settlements by immigration from other states, would be highly beneficial. A due attention therefore to the measure, necessary for improving our roads, and opening new ones wherever they would be useful, is among the most essential of our duties.

A strict regard to economy in the public expenditures is at all times, requisite in the just administration of a republican government. It is peculiarly so in this state, where the means for defraying the expenses of the government are chiefly taken by taxation directly from the earnings of the people. This should be constantly and strongly impressed on our minds.

The militia should always be regarded with interest. They must ever be the reliance of the country, in times of trouble and danger, until a sufficient regular army can be raised; and even after that, it may be necessary for them to co-operate with the regular forces. But without proper organization and, discipline, they are feeble, if not useless. A wise and prudent legislature can never be inattentive to their condition.

In the appointments to office, it is of no small moment that great circumspection should be observed. Every consideration should be discarded except those immediately relating to the character and qualifications of the candidates. These remarks apply with the most force to the Judges of our courts; for to them are entrusted the decisions upon our property, our character, our liberty and our lives. The character of a state is generally determined by that of its officers and a disregard of the latter cannot easily fail to degrade the former. And it being through our courts that the citizens of other states hold much of their intercourse with us, the judiciary, probably more than any other branch of the government raises or sinks the respectability of the state.

In the year 1817 a law was passed directing the Secretary of State to ascertain the number of deaf and dumb persons in this state, and their ages and situations in life. By a report made the next year, it appeared there were then seventy persons of that description; that thirty-five of them were of the proper age to be admitted into an Asylum for education and that twenty-nine of the latter class were in indigent circumstances. Nothing has yet been done by the state towards the education of these helpless and unfortunate beings whose deplorable condition cannot fail to excite the deepest sensibility. I would at this time present their case to your particular notice, in the hope that some means may be devised for their relief.

Permit me, before I close, to congratulate you on the prospect which is opened to us by the completion of a canal communication between Lake Champlain and the Hudson river. This great work has been exclusively accomplished by the noble and munificent spirit which has animated a neighbouring state, and which shines with still greater splendour in an undertaking far more grand and stupendous, though not so immediately interesting to the people of this state. A new era has indeed burst upon us, when we can hear of the arrival of vessels at the city of New York, from the northern extremity of Vermont. The immense value of such a communication to this state will soon be extensively seen and felt in the different branches of business carried on within it.

I would only remark further, that as faithful depositories of the public interest we should use our utmost endeavors to divest ourselves of all political and personal prejudices and animosities, and to cultivate in their stead the kind and elevated feelings of mutual confidence and good will; to allay all jealousies and dissensions of whatsoever kind, among the people at large, and between the different classes, trades and professions, and to inculcate a general spirit of union and harmony to promote industry, economy, temperance, morality and religion; to keep steadily in view that we are not raised to office for our own advantage or aggrandizement, but to serve with our best faculties the interest of those whose agents we are, and to whom we have to account; and finally, we should implore, with becoming reverence and humility, the blessing of the great Ruler of the universe upon all our labours, for without that, however well intended, and well directed they will surely be in vain.

C. P. VAN NESS.

Executive Speech
of
Cornelius P. Van Ness
As it appears in the
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GOVERNOR AND COUNCIL
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Volume VII.

1824

October, 15, 1824.

SPEECH OF GOV. VAN NESS— 1824.

Gentlemen of the Council and Gentlemen of the House of Representatives: – The unequivocal approbation which my fellow citizens have been pleased to manifest of my past conduct, by selecting me a second time, with increased unanimity, to preside over the affairs of the state, is calculated alike to enhance my feelings of gratitude, and my obligations of duty. But being, as I trust, fully sensible, that the strength of these feelings, and the influence of these obligations, are to be tested, not by professions, but by actions, I shall pass over the former, and rest myself upon the latter.

The affairs of the nation continue peaceful and prosperous. And since our last meeting, an act has been passed by the government of the United States, for the encouragement of American manufactures, which, although falling short of the just expectations of friends of domestic industry, it is to be hoped will lead to further measures, and in the end prove to have been but the commencement of a system, that alone can exalt this nation to that lofty eminence, which, by a wise direction of her resources, she is destined to occupy.

The principal duties required of us on the occasion of our annual assemblage are, such improvements and alterations of existing laws of the state, and the passage of such new ones, as may have been proved by experience to be necessary and important, and may be called for by the changes in the condition of society; a vigilant superintendence over the fiscal concerns of the state, both as it respects the just levy, and the economical expenditure of the public funds; the improvement of the channels of communication between the different parts of the state, and with other states; the exertion of all the means within our power to promote the interests of trade, agriculture and manufactures; the appointment of honest and capable men to fill the public offices; a strict attention to the state of the militia; and a watchful care over the condition of our schools, and learned institutions.

As it respects one or two of the subjects just enumerated, it is thought necessary to be somewhat more particular. Notwithstanding the laws relating to the militia were revised in the year 1818, several additional acts, containing alterations of the principal act, have since been passed, by which a system that ought to be plain and simple, is rendered intricate and complicated. The system also being considered still defective, and not being in all respects conformable to the laws of the United States, another revision at the present session would be beneficial. If you should conclude to act on this subject, whatever committee it maybe referred to, will be furnished with such suggestions as maybe deemed necessary or useful.

So too with regard to the laws for the organization and support of schools. Besides being scattered through the statute books, they might be improved in that efficiency of regulation which is essential to the usefulness and prosperity of these valuable establishments. These therefore might likewise be revised to advantage.

But what is more important the funds provided by existing laws, and from which great benefits have certainly been derived, I am satisfied, are yet inadequate to afford those facilities of education to all classes of the community which every good government ought to provide. The universal diffusion of early education is so indispensable to the promotion of social order, of morality, and religion, and to the maintenance and permanency of republican institutions, that its cause demands our most decided and vigorous support. I feel it to be a duty therefore not to be dispensed with, to recommend that the amount now directed to be annually raised by taxation be increased. The state has no public property to appropriate to this object; but the property within it, though owned by individuals, must nevertheless be reached, in order to sustain the public burdens, and to fulfill the public duties and obligations. And I now repeat, what remarked the last year, that there is no injustice in compelling the rich to contribute to the education of the poor.

Although in general opposed to great and radical changes in the public laws of the state, yet I would respectfully submit to your wisdom, whether the time has not arrived which will safely admit of some modification of the relations between the creditor and the debtor. The power which the former has long been suffered to exercise over the personal the latter, whether his conduct has been honest or fraudulent, is at variance with the mild policy of our laws in all other respects and is repugnant to the best feelings of the human heart. That some difficulties may in the outset present themselves in regulating the details of a system calculated

to afford the appropriate relief, is not to be denied. At the same time we ought well to reflect, before we should, by that consideration, be deterred from approaching a subject, whose claims to our attention are founded in the firmest principle of justice and benevolence.

But whatever may be your views as to the propriety of any interference, or the extent of the relief that should be provided, considering the question in a general light, it is not perceived on what ground any objection can be made to the passage of a law exempting females from imprisonment on matters of contract. The spectacle of an honest and unfortunate female confined in a common jail, with persons of all descriptions, or even at all restrained of her liberty, because she may be unable to fulfill a contract, must create the most painful sensation in the mind of every feeling and honorable man; while on the other hand, the confinement of one of an opposite character, under like circumstances, cannot be otherwise than disgusting in its aspect, and demoralizing in its tendency, and is therefore equally to be avoided. For the honor of the state I can say, that I am not aware of the frequency of cases of either description; but they do sometimes happen. The bare circumstance however, that the law will admit of their occurrence, is, in my opinion, in this instance, sufficient to justify the alteration proposed.

In pursuance of a resolution passed at the last session, in relation to the deaf and dumb, Mr. George P. Marsh has been appointed to collect the information required, and will, it is presumed, make a satisfactory report. And I beg leave to express my solicitude, that the session should not be permitted to pass by, without some efficient measures for the benefit of this neglected class of our population.

Under the resolution respecting the rights of land originally granted to the Society for the propagation of the gospel in foreign parts, a correspondence has taken place with the Hon. Daniel Webster, the counsel employed on behalf of the state to defend the suit against the town of New Haven, for one of those rights, which will without delay be laid before you.

Various resolutions have been received from several of the states, which will be seasonably communicated to you. Those from the state Alabama, recommending General Andrew Jackson for the Presidency and those from the state of Tennessee, disapproving of the practice of nominating candidates for President and Vice President of the United State by Congressional caucuses, cannot require any measures on the part of the legislature. This state will soon be called on, in a constitutional way, to express her choice of persons to fill the offices of President and Vice President; and in doing so, it is believed she will not fail to evince a proper regard for her own character, or the interest of the Union. The subject of congressional caucuses is one over which we have no authority; and it is moreover undeserving of the importance that has been given to it. It is an impeachment at the understanding, is well as the independence of the people of the United States, to suppose that they would not elect the most suitable men to the first offices in the government, because others may have been nominated by an assemblage of members of Congress; or that they would disregard the just claims of any candidate, merely for the reason of his having such a recommendation. The subject belongs to the people and there is no reason to doubt that they will properly dispose of it.¹

In addition to the ordinary business of the session, it will be necessary to appoint some person to represent this state in the Senate of the United States for six years, from and after the 3^d of March next.

The period is also at hand when electors of President and Vice President of the United States are to be appointed, and it is for the legislature to direct the manner in which this shall be done. The practice in this state has heretofore been for the two houses, by joint ballot to appoint the electors, in pursuance of a concurrent resolution, previously adopted for that purpose; no law having existed on the subject. The constitution of the United States provides that "Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which file state may be entitled in the Congress."

It is doubtful, to say the least, whether by the true construction of the constitution, it was originally intended that the legislatures of the several states should have the right, under the authority to direct the *manner* in which the *state* should appoint the electors, to assume to themselves, or to vest anywhere, distinct from the people, the

¹ Wm. H. Crawford was the caucus candidate in 1824, and was not elected.

power of such appointment. But admitting it to have been settled by the practice of several of the states, that it rests with the legislature to decide whether it will itself exercise this power, or vest it with the people, the question recurs, which course shall be pursued? That it was designed by the constitution that the electors should truly represent the choice of their respective states, can surely require no effort to prove. And it would seem to be equally clear that this choice can be no other than that of the *people* of each state. But how are the wishes of the people to be ascertained unless the electors are chosen by them? There is no other way in which their preference can be expressed; and any assumption of that preference can only be founded on conjecture. The sentiments of a majority of the legislature may, or may not accord with those of a majority of the people; and if the electors are appointed by the former, it follows, that a vote may be given in behalf of the state, directly contrary to its wishes. If then, the people have no voice in the appointment of electors, they are, in a great measure, out of the question, in the election of the most important officers in the nation. With these views, I am of opinion that a law ought to be passed, providing for the appointment of electors by the people. If you should conclude to adopt the course recommended, it will still remain to be determined, whether the election shall take place “each *state*” shall appoint its number of electors. *All* the electors therefore should be appointed by the *state*; not some by one portion of the state, and some by another. It was designed that the election of a president should be by states, each state having in the first instance a number of votes equal to her number of Senators and Representatives in Congress, which is nearly on the basis of population; and if the election should come into the House of Representatives, then the states to be equal, each having one vote. In choosing electors by districts, the most populous and important state in the Union, and which it was intended should have a correspondent weight in the electoral vote, might be thrown entirely out of the scale, by a division among its electors. The election by states, and by general ticket in each state, exhibits a union of the federative, and the popular principle, happily adapted to the organization of the general, and the state governments. For while the power and importance of the states are preserved, the popular voice, by the appointment of electors, has a control influence over the election.

The main argument which has usually been relied on in favour of district elections, is, that by a general ticket the people are compelled to vote for men of whom they may be ignorant, while in each district they will generally have a personal knowledge of the candidates. This argument, yielding to it all the weight that is claimed for it, is still light compared with those on the other side of the question, as applicable to the appointment of Presidential electors. But it assumes for fact an ignorance in the people, the existence of which is by no means admitted. Their information and intelligence on all subjects connected with the all of the government, and their knowledge of the moral and political characters of that class of citizens from which the electors are usually selected, are believed to be such, as to preclude the idea that they are not capable of making an advantageous choice by general ticket, throughout the respective states. I am aware that a proposition like that now submitted, was before the legislature at the last session, and was dismissed. But there is reason to believe that the decision was principally produced by the consideration that there was no necessity of acting on the subject until the present session. At any rate, I am convinced that no designs hostile to the wishes of the people, as it respects the selection of a President, were entertained by the members on that occasion.²

The recent arrival of General La Fayette in the United States, is an event that deserves our notice. This respected and venerable patriot, at an early age, left his country, and his family, and, for purposes the most noble and benevolent, sought his way to these then troubled shores. He found the people in a state of bondage, and placing himself by the side of their first chief, assisted to lead them through the wilderness, to the enjoyment of freedom and independence. He returned to his own country, and after an absence of forty years, has come once more to visit that which he gloriously served in his youth. He finds, indeed, that of his old associates comparatively few, like himself, have survived the wreck of time, and remain to greet his arrival, and to talk over the perils and the glories of their former days. Yet he finds the children of those who have descended to the tomb and the hearts of these swell with affection and with reverence for the friend and companion of their departed fathers. But above all, he finds himself owned by the whole nation, as one of her

² Oct. 25, 1824, an act was passed carrying out the views of Gov. Van Ness, and it has in substance been retained ever since. The electors for that year, however, were appointed in joint committee of the two houses, the electoral act not taking effect until the election of 1828.

earliest and most distinguished benefactors, and is cheered by a universal burst of gratitude and of love from one extreme to the Union to the other. An invitation to the General to visit this state, previous to his return to France, while it is but a faint tribute of respect due to him, would doubtless be agreeable to the people in general, and could not fail to be peculiarly gratifying to those veterans among us, who participated with him, though in humbler stations, in many of the scenes which have associated his name with the history of our independence. And from the fact that he would meet with some of these venerable patriots, we may be permitted to indulge the anticipation, that his visit would not be wholly destitute of interest to himself.

Having thus concisely and frankly submitted to you my views on the various subjects, which I have deemed to be essentially connected with the welfare of the state, I have only to add, that by pursuing a course, dictated by our best judgments, and controlled by upright intentions, we have the best ground to flatter ourselves, that, under the superintending care of that Providence whose divine countenance we should ever seek, the happiness and prosperity of the people will be promoted, and the character, and respectability of the state improved and elevated.

C.P. VAN NESS

Executive Speech
of
Cornelius P. Van Ness
As it appears in the
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Volume VII.

1825

October, 14, 1825.

SPEECH OF GOV. VAN NESS— 1825.

Gentlemen of the Council and Gentlemen of the House of Representatives: —In assembling to discharge the duties of the respective trusts confided to us by our fellow-citizens, we should not delay the acknowledgment of our sincere gratitude to Almighty God, for the happy circumstances, and the flattering prospects, under which we are permitted to meet.

Our country steadily and rapidly advances in her march to that elevation, which she appears destined to reach, and which constitutes the highest happiness, as well as greatness of a nation. The administration of her government has, indeed, passed from the hands of the last revolutionary patriot, who will probably ever direct her course.¹ But it is a source of great felicity, that the succession has fallen on a statesman and patriot of the present day, whose transcendent talents, extensive experience, and purity of character, furnish an unflinching pledge, that, under his guidance, her progress, to say the least will be unimpeded and untarnished.²

In confining our view to this state—our constitutional sphere of action—we are then by no means destitute of solid grounds of gratification, and of pride. There is abundant evidence of her increasing progress in wealth and population, and in the cultivation of the mind, and the morals; of the improvement of her agricultural, manufacturing and commercial interests; and of the prevalence of an unusual degree of harmony and good feeling, throughout the whole community.

As the representatives of the state, to whom are entrusted, for the time being, the protection of these interests, and the preservation of these blessings, let us not lose sight of the confidence reposed in us, or the responsibility we have assumed. Regardless alike of every consideration of fear, or favour, we should pursue the way marked out by the constitution, prompt in our decisions, though not rash, and firm in our purposes, but not stubborn; aiming only at the main objects of our appointment—the permanent prosperity, respectability and happiness of the state.

The views which I have heretofore expressed to the legislature, on the subjects of education, of the militia, and of imprisonment for debt, remain unchanged. These important interests are referred to, as deserving your particular attention.

I do not perceive that we can, with propriety, at this time, adopt any measures for a further increase of the funds annually raised for the support of schools; but it is worthy of consideration, whether the regulations for the expenditure of those funds, cannot be improved, so as to lead to results more extensively beneficial, than are at present produced. A proposition was before the legislature, at the last session, to commence the creation of a permanent school fund, and was postponed to the present. If such an object could be effected, though it were but a small beginning, and with a distant prospect of actual usefulness, the state, at some future day, might be greatly benefitted by it, and have reason to bless the memory of those, who shall have laid the noble foundation.

When we find that the very first clause in the constitution of the United States, pronounces it one of the principal objects of its establishment to “promote the general welfare” and when we reflect that this welfare is inseparably connected with the diffusion of knowledge, we cannot but be struck with astonishment, that the General Government, with such ample means as it possesses, should so long have delayed to lend its direct and efficient aid to the general purposes of education. In this era of peace, and of increasing attention to the internal condition of the country, may we not be permitted to hope, that the present administration will not suffer to go ungathered so rich harvest of glory, as would spring from the adoption of measures, by which all the states would be enabled, without pressure to their inhabitants, to impart, to every useful extent, the inestimable blessings of education.

¹ James Monroe

² John Quincy Adams.

As it regards the militia if nothing more should be done, there are some difficulties in the execution of the existing laws, which, in my opinion should be removed by an additional act. These I will point out to the military committee, instead of swelling this communication with their details. I would likewise observe, that, on account of the addition to the number of companies since the act of 1819, which provides for furnishing the officers with the system of military discipline, adopted by law, a further provision of the same nature has become necessary. And as it respects that provision, permit me to suggest the importance of directing that each commander of a company be furnished with a copy of the system, instead of an abridgment of the work merely.

In a special communication, during the last session. in relation to the arms belonging to this state I adverted to the propriety of collecting, and placing in the custody of the quartermaster-general, all that might remain of 2500 stands of arms received from the United States, and directed by the legislature in 1822, to be apportioned among the several towns and deposited with the selectmen. I am fully confirmed in the expediency of this measure, and recommend that provision be made, the present session, to carry it into effect. The public arms should be kept together, that their number and situation might at all times be known, especially since measures are in progress for the erection of an arsenal.

The report of the commissioners appointed to designate the town in which the arsenal should be located, and to purchase a lot of land on which to erect the same, was received about the first of August last. The town of Middlebury has been fixed on, and five acres of land, selected by the commissioners, have been procured at the expense of individuals, and duly conveyed to the state. The season, however, being so far advanced, I considered it prudent to suspend any preparations for the commencement of the building, and advised the quarter-master-general accordingly.³

Being authorized by the act which provides for printing the compilation of the laws of the state, to appoint an agent to contract for the printing, and likewise a person to superintend the work, in conjunction with the secretary of state, I appointed Daniel Kellogg, Esqr. to perform those duties. Of the circumstances and progress of the business, you will be informed by the agent.

Under the resolution of the last session, relating to the education of the deaf and dumb, Horace Everett and James Elliot Esquires, were appointed commissioners to carry the same into execution. A report from Mr. Everett will be transmitted to you without delay. Mr. Elliot, in consequence of his disposition, was not able to attend the meeting of the commissioners and the directors of the asylum, at Hartford.⁴

Having given General La Fayette an invitation to visit this state, in pursuance of the resolution on that subject, he accordingly passed through the state of latter end of June last, entering it at Windsor, and leaving it at Burlington. His time was so limited, that it was not in his power to present himself in any parts of the state, not on the route between the two places mentioned. But as it was, every practicable arrangement was made, to favour the people of the state with an opportunity of beholding this beloved friend and patriot. A particular account of the expenses incurred on this part of the state, will be laid before you.⁵

Much anxiety has been manifested, the year past, with respect to the improvement of the navigation of Connecticut river, and the junction of its waters with those of Lakes Champlain and Memphremagog. That these are truly schemes of vast importance, will not, be questioned. Our interest is great in all, but in the two latter, it is more exclusive than in the first. The consideration, however, that the state only borders on that river, I trust, will not deprive that part of the subject of a general solicitude throughout the state; as it should always be remembered, that a benefit to any one part of the state, without an actual deprivation to the other parts, is a benefit to the whole. But the connection of this plan with the other two, if they should all be executed, at once renders it of immediate interest to other important parts of the state, than those in the vicinity of the river.

³ The act of 1824, providing for a state arsenal, was repealed in 1825. Champlain arsenal, at Vergennes, was built by the U.S. government in 1828.

⁴ For Mr. Everett's report, see printed *Assembly Journal* 1825, pp. 35-27.

⁵ The amount was \$564.77, mainly for transportation and express messengers. – See printed *Assembly Journal* of 1825, p. 99; and *Acts of 1825*, p. 44.

At this period of internal improvement and enterprise, it is certainly incumbent upon us to take some measures to forward the accomplishment of such public works, in this state, as it would be practicable and expedient to execute. The great advantages of canals where there is no natural navigation, appear now to be universally acknowledged. The expediency, however, of constructing them is only admitted, where the circumstances of the country through which they are to pass, or the extent of the navigation with which they are to be connected at the two extremes, will justify the application of the necessary means. Instead, therefore, of wasting the public or private resources of the state, by embarking in, or encouraging projects requiring large funds, and affording doubtful evidence of utility, for the honor of imitating others, more favorably situated, and possessing more ample means, we should proceed with caution – always keeping in view the advantages of the work proposed, if practicable, the means necessary for its execution, and the sources whence those means are to be derived.

In the beginning of May last I received a communication from the secretary of the war department of the United States, stating, that, in accordance with the wishes expressed by the people of the states of Vermont, New Hampshire, Massachusetts and Connecticut, through their representatives in congress, orders had been given, to cause an examination and survey to be made, of the country between Lake Memphremagog and the Connecticut river at Barnet in this state, with view to ascertaining the practicability of constructing a canal to unite those waters and also an examination of the Connecticut river, from Lake Connecticut to the tide waters of Long Island sound, to ascertain the practicability and probable cost of improving the navigation of that river; and that an engineer would be at Barnet by the 10th of May, who would co-operate with any engineer or commissioner that might be sent to that place, on the part of the state. Although I felt anxious to evince to the national government our gratification that its attention was directed to objects so very interesting to this state, and our disposition to afford all practicable co-operation, yet I had no authority to incur expense. But arrangements having been made by individuals to avoid that, I appointed Horace Everett [of Winsor] and Nicholas Baylies [of Montpelier] Esqrs. Commissioners, for the purpose above mentioned. Of the progress of these surveys, I have not been advised.⁶

In the month of July last, I was furnished with the proceedings of a public meeting, held at this place [Montpelier,] on the subject of a canal to unite the waters of Lake Champlain and Connecticut river, in pursuance of which addressed a letter to the secretary of war, requesting that a survey might be made, under the direction of that department, to ascertain the practicability and probable expense of such a communication, previous to the next session of congress. This was declined on the ground that the number of surveys in progress, it was feared, would so nearly absorb the funds at the disposal of the department, applicable to such objects, that it was not deemed prudent to make any further surveys the present season. From the interesting connection, however, already alluded to, of all these objects, and which will exist even in a national view, we have reason to indulge the expectation, that this survey will be made by the United States, in the course of another season. But I am, of the opinion, that the state should provide for making it, in case the general government, contrary to our expectation should still decline to do it. A canal across the center of the state, by any route which probably would be selected, would penetrate, a considerable portion of the way, a fertile and well settled line of country, and form the most important connections at both extremes. The necessary measures, therefore, to ascertain its practicability and probable cost, should not, under the existing circumstances, be delayed. An examination has been for some time going on, between this place [Montpelier] and Connecticut river, by individuals who feel interested, the particulars of which, it is understood, will be communicated to you, and maybe of essential service in your deliberations on the subject.⁷

The time may not be far distant, when the attention of the state may properly be fixed on other enterprises of a similar kind; but I do not feel authorized to advise any steps of that kind, until it shall have been determined how far, and in what manner, it will become necessary to contribute to the great and paramount objects – the

⁶ For the report of Mr. Everett see printed *Assembly Journal* of 1825, p. 38.

⁷ For the report of Araunah Waterman and John L. Woods of various surveys in Vermont, see printed *Assembly Journal* of 1825, pp. 146 – 148. These early surveys for canals through central Vermont were useful in indicating the lines of railroads which have since been constructed.

improvement of the navigation of Connecticut River, and its connection with Lakes Champlain and Memphremagog.

With these views, I would respectfully recommend, that provision be made for the appointment of two commissioners, by the legislature, whose duty it shall be to co-operate and advise, when necessary, with any engineers employed in this state, under the authority of the United States, and to cause such examinations and surveys to be made as the legislature may direct, and also to correspond with the general government, and with other states, on subjects relating to their duties. A suitable appropriation to be placed subject to the control of the commissioners, and a reasonable compensation to be paid to them for actual services.

These are all the remarks which have occurred to me as necessary to be made at this time, and I have no doubt of their being received and treated with the same spirit of friendliness in which they have been submitted. And permit me, in closing, to assure you of my cordial co-operation in whatever measures you may, in your united and better wisdom, deem it proper to adopt, calculated to serve the public interest, however different they may happen to be from any which I have recommended.

C. P. VAN NESS.

Inaugural address
of
Peter T. Washburn
As it appears in the
Journal
of the
House of Representatives
Annual Session,
1869

Saturday, October 16, 1869 Inaugural Address

*Gentlemen of the Senate
and House of Representatives:*

Having been elected to the office of Chief Magistrate of this State, with a most earnest appreciation of the great responsibility, which the action of the people has imposed upon me, I have met with you, as required by the Constitution, to give to you such information and assistance, as may be in my power and be required by you to enable you faithfully to guard the interest of the Commonwealth, provide for the support of the government, and consider and decide upon such alterations and improvements, as you may deem necessary, of its laws and its policy,—trusting that in the performance of my duties I may enjoy your confidence, and, if need be, have the benefit of your kind forbearance, but above all, that we may each be gifted with that wisdom, which cometh only from God, without whose approval and assistance States, as well as individuals, are powerless for good, and whose acknowledgment and worship have been made by our fathers the corner stone of our Republic.

During the past year peace has prevailed throughout the land, contrasting most beautifully and significantly with the stormy excitement of the years of warfare for our National existence, through which we have so recently passed. The earth has yielded bountiful crops to its cultivators. No general epidemic, or disease, has prevailed within our borders. And business of all kinds has progressed without serious reverse, or financial disaster. For all which grateful thanks are due and should be reverently returned to the Divine Providence, from whence all blessings flow.

FINANCES.

The details of the present financial condition of the State and the receipts and disbursements for the year are shown by the Reports of the Treasurer and of the Auditor of Accounts, which will be laid before you. The result may be briefly stated.

The total funded debt of the State at the present time is one million seventy-five thousand dollars, (\$1,075,000.00)—which sum, however, includes twenty-seven thousand five hundred dollars (\$27,500.00) of bonds due in 1876 and 1878, which have been purchased by the Treasurer and have not been cancelled, but are held by him with a view of exchanging them, if found expedient, for bonds due in 1871. The excess of current liabilities over current resources is twenty-one thousand one hundred and eight dollars and forty-eight cents, (21,108.48). The present apparent total liability of the State is therefore one million ninety-six thousand one hundred and eight dollars and forty-eight cents, (\$1,096,108.48). But against this is to be offset the present amount of the sinking fund, which is seventy-five thousand six hundred and ninety-four dollars and two cents, (75,694.02) and twenty-seven thousand five hundred dollars, (\$27,500) of bonds held by the Treasurer as before stated,—making the net liability not provided for nine hundred and ninety-two thousand nine hundred and fourteen dollars and forty-six cents (\$992,914.46). For all purposes, except that of exchange, these bonds held by the Treasurer may be treated as paid in determining the present financial condition of the State.

At the commencement of the year the funded debt was one million two hundred and twenty-seven thousand dollars, (\$1,227,000.00). The excess of current resources over current liabilities was seventeen thousand four hundred and five dollars and forty-nine cents, (\$17,405.49). Leaving the net liabilities at that time one million two hundred and nine thousand five hundred and ninety-four dollars and fifty-one cents, (\$1,209,594.51). But the amount of the sinking fund then on hand, which was fifty-nine thousand six hundred and thirty-seven dollars and seventy-one cents, (%59,637.71), was applicable in reduction of that sum,—leaving the net liabilities of the State, not then provided for, one million one hundred and forty-nine thousand, nine hundred and fifty-six dollars and eighty cents, (\$1,149,956.80).

The funded debt has been reduced during the year, one hundred and seventy-nine thousand five hundred dollars, (\$179,500.00)—which sum includes the bonds purchased, by not cancelled; and the net reduction of the total liability of the State during the year, treating those bonds as paid, has been one hundred and fifty-seven thousand forty-two dollars and thirty-four cents, (\$157,042.34).

At the close of the war in 1865 the funded debt was one million six hundred and fifty thousand dollars, (1,650,000.00); and the total liabilities of the State were one million eight hundred and thirty-four thousand one hundred and sixty-three dollars and ninety-six cents, (\$1,834,163.96). During the four years which have elapsed since that time the funded debt has been reduced six hundred and two thousand five hundred dollars, (\$602,500.00); and the total liabilities not provided for, have been reduced eight hundred and forty-one thousand two hundred and fifty-nine dollars and fifty cents, (\$841,259.50).

The bonds of the State to the amount of four hundred and eighty thousand dollars, (\$480,000.00) fall due June 1, 1871; of which four hundred and four thousand three hundred and five dollars and ninety-eight cents (\$404,305.98), remain unprovided for; and provision should be made for their prompt payment at maturity. As the Auditor of Accounts gives no very certain assurance that any considerable amount will be received within that time from the General Government in farther payment of the claim of the State against the United States, this will involve the necessity of increasing the present year and the next year the amount appropriated to the sinking fund. The amount appropriated for that purpose in 1868 was one hundred thousand dollars, (\$100,000.00); but the amount actually applied to that fund from the tax levied in 1868 has been but sixty thousand dollars, (\$60,000.00). And if the excess of the current expenses over the current resources, —twenty-one thousand one hundred and eight dollars and forty-eight cents, (\$21,108.48)—had been paid from the avails of the tax, it would have left applicable to the sinking fund from that source but thirty-eight thousand eight hundred and ninety-one dollars and fifty-two cents, (\$38,891.52), instead of one hundred thousand dollars, (\$100,000.00), as intended. This is due to the fact, that the amount required to be paid during the year for the expenses of the State, allotment claims, claims for the State pay due to soldiers in the late war, and other matters, other than payment of interest on bonds and loans, has largely exceeded the amount estimated at the commencement of the year, upon which estimate the amount of the tax levied in 1868 was based.

It is obvious, that for the purpose of meeting the current expenses of the present year, and such claims against the State as are due and outstanding, and making the necessary provision for the redemption of the bonds due in 1871, a larger tax must be imposed than was levied in 1868,—the necessary amount of which will be reduced by just so much as the aggregate amount of the current expenses for the year can be reduced. It becomes, therefore, the peremptory duty, as it undoubtedly will be the pleasure, of the General Assembly, and of every officer of the State, to provide for and practice strictest economy in all matters affecting the finances of the State.

COMMON SCHOOLS.

I commend to your care the educational interest of the State,—the common schools, the academies and the colleges. At the foundation of these interests is the principle, recognized even previous to the adoption of the present Constitution of the State, that the State is under obligation to provide free schools for the education of all its children; and from this follows naturally the requirement, that the schools thus provided shall be the best of their kind, which can be furnished for the amount of money expended, and that those, for whose benefit they are furnished, shall partake of their advantages. And in enlarging and improving the standard of education in the common schools, you inevitably advance in a corresponding degree the standard and value of the higher institutions of learning.

The great number of small school districts in the State, and the low grade of attainment which in too many cases is required of teachers by those who are charged with the duty of employing them, are serious obstacles to the full development of the improvement of which the school system is susceptible. In a small district, containing but few families, as compared with a large district containing many families, it is obvious, that one of two results must follow:—if good teachers are employed, who can command high wages, the expense for each scholar must be greatly increased above the average of the larger districts; and if the expense for each scholar is kept within the average, it will be by the employment of poor teacher, who can only command and are willing to serve for low wages. For remedying this objection the Board of Education recommend, that all school districts be abolished, and that the support and supervision of the schools be committed directly to the towns; and I commend to your careful consideration their Report, together with the Report of the Secretary of the Board, stating in detail the reasons for the recommendation,—not doubting that you will act wisely and with all discretion in a matter of so grave importance.

The establishment and continuance of Normal Schools and Teachers' Institutes for the education of teachers is a great improvement upon the school system of former years, and their beneficial effect is already manifest in the advance of the standard of common school education. But the full measure of their benefit has probably not yet been attained. The Board of Education and their Secretary have made some suggestions in this respect which are sufficiently important to justify deliberate examination of the subject and judicious action.

The expenditure for the support of schools each year is about five hundred thousand dollars; and this assumption and performance by the State of its duty to provide for the education of all its children imposes a corresponding obligation that those, for whom this provision is made, shall avail themselves of its advantages. The State has as good right to require, for its own protection against anarchy and misrule, the results of ignorance and idleness, that the children shall be educated, as to require allegiance as the corresponding duty to the obligation of protection. Yet a very large number of the children in the State, both native and foreign born, do not attend any school; and the present law is insufficient to compel them to do so. I recommend, that more practical and stringent provision be made in this respect.

MILITIA.

The present condition of the Militia is shown by the Report of the Adjutant and Inspector General, which will be before you. A positive requirement, that the companies composing the several regiments shall be brought in competition with each other each year by regimental parade, would very greatly promote its drill, discipline, general efficiency, and consequent value for the purpose for which it is maintained, and would tend greatly to the completion of the organizations now authorized, by stimulating the formation, by voluntary enlistment, of the additional companies required for that purpose.

ANNUAL REPORTS.

The remaining Annual Reports, to which I have not alluded, will be laid before you for your consideration. I have not yet had opportunity to give to them that careful examination which their importance requires. Should I find it necessary to do so, I will call your attention to them during your session.

LAW REGULATING RATE OF INTEREST.

There is one matter of existing legislation, which I regard as of sufficient importance in its present bearing to justify my calling to it your special attention. The certainty that an existing positive law can not be violated with impunity,--that transgression, if known, will surely be followed by punishment,--has as much influence in promoting respect for the law and preventing its violation, as the example of visible actual punishment. And the continued existence upon the statute book of a positive law, which has become so far obsolete as to be wholly disregarded and openly violated with entire impunity, has a tendency to weaken respect for all law. The law of this State prescribing the legal rate of interest for money loaned, and positively prohibiting the taking, either directly, or indirectly, of a greater rate of interest than the rate prescribed, is now in this condition. It is daily and openly violated by banks and by individuals, and its violation is entirely disregarded. It serves only as a check upon those, who are too conscientious to knowingly disregard any positive law, and operates as an inducement to them to send their capital abroad for investment, instead of investing it in the State for the promotion of its industrial, manufacturing and mechanical interests. It is thus a direct element of moral and practical mischief. The only remedy for its enforcement is given to those, who consent to borrow money at a rate exceeding the lawful rate, and involves the necessity of their bringing suit to recover back money, which they have paid in pursuance of their voluntary agreement. It thus operates mischievously both ways. If allowed to be violated with impunity, it weakens respect for all law; and a remedy for its violation can only be obtained by sanctioning the violation of the promise, in reliance upon which the loan was effected.

I recommend, that the subject be carefully considered, and that the law be essentially modified, or ample provision made for its enforcement by the ordinary officers of the law, or by some person not a part to its violation,--and this without reference to any supposed interest of either borrower, or lender, but only for the promotion of a sound morality and respect for law. If the State is willing, that there shall be no power to enforce a penalty for a violation of the positive prohibition, if the parties agree that it shall not be enforced,--that if both are assenting parties to the violation without punishment, then such violation is legitimate and can not be

punished,--it is better to legalize such agreement by positive legislation; and if the violation of the prohibition is contrary to the moral sense of the legislature, then effective provision should be made for the punishment of such violation.

DEVELOPMENT OF RESOURCES.

The people of this State are and must necessarily ever remain essentially an agricultural community, although the progress made in the development of the mineral resources of the State, the marble, slate and iron, found in almost inexhaustible quantities, has to a considerable degree modified the original character of the State in this respect. The result is, that large numbers of our young men, trained to depend for their livelihood upon the fruits of patient toil upon the farm, attracted by the rich soil, easy cultivation and large returns of the alluvial regions of the Western States, leave the State yearly, thereby preventing any considerable increase of our population, and enriching the States, to which they remove, with intelligent citizens bred in the law abiding and God fearing habits of New England.

Every new branch of industry, which is introduced into the State, has a tendency to modify and control this difficulty, with which, as a State, we now have to contend, and at the same time by developing and improving the resources of the State adds to its capital and by enlarging the basis decreases the rate of taxation, and directly benefits the agriculturists of the State, by increasing the number of home consumers of agricultural products. Every considerable stream in the State affords water power in numerous places, which has not yet been put to use, and large amounts of lumber, iron, and other material are sent every year from the State to be manufactured in other States and returned in their manufactured form to be consumed in this State,--thus paying to other communities the profits upon the manufacture, which might and should be enjoyed by our own citizens.

It is worthy of serious consideration, whether some means may not be devised, by which the resources of the State may be developed and put to use within our own limits,--whether by wise and judicious encouragement of the various forms of manufacturing and mechanical industry, capital may not be induced to flow into the State for investment, and the capital within the State be retained for investment at home, Possibly a modification of the interest laws to a certain extent, or the absolute exemption from taxation, for a limited time, of capital invested in new manufacturing or mechanical establishments, instead of leaving it, as at present, to the uncertain action of towns, might have a tendency to promote this result; and other modes of accomplishing the purpose may suggest themselves to the wisdom of the legislature. It is a subject deserving of careful consideration, and the example set by other States may be studied in good purpose.

LEGISLATION.

Legislative law, like judicial law, derives its chief element of value from its stability. A judicial body, which should annually modify, or overrule, its previous decisions, would be regarded as unsettling the course of business and would cease to command respect. Every person, which requires that the course of judicial decisions should only be varied for the most cogent reasons, which has made "*stare decisis*" one of the maxims of the law, applies with equal force to general legislative enactments involving the rights and relations of persons and of communities. Yet it is well understood that while courts change their decisions, when once made, only with extreme reluctance and as the result of the most deliberate examination, legislative bodies feel themselves governed by no such rule, but yearly repeal, modify and essentially change laws, both legislative and judicial, previously existing.

This constant change in the course of legislative enactments is fraught with mischief; for, so that a law be not positively mischievous, it is of full as much importance, that it be thoroughly and generally understood what the law is, as that it should be in all its details the most perfect system that can be devised. A wise conservatism of the laws as they exist, so far as is consistent with a due regard to the progress of the age and the changing course of business relations, would go far to make the general body of the law better understood and respected, to place upon a firm foundation the interests of the State and of individuals, and at the same time be promotive of sound economy by diminishing the amount of business transacted by the General Assembly, and thus shortening the length of its sessions.

Much time is consumed annually in the consideration and enactment of bills for the formation of private corporations. By chapters eighty-six and ninety of the General Statutes provision is made for the voluntary association of individuals, with full corporate powers, for the various purposes therein enumerated, and a carefully prepared and well guarded system provided for their control and management. Yet of the whole number of charters for private corporations, enacted in the years 1864 to 1868, inclusive, sixty *per cent*, are for corporations which might equally as well have been formed under the general laws without coming before and consuming the time of the General Assembly.

Due regard to a wise economy in the expenses of the State requires, that your session should be limited to the shortest time which may be consistent with a proper transaction of the business which may come before you. A judicious disinclination, decisively manifested, to adopt any proposed change of existing laws, or any general legislation for special cases, without the clearest conviction of their utility, and a requirement, that all persons desirous of being incorporated for any of the purposes, for which provision for association with corporate powers is made by the general laws, should form their association under those laws, or that a bill for such purpose should only be entertained upon prepayment to the Treasurer of a specified sum of money for the use of the State, would have great effect in producing this most desirable result by diminishing to a considerable extent the amount of business which otherwise may claim your attention.

FIFTEENTH AMENDMENT.

Among the business, which should earliest receive your attention, is the consideration of the proposed Fifteenth Amendment of the Constitution of the United States, the adoption of which by the requisite number of States will, for the first time in the history of the Nation, give reality in fact to the truth enunciated in the Declaration of Independence, and incorporated into the Constitution of Vermont, that "all men are created equal," and will preserve inviolate the public faith pledged to the National freedmen. The sense of the people of Vermont upon this subject has been too often expressed by themselves through the ballot box and by the action of their representatives in General Assembly, to leave the question of its speedy adoption by you for a moment in doubt, or even open to debate. It is a measure demanded alike by justice, by good faith, and by common humanity.

Trusting that without the necessity of a protracted session, you may be able to transact wisely all necessary business claiming your attention, I leave with you the care of the interests of the State and of its citizens, again invoking for your deliberations and your action the divine guidance of an overruling Providence.

PETER T. WASHBURN

MONTPELIER, October 16, 1869.

Inaugural address
of

John E. Weeks

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1927

Thursday, January 6, 1927

Inaugural Message

Mr. President and Members of the Joint Assembly:

The meeting of the town, city and county representatives is always an important event in the government of the people of Vermont. The session of the Legislature of 1927 will, I believe, be an historic one, because of its far-reaching effect on the progress and development of the State. Before us are many problems upon which we must pass judgment. May we pass this judgment fearlessly and in sober thought, foreseeing, as best we can, its effect upon the Commonwealth.

We have by the franchise been entrusted with the supervision of State affairs for the next biennial term. We should accept these duties as our serious work, actuated by the highest ideals for the welfare of the State and its people. However high our motives, however ambitious we may be to accomplish, we may fail of our purposes unless we can lay aside personalities and prejudices and submit to the will of the majority. Real co-operation must at all times prevail if we are to realize our hopes for the best and most prudent legislative action. If at times our ambitions and our individual opinions are overcome, we may find satisfaction in the knowledge that the judgment of the whole body of the Legislature is wiser than the judgment of any individual member.

We must approach the problems which are before us thinking in terms of real improvement, sane progress, sound economy and increased efficiency. We must work together to the end that the best interests of the people of Vermont are at all times furthered and safeguarded.

Practical aid to agriculture, advancement of the educational advantages for our boys and girls — particularly in the rural districts — the adoption of a definite policy for highway development, improvement of our State Institutions and responsible stewardship of our State wards, forestry of waste lands, increased publicity for the scenic beauties and superior advantages of Vermont, and development of our fish and game interests, are questions which we must seriously consider and with which we must reasonably deal.

Wise economy, that is, the greatest degree of economy consistent with progress and efficiency, should be our constant aim in the conduct of State business. Economy which impairs the efficiency of government, and which curtails essential service and the pursuit of needed activities, is unwise and should not be practiced.

AGRICULTURE.

Agriculture is the basic industry of Vermont and upon it depends, in large measure, the prosperity of the State. The farming situation in Vermont has shown some improvement during the past two years, but continues to present problems. That of co-operative marketing is one of vital importance to the State. The Department of Agriculture has already done much to aid our farmers in the marketing of their products. More could be accomplished if funds were available to extend the work. Farmers can unquestionably exercise effective bargaining power through co-operative organizations representing a majority of the producers of the crops. They can, by organization, prevent disastrous ups and downs in prices and cause a steady flow of their products to the markets.

The Commissioner of Agriculture should be given a sufficient appropriation, together with authority, to maintain a distinct department under his control to extend the service of co-operative marketing and to enlarge the scope of its activities, to the end that the individual farmer may benefit by higher and more satisfactory prices.

AREA TEST OF CATTLE.

The area test of cattle should be continued with an increased appropriation and a larger field of usefulness, as it is of the greatest value and importance to the State.

EDUCATION.

Vermont ranks high in intelligence and leadership among the states of the Union. To thoroughness in early school training we must attribute, in large measure, our enviable position. We have made progress

educationally, and I believe that under the school system that has prevailed, excellent work has been done in furthering efficiency and standardization.

To provide better rural schools, schools with better buildings, better equipment and better surroundings, and supplied with capable, trained teachers, is a task immediately confronting us. Influences which improve conditions of work in the rural schools, or which promote interest in those schools, have a beneficial effect upon the welfare of our communities.

The Constitution of Vermont from the days of the independent State republic to now has contained the first principle of a sound educational policy: "A competent number of schools ought to be maintained in each town for the convenient instruction of youth."

From that declaration of principle, adopted by the people before Vermont became a State, we cannot safely depart. The fathers emphasized both an adequate number of schools and their location convenient to the children. They knew Vermont, its narrow winding valleys compelling a scattered population, and its rugged climate. God gave us our mountains, and with them He gave us school problems which must be solved in our way with our own good sense.

We have, I believe, drifted away from the Constitution in abandonment of school centers for the convenient instruction of youth. A community which has lost its school is likely to lose also its spirit and its pride. Abandoned school houses mean abandoned farms. It is yet to be proved that children who are forced to spend hours a day riding to a larger school receive a better education or turn to be stronger men and women than children who attend smaller schools near their own homes. It is not the size of the building or the number of grades that makes a good school, but the kind of teaching that is done in it. With a devoted teacher — and there are many such in Vermont — there is no better place for a start in education than the neighborhood school fostered by the local community. School taxes are paid more willingly when the money is spent nearby and not to build up the institutions of a larger center. The loyalty of a neighborhood to its school, and pride in the attainment of the children, are more stimulative to excellence than the most skilled supervision can be. The financial assistance of the State should be brought as near as possible to the children, and that means higher wages to the teachers, especially in the more scattered districts where the burden is naturally heaviest.

In educational matters especially we can well afford to respect the principle of local self-government. The people of Vermont can be trusted to provide for the education of their children. Let us foster the local school and help every school district where there is a sufficient number of pupils to keep its school and to make it a good school. Money, spent in repairing the school houses and making them neat and the grounds attractive, will pay better dividends in education than money spent on transportation busses, and at the same time it will tend to keep up the population in the rural districts, which is of the utmost importance for the general welfare of Vermont.

HIGHWAYS.

It must be plain to all of us who have followed the public discussion of the State issues for the past year that the question of better highways is one of the greatest importance. Highways are the only means of communication between many rural towns and are increasingly important to all residents of the State, as well as to the tourists and visitors who come to us in greatly increased numbers during the summer season. For the necessary and convenient purposes of daily use, as a public investment and as a means of attracting visitors who may become permanent residents, good roads are no longer a luxury but a necessity.

In considering the matter of highways, we must not let the "much" there is to do obscure the "much" that has been done. We have made material progress in our highway development during the past few years, and credit should be given the highway department for the steady improvement that has been made. We have accomplished much, for we have laid the foundation for an adequate and improved system of highways in our State.

Few of us realize, however, that a revolution has taken place in our system of transportation as applied to highways during the past twenty years. The number of motor vehicles in this country has increased during the past ten years from 2,500,000 to 20,000,000 and in Vermont from 15,671 to 73,946. In contemplating the

future, I am impressed with the necessity of making adequate provision for the increasing service that will be expected of the highways in the State. The highway service we provide must be capable of expansion to meet the needs of growing traffic.

First of all, good roads are a necessity to our farmers, and no plan of road-building should overlook the urgent needs of the farmers and others who live off the main lines of travel. These residents and taxpayers are as much entitled to a passable road to their markets as those on the trunk lines where the traffic is greater, and we should consider the necessity of providing them with better roads. Under any plan of improvement, provision should be made for the development of our system of so-called back roads, by leaving intact funds now available from present revenues for such development.

Experience has shown, however, that while gravel as road-building material is usually adequate for roads where the traffic runs below 1,000 cars a day, the cost of maintaining roads where traffic may run as high as 2,000 cars or more a day is so great that some more durable surface is plainly indicated.

We should, therefore, also consider it good business and a profitable public investment to build as many miles of hard-surfaced road as possible each year, situated where the traffic survey shows the heaviest travel or where the cost of maintaining gravel roads is so high as to make hard-surfaced roads good economy and a good business investment.

The number of miles of such road which we should undertake to construct in a year is entirely for you, members of the House and Senate, to decide. You alone, under the Constitution have the authority to levy taxes, and without the necessary revenue, no extended program of road-building is possible. If, therefore, you should see fit to authorize a system of better roads between the rural towns and their markets, and additional mileage of hard-surfaced roads on the main arteries of travel, you will, of course, provide the necessary revenue for such purposes.

It is not for me to say how this revenue shall be provided or how many miles of hard-surfaced road shall be built each year, but it is proper to lay before you the results of my own investigations and refer you to the report of the highway department.

From the most recent records it appears that the average cost of building a mile of paved road in concrete is \$45,659.43, and in bituminous macadam \$33,630.23. The gross revenues of the highway department are about \$2,726,477.12 per year under the present scale of taxation and revenue, and these revenues are distributed in highway appropriations as follows:

HIGHWAY DEPARTMENT APPROPRIATIONS AND RECEIPTS AVAILABLE FOR WORK OF 1925.

(1) Five Per Cent Fund Apportionments.....	\$	144,476.37
(2) State Aid Construction for aid to Towns in improvement of Selected High ways.		200,000.00
(3) State Aid Bridge Fund for aid to Towns in building or rebuilding bridges on Selected Highways		75,000.00
(4) Maintenance, Dust-laying, etc.		1,075,000.00
(5) Unselected Highway Fund.....		250,000.00
(6) Federal Aid Appropriation by State of Vermont		400,000.00
(7) Federal Aid Apportionment by U.S. Government		365,025.27
(8) Supervision and Engineering		100,000.00
(9) State Machinery Receipts		116,375.48

TOTAL		2,726,477.12

Items 1, 2, and 3, are available for paved road construction only to a limited extent. The Statutes make these funds available to each town in the State, and it is only by special agreement with towns interested that they can be turned in to cover a part of the cost of an extended hard-surfaced project.

Items 4, 5, 8, and 9 are not available for paved road construction from the nature of the appropriations.

Items 6 and 7 are available for whatever type of construction work on the Federal Highway System may be agreed upon between the State and the Federal Government.

Under such plan of distribution approximately \$2,282,326.78 has actually been expended for so-called permanent roads in the past two years, and about 43.3 miles of such highway constructed, or is nearing completion. This, however, includes 16.4 miles of standard gravel, and about \$500,000.00 of this amount has been expended on bridges.

To raise the total mileage of paved roads to 40 miles per year would represent, therefore, a very substantial increase, but inasmuch as this seems to meet with the approval of a majority of our fellow citizens, I, therefore, recommend the same to your attention.

An estimate of funds from revenues now available for permanent road construction indicates that there is annually at the disposal of the highway department approximately the following:

Federal aid allotment.....	\$365,625.27
Federal aid appropriation by State of Vermont.....	400,000.00
Total estimated revenues available for transfer from registration fees and gas tax	520,979.54

That is, from present revenues there is available approximately \$1,286,604.81 for permanent construction, including bridges, on our trunk lines.

As to the proper method of raising the necessary revenue for the construction of 40 miles of hard-surfaced road each year, the so-called gasoline tax has so far proved most equitable and is collectible with the least trouble and expense. Under the present tax of two cents per gallon, the gross revenue for 1926 will be about \$515,000. An increase of one cent per gallon would produce by estimate \$260,000 in, 1927 and a further increase in 1928.

This, however, would fall short of the necessary revenue and unless a careful examination of the budget can suggest to you substantial savings, or unless some additional source of revenue can be developed, the alternative seems to be a direct State tax of not over ten cents on the dollar of the grand lists of the State. A direct tax on the grand lists would yield annually about \$287,596.81, making a total of funds available for paved road construction and bridges each year about \$1,834,201.62. The method should allow the construction of at least 40 miles of hard-surfaced road or concrete and bituminous macadam each year, and still provide revenues for necessary bridge construction.

Inasmuch as the use of gasoline as a power fuel on the farm and elsewhere is steadily increasing, it might be well if some practical plan were devised whereby the users of gasoline for purposes other than propelling vehicles on the highway would be relieved from paying a tax thereon, either by suitably safeguarded rebates, payable on certificate of the Secretary of State, or by some other method of refund. It is obvious that a highway tax on gasoline is not properly collectible on fuel consumed for agricultural, manufacturing or domestic purposes.

Provision, also, should be made to secure revenue by means of license fees or otherwise from trucks and busses bearing the license plates of other states. Such vehicles place heavy burdens upon our roads, especially in the spring and fall seasons because of their excessive weight.

The small State tax works no hardship. It would fall equitably on all classes of taxpayers, all of whom are benefited by good roads, but all of whom do not contribute to the proceeds of the gasoline tax. I, therefore, recommend this plan of revenue for your consideration.

While highways are being constructed for the better accommodation of motor vehicle traffic, both foreign and domestic, we should not curtail our watchfulness over the safety of those who use these highways or lose sight of the fact that improved highways enhance the danger of travel through inviting greater speed. It is a constitutional duty resting upon the State to protect its people in life, limb and property, against violators of the

law. This also applies to the automobile laws and regulations. The State should continue to enforce such laws, and the increased number of automobiles calls for increased vigilance and activity on the part of State officers. Such authority and means as may be necessary to a safe and reasonable use of our highways should be provided by the Legislature.

STATE INSTITUTIONS.

I believe the most thoughtful attention should be given the delinquent, the feeble-minded and the dependent insane. We cannot curtail the appropriations for the improvement or maintenance costs of the Institutions which house the unfortunates of the State, for any scheme of economy which adds to the misery of the wards of the Commonwealth is one which the people of Vermont, in honor to themselves, must not countenance.

The Legislature of 1925 by Act No. 19, Section 41, gave the Commissioner of Public Welfare authority to establish Colony homes for the feeble-minded to be managed and placed under the control of Dr. T. J. Allen. One such school was established in the city of Rutland in May, 1925, with accommodations for sixteen girls. This venture, with the co-operation of the people of the city of Rutland, has proved a success, and today it is practically self-supporting, other than the expense of the rent of the home. Only a small percentage of the inmates can be thus selected so that the school at Brandon is not relieved in proportion to the applications for admission that are now on file.

If the Institution at Brandon is to qualify under the law as passed in 1912, added accommodations should be considered, as I believe that segregation is the only safe remedy in considering the problem of the mentally deficient.

I, therefore, recommend for your consideration the advisability of such increased accommodations as will allow a continuance of this important work. I also advise the installation of a refrigeration plant at the State Industrial School, believing that it will prove an economical proposition for the State and for the Institution.

PAROLE OF PRISONERS.

The responsibility for the parole or discharge of prisoner should not rest wholly upon the Governor. Our present system prevails by authority of the Constitution, but I believe that this Legislature should consider the question of paroles, and, if possible, authorize an advisory council composed of three citizens, with the Attorney General as chairman, the Commissioner of Public Welfare and one member appointed by the Governor, as the personnel of the council. It would be their duty to periodically examine the prisoners, determine those who were eligible for parole and report their recommendations to the Governor for his guidance.

REFORESTRY OF WASTE LANDS.

Reforestation has an importance far above the attention it usually secures. Particularly important both from the standpoints of thrift and economy, and of enhancing the natural beauties of our State, is the reforestation of our waste lands. If we are to continue the industries which are dependent upon the supply of wood as raw material we must further our work in forestry development. I am in favor of increasing the forest holdings of the State and of offering every encouragement to all who, realizing the benefits of conservation and development for future generations, seriously undertake the re-making of our forests.

PUBLICITY.

One of the noteworthy developments of recent years is the remarkable increase in the vacation business and no state has greater natural advantages than Vermont for supplying the growing demand for recreation. This business has assumed large proportions in several of the neighboring States and in Vermont there has been a steady growth in this important industry. The State Publicity Bureau operating with a small appropriation for the past fifteen years, has done good work, and I have been gratified to note of late the cooperation of various State organizations with the State Publicity Department. Some persons who have come into the State for the summer have become permanent residents. Visitors have made investments in Vermont industries and in several Vermont towns the presence of summer colonies has increased largely the value of real estate and has added materially to the revenue secured from taxation.

In view of the growing importance of the vacation business, the increasing activity of neighboring States along this line, and the need that Vermont take advantage of its opportunities for development, I believe that a larger appropriation for publicity will be a good investment for the State.

If Vermont is to keep abreast of our national growth it must be able to adapt itself to changing conditions and take advantage of new opportunities as they present themselves. If we can supplement the fertility of our valleys by reaping harvests from the beauty of our hills and mountains, we shall increase our productive area, and thus enlarge the opportunity afforded our citizens and increase the usefulness of our State.

FISH AND GAME.

Closely linked with the development of Vermont as a vacation land are the fish and game interests of the State. This feature has grown into an important department, which deserves recognition, and commendation for its accomplishments.

Because of the importance of the Fish and Game Department to our own people, as well as to the increasing numbers of visitors within our borders, the policies of this branch of our government should be continued progressively, and every encouragement offered for furthering the work.

BENNINGTON SESQUI-CENTENNIAL.

Vermont is rich in history. Notable anniversaries of historical events occur this year, the year of the sesqui-centennial. Particularly noteworthy is the Bennington celebration. I would urge all the citizens of Vermont to a full support of the anniversary, as proper and fitting celebrations of such events afford us opportunities to reconsecrate ourselves to the great fundamental ideals upon which our Commonwealth was founded.

PROPOSED BRIDGE ACROSS LAKE CHAMPLAIN.

The proposed bridge across Lake Champlain, connecting the states of New York and Vermont would be a big asset to our State and of material value and importance to our people. The subject has been given intelligent study by a joint commission. This commission will, in due time, make their report, based on a scientific investigation of engineering and traffic conditions. I would urge that the subject be given careful consideration upon the presentation of the report.

Our object should be the enactment of a few laws which can be effectively enforced, rather than many laws which are incapable of enforcement. We should at all times stand unequivocally for law and order, demonstrating by our attitudes that we have respect for the dignity of our laws.

Any reforms in our court system, whereby technicalities might be eliminated and justice made more simple and speedy, would, of course, be an accomplishment worth while. Likewise any tax reforms are advisable, if they are consistent with existing conditions and are founded on the basis of equitable distribution of the burdens. I do not believe that the present so-called tax law on intangibles should be hastily condemned or summarily discarded before being given a fair and thorough trial. The law has been in effect only one year. It should be continued until its operation has been more completely demonstrated.

This message, my fellow citizens, aims to be representative rather than exhaustive. I have confined the substance as carefully as possible to matters that immediately confront us on the convening of the Legislature, and have made no attempt to cover the whole field of State Policy. From time to time, according to our organic law, I shall bring before you such other matters as may require consideration. The accomplishments of the past show hope of our ability to meet the problems of the present. Our State, our towns, our cities, are reflected in us. The positions we take on present day problems will be the controlling factors in our government.

We are solicitous for the welfare of the farmer, the day laborer, the capitalist, the business and professional man and woman, in the development of old as well as new enterprises. Our water powers, our natural resources, our scenic beauties, and, above all, our boys and girls, offer us opportunities for earnest endeavor and constructive development, which must be undertaken with the idea of the constant advancement of our Commonwealth.

The allegiance of our citizenship is not wholly human. It is of divine origin, and we cherish an ambition for a contented people whose lives shall merit the favor of Almighty God.

JOHN E. WEEKS

Inaugural address
of

John E. Weeks

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1929

Thursday, January 10, 1929

Inaugural Message

Members of the General Assembly:

As the General Assembly of the State of Vermont once again convenes in regular session for deliberation upon the Commonwealth's legislative problems, it seems fitting to pause for a moment in retrospective contemplation of the activities of the past administration, an administration which, owing to unforeseen circumstances imposed by the will of the Maker, has been fraught with many difficult problems. The disaster which came upon the State created unusual demands. It taxed the resources, the courage and the faith of our people, and necessitated activities far beyond the regular routine of the customary state administration program.

The emergency caused by the devastating flood of November, 1927, affected all branches of state activity, and placed additional burdens responsibilities and demands upon all departments of our state government. That great emergency was met by our people and our government with one common motive — a resolve to restore our Commonwealth so damaged on that eventful November day — and since that time the common watchword has been progress and rehabilitation. The true Vermont spirit was vividly exemplified by our indomitable courage in a time of adversity and the faith and valor of Vermonters has turned catastrophe into opportunity.

When the legislature adjourned two years ago it trusted to the administration a program of highway development unique in Vermont state policies. That responsibility was accepted by the administration and the highway department, and the work was undertaken with the aim and purpose of discharging the responsibility and fulfilling the pledge. Gratifying progress resulted in pursuing the 40 — mile program during that first year of endeavor. State departments were rendering valuable service to the people of Vermont by functioning with efficiency and loyalty. Conditions were, fine, excellent in all branches of governmental endeavor, presenting a most encouraging outlook for development and progress.

Then swiftly and ruthlessly came the flood to terrify our people, to inflict irreparable damages and to paralyze that progress which had seemed so secure and so prophetic of our future development. The dramatic narrative of how Vermonters dauntlessly bent to the burdensome tasks before them is widely known and has been rehearsed in verse and story in every part of the country.

Vermont faced a dire emergency. Our transportation facilities were hopelessly crippled. Hundreds of bridges and mile upon mile of highway were destroyed. The funds at hand were insufficient to cope with the serious situation. Therefore, by virtue of the authority vested in me by the Constitution, I, as governor, called the Legislature together in extra session to provide ways and means for reconstruction and to enact laws consistent with the needs of our towns and the State.

The special session convened on November 30, 1927, and in an historic meeting on that date legislative action provided for the rehabilitation of Vermont by the authorization of a bond issue of eight and one-half millions of dollars (\$8,500,000); eight millions (\$8,000,000) being for the restoration of our highway transportation system and five hundred thousand (500,000) for the rehabilitation of our state institutions and departments which had suffered heavy damages by the flood.

Through sheer force of determination, Vermont energetically accepted the challenge of the elements and in the face of real discouragement commenced the work of reconstruction. The results represent, to my mind, a notable achievement for our people and our government. Remarkable progress has been attained in the restoration of our highway and bridge system, without curtailment of our regular program of hard surface road construction. Many of the scars left by the flood have already been effaced and today we stand upon the threshold of a new era of state development. We must face that new era with courage and faith. In legislative action we must be guided by the desire to enact for the good of our State and her people, ever keeping in mind the necessity for sane judgment and fearless action.

Legislation imposes certain and real duties upon the members of the House and Senate in accordance with our constitutional provisions. In conformity with a custom long established I submit for your consideration

some matters of importance in connection with the work before you at the present session of the General Assembly.

We all realize that progress and prosperity cannot be crested by legislative action, but they may be established upon a firm and secure foundation if sound, proper and progressive laws are enacted. True prosperity must be the outcome of real service, the grasping of opportunities when they arise, and adapting conditions to a people's needs.

We shall prosper agriculturally, for instance, only so far as the farmer takes advantage of the opportunities that have been placed at his command. We shall prosper as a commonwealth only so far as we utilize and employ our capabilities and our initiative in the development of our natural resources.

Pernicious and harmful laws are sometimes passed because of lack of proper understanding or because of too hasty consideration. Guard well against such bills, as they prove detrimental and may even work irreparable injury to our State and our people, There is legislation to consider affecting such vital activities as agriculture, forestry, state institutions, education taxation, highways, etc. it is my purpose to touch upon some of these topics, offering whatever suggestions I may have as possible aids in your deliberations.

In these deliberations you must at no time fail to assume the obligations that are undeniably yours. Foster and promulgate such measures that those gratifying results may obtain which look to the betterment of our State and our people. We should at all times and under all circumstances promote rather than retard progress and prosperity, to the end that all the people may enjoy the common blessings that are inseparable from a prudent, economical and honest administration of their affairs.

One of the most commendable virtues in life today is true economy. We face competition in our daily lives as never before. We earn money faster and we spend faster than has any generation which has preceded us. Wise economy is essential in the conduct of state business and in legislative action, if the State is to function for the benefit of her people. We should, however, regard with greatest attention the real needs of the Commonwealth, making sure that we guard against an unwise application of economy which might be detrimental to those needs.

AGRICULTURE

Agriculture, because it is the foundation upon which Vermont prosperity fundamentally rests, is of the utmost concern. During the past two years considerable progress has been made in the development of our agricultural resources. Notable among these developments is the work of the bureau of markets which began in January, 1928. Marketing constitutes one of agriculture's paramount problems today. A marketing program to be of lasting value must be developed on a firm foundation, and the emphasis must first be placed on what we are going to sell.

To this end the bureau of markets has been working and official Vermont grades have been established for the first time on many products. Vermont is cooperating closely with the other New England States on a uniform marketing program and the use of a New England marketing label. My recommendations to the Legislature of 1927 included the need of granting the Commissioner of Agriculture authority to maintain a distinct department under his control to extend the service of cooperative marketing and to enlarge the scope of its activities to the end that the individual farmer may benefit by higher and more satisfactory prices. I commend the work that has been accomplished during the past year by the newly created bureau of markets and recommend that this valuable activity be continued and its scope be extended as far as possible.

BOVINE TUBERCULOSIS ERADICATION

The area test of cattle should be continued. In considering an appropriation for this purpose it should be borne in mind that bovine tuberculosis is a highly contagious disease spreading constantly and rapidly in infected herds and the more energetically this work is pushed forward the less will be the ultimate cost of complete eradication.

Fifty per cent of our cattle are now under state and federal supervision. The demand is constantly increasing for daily products produced from tuberculin tested cows, Other states are spending large sums for eradication

and are becoming more and more particular as to the health of the cattle they purchase for replacements. Dairying and the raising of surplus dairy cattle is the backbone of our agriculture and in order to hold our markets for both dairy products and cattle it is absolutely essential that eradication work be carried forward without hesitation.

EUROPEAN CORN BORER

The recent widespread invasion of the State by the corn borer pest threatens to become a serious menace to the corn growing industry. Nearly every county is affected by this scourge, and great diligence should be exercised to check its advance by the adoption of such control measures as have proved effective in other localities, as the corn crop is one of great value to our State.

FORESTRY

The flood of last year has made all the more mindful of the importance of keeping our mountainous and non agricultural regions productive of forest growth. Forests may not prevent floods during periods of excessive precipitation but I believe we all agree that they do lessen this danger and prevent the washing away of the valuable top soil which is so necessary in keeping our State productive. Probably two-thirds of the land area of Vermont might be classed as forest land, and if this vast area is to be handed down to future generations in a productive manner we must now guard against unnecessary forest destruction.

I believe the State should continue and increase as fast as possible its forest activities, especially along the lines of forest fire prevention, state forest purchase, reforestation, and protection against forest tree diseases and insect attacks.

The planting of seedlings in available tracts shows material increases and this activity promises much for the future development of our timber lands. I recommend that the forestry department be given every support in its endeavor to plant and propagate seedlings, and be given encouragement in its worthy efforts to keep pace with the demand made upon it from all sections of the State for suitable seedlings for planting.

During the past year the State has received through the generosity of Ex-Governor Redfield Proctor a valuable gift of 900 acres of forest land in Granville Gulf. This tract extending for a distance of six miles along the Granville Gulf highways, will protect for posterity this beautiful region. With the increase of travel on our highways, there will follow many creations of man to destroy the beauty of our State and, therefore, I recommend that the State take every opportunity to acquire additional tracts, either through gift or by purchase, so that more of our scenic stretches may be permanently preserved.

NATIONAL FOREST

The Legislature of 1926 passed an enabling act permitting the Federal government to establish a national forest within the State of Vermont. The National Forest Reservation Commission has recently authorized the acquisition by the United States government of a national purchase unit in southern Vermont comprising one hundred thousand (100,000) acres, thus taking advantage of the legislation which the General Assembly of 1925 enacted with wisdom and foresight.

A national forest located here will make Vermont a part of a countrywide movement to preserve, through scientific forestry methods, our magnificent wooded hills and will guarantee reforestry of the lands within the unit in accordance with economic and advanced forestry practices.

EDUCATION

Notable progress has been made in the last two years in the matter of modernizing the rural schools of the State. There are approximately 1050 one-room school-buildings in Vermont, the great majority of which have been in need of thorough remodeling. At the present time there are approximately 400 of these schools which have been standardized or made superior, and if these schools which have now been completed are also included it is safe to assert that the entire task of making the rural schools of the State modern and satisfactory in all essentials has been more than half completed.

The importance of this work can hardly be overestimated and its value has been fully demonstrated by the accomplishments already achieved. Every reasonable effort should be made to push the work to completion as rapidly as possible. Most of the towns in the State have been vitally interested and have contributed generously, both from public funds and private contributions toward the promotion of this work. The State has also aided substantially through two funds the so-called Standardization fund from which aid is granted on a one-third basis up to a maximum of \$300 for a single school; and the so-called Community fund from which aid is paid on a fifty-fifty basis up to a maximum of \$100. Both of these funds have proved so stimulating in this valuable work that they should be continued. The Community fund of \$5,000 annually was voted by the last Legislature as an experiment and has been used to match money privately raised for the improvement of rural schools. The experiment has been distinctly successful and the call for aid from this fund has far exceeded the possibility of meeting the requests. It would be highly desirable to continue this fund for the next biennium, making the annual appropriation \$10,000 instead of \$5,000.

I have always been a strong advocate of adequate rural schools and I believe the people of Vermont are zealous in their desires to provide for the education of their children. Let us foster the development of our local schools to the end that the children in the rural districts may be given similar advantages to children who are privileged to attend the schools in the larger centers. I consider this of the utmost importance as good schools contribute materially to progress and contentment in our rural districts.

The program of training teachers for elementary and rural schools has been developing most satisfactorily. For several years the supply of trained teachers has been adequate, although this statement must be modified by recognizing that candidates who have completed but one year of normal training beyond high school have been, and still are, granted certificates to teach. Rapid progress has been made within the last biennial period toward a higher standard of training following high school graduation.

The unfavorable conditions existing at Castleton after the fire of 1924, due to the necessity of housing students in rented dwellings, has been remedied by the completion of the new dormitory authorized by the last General Assembly. The dormitory was put in use at the beginning of the current school year and is proving exceedingly satisfactory. At the present time the entire student body is accommodated under most favorable conditions which will doubtless prove more economical and contribute to a greater degree of efficiency in teacher training.

I deem it highly important to pursue the present efficient program and to improve the equipment and facilities for the training of teachers to the end that we may always have available adequately prepared instructors for our rural and elementary schools.

FISH AND GAME

Vermont resources in fish, game and wild life represent values that are tremendous, even if considered purely from an economic standpoint. Our annual income, based on actual figures is now more than \$350,000 from fur-bearing animals alone. The food value of fish and game taken annually is priced conservatively at \$250,000.

Vermont stands without a rival among the states with our diversified scenic beauty of mountain, field and forest, with our sparkling lakes and clear-running streams. Much of this attractive beauty would be lost if the wild life of field and forest and the fish in our lakes and streams became exterminated or seriously depleted. With our improved highways and modern methods of transportation, every lake and stream, and every area of marsh and forest land providing game cover, is accessible to the 73,000 or more hunters and fishermen who are licensed annually, and to the thousands of farm owners, tenants and minor children who hunt and fish without a license. To preserve this great heritage for ourselves and future generations is a sacred duty and demands the united efforts of all citizens.

This department should be encouraged in its work and aid should be extended wherever possible as our fish and game resources represent one of our most important as well as unique assets. Constructive conservation, and use without waste should be our policy.

STATE INSTITUTIONS

Our state institutions in general are very satisfactory at the present time. The physical plants especially, by reason of repairs and extensive improvements at the State Prison in Windsor, and the rehabilitation work at the State Hospital in Waterbury, necessitated by the flood, are in most excellent condition. Both the School for Feeble Minded at Brandon and the Sanatorium at Pittsford are badly congested. All those who are a menace to society because of mental deficiencies should be committed to the Feeble Minded School and persons needing care and treatment, especially in incipient cases of tuberculosis, should receive our attention.

The colony home idea has proved to be wise and effective. A second colony home has been established for boys since the original venture for girls in Rutland. This relieves in a measure congestion at the School for Feeble Minded in Brandon, but increased facilities are needed, nevertheless, at the Brandon institution as well as the Pittsford Sanatorium, and I would recommend for your consideration the advisability of meeting the most vital needs of the School at Brandon and the Sanatorium at Pittsford so that this valuable work among the unfortunates of our State may go forward without the handicap of inadequate facilities.

AVIATION

The rapid progress recently made throughout the world in aviation would appear to require that suitable legislation be adopted for the control and operation of air craft. What aviation meant to Vermont at the time of the flood is so well known to you all that I not need to comment upon it here.

I recommend that this Legislature pass suitable laws defining air craft, fixing suitable rules, regulations and requirements for the licensing of operators, and making proper provision for the acquiring of airports by cities, villages, towns or counties within our State, either through purchase or by exercise of the power of eminent domain.

This subject was given thoughtful and careful study by the Aviation Committee of the Vermont State Chamber of Commerce and the recommendations of this committee are set forth in their report rendered at a meeting held in Rutland on October 16, last. I commend this report to your favorable consideration and recommend legislation along the lines embodied in said report.

PUBLICITY

Fruitful returns have resulted from the efforts of the State Publicity Bureau to give increased publicity to the marked and superior advantages of Vermont as a vacation state and a pleasure land. The growing importance of the tourist business and the increasing activity of other New England States in this direction make it imperative that Vermont take every advantage of her splendid opportunities for development. I believe that an increased appropriation for publicity will be an investment that will yield commensurate and gratifying returns.

FLOOD CONTROL

In an effort to see if it is not possible to prevent a recurrence of such disasters as resulted from the flood of 1927, as well as those from which the State has suffered in earlier years, there was appointed late last winter an advisory committee of engineers on flood control, under the direction of the Public Service Commission. This committee was requested to investigate the possibility of such regulation or control of the flow of water in the streams as might be necessary to prevent damage by floods. The investigation also included a study of the possibilities of power development in connection with the flood control and the regulation of the streams. On this account certain power companies in the State agreed to pay one-half of the expense of the investigation, the balance being paid from the emergency flood fund.

The findings of the committee, together with their recommendations, are set forth in a report which is now before the Legislature, which I trust will be given careful study and consideration by the Assembly. The program proposed is a complete plan for the future control of the streams of the State and the development of the entire water power resources in Vermont. It is a long-time program to be gradually undertaken as conditions in the future will justify. If this plan can be put into operation, we may expect to see our flood work greatly lessened and the power available in the State materially increased.

Five important rivers, in whose valleys the greatest devastation occurred, have been investigated. It seems advisable to cover the remaining rivers of the State in the same way during the coming year to the end that all rivers of importance in Vermont would be comprehensively investigated. I would, therefore, suggest a further state appropriation of \$5,000 to complete the preliminary investigation provided a like amount will be supplied by the public utility companies.

HIGHWAYS

No one can doubt the necessity for a comprehensive system of adequate highways in any plan looking to the development of Vermont. Good roads help trade and commerce. They help the farmer and the pleasure seeker. They promote and stimulate business.

Every citizen of Vermont today recognizes that there is a very evident obligation resting upon the State to continue her program of hard surface roads construction as represented by some definite policy, such as the plan adopted at the last session of the Legislature.

Gratifying results have been obtained during the past two years while operating under the present pay as you go plan. In 1927, 47.8 miles of hard surface roads were constructed in accordance with the most modern and approved methods. During 1928, 57.45 miles of such roads have been built. It is a matter of great satisfaction to the people of Vermont that the program adopted at the last legislative session has been exceeded, in so far as anticipated mileage is concerned. Even the flood did not force any curtailment of the program of construction as originally scheduled.

Pleased over the splendid results already obtained the people of our State apparently desire to step forward in the march of progress and there is an unmistakable sentiment for a progressive continuance of the hard roads program. I share that sentiment, and I firmly believe that the interests of all Vermonters can best be served by pushing hard roads development to completion as is consistent with sound business economics. Our public policy should be to speed up the program for the construction of hard roads in accordance with the federal traffic survey, which was unanimously approved by the State Highway Board as a ten- year program.

It will be remembered that I offered a definite policy for hard road construction in my message to the last Legislature. The plan involved certain features of finance and method which were, so far as essentials go, approved by the Legislature. I considered the plan feasible, adequate and progressive. I still consider it so. My own conviction, in considering this paramount question of road development, is to continue the plan that has proved itself so beneficial and productive of gratifying results, and to increase the mileage under that plan as far as our resources and abilities will permit.

Therefore, adhering to the principle of the method and plan I first adopted, I suggest as a possible solution of our road problem an expansion of the present plan which, to my mind, will meet the needs of the State for the next two years without resorting to bond issues or drastic and complicated schemes of finance.

It is not my purpose to submit any hard and fast proposition from which there could be no deviation, or to offer calculations which are so precise and inflexible as to allow but one irrefutable answer so far as aggregate mileage is concerned. My aim, rather, is to suggest the possibilities which may lie behind an extension of the present program through utilization of the revenues already available to the road fund, together with the additional revenue accruing from a one cent increase in gas tax.

An examination of revenues, actual and estimated, which will be available for our highways from the various sources, such as gas tax and automobile registration fees, together with estimated returns from a one cent increase in gas tax, and a conservative estimate of the normal increase in gas sales and registrations indicate that there would be an income sufficient to construct at least 100 miles of hard surface road during the next biennium. This also provides for payment of interest and principal on the flood bonds and does not disturb the appropriations for maintenance and state aid for unselected highways.

If, however, the Legislature will make provision for meeting the flood bond obligation for the next two years, by securing revenues from other sources, we will be able to increase the hard surface mileage to at least 125 miles for the two-year period.

I am convinced that the mileage suggested would be the minimum which may reasonably be expected under conditions which will in all likelihood prevail through the next two years. It represents, to my mind, satisfactory progress in our hard surface roads development. It will be noted that a one cent increase in gas tax is contemplated but no direct tax is required and the present appropriations for maintenance of our entire road systems in and improvement of our secondary roads are not disturbed. In any plan for hard surface road development we must also recognize the imperative need of improving our town roads, so vital to an adequate highway system in Vermont.

I am not unmindful of an indisputable demand on the part of many of our people for a more ambitious plan of hard roads development, which has for its aim a completion of our trunk line system with more pronounced vigor and greater rapidity. If the Legislature feels that this demand for a program of more rapid progress is one that should be heeded with wisdom, then there are ways for obtaining the desired results.

Several plans which contemplate bond issues as methods of financing our hard roads program for the purposes to early completion of the trunk line system have been placed before the people and frankly discussed by the press and the public. Let me say that, while I hold to the belief that the present plan for hard roads construction contains features which are more desirable from the standpoint of safe financing and economic soundness. I am, first of all, most deeply concerned over the welfare and the best interests of Vermont and her people.

If, therefore, the Legislature deems it advisable to adopt a change of policy in regard to hard roads development, by favoring some plan other than the method which I have advocated, I will give it my whole-hearted support, providing the plan contains provisions consistent with sound business principles, sane judgment and wise economy.

I will not oppose any plan which commends itself for adoption for reasons which are for the best interest of all the people of Vermont.

I am convinced that Vermont must face the highway problem just as the State has faced other problems of great magnitude requiring large amounts of money. Vermont must face the highway problem with courage, determination and in the spirit of true progress.

FLOOD BONDS

The flood of 1927 made it necessary for Vermont to depart from a traditional public policy in regard to bonding the State, and the Legislature, in special session, authorized a bond issue of \$8,500,000 to meet the emergency. It was hoped in the first instance that it would not be necessary to utilize the full amount of the issue under the authorization but the damage to our highways and bridges has been found to be so extensive and the problems of reconstruction so manifold and ramified, that the use of the entire issue will be required in addition to the appropriation of \$2,654,000 made by the National government.

It is incumbent upon the Legislature to provide means for the next two years for meeting the obligation thus imposed upon the State, and to enact measures looking to the retirement of our bonded indebtedness. It is my belief that an emergency obligation, such as the recent bond issue, should be met by emergency provisions, and the retirement achieved by special revenues obtained for that specific purpose, without encroachment upon the established revenues of the State.

Upon this theory of public policy I would suggest as possible methods of meeting this emergency the enactment of such special measures as a small direct state tax, an amusement tax and readjustment of the fees for registration of motor vehicles. In considering the possibility of a direct tax for this purpose it must be borne in mind that it is not in excess of the state tax of 1927, as that tax was authorized for two years only.

I offer this suggestion for flood bond retirement for the next biennium with the full understanding that it is only one of many possible methods of handling this problem. It seems to me to possess the merit of being an emergency tax proposition created to provide for emergency expenditures. I believe such a solution is safe from the standpoint of broad public policy. However, in your deliberations you may be able to discover a more feasible plan. If so, it will have my endorsement.

TAXATION

Taxation has always been a troublesome and highly debatable subject. It is a proposition of such tremendous magnitude that it is a physical impossibility to effect a satisfactory solution in one legislative session, unless the results of a thorough and intelligent, study is available as a basis of procedure. I would, therefore, ask that the present Legislature consider this, matter and authorize a commission of at least five persons to study the question' of taxation from all angles and to report their findings to the General Assembly of 1931. I recommend a reasonable appropriation for that, purpose.

In this connection I would say that in June, 1928, the Vermont branch of the New England Council passed a resolution with the recommendation that the Governor appoint a committee to consider and study the whole question of taxation because of the fact that the flood had materially increased Vermont's problem of raising revenues.

It was further suggested that the committee make a report to the Legislature in order that the members might be properly advised, before new legislation was passed.

Acting upon this resolution, I asked the New England Council to appoint a committee from its own membership to conduct this study, and they have made certain observations and recommendations that are embodied in a report which will be placed before you for consideration.

CONCLUSION

You now enter upon your duties as representatives of the freeman vote of Vermont. May your record prove as worthy and fruitful as the records of those who have preceded you in the historic Assembly. May you also legislate that Vermont will continue rightfully in that position which means progress and prosperity, not only for ourselves alone, but also as contributors to the progress and prosperity of the country of which we form a part.

Vermont is endowed with resources which can contribute to an enlargement of her material, intellectual and spiritual life. Success in no small degree is dependent upon the service rendered by the legislative Assemblies. I ask that you take up your tasks with faith in your fellowmen, faith in your State, and faith in God.

JOHN E. WEEKS.”

Inaugural address
of
Charles K. Williams
As it appears in the
Journal
of the
House of Representatives
October Session

1850

Saturday, October 12, 1850
Inaugural Address

Fellow – Citizens of the Senate and House of Representatives:

Elected by the voice of the people to the office of Chief Magistrate of this State, I enter upon the duties appertaining thereto, with a fearful mistrust of my competency to discharge them in an acceptable manner. But ever accustomed to respect that voice, regarding the confidence and approbation of the people as the highest honor to which any individual can attain and having in repeated instances experienced their partiality and friendship, I shall obey their high commands, and commence the duties attached to the responsible situation in which their suffrages have placed me, trusting that they will duly appreciate an honest and conscientious endeavor to perform them, and that they will with charity and candor veil any imperfections and unintentional errors and mistakes which I may commit.

When I call to mind the distinguished individuals who have heretofore been placed in this office; and more particularly when I reflect upon the dignified, able and honorable manner in which my immediate predecessor has discharged the duties thereof, I feel that I shall have to draw largely upon that charity and candor, and can only indulge the hope, but without any confident expectation, that I shall be able to leave the office with the same reputation which they have carried with them on their retirement.

The first obligation imposed on the Executive by the constitution, is to meet with the General Assembly at the time and place where they are required to meet by the constitution and laws. It is with pleasure that I perform this obligation, and meet you at this time and on this occasion. The assembling of the representatives of the people in their legislative capacity, to consult for the welfare and advance the happiness of those whom they represent, is interesting, as exhibiting the beauty and unostentatious character of our republican institutions, and important, as upon the wisdom and integrity of their measures that welfare in a great degree depends. Identical in interest and feeling with the great body of their constituents, it is not to be doubted they will bring with them the best intentions; that they will be actuated by a sincere desire to promote the interests of the whole as well as that of every individual, so far as the latter is consistent with the former; be governed by the highest principles of reason, virtue and morality; and, above all, that in consulting for the welfare of a Christian people, we shall all earnestly endeavor to conform to the rules of Christian morals, and look to Him for guidance, who holds the destiny of nations in His hands, and by whom “kings reign and princes decree justice.”

Having but little practical experience in the business of legislation, it cannot be expected that in my first annual message I should call your attention to many subjects which may be proper for your consideration. Fortunately, so little legislation is necessary for the interest of this State, and with that interest the reflecting men are so familiar, that I apprehend no inconvenience from my want of experience; and further, it is a highly consolatory reflection, that whatever difference of opinion there may be on other subjects, a great unanimity of sentiment exists in what relates to the prosperity of this State. It is not to be expected, however, that even on this there should be an entire coincidence of views; and on other important subjects, arising from our connection with other State's under one general government, we know there is a great diversity of sentiment. Freedom of investigation and discussion, which is necessary under our free institutions, to enable men to understand what is required of them, unavoidably leads to the formation of parties. It is not in human nature that the minds of all, although aiming to attain the same end, should arrive at the same result, or agree in the measures to be adopted for its attainment. The existence of parties, arising from a difference of views honestly entertained, is not without its benefits as well as its evils. If parties exercise a watchfulness over each other, and a scrutinizing jealousy of the measure proposed by each, it will lead to a careful and cautious investigation of those proposed, before they will be adopted. Thus far parties exercise a beneficial influence; but when there is an indiscriminate opposition by one to all those proposed by the other, and they are influenced by ambition, and seek only the attainment of individual emolument, they prevent or retard the adoption of such salutary measures as the general welfare may require, endanger the principles of civil liberty, and by their excess and violence approximate to the very verge of civil war. At such times the spirit of party may truly be considered as the

spirit of discord, faction and disunion. The lesson inculcated by this view of the nature and effect of parties cannot be misunderstood. It teaches us that we should investigate with calmness and candor, cultivate a spirit of conciliation and charity towards those who differ from us, yielding all due respect to the opinions of others, and the integrity of their motives, unless it is plain and palpable that they proceed from a perverse disposition. But this spirit of charity and conciliation does not require either of individuals or states to abandon their own interest, nor can they be justified in yielding any *moral* principle, or in giving countenance to any great political or moral evil, to appease those who oppose them. In political or Christian ethics there should be no compromise with vice, and no conciliation offered to fundamental error or gross iniquity.

The subject of education pointedly and forcibly presents itself to the consideration of every friend of liberty and humanity. At no previous period has it so much occupied the attention of all classes of community, both in this country and in Europe. The wise and intelligent see the importance of giving an early impulse to the mind in favor of science, virtue and religion. The wild and absurd theories of many of the radical reformers are frequently the result of reflections upon evils existing and apparent, and of mistaken and injudicious attempts to reform them. They see, what should be obvious to all, that there is a great neglect to provide for the mental as well as the physical wants of the great masses of men, and, as an unavoidable result, ignorance, vice, oppression and wretchedness are too prevalent. It is the plain duty of government to provide for the education of the whole body of the people, from whom their future legislators and magistrates are to be chosen, and so to provide for education in the primary schools that all may be fitted to perform the duties which may ordinarily be expected from them, and may lay the foundation of higher and more extensive attainments in literature and the principles of political science. This subject has been so repeatedly brought to the notice of the legislature that I cannot entertain a doubt but that they will give it due consideration; that our schools, academics and colleges will receive all the patronage and encouragement which can be extended to them by an enlightened legislature; and, above all, that they will guard against unsteadiness in their legislation upon this subject, persevere in the system which they have adopted, make such alterations only as experience demonstrates to be necessary to improve and perfect the system. If it does not at once produce all the benefits expected, make still further trials and improvements, and not abandon it, unless it shall be found incapable of further amendments and undeserving of further trial. The report of the able and efficient superintendent will probably suggest further and other views on this subject.

I trust that it will not be thought inappropriate for me to advert to the state of the militia. When I first came into public life, the danger to be apprehended from standing armies, the importance of placing our reliance upon a well-regulated militia composed of our fellow-citizens, and the necessity of such a militia to the security of a free state, were political axioms recognized by all, and were embodied in the organic laws both of this State and of the United States. On this account I may attach more consequence to this subject than is congenial to the times in which we live. The interest of the militia, after receiving a great share of the attention of former legislatures, was suddenly abandoned. It is worthy of consideration whether, as the militia laws are now left, we have not disregarded the laws of the United States in suffering the organization and discipline required by those laws to be entirely neglected. From the return of the Adjutant-General made last year, it appears that in the boundaries of many regiments we soon shall have, and in some already have, a full complement of field and regimental staff officers, but no companies or company officers. Although it may not be considered expedient to revive the frequent training of the militia, or the parades, which were considered by some as ostentatious and expensive; yet an organization conformable to the laws of the United States, into companies, regiments, brigades and divisions, and a requirement that arms should be provided, and for the annual inspection of those arms, appears to me to be required by the laws of the United States. A reliance upon the uniform militia alone, and not on the whole body of citizens enrolled according to law, does not seem to answer the requirement.

The necessity of a strict and rigid economy, in the disbursements of the finances of the State, is too obvious to require a particular notice. Our resources are mostly derived by a direct tax on the people; we are only stewards of the public funds, and are not at liberty to use them for the gratification of our friends, or to promote any selfish views. An extravagant and wasteful expenditure of the public money is an evil to which all governments, of whatever form, are exposed. These remarks I am sensible are somewhat trite, and have so often been made and disregarded, that any one who repeats them hazards his reputation for political sagacity,

and exposes himself to insinuations unfavorable to his sincerity and patriotism. When I reflect upon the great increase of the expenditures of this State since I first commenced public life, altogether disproportionate to the increased population and business; and when I compare them with the expenses of other States in the Union, and find how small a part of our expenditures are paid in salaries, to those who are called into public service and are entitled by the principles of the constitution to a reasonable compensation; and inasmuch as the attention of the Legislature was called but a few years since to this subject by one of my predecessors; and more especially by the Council of Censors, whose duty it is "to inquire in what manner the public money has been disposed of," I thought it not improper or unsuitable to bring it to your notice in the annual message, and shall dismiss it with this remark, that no reform should be attempted unless called for by the public good, nor until the whole subject is fully and thoroughly considered, lest by partial attempts, not duly reflected upon, the evil should be aggravated and not remedied.

The taxing wild and uncultivated land, as well as the practice which has prevailed in the legislature, in the repeal, alteration or modification of acts, or parts of acts, by a mere reference to the number of the chapter and section, without any mention of the subject or nature of the provision repealed, altered or modified, were under the consideration of the Council of Censors, and particularly noticed in their address to the people. For this reason, I deem it proper to call the attention of the Legislature to the subject, and would refer them to the address of the Council of Censors for the views entertained by them.

The General Government not having thought proper to perform their fiscal operations through the medium of a bank created under their authority, after such an institution had been in operation for a long time, and had received the countenance and sanction of every branch of the government, and having resorted to a system for collecting the revenue and the safe keeping of the same, the utility of which remains yet to be tested, but which does not afford any circulating medium, the business of providing a currency, and aiding the agricultural, manufacturing and commercial interests of the people by the establishment of banks, devolved upon the States. This State has found it to be convenient and useful, and I may add necessary, to establish such institutions, under suitable regulations, in such numbers and at such places as the convenience and interest of the community might require. These banks have performed their duty with fidelity, and have greatly aided private enterprise, and in works of public improvement. They will undoubtedly receive, as they justly deserve, the countenance of the legislature, and not be embarrassed with hostile legislation.

It may be said of our railroads, constructed by private enterprise and the capital of individuals, that the public are experiencing largely the benefits afforded to all the important interests of the State by that capital, and the unparalleled energy and industry which have been displayed in their construction. It is to be hoped that those who have hazarded their wealth, and given their whole time and energies to these great undertakings, will find their reward in the profits of their capital and labor, to which they are justly entitled, and will receive amply the countenance and patronage of an intelligent legislature and high-minded people.

Since the last meeting of the General Assembly, several important amendments to the Constitution, recommended by the Council of Censors, have been adopted by a convention of the people, and become a part of the organic law of the State. Some additional legislation may be found necessary to extend the provisions of the law in relation to elections, so as to embrace the election of the several officers which are hereafter to be made in pursuance of the Constitution as amended. Some further provision is also required in relation to the security to be given by sheriffs and high bailiffs. The legislature are also required to "provide by a general law declaring what officer shall act as Governor when there shall be a vacancy, in both the offices of governor and Lieutenant Governor," occasioned in any of the ways mentioned in the amended constitution.

It will probably shorten your session, and relieve you from an exciting duty, that the appointment of several officers which has heretofore been made by the legislature is now made by the people, as it was done under the provisions of the first Constitution of this State.

The term of office of one of our Senators in Congress will expire on the third of March next: it is incumbent on the legislature to elect a Senator to represent this State of six years from and after that time.

I am informed by my predecessor, and communicate the information to the legislature, that under the act of 1849, entitled an act relating to international, literary and scientific exchanges, he has appointed Mons. A.

Vattemare and George F. Houghton, agents; and that under the act making an appropriation for the Washington Monument, he constituted Henry Stanley of Poultney, agent.

In our connection with other States under one general government, we have a variety of interests to be promoted, which, although they cannot be the subject of immediate legislation by us may be affected in a greater or less degree by our action. Our agricultural and manufacturing interests should be patronized and protected. The business of the latter is subject to more vicissitudes than the former, and is the first to feel the effects of uncertain and injudicious legislation. As capital, as well as labor, are required for the successful operation of manufactures, they should receive an adequate protection against foreign capital and labor. It is to be hoped that this protection will be again afforded. Although a political necessity may have justified the act of Congress of 1833, which, apparently, recognized a system of ad valorem duties, to be thereafter adhered to, yet, after the experience we have had under the present tariff of 1846, the necessity of again resorting to a system of specific and protecting duties is apparent, which both wisdom and experience demonstrate to be the only safeguard against fraudulent importations. The increase of the agricultural interest in wealth, and the improvement in their farms and flocks, may be attributed to the protection which was heretofore afforded them. With us, at least, there should be no diversity of thought or action on the subject of a protective tariff.

The establishment of an Agricultural Bureau, to be connected with the Department of the Interior, recommended by the General Assembly at our last session, as well as a revision of the existing tariff, so as to give due encouragement to manufactures and a new and increased stimulus to agriculture by a system of specific duties, was strongly urged upon the consideration of Congress by the President of the United States, in his annual message in December last. The lucid reports of the Secretaries of the Interior and the Treasury, accompanying the message of the President, pointed out more in detail the measures to be adopted and the benefit to be derived, and placed beyond cavil or dispute the wisdom and propriety of the recommendation of the President. The just expectations of the country on this subject have not been realized. Owing to a want of coincidence of sentiment between the executive and legislative branches of government, in their views of general policy of the former, a long and profitless session of Congress has been spent in the attempt to compromise that which is not the subject of compromise, and to conciliate where conciliation was not due. The great and substantial interests of agriculture, commerce and manufactures, have been neglected and unprovided for, and the recommendation of the President received but little, if any, attention from Congress or the committees to whom the subject was referred. We cannot but hope that at another session of Congress such a tariff will be adopted as will answer the reasonable expectation of the manufacturer and producer. Those who feel the necessity of such a protection, having seen no good effects from the compromise heretofore made with those who threatened an armed resistance, should hesitate before they again yield to threats of a similar character, as they might thereby disaffect those who feel a deep interest with them, and can have but little expectation of gaining to their interest those who have ever been hostile.

There is another subject, affecting us sensibly in our connection with the other States, in a great degree influencing the action of the general government, which I should gladly have omitted at this time, as I believe a large proportion of our fellow-citizens coincide in opinion in relation to involuntary servitude. But the attitude assumed by some of the States, and the conventions of the people under their authority, threatening a dissolution of the Union unless their views are acceded to by congress; as the proceedings of this State have been treated with disrespect and reproach, in places where respect to the proceedings of every sovereign State should be studiously observed; and as there has been some disposition to find an apology for their violent proceedings, in consequence of the action which those who are opposed to involuntary servitude have thought it their duty to take, it becomes us to review the ground we have assumed, and the resolutions we have passed, abandon them if we are wrong, but if we are right, decidedly and resolutely maintain that ground. On a careful review of the proceedings of the legislature heretofore, I can see no principle advanced which ought to be abandoned or yielded either, to menace or a desire for conciliation. The legality of the existence of slavery and the duty of abolishing it, is not a new question in political history. Neither in Great Britain or France has any difficulty been found in abolishing it, or in the consequences emanating from such an act. The courts of law in Great Britain long since held that it could have no legitimate existence in that country. In Parliament every argument of expediency, the claims of vested rights, of the rights to property, and even the authority of the Holy

Scriptures were urged by the West India planters and the mercantile interest connected with them, in favor of its continuance in their colonies, and were urged in vain. Their arguments were effectually silenced by the most eminent statesmen and by the prelates of their Church, and in language, too, which in this country is treated as ultra and fanatical. The language of our Declaration of Independence, when incorporated into a declaration of rights in the constitution of a neighboring State, was held by the learned judicial tribunals of that State to have immediately effected the abolition of slavery in that State. It is not contended by any one that a law enacted by the legislature of any State on this subject can have any operation beyond its territorial limits. The extent of the powers of the general government may admit of more doubt. I am not disposed to discuss this question, or at this time to attempt to define the limits of their constitutional powers, within which they are restrained, and will only observe, that a more limited construction of the powers of congress than was exercised by them in the incorporation of Texas with the United States, or in passing the late action in relation to persons held to service in one State and escaping into another, would give to the general government all the authority on this subject which the most ardent friend of freedom could desire.

I have no means of knowing how far the late action of Congress upon the several matters connected with slavery, is satisfactory to a majority of the people of this State; all of those measures did not receive the sanction of the vote of their representatives. If it lead to a more thorough investigation of the powers of the General Government, and to an inquiry, what rights are secured, and what duties enjoined, it may be productive of useful results. At any rate it will tend to a determination to exercise whatever authority may yet be left, to protect liberty and freedom. The people of Vermont will, as they always have done, yield due submission to whatever a majority within their appropriate limits may enact, and will resort to no threats of hostile opposition; but when the time and opportunity shall arrive, that they can, in unison with a majority of the people and States in Congress, exercise any legitimate authority on this subject, they will be found the uncompromising enemy of any and every attempt to uphold, extend or continue a system, so uncongenial to the spirit of our republican institutions, and so abhorrent to the principles of Christianity. I will only add, that for myself I cannot assent to the proposition, which has sometimes been advanced, that any State may establish slavery where it is not now recognized, or that it was among the enumerated powers of Congress to impose any obligation on their successors, to admit any State thereafter without such restrictions as they might think proper. Any such attempt of the law-making power, must be considered as an encroachment on the rights of their successors, and an interference with the duty of making treaties, which are to be the supreme law of the land.

My opinions on these subjects are probably well known to my fellow citizens; they have been formed upon careful and deliberate inquiry, have been thus frankly and fearlessly expressed, and will influence me in all my public relations. It is not for me to say, how far they are the opinions of others; I profess not to speak, in this matter, in the name of any party or class of my fellow citizens. The great body of the people read, reflect and decide for themselves, and will undoubtedly ultimately act together on *all* the important subjects which affect the general welfare, and on this one in particular. I have the highest respect for the opinion of those who entertain different views, and whose convictions or duty are not the same as mine; and can cheerfully and cordially cooperate with them, in any measures to promote the interest and happiness of our common country. I should be wanting in that indulgence, which I claim for my own opinions, if I should, on that account, distrust their integrity or endeavor to cast reproach upon their motives.

I have no fears that any action of the General Government within their constitutional limits, on this or any other subject, will in any way endanger the existence of the Union, or produce any dangerous collision between the General Government and that of any of the States. A more peaceable method is provided to settle any controversies between them. We have no reason to believe that any considerable portion of our fellow citizens, or any single State or any number combined, will incur the hazard of a treasonable opposition to the laws of the United States, without any prospect of success, in a cause where they cannot expect the sympathy or assistance of any part of the civilized world, and when either success or defeat must be alike fatal to the institutions to which they so pertinaciously adhere.

Whatever may be the destiny of this confederate republic hereafter, I trust I may say with confidence, that the people of the State of Vermont, the first to obtain admission into the Union, will be among the foremost in their attachment to the cause of civil liberty and freedom, and in their determination to maintain the integrity of

the Union; and the last to countenance, extenuate or apologise, for a spirit of treasonable disunion or rebellion, against the authority of the United States.

I have received from my predecessor communications from several of the States, which will, at an early day, be transmitted to you. Among these, is a communication from the Governor of Virginia, returning the resolutions of the Legislature of this State, transmitted to him at their request. It will be recollected, that a similar proceeding was had by the state of Virginia, a few years since. Accompanying this communication of the Governor of Virginia, is a copy of a resolution of their General Assembly, requesting that the resolution from the State of Vermont “be returned to the Governor of Vermont, and that the *Governor of Vermont* be informed that the Legislature of Virginia understand their constitutional rights, and mean to defend them.” How far such a resolution comports with the dignity of the State of Virginia, I am not disposed to inquire, and it cannot be determined by comparison, as no similar resolution from any other State has ever been received. That it illy accords with the respect and courtesy due from one State to another, in the intercourse between sovereign States is apparent. The surprise at receiving such a communication is diminished by the reflection, that ancient states, like ancient families, when in the course of events they cease to be first, and thereby their dignity and importance is impaired, are apt to betray a spirit of haughtiness, and treat with contumely those who, in the same course of events, are elevated to an equality with them.

I should do injustice to my own feelings, if I omitted to advert to the late striking and afflicting dispensation of the Almighty, in the death of him, who had been elevated to the high and exalted station of President of the United States. The unanimity with which all classes paid homage to his integrity and honesty of purpose, his attachment to the interests of his country, his elevated patriotism, his energy of character, and his splendid achievements, plainly evince that the confidence reposed in him by the people was not misplaced. This striking event should teach us the nothingness of all earthly splendor and greatness, and should admonish those who are in the service of their country, so to perform what is required of them, that in their last moments they may have the consolation of being able to say, as he said, “I have always done my duty – I am ready to die.”

Permit me to assure you of my cordial co-operation with you, in all your endeavors to advance the public welfare and the happiness of the people, and to express the hope, that under the guidance, and with the blessing of that Almighty Being, who has hitherto been our Preserver and Protector, we may be led to the adoption of such measures, and such only, as will promote the peace, and increase the happiness of the people of this State and of the United States.

Executive Chamber,
Montpelier Oct. 12, 1850.

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CH. K. WILLIAMS.

Inaugural address
of
Charles K. Williams
As it appears in the
Journal
of the
House of Representatives
October Session

1851

Saturday, October 11, 1851
Inaugural Address

Fellow Citizens of the Senate and House of Representatives:

The period has now arrived, when the representatives of the people are required to meet in General Assembly, to perform the duties necessary to promote the general welfare of those whom they represent. Having all the powers necessary for the legislature of a free and sovereign State, limited only by such restrictions as are imposed by the fundamental laws of the General and State Governments, there is no reason to doubt, that they will exercise that power to promote the design for which they are selected, the happiness and prosperity of the people, whose agents they are. I am happy to meet you at this time, and to co-operate with you in all proper and legitimate efforts to obtain this very desirable end.

On again entering upon the duties appertaining to the Executive Department, I should be wanting in that sensibility and gratitude which I deeply feel, if I did not return my sincere thanks to the people, who have again honored me with their confidence, and assure them, that I am sensible that an increased obligation is laid upon me to be vigilant in discerning their interests, to be active in endeavors to further that interest, and, in humble reliance on Divine aid, to exert all the faculties and abilities I possess to serve them faithfully.

The assembling of the representatives, elected by the people in their legislative and executive capacities, to consult for the common good, and to adopt such measures as that good may require, is one of those interesting events, which are often witnessed in a republican government, and in no other. The honesty of purpose, and integrity of heart which are, and have been, manifested in the deliberations and acts of the General Assembly of this State, afford a sure guaranty, that they will not easily be misled, nor very often mistake their duties or obligations.

If it is true, as I think it is without any doubt, that all political power emanates for the people, and their agents are responsible to them for the manner in which they discharge their trust, we can be at no loss to discern, that the real conservative principle of our government is in the right of suffrage, the frequency of elections, and the responsibility of the persons elected or appointed to discharge any public trust.

It is common and frequent to hear disparaging remarks of legislative proceedings; the propriety of their measures lightly spoken of, and their integrity doubted. Such remarks, however, do not always carry with them evidence of their correctness, or of the superior intelligence of those who make them, but more generally proceed from vanity, and from a mistaken idea that it is a mark of great discernment and wisdom to criticize and cast reflections on the members of a legislative body. The Holy Seer rebuked such boasters, when he tauntingly said, with bitter sarcasm, "No doubt ye are the people, and wisdom shall die with you." I have not learned to estimate so lightly the intelligence and integrity of those selected to make or administer our laws. Although they frequently err, as no human tribunal is free from error, yet their errors are mostly found on the side of virtue and freedom — and they are not more frequent than are to be found among those who perform higher and more arduous duties, in other and more elevated public stations. In expressing this confidence, I assure you, it arises from long experience, and observation, in noticing how much less frequently they err, how ready they are to correct their errors, and how careful they are to refrain from doing any individual injury or injustice, and how ready they are to recompense those whom they may have inadvertently injured.

Having thus expressed to you my entire confidence in the wisdom and integrity of the legislative branches of our government, it renders the constitutional duty imposed on the Executive, "to propose such business as may appear to them necessary to lay before the General Assembly," easy, and of little practical importance, inasmuch as they are familiarly acquainted with the wants of their constituents, and of the proper means to redress any grievances they may labor under. But little is left for the executive authority, except to take care that the laws be faithfully executed, and to expedite the execution of such measures as may be resolved on by the General Assembly. Both duty and inclination must of necessity prompt to the performance of this part of the executive duty, as the laws, before they become such, generally receive his sanction and approbation.

There are certain subjects which occupy so large a space in the public estimation, that they force themselves irresistibly on the mind of any one, who has the prosperity of our republican institutions at heart, and appear to have been a necessary part of every annual executive message, as though they were directed by a rubric, the most prominent among which is the subject of education.

I need not say any thing in relation to Common Schools, as the benefit derived from them is so apparent. To them we are all indebted in the first instance, for such information and intelligence as we may possess, to enable us to discharge the duties we have assumed. The high and the low, the rich and the poor, equally receive the benefits derived from them, and there can be no danger of their failing for want of support and encouragement. Indeed, it may be deserving of consideration, whether any further pecuniary assistance would be beneficial.

The higher schools of learning, the Colleges and Universities, have equal, if not stronger, claims for our attention and patronage, and I cannot recommend them too strongly to your favorable notice. The statesman, the civilian, and the messenger of the Gospel of Salvation, who have received their education at the Colleges and University of this State, and been there trained for usefulness and distinction, have carried our name and fame to every part and portion of this Republic, and foreign nations have witnessed the labors of those who have been educated among us, and who have shown the brightness of our star, both in the west and the east. It is to be hoped that it will continue to shine, until others shall come to its light, and to the "brightness of its rising," and I hope that what you can do, you will do, to afford them encouragement, and give them the benefit of your patronage. I feel confident your constituents will not feel that you have imposed an unnecessary or useless burden upon them, by making an annual appropriation for their benefit, to be increased or diminished, as their exigencies and the developed resources of the State will warrant.

I must again mention the subject of the Militia, upon whom all free States should rely for defense; who may be employed for the protection, and cannot be employed for the destruction, of the liberties of the people. In these days, when so much is said on the subject of constitutional duty, and obedience to the laws of the United States, I am sorry that those laws, for organizing, arming, and disciplining the militia, have received so little countenance from the legislative acts of this State, and that all endeavors of its officers, to raise the militia to the standard of those laws, should have met with so little approbation for their fidelity to their duty in urging this subject for consideration. No returns have been made to the adjutant general of the United States since the year 1843, and we have to rely on the returns then made, for our quota of arms annually furnished by the United States.

I must also remind the Legislature that the amended Constitution of this State requires them to provide, "by a general law, declaring what officer shall act as Governor, when there is a vacancy in both the offices of Governor and Lieutenant Governor."

I respectfully call your attention to the criminal code, and suggest whether some amendment of the same, relating to fines and costs of prosecution, might not profitably be adopted. The power of pardon, and of discharging any person from jail for not paying a fine and cost, is vested in the Governor. This should be exercised as an act of clemency, founded on the merits of each particular case, taking into consideration the merits of the individual. An idea seems to be prevalent, that the poverty of the person thus imprisoned, and his inability to pay either fine or cost, entitles him to the clemency of the Executive, and a remission of the sentence. It is obvious that this sentiment is erroneous. The Executive ought not to have the power of dispensing with the law, and has no means of knowing the circumstances of aggravation or palliation of each case, or to decide why one should be released from the consequences affixed by law to a conviction, and not another. I submit whether it would not be better to empower the court, before whom a conviction is had, in their discretion, when they impose a fine, to ascertain the ability or inability of the person convicted, and in case of such inability, to limit the time the person convicted shall remain in prison if he fail to pay the same, or the costs of prosecution; and whether, in all cases of imprisonment for non-payment of fine and cost, the sheriff might not employ, in some useful or active labor, the person convicted, until he had earned sufficient, at least, to pay the cost, if not the fine, and thus render our jails places of industry and useful labor, instead of the abodes of indolence, and its consequent vice and wretchedness; and whether he might not, in some cases, employ them out of the walls of the prison.

I would also suggest, whether, in all convictions for criminal offences, where exceptions are taken, and the cases passed to the Supreme Court, sentence should not be pronounced by the County Court, who have all the circumstances before them, but delaying the execution of the same until the judgment is affirmed, leaving to the Supreme Court only to fix the time for the commencement or execution of the sentence.

In pursuance of the provisions of an act entitled “an act to provide for compiling the laws of this State,” I appointed Charles L. Williams, Esq., of Rutland, to perform the duty therein required, who has made the compilation. The Secretary of State has procured them to be printed and bound, and five hundred copies are, or will soon be, subject to such distribution as the General Assembly may direct.

On the resolution of the General Assembly for appointing a Committee to consider and report upon the financial affairs of the State, I appointed John N. Pomeroy, Waitstill R. Ranney, and Timothy P. Redfield, Esqs, whose report will be laid before you, and I hope the Legislature will take some effectual measures to lessen the expenses of the State, and arrest the tendency to increased and extravagant expenditures, that they may thereby be better enabled to afford aid and encouragement to such institutions as will advance the honor and interest of the State.

The increasing vice of intemperance may require that we should profit by the wisdom of our ancestors, and adopt either their laws, or something equivalent thereto, which subjected common drunkards, who publicly annoyed the peaceable citizens of the State, to confinement in the house of correction. Until a very recent period, this was the law of the State.

It will be necessary for the Legislature, at this session, to divide the State into districts for the choice of Representative to Congress. The election is to be made on the first Tuesday of September next, and by the apportionment we shall be entitled to only three Representatives, instead of four, as we had before.

I trust you will, in all your deliberations, bear in mind that legislators are not only responsible to their constituents, but are also subject to a higher law, and higher power; and unless they feel and act under a sense of this subjection, the oaths, which they take at the commencement of their political service, would be but a mockery. To be just and fear not, and to act in subjection to this power, is the duty of every person whatever; and legislators and rulers cannot exempt themselves from this obligation. I should consider myself very unfit to take upon me the duties of the office to which I have been elected, if I did not feel that the oath I have taken laid me under an obligation to discharge the duties of it in the fear of Him, before whom the nations “are as a drop of the bucket; and are counted as the small dust of the balance,” and who “taketh up the isles as a very little thing.” It is with unpleasant feelings I have witnessed, that subjection to this law has been made a subject of reproach or ridicule, or that listening to the dictates of conscience, and seeking its direction, should be treated as fanaticism, or an exploded idea of by-gone times. The laws of our Maker, and the teachings of an enlightened conscience, instruct rulers to do not injustice, and all to be submissive and obedient to lawful authority, and cannot be made a pretext for oppression, or of resistance to the requirements of law. This sentiment is so general, that I deem it almost idle and superfluous to mention it. The people of this State are better acquainted with their rights and duties than is supposed by many. They entertain no idea that they are absolved from obedience to law, because it does not conform to their views and wishes. This latter sentiment, I have no reason to believe, pervades any considerable portion of our fellow citizens, and I mention it with a view to assert my disbelief of any such sentiment existing among many of the citizens of this State, and not to controvert or show its fallacy.

If it were practicable, it would be desirable that every act of a legislative body should be accompanied with such evidences of its necessity and utility as to ensure a ready acquiescence in the propriety and wisdom of its provisions, and thus commend itself to the hearts and affections of the people, and not require the coercive power of government to enforce it. But as obedience and submission must be yielded to the supremacy of the laws, and a resort to compulsory measures must be had, if necessary to ensure this obedience, it is incumbent on a legislative body to consult the general good, and not unnecessarily sacrifice the interest of one portion of the community to that of the other, nor wantonly injure the feelings and views of one, to conciliate and gratify those of another. When there is this conflict of interest and opinion, the voice of the majority must prevail.

In a republican government, having a written constitution, there are two tests to which all legislative acts must be submitted. One is public opinion, and the other is the provisions of the Constitution. The former may compel a repeal or alteration of any acts or laws passed by any legislature, and the latter will try their validity. To the formation of a correct public sentiment, and to influence it, the utmost latitude must be allowed of speaking and publishing the sentiments and views of every individual. The merits of public men and measures must be subject to be discussed freely, in order to obtain that remedy, if any is necessary, which the representatives of the people in their legislative capacity can alone give. Every attempt to repress this liberty of speech and of the press, and to silence an inquiry into the propriety or wisdom of public men and measures, whether by law or the exercise of patronage, by appeals to the passions, the fears, the avarice or ambition of individuals, must be futile and vain, and can obtain no permanent favor of the thinking and intelligent citizens of the United States. For myself, I can adopt the language of an eminent individual, that "to speak my mind and act as my conscience dictates, are two branches of liberty which I can never part with." I am sure the people of this country will never consent to part with this liberty, however much it may be desired by some, to avoid a scrutiny of the acts and merits of themselves and others; and no danger is to be apprehended from the abuse of this liberty, while men are under the superintendence and supervision of the law, and amenable to public justice.

To the other test all legislative acts are also subject, and it is the province of the judiciary department to determine, when the law and the constitution are antagonistic, that the former must yield, and the latter prevail. This power of the judiciary was formerly denied, but is not doubted at this day. It is the right and privilege of any one, affected by any act of the legislature in his person or property, to bring the act to the consideration of the judicial tribunals, who will pronounce it valid or void, as it conforms to or conflicts with the fundamental law. In order to ensure confidence in a judicial decision on this delicate and difficult subject, the citizen should feel that he can present his views, that he will be heard with patience, and not be embarrassed by any previous expression of opinion, not required, uncalled for, and extra judicial, and not a decision of the question submitted. No individual, or state, should be discouraged from resorting to this mode of trying the validity of any legislative act.

I need not speak to you of our attachment to the Union, or our reverence for the Constitution, or our unwavering obedience to all its requirements. A recurrence to our history will show, that we voluntarily and unhesitatingly sought admission into the Union, and ratified and confirmed its constitution, and have never, even when invited by those in whom we placed in confidence, asked for any important alteration in its provisions, and have manifested no wish to disturb the ration of representation; nor have we joined with others in any acts or measures which might be considered as tending to a violation of, or resistance to, its authority. We make no loud and vociferous professions of attachment to the Constitution, as such professions sometimes indicate that there may have been reason to doubt that attachment, and an uncalled for profession of faith and reverence for the Union and Constitution, might imply that we had heretofore been wanting in that reverence.

Allegiance to the government of the United States depends not upon our will; we cannot, while we enjoy its protection, absolve ourselves, nor can any state, or any combination of states, absolve us from that allegiance. And should any state, or any number of inhabitants within any other geographical limits, attempt it, the laws of the United States and its Constitution would still be in force within their territory, and would only be rendered ineffectual, by the want of ability and power, in the authorities of the Union, to enforce obedience. I have no reason to doubt but that the necessary power would be found, and the aid afforded, to compel a submission to law and authority. For this reason I have regarded, perhaps too lightly, all threats of a dissolution of the Union as futile, and have noticed with surprise, in the resolutions of public bodies, and in executive messages, a declaration, or even an intimation, that adherence to any acts or measures of congress, is to be the condition of their fidelity to the Union, as though this allegiance depended upon their will and pleasure alone.

I hope that the cry of danger to the Union, like the cry of danger to the Church in the country of our ancestors, in other times, is not to be made the pretext for arbitrary and oppressive measures, or humiliating and degrading submission.

In an extended territory, like that of the United States, the different sections will have different interests, and legislatures will be influenced by their local situations. Hence they will be liable to the imputation of being governed by sectional and not national views. This was the complaint against those laws which were enacted in

favour of a protective tariff, and which, at one time, came very near involving the county in a civil war. It should be remembered, however, that what advances the interest of one section, in a measure advances the interest of all. The protection, which has heretofore been extended to the manufacturing interest, has also benefited that of agriculture and commerce. An abandonment of this interest was truly a sectional, and not a national measure. We ought not to look with jealousy or envy, on the wealth which may have been accumulated, in consequence of this protection, when it has been so liberally expended in works of usefulness and benevolence, extending to every part of this republic. We hope that we shall again witness a resort to a protective tariff, and that the doctrine of free trade will be given up as a sectional and narrow feeling, not adapted to the wants of the whole Union. Sensible, however, that in our government a majority must determine what measures shall be adopted, even if our wishes should be disregarded, and a policy still more fatal to our interest should be pursued, we shall endeavor to seek redress in the Union, and not out of it.

There is another subject, connected with the action of this State, which I ought not to pass over in silence, inasmuch as our State has been most unjustly calumniated by those who have officiously intermeddled with our concerns. Some of the States in the confederate republic, our equals, and not our superiors, have undertaken to sit in judgment, and reprove and reprimand our legislative acts, as though we were accountable to them. Those of our own citizens, who have either approved or condemned any acts or proceedings of the Legislature, have but exercised the right of expressing their own opinion, and endeavoring to influence the opinion of others, which all undoubtedly possess; and so far as it evinces an anxiety to keep rulers and legislators within the pale of constitutional authority, or to protect the natural rights or liberties of man, or to procure the repeal or modification of any law, whether of the state or general government, it cannot be a subject of censure, but merits approbation. Those belonging to other States, and other governments, who have reflected injuriously on the legislation of this State, are not entitled to this charitable construction of their motives or acts. We are not bound to consult their wishes, or conform to their views, when we legislate for ourselves. It is no time for them to complain until we violate their rights.

These remarks are elicited from a consideration of the law of the Congress of the United States, on the subject of fugitives for labor, and the act of the Legislature of this State, relating to the writ of habeas corpus, and the view taken of them by others. Of the former, I have no disposition to enter into any discussion, and shall not speak of it in the language of reproach, and certainly not of approbation. I early learned, in the resolutions of the General Assembly of this State in the year 1799, in answer to certain resolutions transmitted to them by the State of Virginia, that "it belongs not to the State Legislature to decide on the constitutionality of laws made by the General Government, that power being exclusively vested in the judiciary courts of the Union;" and from that year to the present time, I have never seen any great practical good from passing resolutions on subjects not immediately connected with legislation, as the Representatives and Senators are usually sufficiently acquainted with the wishes and feelings of their constituents, without the aid of resolutions and instructions.

I may remark for myself individually, that whatever other powers Congress may possess, in order to insure domestic tranquility and promote the general welfare, to warrant the passing of the law in question, I have not been able to find it in that clause of the Constitution, in relation to fugitives from labor, and have rather coincided with the opinions of the learned chancellor of New York, and of a judge of the Supreme Court of the United States, and of some of the distinguished statesmen of that portion of the Union who are the most sensitive on this subject, that no legislation by Congress was authorized or required. But upon this, as upon all other similar subjects, I have endeavored to conform my own views to judicial decisions, considering all decisions of the Supreme Court, upon a point directly in issue, as final and conclusive, though I have not yielded the same authority to the reasons which they may express for coming to such decisions, which are frequently given by the way of illustration or explanation only. I should have much preferred to see the authority in Congress maintained from the words of the Constitution, and not from cotemporaneous history, which I have never been able to find, and from acquiescence, when those who were the subjects of its provisions had no other way by to acquiesce, and had not the means or ability to try the validity of any acts passed by Congress, on any question of constitutional construction. I am not insensible that others, whose opinions are of very high authority, have different views. Those who think Congress are under any

constitutional obligation, by the article referred to, to enact laws to carry the same into effect, may be justified in passing this law, and will probably have to resort to other measures more stringent and effectual.

Those of the Representatives and Senators in Congress who neither voted for the law in question, nor proposed any alterations or amendments, I have no reason to believe, had any such views of constitutional duty or obligation. But I have no wish whatever either to discuss, agitate, censure, or approve the law in question, and will only add that it is no reason with me, either to withdraw my confidence from any administration, or any men who think differently, or to withhold it hereafter, if they were honest and upright in their convictions of duty. Unanimity, or a perfect coincidence of opinion is not to be expected in any legislative body, on every question before them, either of ordinary legislation or of constitutional rights or duties. Nor can I hesitate to express my approbation of the Executive, in carrying into effect, either this or any other law passed agreeable to the forms of the Constitution. Indeed, it would be an anomaly, and a dereliction of duty, for any Executive to refuse or to neglect to execute a law, which has passed the legislature, and received his official sanction. It is not, however, a matter of much importance what may be my opinion in relation to the law in question. It is sufficient on this occasion to say, that of the constitutionality of the act, both in the whole, and in its particular provisions, very great doubts have been entertained. The President of the United States withheld his approbation, until he had obtained the opinion of the Attorney General. Others, not convinced by that opinion, still continue in the belief that Congress had assumed powers not delegated to them, and had disregarded the principles of civil liberty, and the Constitution.

One branch of the Legislature of this State, without any apparent dissent, had pronounced the act a violation of the principles of civil liberty and the Constitution, and set forth the reasons for such an opinion. The other declared their disapprobation of the act, and urged its repeal, or such modifications as would protect the rights of our own citizens, thereby implying that those rights might be in danger. Not having any reason to doubt that they were sincere in the belief of these opinions expressed by them, the passing the law in relation to the writ of habeas corpus, and extending its provisions to persons claimed as fugitive slaves, cannot be made a subject of reproach. The law of this State is probably the first act of any Legislature, designed to give the person *claimed* as a fugitive from service, the way and the means of having his claim to freedom established by a judicial tribunal, and proffering the professional aid of the State's Attorney, to defend him from any unlawful seizure, not warranted by the law and the Constitution. Of the necessity, propriety, or expediency of such an act, it is not for me to decide. Never having heard that such an act was in contemplation, until the evening it passed, I nevertheless examined its provisions, and though I had doubts of its necessity or expediency, I had none of its constitutionality, and gave it my approval.

As early as the year 1786, this State found it necessary to provide against free persons being transported out of this State, and sold as slaves, and our permanent laws make such practices highly penal. I can see no good reason why an inquiry may not be had, on the return of a writ of habeas corpus, whether a person is arrested or imprisoned by *lawful authority*, or is about to be sent out of the State without such authority. Instances have not been wanting, where persons have assumed to act as commissioners without any authority, and where, in a summary manner, they have taken jurisdiction over a person not a fugitive, and not subject to their jurisdiction or authority. The habeas corpus act passed by the Legislature of this State, in the year 1814, met with the same objection and opposition as the act of the last Legislature, and yet no attempt was made to procure its repeal, and its provisions have since been incorporated into the Constitution of this State.

It is not, with me, among the objectionable provisions of the act of our Legislature, that it provides for carrying the subject, by appeal, to the courts of law, where, from the decision of the highest of this State, a writ of error will lie to the Supreme Court of the United States; nor would it have been objectionable if they had made the writ returnable, in the first instance, to the Supreme Court of the State. It is declared by the Constitution of this State, that "the writ of habeas corpus shall in no case be suspended; it shall be issuable of right, and the General Assembly shall make provision to render it a speedy and effectual remedy, in all cases proper therefore." It protects the citizen from all unlawful imprisonment, and it matters not how obscure the person illegally detained, or how high the pretended authority who claims to detain. Congress, in the plenitude of their power, cannot suspend it, nor can they direct how a trial shall be had in the same, before what tribunal, or at what time.

If, as I remarked before, the Legislature were sincere in their convictions of the unconstitutionality of the act of Congress, or even if they had any reasonable doubt upon the subject, they took the method least liable to objection, when they made provision to refer it to a judicial tribunal, whose decision was still liable to re-examination before the highest courts of this State, and of the United States. That there is nothing novel in referring to the writ of habeas corpus for relief against any act of Congress, supposed to be against the provisions of the Constitution, I may refer to the expressed opinion of Mr. Jefferson, whose authority will be listened to in some of the States which have manifested hostility to the law of this State. Writing to a distinguished foreigner, who was liable to be removed by virtue of an act of Congress called the "alien law," and inviting him to the State of Virginia, he says: "that should you choose it for your asylum, the laws of the land, administered by upright judges, would protect you from any exercise of power unauthorized by the Constitution of the United States. The *habeas corpus* secures every man here, alien or citizen, against every thing which is not law, whatever shape it may assume." Having the same high confidence in the intelligence and integrity of the judges of this State, I have no doubt, that in the administration of this law, they will not contravene the Constitution, either of the United States or this State; that they will not hesitate to inquire into any assumed authority of commissioners or others; will protect all within their jurisdiction from unlawful seizure and imprisonment, and remand any one, brought before them, who is held by lawful authority.

An interesting and important question, on the subject of fugitives from justice, is under discussion in the State of Maryland, in which they have directed *their Attorney General* to set such proceedings on foot as may bring the same before the Supreme Court of the United States for its adjudication. I mention it, only to show, that questions arising under the Constitution of the United States, on the subject of fugitives, whether from labor or justice, and of the powers and duties of the executive and legislative branches of a State government, are not of so easy solution, as to warrant the imputation of hostility to the Union, or Constitution, or treasonable disaffection to the Government, in any of those whom may entertain different and discordant views of these questions.

I do not look with disfavor on any attempt to try the validity of a law of Congress, or of a State Legislature, by appeals to the judiciary, while I wholly discountenance all attempts of forcible resistance; but I have not formed so low an opinion of the stability of the Union, or the authority of the General Government, as to suppose that either can be materially affected by any violent outbreak of popular indignation, or the indiscretion, even of large bodies of the people. Nor am I willing so to confound the distinctions between crimes, as to magnify them to the crime of treason, the highest which can be committed in a state.

Called out, in the early part of my life, with a detachment of militia to enforce the laws of the Union, I then witnessed instances of resistance to the authority and laws of the United States, by bodies of armed men; property seized under the authority of the United States rescued by violence, and by men armed for the purpose; soldiers fired upon, wounded, and some of them shot down in the discharge of their duty; professional ingenuity taxed to the utmost to screen the offenders, and to render the laws ineffectual; and although some of the offenders were convicted of murder and manslaughter in the courts of this State, yet I was taught by the courts of the United States, that no treason was committed. The integrity of the union was not destroyed or impaired by such violent and lawless acts, although they were constant, and continued for a long time. I was then taught a lesson of reverence and submission to the laws, which made a lasting impression on my mind. A resistance, and particularly a resistance by force, and by men armed, and by murderous assault, was not acceptable to me then, nor is it now; and I hope the majesty and supremacy of the law will ever be vindicated. But I have no fears that the government will be seriously affected by any such tumultuous and popular commotions.

It is not with pleasure that I have felt it necessary to say thus much on the laws of the United States and of this State: — a respect, both for the Union and for this State, would not permit me to say less.

I have received several communications from other States, and from constitutional conventions, which will be transmitted to you. A communication from the State of Virginia, and also one from the State of North Carolina, were so disrespectful and offensive to this State, that I deem it not consistent with the respect I bear the Legislature, to communicate them to you, except at your request, and the Governors of these States were so informed.

At the expiration of the political year which has just commenced, my official relation to the Legislature and People will cease, nor shall I again be a candidate for the office to which I have been elected. I have been called into the service of the State at a period of much excitement, and when her character and conduct have been most unjustly assailed. I hope that I have never been insensible to her honor or interest, or wanting in confidence in her integrity and wisdom. My thanks are especially due to the People and Legislature, who have reposed such confidence in me hitherto, and I assure them, and all my fellow citizens, as well those who have expressed a preference for me as those who have not, that I shall part with my official relations to the State and the people with the most respectful and kind feelings to all, and shall never be found among the calumniators of her institutions, her laws, her legislators, or her people, of whatever party or sect.

I assure you that I shall join with you in all laudable attempts to promote the general welfare, and hope, through the blessing of the Almighty, such attempts will be crowned with success.

*Executive Chamber, Montpelier }
October 11, 1851. }*

CH. K. WILLIAMS.

Inaugural address
of

William H. Wills

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1941

Thursday, January 9, 1941.
Inaugural Address

Members of the General Assembly:

“Government is a trust, and the officers of the government are trustees and both the trust and the trustees are created for the benefit of the people.” These words, spoken by Henry Clay in 1829, have a fresh significance today.

I appreciate the honor conferred upon me by the State and I am fully aware of the responsibilities of the great office entrusted to me by the people of Vermont.

It makes me particularly happy to know there are in this Assembly so many with whom I have served, and those with whom I have worked so closely on the State’s business. Before us lies a great task, and together we shall meet it.

It will be my aim as Governor to offer only constructive criticism — to avoid merely tearing down when I cannot suggest a practicable improvement. Our joint efforts should be to keep pace with progress while still keeping faith with Vermont traditions.

In accordance with the provisions of the Constitution of the State of Vermont relative to the duties of the Chief Executive, appear before the General Assembly today to speak to you and through you to the people of our Commonwealth.

We meet at a critical hour; abroad free institutions by the score have been wrecked by ruthless tyrants so that few traces remain of governmental structures under which mankind possessed liberty of action, thought, and speech.

We in Vermont, in America, are deeply concerned; we are resolved that here we will be vigilant to guard and to defend the republican form of government and our way of life.

The decay of fallen republics overseas has been caused not alone by an over-zealous tyrant; it and the dry rot with which they have been afflicted first had their origin in a disillusioned unthinking, incompetent people.

The germs of the disease, which has proved fatal elsewhere, are present in our body politic; preventive measures must be taken.

The challenge which confronted those republics faces us today. We have the ability to surmount the difficulties, to retain our liberties, to safeguard our institutions.

The antidote lies in your hands, in those of the judiciary, in mine, in those of the freemen of the State of Vermont: namely, laws wisely conceived, intelligently interpreted, discreetly administered strictly enforced, and by all willingly obeyed.

We in Vermont, as elsewhere, must learn to recognize and render ineffective all attempts of subversive groups to undermine our governmental structure or shatter public morale by creating dissension and discord among us.

Mere lip-service to the letter of democracy, however, is not enough. There must be clear thinking and positive action. The task is not easy; it requires courage, self-reliance, and hard work. Yet, liberty is not for the weak; it is for the strong in spirit.

Today our country is engaged in a vast, far-reaching program of industrial mobilization and national rearmament. In it we all share, since the strength of our armed forces is determined by the productiveness of our civil population. We must play our part unstintingly, wholeheartedly, and with singleness of purpose.

I am confident that the country needs no reassurance that toward this end Vermont, and Vermonters generally, will contribute their all if necessary. They will cooperate to the fullest possible extent in order to preserve and conserve the priceless heritage which we have so long enjoyed.

SECTION I

I have several subjects pertaining to the vast program of our State to discuss with you. Passing reference may be made to State finances but the detail on this subject will be included in my budget recommendations to be made to you at a later date. The following matters, important to the welfare of our people, I do wish to call to your attention today.

OLD AGE ASSISTANCE

The problem of caring for the needy old aged has been searchingly discussed in previous legislative sessions.

In my budget recommendations there has been provided an increase of \$75,000 above the previous biennial appropriation. This provides \$600,000.00 for 1942 and \$600,000.00 for 1943, making a total of \$1,200,000 in State funds and the additional appropriation when matched by the Federal government will provide \$150,000.00 additional new money for old age assistance payments.

So, with State and Federal contributions, total expenditures under this program in Vermont during the biennial period will be approximately \$2,400,000 for assistance to the aged, burial expenses, and administration of the State law.

It is the hope that with an improvement in general business condition together with payment under other Federal Social Security programs, further increases in State appropriations will not be necessary.

UNEMPLOYMENT COMPENSATION

The complex nature of this law, and its necessarily involved administration, leads me to say briefly that I am sure the Commission will recommend such liberalization of its provisions as may be socially and economically sound.

PUBLIC WELFARE

State assistance to the needy and physically handicapped has become a grave fiscal problem. In one way or another, the State assists in supporting dependent mothers, dependent children, the blind and the crippled. These dependents deserve assistance and aid for them should be continued.

The proper administration of these services is of vital concern to us all. Recommendations respecting proper inter-relationships between the State and the municipalities will no doubt be contained in the report of the special commission authorized by the General Assembly of 1939. I recommend a careful study of this whole problem.

The evident trend toward integration of welfare administration to avoid duplication of services and controls seems to indicate that ever increasing responsibilities must be assumed by the State. With the increase in these responsibilities, it is incumbent upon you to apportion these benefits among all the people so that the greatest good is done for the greatest number; this must be done with a view to place the least possible burden, consistent with duty and our general welfare, upon the productive forces of the State. There are human values as well as financial aspects in all this work, both important.

EDUCATION

Rural Schools

Vermont's economic, social, even physical and moral future welfare is in the hands of our grade teachers — "As the twig is bent so the tree's inclined," and if Democracy is to continue, it must begin with the training of our young.

My predecessor, acting under authority granted him by statute, has recently established a salary schedule for all State employees providing for a minimum salary and promotion according to rating and ability. Obviously, our teachers, competently trained in our State Normal Schools and constantly attuned to progressive standards in education, to whom we entrust our children during the most important years of their lives, should have equal consideration.

Teachers' salaries are now fixed by the Towns, and it is my recommendation that future steps be taken, under our State Aid policy, in continued cooperation with the towns, toward a standardization of salaries.

Standardization of Schools

I recommend that the rural school improvement plan be continued.

Teacher Training

Allowance has been made in the regular budget for increased scholarships and additions to Normal School libraries.

Vocational Education

This is an expanding subject which deserves most careful thought. The National Defense program calls for occupational training, and there is a demand for increased instruction in trades and industries as well as in agriculture and home economics. I believe we must approach the ideal through a broader cooperative program, extending our school facilities to out-of-school youths and adults, and authorizing the training of teachers for vocational education.

High Schools

I recommend continued efforts in standardization and a broadened curriculum to meet the present day standards for college entrance and requirements for adjustments and employment after the completion of High School.

Temperance Education

In my opinion the laws requiring temperance education in the schools need to be implemented further.

HIGHWAY SAFETY

The problem of safety becomes more serious as the development of speed continues and winter driving increases. For the purpose of coordinating the safety activities of the many excellent organizations in our State which are promoting traffic safety and for the purpose of cooperating with enforcement agencies engaged in accident prevention, a properly organized State Safety Commission would be of great value.

It is my opinion that to accomplish the greatest safety results the educational program which has been worked out and is popularly known as the Vermont State Safety Commission should be enacted into law, thus superseding the Governor's Highway Safety Council which expires April 1, 1941.

As this is a highway problem, I believe the funds for the purpose should come from Motor Vehicle Revenue.

Highways and Bridges

The Bureau of Public Roads and the War Department have designated 845.2 miles on the Federal Aid System as strategic highways in Vermont. It may, therefore, become necessary that we spend all or part of the federal funds on these designated highways. This is in line with, defense regulations as to highway policy in the United States. This also will involve Federal Aid secondary funds which may of necessity be used for access roads in and around military areas; however, an effort is being made by the New England Governors to have the federal government provide independent funds for this work.

I wish to call to your attention a problem which will come before you for consideration — the Missisquoi Bridge at Swanton. From a careful study, it seems to me that the payments on the bonds can be met by the Bridge Commission if, during the coming biennial period, aid is rendered by the Highway Board in maintaining the approaches.

The cross-state highway between Newport and Richford has now been put on the Federal Aid System. That indicates that this important link of highway may be built within a reasonable length of time.

MOTOR VEHICLE REVENUE

The revenue from motor vehicle registrations, drivers licenses, and gasoline tax should continue to be used as in the past, solely for highway purposes and should not be diverted to other uses. It should be handled by each legislature, however; to lock this money up by Constitutional amendment in any way is, I believe, unwise and unsound.

AVIATION

Vermont now stands forty-seventh among the states in progress in aviation. Therefore, I recommend that this Legislature give consideration to the question of State policy respecting development of ports and fields, consideration of which is now left entirely to the financial ability and the initiative of the towns and cities. This program raises the question: If under present policy we can do our share in providing sites for fields needed for national defense and our own development?

STATE PLANNING BOARD

In addition to the research work regularly carried on by this agency, there is need that their work on interstate streams and their cooperative work with the Motor Vehicle Department and with local agencies on airports and airfields be continued. Further, there is much that the Planning Board can do to assist the work of the State Defense Council,

SECTION II

I find that on the whole our departments are manned by a conscientious, efficient and loyal group of people. However, new times and changing conditions demand new standards, so I want to discuss:

THE MERIT SYSTEM

The Legislature of 1939 authorized a Special Commission to study State employment conditions, positions and salaries with a view to establish a merit system for State employees.

At the present time, employees in those State Departments operated in part by federal funds are governed by a system conforming to federal requirements. It is my belief that a merit system in all departments of the State would be advantageous both to employees and to our State government. I urge you to give most careful consideration to legislation authorizing such a policy.

COMPTROLLER

I am deeply impressed with the responsibility of the Governor for the administration of an annual budget of more than eleven million dollars. And I appeal to you for legislative authority to establish an office to be known as the Office of the Comptroller to assist the Governor in the discharge of his responsibilities as chief executive officer of the State's extensive and involved business establishment. It is not my purpose, nor wish to disrupt the work of the Treasurer and Auditor but rather to correlate their duties with the duties of a comptroller who would be directly responsible to the Governor in carrying out the fiscal program voted by the Legislature.

Several states have reorganized their business procedure, during the past twenty years, in accordance with the plan I have in mind. The results in all cases, so far as I have been able to ascertain, have been satisfactory. Consequently, there is not only precedent for the plan of reorganization I should like to propose but also experience to which you may refer in working out the legislation needed.

INDUSTRIAL DEVELOPMENT

Since the depression began, ten years ago, much attention has been focused on the problem of unemployment. This has been nationwide. National defense is bound to remedy this in some localities, at least temporarily. Here in Vermont, however, we have a situation which has grown steadily worse over the past fifty years. An analysis of census figures makes us realize that we must face an unpleasant situation and find a remedy for it.

Between 1930 and 1940 Vermont lost population. This despite the influx of new residents and despite a favorable birth to death ratio. During these ten years nearly 30,000 Vermonters, or more than the population of

Burlington, left the state. Most of those leaving belonged to the so-called productive-age-group — twenty to forty-five years.

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.

Our towns have thus been losing population steadily. If this trend is allowed to continue we must face the necessity either of reorganizing our historic town-unit-system form of government or of increasing the burden on those who remain and denying to them many of the social gains that have thus far been made.

We are justly proud of the accomplishments that sons and daughters of Vermont have made in all walks of life — after they have left the state. But do we ever think what Vermont might be today if even a part of the energy and creative genius which left us could have found opportunity for development at home? Why have the young folks left? Chiefly because we failed to make room for them here and did not give them faith in our future. They felt that they could not find the means of earning a living and that there was no outlet for their abilities: jobs and opportunities were lacking.

While this migration of our young people has been going on — expansion of industry has offered the outstanding but neglected possibility for the needed extensive increase of employment opportunity and an expanded market for more of our agricultural products.

Prompted not only by a desire to see a betterment of industry, with a consequent increase in taxable sources and the enlarged opportunities that would be offered, but more particularly from a desire for the general betterment of Vermont, I suggest to you that at this session of the legislature the subject of the State's policy toward industrial development be given most careful consideration. There must be closer cooperation and better understanding between government and business.

I do not think of a program for industry whereby Vermont would be made a heavily industrialized area nor by which mammoth factories would be located here; either of these alternatives would be harmful rather than beneficial. As I see it the greatest benefit will come from locating small to medium size units here and there about the state while at the same time substantially preserving present natural conditions.

1. We cannot afford to foster sweat-shop industry, relying as it does either on sweating labor or exploiting the locality.

2. We cannot afford industries such as smelters, which in their operation destroy all vegetation in the surrounding area. Neither can we afford industries which destroy other natural resources or that make living intolerable in their vicinity.

3. We need and should have industries that can use not only an increasing amount of agricultural products and crops adaptable to our climate and soils but those other resources with which we are so richly endowed.

4. Most desirable in my opinion, are those industries whose products are worthy of the Vermont-quality label. Particularly, those industries which depend for success more on a supply of loyal, cooperative, non-transient labor so characteristic of that to be found in Vermont than on low material cost, low transportation or other low operating cost.

For such industries Vermont, with modern means of transportation, offers many outstanding advantages. Today, honesty and good-housekeeping in State and Municipal government as reflected by reasonable taxes, laws and law enforcement, is frequently more important to industrial success and harmony than is a location close to sources of materials or markets.

I believe an effort to increase our industrial establishments is wise and timely. I suggest that, to obtain the greatest benefit to the state, an industrial agent be authorized by you and an agency for this purpose be established; that this agency may be given at least three duties

1. To survey possible available properties and assist our existing industries to meet their problems.

2, To encourage and give assistance, other than in financing, to Vermont citizens in establishing new local enterprises.

3. To develop and carry on the effort to attract the right kind of industry to Vermont.

To carry out these duties effectively, this agency should be set up with a director of outstanding ability and he should be authorized to employ, temporarily, such technical consultants or advisors as may be necessary.

I feel strongly, for the reasons I have outlined, that you should enact necessary legislation to put this plan, or a better one, into operation.

SECTION III

In addition to legislation necessary to implement any or all of these changes in organization, there are certain others I suggest for your deliberation, namely:

CONSTITUTIONAL AMENDMENT

I direct your attention to the fact that, following the procedure laid down in the Constitution, proposals to amend that document may be offered during this session.

In your deliberations, it should not be overlooked that once an amendment is made to the Constitution over twelve years must elapse before it can be modified or repealed.

Therefore, I suggest that unusual care be taken in initiating any amendment to the Constitution and that consideration be given only to those designed for the lasting good of our State.

STATE REPORTS

The people, under our democratic process, are the owners or stockholders of the governmental establishment. There seems to be no good reason therefore, why State Department Reports should not be as understandable in their presentation as are newspapers, magazines and scientific journals.

ENABLING LEGISLATION

Power Plants

For many sessions, the General Assembly has had presented to it for enactment special bills, to enable individual municipalities to construct and operate local electric power plants. These measures have consumed the valuable time of the entire body when it would seem that such time might more profitably have been given to problems involving the state, as a whole. I, therefore, recommend to you that a general enabling act be passed that will dispose of the matter on a state-wide basis, enabling any local geographical unit or political subdivision of our State to construct and operate such a utility, provided the standards of the state-wide enabling act be met by protecting cities or towns, the taxpayer and the private concern.

Should this recommendation meet with your approval, such an act should of course be so drafted that it will be fair to the unit fostering the development, the individual members of that unit, privately established public utilities, and to the state as a whole

SESQUI-CENTENNIAL

In 1791 Vermont became the first state after the original thirteen colonies to be admitted to statehood. It is this year that we celebrate the one hundred fiftieth anniversary of that memorable event.

The Commission appointed to make plans and preparations for the recognition and celebration of that event will shortly place in your hands their report. I ask your cooperation in considering and carrying out the suggestions therein made.

SABOTAGE

Maintenance of our internal security is a joint responsibility. The times demand wholehearted cooperation between Federal and State law-enforcement agencies. In this national emergency I am convinced that our sabotage statutes are inadequate, and recommend a careful study and revision where necessary.

FEDERAL AID

Local and State government is increasingly dependent upon federal aid to meet many of their responsibilities increasing reliance is placed in federal subsidy. I wish to offer one word of caution: the huge amount of such aid now being granted cannot continue indefinitely. There may come a day when it will be unavailable. We must in the meantime, in looking to such a day, strive to make ourselves as strong and self-reliant as possible.

TRADE BARRIERS

Should it develop that legislation is introduced that may tend to interfere with free intercourse of trade between our state and the sister states, I ask you to weigh carefully the desirability of such legislation lest we unwittingly increase trade barriers between the states and thereby increase the demand for more federal regulation of interstate transactions.

SECTION IV

Now I come to the life blood of our vitality, the sources of our state's income and the health of the economic basis from which that income is derived.

AGRICULTURE

Agriculture is one of the most important industries in our state. Cash farm income in Vermont, not including income from, tourists and work off the farm during the past year was about \$43,000,000.00. This income was distributed to the many farm families in every town. It then was used by these families in purchasing the goods and services which they need, from "the butcher, the baker, the candlestick maker." Thus, it is that we are all vitally interested in that farm income and it is just good business judgment for us to concern ourselves with the problems involved in this, our great and fundamental industry.

About 75 percent of our farm income is derived from our dairies. In this enterprise we are in competition with other areas and we need efficient production and effective marketing if we are to continue to compete successfully.

Bang's Disease

One of the great problems in efficient production is the control of devastating dairy diseases. Bang's disease, affecting as it does both public health and, the farmer's welfare, is a great menace. Its control is correspondingly important. The Legislature of 1935 provided for State control by the test and slaughter method; additional measures authorizing control by other methods were enacted in 1939. The United States Bureau of Animal Industry has recently conducted a nationwide experiment in preventive control by calfhood vaccination which renders young animals immune to this disease. If control by this method is as effective as is predicted, it will be of immeasurable value to both farmers and taxpayers by eliminating the slaughter of so many valuable animals and payment of huge sums for indemnity. The Department of Agriculture has been studying the various methods of control and is prepared to submit amendments to the present laws. It is recommended that this important matter be given careful consideration by the legislature.

Herd Improvement

It is gratifying to note the increased development of dairy herd improvement projects. This indicates a growing interest and alertness on the part of our farmers, which bids well for future economy in production and consequent improvement in earnings on the farm,

Insofar as possible, measures should be taken to improve the quality of our pastures and to increase and improve the quality of the winter feeds which we produce.

Milk Marketing

We have heard less of milk marketing problems during the past year or so. Apparently, the activities of our milk control board and the Federal marketing orders have given general satisfaction and helped to stabilize the

situation. I hope farmers may not be led to lean too heavily on these “props” but that they will continue to a greater and greater extent to set up their own controls and to solve their own problems.

There is one great inefficiency in the handling of milk after it leaves the farm, namely, duplication of plants and collection service in gathering, milk throughout the territory. An authority on this subject declares that it occasions the waste of more than \$2,000,000.00 annually. This offers a very fertile field for study and activity on the part of the cooperative associations in seeking to eliminate as much of that waste and loss as is practical and possible.

There have been two exhaustive studies made of the milk problem in Vermont by committees authorized by the legislature. I believe that the State-supported agricultural institutions should take a positive action either by demonstrating specifically how the suggestions made can be followed by the individual farmer or by recommending alternatives having the same ultimate objective in view.

Diversity in Agriculture

But, dairying is not all; we have many other agricultural enterprises. Poultry production is growing in importance. Our farm forest products, maple sugar and syrup, lumber, pulp wood and cord wood, altogether comprise a considerable part of Vermont farm income but not so much as they might under good management. Other enterprises are: potatoes, apples, small fruit and vegetables, honey and many others — and we should be constantly seeking additional ones. It is usually unwise to have all our eggs in one basket and we will be wise to be seeking new crops and other products we can produce.

Industrial Agricultural Products Commission

The Industrial Agricultural Products Commission has been most effective in its program for a more profitable diversified agriculture and utilization of our land. In their help is offered a partial solution of another situation with which Vermont has long been confronted, the loss to our state of its younger people. Youth demands opportunity: it exist on our own farms here in Vermont it has been made attractive in many individual instances; it can and must be made so generally.

Rural Electrification

As a means of solving this problem, continued rural electrification should be encouraged. The Grange, the Farm Bureau, the Extension Service, the Public Service Commission, and private utility companies under the coordinating influence of an energetic Rural Electrification Board should exert every effort to bring the benefits of electrical service to all by a continuing increase in this field in which so fine a start has already been made. Let's stimulate these efforts to a finish.

Cooperatives

Cooperative organizations are commanding greater interest in all parts of the nation, not only in agricultural pursuits but among consumers as well. Vermont has reason to be proud of the development of its cooperative creamery associations. Their growth in the past twenty years has been substantial. They appear to have been built on a foundation that is enduring. Their growth is testimony to the fact that they have fulfilled a mission needed by their membership. They appear ever-willing to push forward by seeking legitimate aid for the farmers through practical and workable marketing order. It is my opinion that the future for Vermont farmers is made brighter through the activity of these associations and particularly by reason of their growing tendency to work in closer harmony as a group.

Future for Agriculture

In order to hold a truly competitive position with other sections of the country, we must gird ourselves for activity of a constructive character which may call for the abandonment of some of our prejudices of years past and force us to look forward with a determination and courage that will lead to the improvement of our average farm incomes. The Vermont farmer still has advantages not found anywhere else in the country. His are not the problems of the dust bowls, artificial irrigation and such. Nature has endowed Vermont with an abundant supply of water, with fertile lands for cultivation, with rich pastures and woodlots. Geographically, too, he has the

advantage in its nearness to markets. The farmer, as well as every one else, must make adjustments to meet the contingencies of the times, but the essential benefits in our Vermont country life can not be evaluated in dollars and cents. By discounting the future on our farms, we fail to keep pace with the times or to keep faith with youth.

INDUSTRIAL RELATIONS

The wise action of previous legislatures in treating and maintaining a Department of Industrial Relations is unquestioned. It is to this agency of our State government labor and industry look for counsel; here they meet, here they learn their respective rights under existing law. Such a vital activity of our State government, important to both labor and industry, should be encouraged and implemented.

The problems of labor deserve your earnest consideration I ask that in the consideration of labor legislation, you seriously weigh the representations of that group. Our aim must be to preserve our state as a healthy community of satisfied citizens, working together in the Vermont tradition of unity. I am sure that you are conscious of this, and I know you will have that always in mind.

You and I realize that if we have a prosperous state, there must be unity among agriculture, labor, industry and business. The success of each is dependent on the success of the others. We do not believe that we can strengthen the weak by weakening the strong. Neither do we believe that we can further the brotherhood of man by pitting class against class.

RECREATION

I am impressed to find that our recreation business yields about \$28,000,000.00 annually. In her natural resources Vermont today possesses unique and often unappreciated assets of invaluable importance to her spiritual and economic welfare.

Our soil, valleys, mountains, forests, water resources and wild life must not merely be taken for granted. Fortunate are we that they are here for our use, enjoyment, and financial benefit, but in using them we are not sole owners with a right to exhaust or to destroy. Instead we are trustees privileged to enjoy and use them while we operate the state. We must ever be careful lest we destroy the benefits which by right should belong to the Vermonters of the future.

TAXATION

We all must realize that government cannot operate without funds and that only through the taxing process can these funds be raised; it is from the purse of each of us that this money comes. The smaller amount we pay in direct or indirect taxes, the more dollars will remain for us to spend as we wish. The power to tax is the power to destroy. I feel sure that in your hands this power will be prudently used and that you will continue to respect Vermont's traditional pay-as-you-go policy. We in Vermont do not believe that we can bring about prosperity by discouraging thrift. Neither do we believe that we can keep out of trouble by spending more than our income. In the true Vermont fashion, let us cut our pattern to fit our cloth.

AMUSEMENT MACHINES

The Legislature of 1937 legalized mechanical devices known as amusement machines by licensing their use. The use of these machines has been the cause of much grief and I now urge the repeal of this law. I appreciate fully that this would mean some loss of revenue to the State, but I do feel that the income lost is insufficient to offset the moral damage under this license.

STATE OFFICE BUILDING

I wish to call to your attention today a serious condition which exists in the business operation of our government. I hope for favorable action by this legislature on the suggestion that I now advance for your consideration.

We are in dire need of an adequate office building. We suffer from a lack of the facilities that it would afford.

The first and most important improvement to result from its construction would, be the establishment of proper safeguards to life and property under existing circumstances.

I am informed that the old National Life building now occupied by the State, is in a dangerous structural condition owing overloading; the boilers in the Library building constitute a serious fire and explosion hazard. The lives of the many employees and the property of the State in these two buildings are constantly endangered. The Attorney General has informed the Sergeant-at-Arms that the responsibility for the safety of the lives of those persons and the property of, the State rests with the Governor. I herewith and now, hand that grave responsibility to you. I am informed by competent authority that no high pressure boiler should be placed under such a valuable building containing property which can never be replaced.

Safeguards to life and property, although they are serious problems, are not, however; the only considerations involved, The financial loss, through inefficiency in operation and impediments to cooperative action between various departments scattered throughout the city of Montpelier cannot readily be appraised in dollars and cents; but a careful study of the unfortunate condition indicates that it is considerable.

There is now being paid out in rents nearly nine thousand dollars annually for State occupied quarters. This amount will increase as leases expire and operations further expand.

The State Governments business has increased during the past few years far beyond our expectations. No new building to remedy this additional crowded condition has been undertaken since 1919.

Most of our buildings and nearly all of the rented quarters are not fireproof structures. Irreplaceable damage and great financial loss would result were our records, documents, surveys and summaries of experiments so vital to our everyday operations destroyed by fire.

We are at the cross-roads on this subject. It will probably be many years before we can build so advantageously and at so low a cost. I trust that positive action will no longer be delayed on this extremely important matter.

A building of suitable design and construction to conform to the State House and Annex, with provision for future development and needs, which would give the State adequate office, and storage facilities, I am advised by competent authority, would cost approximately six hundred thousand dollars, for which we have sufficient cash in the General Fund. The steady improvement in business has provided substantially more General Fund revenues through taxation, licenses and fees than the amounts used in budget estimates. By June 30, 1940, the Treasurer had accumulated a free cash balance in the General Fund of \$1,080,214.20. Since then, collections have continued to exceed budget forecasts. Consequently, it is reasonable to expect that the State will again close its books next June with a free cash balance of something more than a million dollars, after carrying out the financial program authorized by the Legislature of 1939.

SOLDIERS' BONUS

The balance of surplus cash, in my opinion, should be set aside as a reserve against the State's obligation for a soldiers' bonus that may accrue if and when the National Guard is inducted into the Federal Service. Section 8057 of the Public Laws provides that, "Enlisted men of the militia, National Guard, and volunteers in the service of the United States shall be paid by the State the sum of ten dollars each per month in addition to the pay which they shall receive from the Federal government provided that the period for which such state pay shall be allowed shall not exceed one year." It is estimated that this extra pay for our soldiers would approximate three hundred thousand dollars, for which there is no provision in the budget.

Moreover the Legislature should also consider the establishment of a Home Guard to substitute for the National Guard while the latter is in federal service. I am advised that adequate equipment for the purpose would cost \$25,000 and I suggest that the expenditure also be financed with surplus cash.

CASH SURPLUS

Before leaving the problem of financing the new office building proposed and the prospective soldiers' bonus, I should like to remind you that the accumulation of cash surplus is unusual, and for that reason should

not, be used for recurring items or depleting revenue for the future. This surplus accumulated because General Fund Revenue collections through an unexpected improvement in business exceeded reasonable estimates with which our biennial budget was concerned. Therefore, I sincerely hope that this Legislature in its financial deliberations will at all times consider that the revenue estimates to be submitted in my executive budget are the maximum amounts which we can reasonably expect during the coming biennial period, as all of the revenue estimates have been raised to new heights — conservative but not elastic.

SECTION V

My message to you would be incomplete if I neglected to call to your attention a fundamental weakness and a trend, which, in my opinion, have much to do with our uneasiness and spirit of unrest. We have great meetings and discussions on economic subjects, but the citizens of Vermont are not giving adequate attention to the spiritual needs of the individual and of the State as a whole; We comment about the break-down of morals both within the State and the Nation but fail to recognize the fact that it may be due, and in my opinion is due in large measure, to the spiritual indifference of citizens. We comment frequently on the prosperity of a bygone age but seldom in our passing comments do we connect the two thoughts that the people of yesterday were pious and devout in the matter of their religious beliefs and practices. We as individuals would do well within our respective communities to join with others in serious study, analysis and action, toward reviving interest and stimulating activity in the realm of our spiritual needs. If America is to be saved, each individual must first put his own house in order. The Ten Commandments cannot be improved upon, nor can the Sermon on the Mount be surpassed as a guide for ethical conduct.

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. Myric,
Secretary of State, Clerk.

Inaugural address
of

William H. Wills

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1943

Thursday, January 7, 1943

Inaugural Message

Members of the General Assembly:

My message to you today, and through you to the people of Vermont, serves a dual purpose: it contains a report of my stewardship during the past two years, and an outline for the future containing suggestions for your consideration.

Our meeting here today is historic. This general assembly which has convened is one of the few "war legislatures" in the history of our State. We meet with our Country at war and with the world aflame. But of even greater significance is the very fact of our meeting in this democratic way so that the voice of the people may be heard, through their elected representatives, telling how they wish to be governed.

Two years ago I addressed a General Assembly during times of peace for our Country. We met in the hope that war would not involve us; we met with the fear that it would. All doubt however was removed from our minds thirteen months ago at the time of the treacherous attack by the Japanese. A call to arms was sounded to us all. Since that time every effort has been towards the achievement of ultimate victory.

It now becomes the duty of you as the legislators for the people of the State of Vermont to provide the machinery necessary for the readjustment that we must make, whereby the functions of our State government can be geared to the new demands set upon it, both on the fighting and the home fronts. It will become my duty to see that the laws you enact are faithfully executed.

The fundamental principle of promoting the common good should be the foundation upon which the relation between us in the executive department and you in the law making branch of government is based.

This is the testing time for representative government. To succeed, we must have faith in one another, we must respect each other's view, and, finally, be guided by our common interests in a common cause. The worth of a State is the worth of the individuals comprising it.

So, lest our own rights be lost, we must have a determination renewed and strengthened to govern ourselves so well that we shall never be ruled by a tyrant or a despot.

We are engaged in total war against our enemies. Total war means that states as well as individuals must temporarily relinquish to the Federal government rights to which they have been accustomed, and to which under our republican system of government, they are the rightful possessors.

These relinquishments are and must be temporary. With victory, they must be returned unimpaired to the individuals and to the states.

In the final analysis, it is for the conservation of these very things which constitute our free society that we fight today. That for which we fight must not be destroyed in the struggle for its preservation.

Many of you, I know, are here attending this session at considerable personal sacrifice. You are needed at home. You are needed in your business and on your farms. One of the most critical shortages existing in our Country today is that of man power. I believe I reflect the temper of the people when I tell you that, in view of these considerations, they expect that this General Assembly will devote its entire time to essential matters and will leave those of lesser importance until such time as we are not engaged in a war for our very existence.

In line with the foregoing and to help expedite the work of the session, I shall lay before you the tenth biennial budget together with my budget message early next week.

I turn, now, to those elements of your State government primarily concerned with the war and our defense.

Vermont Council of Safety

Long before December 7, 1941, the day that Japan attacked our country, Vermont had set up a civilian defense organization which was functioning and in readiness to take over all the State's civilian protection activities.

Due to this foresighted policy no time was lost on that score.

Since then every branch of civilian defense which the federal, military and civilian authorities have devised for the protection of the civilian population has been perfected and put into operation by your State government through the Vermont Council of Safety.

Tribute is due to all those who have participated in this program. I want you to know, and I want the people of Vermont to know, that in my humble opinion no group of men and women, all over the State, has ever endeavored to serve the State with greater interest, efficiency, self-sacrifice, and fidelity, than the workers under the Vermont Council of Safety.

It has been and is a most difficult task of organization and education. Without fanfare and without waste of public funds, there has been put into execution a program which, I believe, can be compared with any in operation in our sister states and the one in Vermont will not be found wanting.

To those who say or to those who think that the Civilian Defense activities are "much ado about nothing" I say, nothing could more delight the enemy we fight than such an attitude. Our work is not done. It is the measured opinion of military analysts that as the situation becomes acute for the Axis powers the danger of air attack on the continental United States increases rather than decreases. The reasons for such an air attacks are numerous, but the most important one right now seems to be that it would mean everything for morale building purposes for the German people in their time of need. The unexpected is the realm in which the enemy operates. Let us be ever vigilant.

State Guard

As you all know, the last session of the legislature authorized me to organize and maintain such military forces as I might deem necessary to defend the State during the absence of the National Guard which had been inducted into the Federal service.

The sum of \$35,000 was appropriated to purchase uniforms and equipment for the military organization to be formed. The first regiment of the State, the Vermont State Guard, consisting of 12 companies, was completely organized on May 28, 1941. Clothing, uniforms and equipment were purchased by the State. A quantity of arms was furnished by the Federal Government

Since the organization of the first regiment, 18 additional companies, originally organized as Home Defense and Reserve Companies, have been brought into the Vermont State Guard proper, making 30 companies in all. By virtue of an allocation of funds the Emergency Board, these 18 companies were clothed in cotton uniforms and were otherwise equipped by the State, and they are now in the process of being provided with proper winter clothing by the Federal Government.

On December 10, 1941, certain units of the State Guard were called out for duty at the demand of the Commanding General of the First Service Command in Boston. Guards performed their duties for a period of 10 days and one company remained on duty for a month. During the period of active duty there were no serious accidents nor cases of illness.

The total strength of the State Guard is now 113 officers and 1,409 enlisted men. Here, again, can be found men giving freely of their time for the common good. The members of the State Guard are giving up anywhere from 1 to 3 nights a week for training. Most of the officers and many of the non-commissioned officers have given up a week of their vacation period to attend the Tactical School of the First Service Command in Massachusetts, where they received proper and modern training in present day methods of defense.

I wish to commend the officers and men of the State Guard for the efficient manner in which they have performed their duties, for the high spirit they have shown in training, and for their readiness to meet emergencies as they have arisen.

Vermonters may well be proud of their State Guard, and the communities in which these companies are located should give them all encouragement and aid possible.

Emergency Powers

War conditions and problems of state in war time have caused intricate questions of state and federal cooperation to arise. It is fortunate that in most if not all instances we of Vermont have been able to comply with these requests when made although many times it has been almost impossible to do so. Vermont is one of the few states which have not had either a special or regular session of the legislature since the declaration of war. Consequently there have not been granted to its governor emergency powers to carry out these activities.

Were it not for the spirit of voluntary cooperation which has constantly grown in the cities and towns of Vermont as each day brought us greater realization of our danger, and brought continually increasing emergency requests for cooperative action on the part of the State and departments, it would have been necessary to call for many special sessions to ask for specific legislative authority to cope with these problems as they have arisen. Even so, there have been instances where we have been unable fully and completely to meet the requests made of us.

It now appears that as the war continues and as extraordinary demands are made upon the State for affirmative action in fields involving the common defense, compliance with the demands within the framework of our statutes will be totally inadequate since existing law could prevent and forbid such requested action.

I recommend that this legislature clothe the chief executive, therefore, with emergency powers; such powers, incidentally, as have been conferred upon the chief executives of many of our sister states and which have permitted them immediately to meet extraordinary situations as they have arisen.

A bill has been prepared, of which copies have been, sent you, to accomplish this end Vermont both in relation to the governor's authority and that of the Council of Safety. In suggesting its enactment I realize fully that only the bitter fact of war could justify any governor in asking for such authority. I promise you that I shall administer it with the degree of conservatism commensurate with the great trust which the power imposes, and to relinquish such emergency powers the moment victory is achieved.

You will note that the bill makes no provision for an appropriation, Application would made to the Emergency Board, your agency, should occasion arise requiring finds with which meet an existing situation, Thus the legislative body's "power of the purse" is in no wise infringed.

Highways

Our highway program and aid to the towns for highway work in Vermont is financed almost entirely by use of funds made available from license and registration fees and the revenue derived from the State gasoline tax.

In December, 1941, it became apparent to me that there probably would be a reduction in these revenues on account of the changes brought about by the war effort, which would result in a deficit in the highway funds at the end of the fiscal year ending June 30, 1943, if all the appropriations for highways were expended. Therefore, I asked the State Highway Board in December, 1941, not to let any more construction contracts on its highway program. That request was complied with.

In April of 1942 it appeared quite certain that highway revenues would be further reduced, and on the 13th of that month I addressed a communication to all highway officials and other interested parties, through the public press, concerning the effect of various war demands upon the Vermont highway program. I asked the towns voluntarily to withhold applications for highway funds until after July first, at which time more reliable information was expected to be available.

I asked the Motor Vehicle Department to prepare and submit to me as soon as possible after July first a statement of estimated revenues of the fiscal year ending June 30, 1943. I also asked the Highway Department for a statement showing expenditures to cover commitments and appropriations to be made out of highway funds for that year.

A careful study was made by the Motor Vehicle Department in an endeavor to arrive at a reasonable estimate of funds which would be collected by that Department and which would be available for highway purposes. Their study indicated an estimated revenue of some \$3,000,000 for the fiscal year ending June 30, 1943, as compared with \$5,568,229 which was the sum realized for the fiscal year ending June 30, 1942. These estimates clearly indicated that if no action were taken we would end the year with a deficit of around two million dollars.

Believing that all highways should be maintained, if possible, through this emergency as they are essential to the war effort and our civilian economy, I asked the Highway Board to obtain a revised estimate of revenue for the fiscal year ending June 30 1943. Their estimate showed that the expected revenue together with the \$600,000 unexpended funds — due to the suspension of the State Highway construction program — would provide sufficient funds to carry on the essential highway maintenance, provided all construction work by the State and towns were discontinued.

Not wishing to have to bring to you at this time a statement showing an anticipated deficit of nearly two million dollars in highway finances in this fiscal year, and believing that it was possible for the State to proceed with a reduced program on a pay-as-you-go basis, I placed this information before the Board of Allotment. With this information this Board (authorized by Section 3 of the Acts of 1939) allocated funds for maintenance from appropriations made by the 1941 Legislature in the sum of \$2,245,000 covering maintenance as follows:

State Aid Bridges	\$ 50,000.00
Forest and Park Roads	5,000.00
Maintenance of State Aid Roads.....	450,000.00
Maintenance of State Roads and Bridges (plus assessments from towns under section 4702 P. L. as amended)	1,100,000.00
Supervision, Engineering and Office Expenses.....	140,000.00
Town Highways	500,000.00

This total allocation is approximately \$2,000,000 less than appropriations.

On July 15th I addressed a letter to all town selectmen, municipal officials and members of the 1941 Legislature and asked for their cooperation in a reduced highway program. The response to this communication was most gratifying, the sentiment being that the State should not go into debt in order to carry on highway construction on the state system or in the towns. The State Highway Department has cooperated by making all possible savings, and the number of employees has been reduced by 97 persons.

I recommend that the Appropriation Act for the fiscal year ending June 30, 1943, be amended by this Legislature in accordance with the amounts allotted by the Board of Allotment so that there will be no deficit in the Highway fund June 30, 1943.

The details of the highway program including estimated revenue and suggested appropriations for 1944 and 1945 will come to you in the budget and explanations in the budget message.

University of Vermont and State Agricultural College

At the last regular Legislative Session an act was passed directing me to make a complete investigation of the affairs of the University of Vermont and State Agricultural College and to report to the next session. This investigation was carried on with all possible expedition. My investigation was completed and on June 9th, 1941, the reports of the experts were released to the Press for the information of the people generally. Thereupon I appointed a Public Advisory Committee which proceeded to consider the University situation and make plans for its financial rehabilitation. In accordance with the recommendations of this Committee, I called a Special Legislative Session and in September, 1941 presented to it the plan recommended by that Committee. The plan finally adopted in the Special Session, No. 3 of the Acts of that Session, provided for financial assistance to the University \$520,000. Of this amount, \$260,000 was appropriated for immediate payment and an additional \$260,000 was conditionally appropriated for payment after July 1, 1942, to match gifts to be made in an equal amount by alumni and friends of the University. The entire appropriation of the State was further conditioned upon an agreement by the University to use none of the money so appropriated except for payment

of operating expenses above operating income and \$68,880 required under the Legislative Act of the Special Session to be used for the payment of interest, annuity payments on contracts outstanding September 16, 1941, and pro rata payment of principal of notes outstanding September 16, 1941, or renewals of such notes.

The initial payment under this legislation, \$260,000, was made to the University on September 22, 1941. The alumni and friends of the University, as evidenced by certification delivered to the State Auditor and which, he assures me, has his approval, have contributed an amount in excess of \$260,000 to June 30, 1942. This contribution was made in form to satisfy the State Auditor for all the requirements and conditions of the legislative appropriations as it concerns the second \$260,000.

Since the Special Session and under the present management, the operating budget of the University and State Agricultural College in the current year has been reduced between \$100,000 and \$125,000 below the general budget of 1940-41. It now appears that the University will have an excess of income from all sources over expenses of approximately \$100,000 at the end of the year June 30, 1943. Thus only \$160,000 of the current appropriation of \$260,000 voted at the Special Session will be used and \$100,000 will be saved for use by the University in the coming biennium.

The present favorable situation has resulted in part from the following important factors:

1. The reductions in staff made possible by enlistment, Selective Service and employment in war industry.
2. The consolidation of administrative positions.
3. A better than expected retention of students.
4. Income for services to units in connection with the war effort.
5. No unusual cause for repairs.
6. Rigid control of all expenditures.

For the coming biennium, it is expected that the discrepancy between income and expenses will be \$150,000 each year as follows:

1. College of Agriculture	approx.	\$10,500	loss per pupil.....	\$160.00
2. College of Arts and Education.....	approx.	59.500	loss per pupil.....	77.00
3. College of Engineering	approx.	7,500	loss per pupil.....	53.00
4. College of Medicine	approx.	72.500	loss per pupil.....	133.00

\$150,000				

Therefore, it is expected that the University of Vermont and State Agricultural College will request an appropriation of \$50,000 for 1944 (which, in addition to the \$100,000 referred to above, will make available for that fiscal year a total of \$150,000) and an appropriation of \$150,000 for 1945 or \$200,000 for this biennium and I recommend the appropriation of this amount to be expended subject to the conditions set forth in section 3 of No. 3 of the acts, Special Session of 1941, approved September 16, 1941.

This, of course, is in addition to the regular appropriations, which have been made for many years, for special services. These latter appropriations are provided for in the regular budget.

Details of the operation of the institution for the current year will be furnished you, together with the auditor's report as required by law.

As regards the organization, Dr. John S. Millis has filled the office of President since his election in November 1, 1941. He took the helm at a most critical period and at a time when grave doubts existed as to whether or not the alumni had the ability or even the courage and faith to rally to the assistance of the University with financial support sufficient to make operative the plan of rehabilitation. All those who have followed closely the affairs of the University appreciate that he is rebuilding the institution on firmer, more enduring and also more efficient lines.

The progress made in rehabilitating this age old institution for youth is the direct result of the untiring efforts of the President, the Trustees, the Administrative and teaching staff and of the loyal support of the alumni body and the people of the state through their legislative representatives.

Agriculture

In normal times agriculture is the foundation of the State's economic welfare. Under present wartime emergency conditions, when production of food must be maintained at all hazards, its importance in the general war effort cannot be over estimated. Our armed forces, our industrial workers, our military allies overseas, and the civilian population at home all must be provided with a generous supply of nourishing food. Ultimate victory depends just as much upon this factor as upon the production of armament. To this end every encouragement should be given, and every possible effort should be made to facilitate, food production and to remove the handicaps which have hampered our farmers during the past year.

Vermont agriculture must maintain and if possible increase its production of fluid milk and other dairy products. Owing to increased cost of operation brought on by the acute shortage and high prices of farm labor too many farmers have already been forced out of business; too many dairy animals have already been sold for slaughter. Farmers have found it impossible to produce milk under wartime conditions and sell it at peacetime prices. Agriculture cannot be expected to carry on in this inequitable manner. It is my intent to continue those efforts designed to arrest the decrease in milk production now taking place, and properly to compensate Vermont dairymen for their long hours of arduous labor.

The threatened acute shortage of meat, moreover, adds a new incentive for encouragement of the poultry and egg producing industry. It is obvious, too, that the production of such food crops as potatoes and apples takes on enhanced importance under present conditions. Measures to protect and improve such crops and toward better grading and handling in the process of marketing them thus becomes increasingly important.

Bang's Disease

The present law relative to Bang's disease appears to be functioning satisfactorily. It is based on control of this disease by test and calf vaccination and there is now little doubt that this method provides the most efficient means of control known to veterinary science. Reacting cattle may be retained upon the farm and are gradually replaced by young cattle rendered immune to infection. The program is practicable because production of milk and breeding programs are not interrupted; it is economical because only nominal sums are required for indemnities. The ultimate expense to be borne by the State will be relatively insignificant compared with the huge appropriations expended for indemnities in the program for the eradication of bovine tuberculosis. Dairy being Vermont's leading agricultural pursuit, it seems logical that this program is deserving of appropriations sufficient to supply the demand from cattle owners and at the same time to prosecute the work to successful completion.

Budget figures will show a recommended increase under this heading.

Farm Labor

As farmers enter a new year they are being asked by their Federal Government to produce probably about two percent more milk, and fifteen to twenty percent more poultry products than a year ago. To do this job and do it well, Vermont farmers must have the necessary labor that is needed for such a job.

They need two kinds of labor. First, regular year-round labor, and secondly, seasonal labor. Recent action by the War Manpower Commission and the Selective Service System, whereby essential workers will be kept on farms and in some cases new year-round workers will be made available for farmers, will be of great help meeting the regular farm worker's problem. However, we should always be on the alert for new sources of such help.

As to seasonal farm workers, methods must be devised whereby we can assure Vermont farmers of a supply of such help to assist them in sugaring, spring's work, haying, silo filling, apple picking and other seasonal jobs, or production will be pretty apt to fall below the demands that are being placed on Vermont farmers.

It seems to me that farmers of Vermont are now being asked to do more with less. They are being asked to produce the most products they have ever produced, with probably the smallest force of farm workers, the smallest amount of materials, and the smallest amount of services they have ever had.

I have felt and now feel that the State of Vermont should take an active part in helping farmers in this endeavor, especially in helping them to secure as much labor as possible.

You are undoubtedly familiar with the work of the special Farm Labor Committee named by me during the summer just past. This committee was created to study and to point the way whereby necessary farm help could be secured for Vermont farmers, and to coordinate the many diverse attempts being made to meet this problem.

The Committee, after thorough study, has recently proposed a plan for getting such seasonal workers onto farms. This plan calls for the use of Vermont high school students and Volunteer Land Corps boys and girls. This type of help will not be as good as the workers that have been available for such work in the past. However, these workers are now employed in full-time jobs in war industries or they are in the armed forces. Some substitute will have to be used for them and Vermont and Eastern city youth seemed like the best to the committee.

This Governor's Farm Labor Committee stated in their report, a copy of which will be placed on your desks, that \$25,000 would be needed yearly in 1943 and 1944 to carry out such a program. I recommend that this amount be made available for this purpose.

Industry

Vermont industry has been called upon and has responded by playing a vital part in our Country's war effort. The industrial production volume for 1942 alone is estimated substantially to exceed Two Hundred Million dollars.

It was to increase Vermont's potential industrial capacity that I recommended that the last Legislature establish the office of Industrial Agent. Such an office was set up by them and the agent's report to the General Assembly outlines the effective work which has been accomplished as a result. You will note that during the ten months of actual operation eighteen new industries were established in the state. These, on November first, employed 1,311 persons with an estimated annual payroll of \$1,503,093.

While it is difficult to figure the dollar volume of war and civilian business procured for Vermont through work started by the Industrial Agent or through contacts and help that office furnished, we know it will amount to several millions of dollars.

It was only after long consideration that I took the step of suspending active operation of the Industrial Agent's office and released the Agent to War Production Board to head its Vermont office. However, it was so important that all industrial efforts be consolidated during the war crisis that I decided last January it was the best thing to do. Through cooperative action by the WPB and the executive office, the State's industrial interests have been well taken care of in the past year.

It appears inevitable that the era after the war will bring even greater industrial problems than now exist. We must be prepared to meet these problems. One way to do this is to appropriate necessary funds so that the active work of the Industrial Agent's office may be resumed whenever it is determined necessary. This I recommend that you do. The budget has been so arranged.

Labor and Unemployment Compensation

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.

I can report to you that both have been particularly cooperative when I have had occasion to intervene in the few differences of opinion that have existed. Again I say, we are, indeed, fortunate.

Today in Vermont both labor and management are striving toward one common objective— winning the war. This is as it should be.

The Department of Industrial Relations and the Unemployment Compensation Commission are state departments having much to do with the problems of the laboring man in Vermont. They have maintained friendly relationships with both employers and workers and have received fine cooperation from both groups.

The unemployment trust fund, a reserve made from prescribed payments by the employers, presently is in excess of \$6,000,000; it will undoubtedly exceed \$7,000,000 before the end of 1943. As you are aware, this fund is in the nature of "wage insurance." It is inevitable that the post war period will see an upheaval in employment, and this will mean a tremendous withdrawal from the fund; it is conceivable that even, the relatively large amount now on hand could be halved in one year of severe business depression.

These are not ordinary times, I repeat, and we must proceed with deliberation. However, I believe that some liberalization of benefit payments is advisable.

The Compensation commission informs me that providing the present level of benefits is maintained it would be feasible to lengthen the duration of payments without impairing the solvency of the fund. I recommend that this be done.

State Aid for Education

The State Board of Education deserves the appreciation of the people of the State of Vermont for the wartime adjustments in education being carried out by the Department of Education and the local schools. Vermont has been among those states which immediately put into operation an aggressive; farsighted wartime program in education without sacrificing the generally accepted practices in this.

Our schools have performed an impressive variety of wartime services, which include adoption of an accelerated normal school program, administration of adjustments to provide the best teachers available, cooperation with war agencies in civilian defense activities, rationing, transportation, evacuation, sale of war bonds and stamps, the "School at War" program, salvage, the Liberty Ship Naming Contest, civilian cooperation, consumer education, rehabilitation, training of war production workers, the High School Victory Corps, the youth-farm labor program, the model aircraft project, aeronautics, radio, Victory Gardens, nutrition, school lunches, "Share-the-Meat" program, and child care.

Education in Vermont is on the offensive. While our schools are engaged in an all-out program for victory, I know that our educational leaders are looking into the future. They hope to so prepare our present generation of pupils that the latter can carry the complex burdens of a post-war world in such a way that the principles upon which our firm of government and way of life are founded will be preserved and perpetuated.

State Aid for Education

Rural boys and girls of Vermont are entitled to school opportunities equal to those furnished the children of larger communities. To provide for the future welfare of the State, more of these opportunities should be extended to them.

If rural communities are to retain their teachers, and it an adequate number of desirable young men and women are to continue to be encouraged to prepare for rural school teaching, rural salaries must be raised. Yet, many towns are unable to do without additional State aid.

The equated pupil State aid allowance under No. 92 of the Acts of 1935 of \$15.00 can and should be increased to \$16.50.

This can be accomplished with no increase in the budgetary total over the budget total figures of 1941. This plan will come to you in the budget message. .

The total amount of appropriations recommended for the Department of Education for this biennium has not been increased over the present biennium.

I further recommend that Section 4338 of the Public Laws be so amended that, there may be counted toward the aid to the rural school district the average daily attendance of those whose excuse is approved by the State Board of Education so that school boys and girls during the emergency may be allowed to assist in the victory farm labor program and that neither the school nor the child be penalized.

Public Welfare and Institutions

One of the outstanding pieces of legislation passed by your predecessors of the 1941 Legislature was the joint resolution creating the Commission to study existing laws of Vermont relating to children and child welfare services, the family and the home, and to report to this session of the Legislature with recommendations as to suggested revisions and additional legislation they believe is needed.

This commission was appointed promptly, has made a thorough study of the social laws, and has made an exhaustive report which will be in your hands shortly.

It will be a grave mistake if the members of this body fail to use this report as their guide for a long-term program in this legislative field

The Board for Control of Mental Defectives, established last session, represents another progressive step by virtue of the fact it has brought into a working relationship three State department leads vitally concerned with this highly important field of work — the Department of Public Welfare, the State Department of Education, and the State Board of Health. The results already accomplished demonstrates the worth of this action.

I expect that proposed legislation will be presented to you for your consideration dealing with a placement system in homes under proper supervision from the Brandon State School. Because of the crowded condition at this institution, many of those who should have custodial care are currently denied its benefits.

Enlargement of quarters at this institution is out of the question for the duration of the War, at least, and some such care of our mental defectives must be worked out. I can assure you this subject of our mental defectives must be met not only from an humanitarian standpoint but from a plain sense of duty on the part of the State looking to the future of Vermont. These unfortunate children are not only a social problem but an economic problem as well, and it is vital that we face this fact now.

The care of our unfortunates through the Welfare Department and our institutions should be of primary concern to us all and must have our support.

I have recommended increased appropriations in the biennial budget for the work of this department and I trust they will have your support.

Old Age Assistance

The increased cost of fuel, food, rents and services has presented a serious problem for those on small fixed incomes and allowance. It has been particularly hard on our elderly people dependent in whole or in part on Old Age Assistance. The fact that the Old Age Assistance Department now pays a relatively small monthly grant presents special problems at this time.

It seems socially unjust to deprive an applicant on the waiting list of assistance to which he is entitled and for which he is as eligible as those now receiving assistance. Moreover, it is not a good financial policy to require a town or city to assume the support of an aged individual, who is both eligible for and entitled to old age assistance from the State and Federal Government. With this and the increased cost of living in mind, I have recommended an increased appropriation for Old Age Assistance.

Works Projects Administration

As you are aware, the Work Projects Administration will discontinue assistance to other Federal agencies and to state and local governments in Vermont on February 1st, 1943. Just before I left my office, I received a communication from Harry W. Watling, State Supervisor of the Surplus Marketing Administration to the effect that Community School Lunch and Child Day Care Center Programs will be continued, as far as materials are concerned.

I mention this since many of the projects such as School Lunches, Commodity Distribution, Citizenship Education classes, Sewing Projects, Homemaking Projects, Free Library, and others, have received State financial assistance through the appropriation for work relief.

Some of these projects may be deemed so essential that the State should assume full responsibility for their continuance. I suggest that this matter be referred to a committee of this General Assembly for thorough study and recommendation to this Session of the Legislature before February 1 so that appropriate action can be taken on any of them which are deemed essential to the welfare of the State.

Anticipating my recommendation in this connection, I have had a preliminary survey made and the data compiled is available for your use.

State Employees

Here your State government has been confronted with a most difficult problem, in view of the disproportionately higher salaries offered by the Federal Government, by private industry, and with 119 of our employees leaving our ranks for war service up to this time. In one institution alone there has been an 80 percent employee turnover this last year.

The last legislative session directed the Governor to establish a plan of classification and compensation for each position and type of employment within the State government with certain exceptions, and to prescribe rules and regulations relating to their employment.

An office of personnel administration was set up within the Executive Department and the foregoing has been accomplished.

In addition to this, legislative direction has been followed by the Emergency Board respecting a retirement system. This matter has been and is being further explored so that within this biennium, it is my hope, a retirement system will be in operation throughout the State government. Thus, the loyal service that has been and is being daily rendered by Vermont's State employees will be recognized and a sense of security, otherwise lacking, will be given them.

Aviation

During the present biennium, through the operation of the Aeronautics Board in allocating State funds for assistance to cities and towns in the purchase, of land for airport purposes, two new airports have been established and four of the old ports and fields have been increased in size.

This is encouraging progress, and yet most of the expenditure has gone towards the establishment of large airports. Too little progress has been made in the establishment of the smaller fields, which surely will be needed after the war is finished. It is my hope that communities in this state will take advantage of State assistance that is now available for purchase of land suitable for airports, even if they do not have means at hand to develop these fields at the present time.

The last Legislature appropriated \$65,000 to assist in developing aviation in the State, of which there remains approximately \$37,000. I recommend that this unexpended balance be reappropriated for the biennium.

The development of aviation within the State will become increasingly important as time passes due to the tremendous advances being made in this field under the stress of war.

Soldiers' Voting Laws

Our primary and election laws in force and effect at the present time do not afford an opportunity for all of our voters in the armed forces to vote by absent voter ballots, particularly those stationed at places outside of Continental United States, and those within the limits of Continental United States who may be participating in military exercises or maneuvers or who are subject to military orders which might prevent them receiving their ballots in time to be returned to their local polling places. All of these voters should have an opportunity to vote, and I strongly recommend that the committees on suffrage and elections make a careful study of these laws for the purpose of recommending the enactment of necessary amendments to our primary and election laws to provide an opportunity for all of our legal voters in the armed forces to vote.

Conservation and Development

Publicity

In normal times Vermont has made a place for itself in the list of states for recreation. This last year, of course, that business has fallen off due to travel restrictions and conditions caused by the war. However, we should not let the name Vermont be lost sight of as a recreational center by stopping our publicity entirely.

We should put out publicity on a war basis. We must keep Vermont in the minds of the people, looking forward to a time when any records we have made in the past will be far excelled. A plan of modified publicity now is necessary for after-the-war benefits.

Fish and Game

The Fish and Game Service is taking advantage of war conditions by conducting a farsighted program of educating the youth of the State in sound conservation practices. This program is bound to pay excellent dividends in the years to come.

Vermont recreational business is one that will revive after the end of the war and our fish and game are vital in this connection. It, therefore, appears to be prudent to continue the propagation program now being followed. Despite serious handicaps of personnel and fish food the program is as comprehensive as possible consistent with conditions.

Forestry

The timber resources of our nation are being drawn on at a higher rate than ever before in our history. Immense quantities of timber are needed both in the supply lines, and for the use of our armed force, and those of our allies. On the civilian front also, consumption of timber, in the form of wood and wood products increases, despite the fact that construction for civilian use has been drastically curtailed.

More and more, wood is being substituted in civilian and military goods for the metals that have been allocated to war production. Scarcity of oil has increased the demand for wood fuel, and we may expect an even greater demand next year. More of our forests must be cut and made into pulp to replace Scandinavian or other European pulp we cannot now obtain. The impact of this increased demand for wood and timber is being felt as solidly in Vermont as in any other timber growing state.

Due to our efficient organization for detecting and fighting forest fires, all fires in recent years have been held to relatively small areas and to slight damage. But, with the increased cutting in our woods and forests with the mountain piles of slash and their wide distribution our forest fire hazard is on the increase.

The great value of our timber crop has been alluded to, but our forests and wood lots furnish us with other values, which, if they were measurable in dollars, might easily exceed, year by year, the dollars received for the trees. With this in mind, I recommend to this Legislature that its appropriate committee give careful study to all forestry problems including taxation, and propose such changes or additions to our laws as in their opinion are needed to provide prudent management, and wise use of our timber resources, and to assure that the benefits accruing from the existence of forests will not be denied future generations of Vermonters.

State Office Building

The last General Assembly, realizing the urgent need for additional facilities for the efficient transaction of the State's business, and subscribing to the reasons outlined to them in my last message, made provisions for a new State Office Building. Pursuant to this action, a commission was established, an architect retained, plans drawn and land acquired only to have the war intervene so that this project could not be completed under conditions which have existed.

Of the \$600,000 set aside for a State Office Building, approximately \$47,000 has been spent for the acquisition of the Howland and Smilie properties and the reimbursement of the architect for his fees. The Howland House, incidentally, is occupied by several State agencies so that full advantage is being taken of the space it affords.

The pressing need for this building still exists. The location is now owned by the State. The detailed plans are ready to be followed. So that this need may eventually be filled, as well as having a ready made project with

which to take up in part the slack caused by unemployment bound to follow in the after-the-war period, I recommend that the balance of this fund be made available as of June 30, 1943, for the next biennium.

Gasoline Tax

Vermont is implementing the war effort in many ways. Not the least of these is to be found in the facilities offered for large scale pilot training programs such as the one now in operation at the Burlington Airport where student officers from the Army, Navy and Marine Corps receive their training.

In this connection and so that we may continue to receive the benefits which flow from this ever-expanding, large-scale undertaking, I recommend that you amend existing statutes relating to the State gasoline tax so that it will not apply to those used by those pilot training programs sponsored by the government of the United States.

Unappropriated Surplus

Governments with an unappropriated surplus in the General Fund are in a vulnerable position. This State is in that position today.

We have an unappropriated surplus in our General Fund as of June 30, 1942, of \$1,463,066 — the largest in our history.

Of the total surplus there is \$150,000 invested in Missisquoi Bridge bonds maturing in 1961 which is, of course, not available at this time. Deducting this amount from the unappropriated surplus leaves the sum of \$1,313,066, which is available for appropriation. It is no disgrace for a state to find itself in this position.

There is, however, in times such as we are in, a very grave responsibility for those who are with it. You and I must prepare for the declining resources which may and probably will come in the later phases of the war. There is also that same phase to watch in the post war period, and this surplus should provide a cushion to help meet these situations.

Therefore, I recommend that you appropriate \$1,000,000 of this surplus to apply on the payment of our liability to the enlisted or inducted men and women in the service of our country.

Our promise to them, under No. 179 of the Acts of 1941, upon their honorable discharge will amount to approximately \$3,000,000. This, of course, will vary according to the length of the war and total number in the service because each such person is entitled to \$10.00 per month when honorably discharged but not to exceed \$120.00 overall. This action on your part will save borrowing a like amount when these payments are due.

From this surplus the University of Vermont and State Agricultural College will ask for an appropriation for the period 1944 – 45 of \$200,000.

I also recommend from the unappropriated surplus for the operation of the Farm Labor Committee the sum, of \$25,000 each fiscal year of the biennium.

Our Soldiers

I want to pay tribute on behalf of all our people to the men and women from this State in the armed forces of our Country.

In February 1941, the first contingent, which was the Vermont National Guard, left the State to be in readiness to defend our country if attacked, and since then many more have been inducted through Selective Service or by enlistment. Thousands of these men are now fighting in the four corners of the earth — many of them have been called upon to make the supreme sacrifice in their Country's service. We are proud of them all and their contribution to the great cause for which we are all fighting.

These men are your sons and your neighbor's sons — boys from your home communities, and they seem pretty close to us all.

I would like to suggest at this point that we stand for a moment in silent prayer for those boys who have given their lives for us and for the safety and welfare of those on the fighting front.

Closing Message

Repledging our loyalty to our Country, to the President of the United States, the Commander in Chief of our armed and naval forces; always seeking Divine guidance in our undertakings, we reaffirm our loyalty to our soldiers and sailors who fight and die for us, to the united spirit of Americans everywhere — forgetting all personal and political differences that in other times divide our people.

So this historic war session of our last legislature let us face the future with courage, strong in the faith that right will win this world struggle for freedom for all people and that the processes of democracy of which we are here a vital part, will prove under fire that governments of free people will survive.

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

The Supreme Court was escorted from the hall by the Sergeant at Arms.

The Joint Assembly dissolved.

Rawson C. Myrick
Secretary of State, Clerk

Inaugural address
of

Stanley C. Wilson

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1931

Thursday, January 8, 1931

Inaugural Address

Members of the General Assembly:

The constitution of Vermont provides in Chapter II, section 5, that "The Legislative, Executive and Judiciary departments, shall be separate and distinct, so that neither exercise the powers properly belonging to the others."

The duties and powers of each branch of the state government are carefully prescribed by the constitution. It will be my purpose as governor, in accordance with my oath, to perform the duties cast upon me by the constitution and to execute the laws as made by the Legislature. It is not my purpose or may desire to attempt to interfere with proper legislative action by the General Assembly or to attempt to dictate legislation or to set my judgment against that of the Legislature in such matters. It is my duty, however, to lay before you such business as I deem necessary.

Best results can be obtained by co-operation. I assure you on my part that it will be my purpose and desire to work with you and give you every reasonable assistance within my power to the end that the purposes for which this Legislature is convened shall be accomplished in a manner to merit the approval of our masters, the people of the State of Vermont.

Governor Weeks has already given you a report of the accomplishments during his terms of office. During that time Vermont met disaster but under his leadership we have come through with our heads up and with renewed confidence in the future. The few suggestions I shall make to you are not revolutionary, but are intended to aid in the steady advance of our state now well started and to be continued through your acts.

ECONOMY

I urge upon you the wisdom of economy in making appropriations. The money which you will appropriate must be obtained by taxation. Whether the taxes are direct or indirect, whether the payment of those taxes is immediate or deferred, the people eventually pay. You should therefore consider in your legislation whether the condition of the people of the State will be made better or worse by the expenditures contemplated.

Economy does not mean parsimony. The State should be just to its officers and employees in the matter of compensation. The State should provide adequate public service according to modern standards. It should maintain properly the institutions which care for our insane and other unfortunates. It should strive to improve our schools and give equal opportunities to our youth, whether resident in thickly settled or sparsely settled communities. It should seek to improve our roads. It should try to build in every way for the future on a firm foundation. But you should ever keep before you the rule that you should not tax the people except for the public good.

THE BUDGET

Section 25 of No. 7 of the Acts of 1923 requires the Governor not later than the third Tuesday of the session to submit a budget "which shall embody his requests and recommendations for appropriations or other authorizations for expenditures from the treasury of the State for the next biennial fiscal period." The budget has been prepared and I expect will be ready for presentation to you as soon as your committees are ready to consider the same.

I desire to call attention to one feature of this budget. Many of our departments and institutions have more or less income from sales for farm products or other sources. The custom has crept in of appropriating for an institution or department a stated sum "plus receipts." I deem this not good practice. The appropriations should be for the entire expenditures and the receipts should go direct to the treasury as revenue of the State and not of that particular institution or department. The result to the State and the institution will be the same but the accounting will be more satisfactory. This change will make many of the suggested appropriations appear larger when in fact they are not.

In considering the matter of appropriations, I trust you will bear in mind that our expenditures must be limited to our revenues. If you appropriate beyond present anticipated revenues, it is your duty to provide additional taxes. This budget will require the same taxes we now have or other taxes producing the same revenue.

AGRICULTURE

Vermont is an agricultural state. The prosperity of Vermont farmers is essential to the prosperity of the State. At the present time our farmers are having strong competition. The State should give them every reasonable aid to meet this competition by quality products and more economical and efficient production, handling and marketing. I trust the recommendation for additional funds for the department of agriculture will be granted.

The dairy industry of Vermont is threatened with serious harm unless the State can speed up its work in the eradication of bovine tuberculosis. Not many years ago the wisdom of the tuberculin test was strongly debated in these halls. Its use by the State was bitterly fought. But times have changed. Whether tuberculosis is communicable from cattle to human beings may perhaps still be debated, but in view of the action of public health authorities in many cities and states, there is no longer any question as to the wisdom of using the tuberculin test as a business proposition. When milk from non-tested cows cannot be marketed, the farmer must have his cows tested or go out of the dairy business. We are confronted with that situation now. Area testing is the economical way to handle the proposition after the individual herd testing has proceeded a proper distance.

At the present time fifty-one towns in Vermont have been area tested. Fifty additional towns have signed up for the test which cannot be given until funds are provided. Moreover, federal appropriations will be lost to Vermont unless met before September 1. Therefore, I recommend a large increase in the appropriation for area testing. The appropriation for individual herd testing can be reduced somewhat.

PUBLICITY

Vermont has been getting a considerable increase of desirable publicity of late. Her business opportunities, resources and scenic wealth, her fine cattle, pure milk and delicious butter, her maple sugar, her granite and marble, her slate, talc and asbestos, her apples, seed potatoes and her crystal pure water, her good hotels, her good roads constantly growing better, her beautiful lakes and trout streams, her hills and mountains, and her unspoiled people are better known to the residents of other states than they were. People are coming to Vermont in increasing numbers for vacations and permanent residence. We must keep up our publicity work. If possible, we should increase the funds employed in the work and we should secure better cooperation with private and commercial organization that are large advertisers.

EDUCATION

Considerable progress has been made in the past few years toward equalizing educational opportunities to the youth of our State. Especially has there been marked improvement in the condition of rural school houses and the quality of teachers in those schools. The funds provided for equalizing the cost of education have been insufficient, however, so that as a result the towns have not been getting that which they were promised. These funds should be increased. Proposed increases in overhead can better await a later day, if either must do so because of shortage of available funds.

HIGHWAYS

Vermonters have reason to be proud of the progress made in road building and road improvement of late. With the increased funds available from motor vehicle registrations and the tax on gasoline, we now have a large sum for road construction after maintenance charges are cared for. Moreover, our road builders are constantly building better roads at a lower cost per mile.

I have been greatly interested in the past few weeks to have access to publications showing how other states are dealing with the road problem and especially those states where, as in Vermont, the road mileage is high and the population and wealth are low by comparison. I find that these states have been developing successfully a

low cost mud-free and dust-free hard surface road much like the type of surface treated or mixed in place roads which recently have been tried out successfully in Vermont.

This is neither a proper time nor place to discuss highway construction. I believe our highway department can be trusted to wisely spend the funds made available. The extent of our road building is largely a question of money.

I feel that you should provide funds which will enable us to increase the rate of construction of hard surface roads and at the same time give more attention to our secondary roads and town roads. We must provide reasonably usable roads or our farms will be abandoned. We are poor compared to most of our neighbors. We cannot fairly be expected to compete with them in road building. But we can go ahead so that we can care for the needs of our own people and the comfort of the visitors who come within our borders. Both must be considered for both are essential to the future prosperity of the state.

I urge a careful study and consideration of the facts and figures and the recommendations contained in the reports of the Highway department. I suggest especially that greater efficiency and better service will result if the State be given the care and control of main roads and that the time has arrived when this ought to be worked out on a fair basis.

MOTOR BOATS

The rapid growth of summer population around our lakes and ponds has created need for amendment of our laws regulating motor traffic on water. It seems that the motor vehicle department might well be given charge of the subject.

FISH AND GAME

Fish and game are valuable assets of the State. It is impossible to estimate accurately just how valuable they are for the benefits of clean out-of-door sport to our people can hardly be fixed in dollars. We may figure the commercial value of a slain deer or partridge or a pound of trout, but we cannot say how much the joy of the successful hunter or fisherman is worth.

It is good business for the State to foster and protect its resources in fish and game and we should endeavor to do it by business methods. The attraction to the summer visitor and the summer resident is great.

At present I have only one suggestion. Experience shows that frequently emergencies arise caused by drought or disease or local conditions which call for immediate action to safeguard the interests of the State in this department. I think you should give authority to the governor upon the recommendation of the Commissioner of Fish and Game to deal with such emergencies by proclamation.

STATE INSTITUTIONS

In general our state institutions are in excellent condition. One exception, however, is the Vermont Soldiers' Home at Bennington where extensive repairs are needed. This will probably require about \$30,000. A like sum is required for heating plant repairs and improvements at the Vermont Sanatorium at Pittsford, where a new building was provided by an appropriation of the last legislature. The State Hospital for the insane at Waterbury is getting badly overcrowded. It seems that a fire proof building or addition to handle at least fifty additional patients with attendants, etc., should be provided. The estimate for such a building fully equipped is \$125,000.

In this connection I call your attention to the fact that the number of our insane and feeble-minded is constantly increasing with a corresponding increase in the burden cast on the communities and the State. We are doing our duty about the care of these unfortunates, but practically nothing to prevent a further increase in their number. Medical science points out one definite course which has been followed successfully in some states.

I believe it is folly to keep erecting more buildings for our feeble-minded and insane and yet disregard ordinary business and social precautions. The Supervisors of the Insane in their biennial report recommend the

enactment of a properly safeguarded sterilization law. You will do well to give this matter serious consideration.

TAXATION

For many years there has been a growing belief that our system of taxation requires change to bring it more nearly in accord with modern conditions. Owners of real estate and tangible personal property have felt they were paying an undue proportion of the taxes. Especially has this claim been made as to farm property and with a good deal of apparent reason. Several legislatures have attempted to make changes without success.

In 1925 a tax on intangible was enacted. In 1927 this was amended so that it became in effect, if not in law, a tax of $6\frac{2}{3}$ percent on incomes from intangibles. This law has worked an improvement, has brought into taxation considerable property which under the previous confiscatory tax method evaded taxation, but due to various causes it is but partially effective. Apparently, also, there are serious legal questions confronting its future administration.

You have already had called to your attention by Governor Weeks the work of the special tax commission which he appointed pursuant to authority given him by the last legislature. The report of this commission is an able document prepared by honest, capable men after careful study. I am informed that from widely divergent original views, the commission finally became unanimous as a result of their study and deliberations. Their conclusions and recommendations merit your careful consideration.

No tax system in actual use anywhere is perfect. Theories necessarily give way to some extent to practical consideration. The towns and the state must have the money to carry on the business of government. But if you can accomplish a readjustment of the burden of taxation which shall be wise and accord with equity and do this without impairing revenues, you will have accomplished a real task.

PRISON LABOR

The so-called Hawes-Cooper law enacted by the 70th Congress will become effective on January 19, 1934. After that date prison made goods will have no rights in interstate commerce. Such goods shipped from Vermont into any other state will be subject to the local laws of such state. If the law is sustained by the U.S. Supreme Court, we shall be confronted with a serious situation as to the employment of the inmates of our State prison. I recommend that authority be given proper officials to study the problem and make report to the next General Assembly.

TAXATION OF PUBLIC UTILITY COMPANIES

The present basis of taxation of public utility companies and especially hydro-electric companies is unsatisfactory. The special tax commission which recently reported stated that it had examined the field somewhat and recommended that special study be given the subject either by a legislative committee or by an interim commission. I submit this for your consideration.

BUS REGULATION AND TAXATION

The problem of bus regulation and taxation has not been solved. The railroads furnish their own rights of way and pay heavy taxes while they are driven out of the passenger business by busses running on public highways and paying comparatively nominal taxes. Moreover, the menace to the traveling public from the law defying, fast speeding inter-state busses is great. I am informed that the regular schedules of certain inter-state busses going through the state are such that to keep up with the schedules the drivers must constantly violate our law.

Several persons have already been killed or injured. If our law is unreasonable, it should be changed. If not, our officials should be given proper power to deal with the subject.

FLOOD CONTROL

The reports of the Advisory Committee of Engineers on Flood Control submitted to Governor Weeks give a great deal of valuable information on this subject which is of interest to Vermonters. Some additional legislation to give the Public Service commission power to supervise action of this nature should be provided. I

believe we should look carefully into this matter but not go too fast. The State should endeavor to protect the people against future floods. But the State should be careful also to protect the people at the same time from giving to public service corporations, under the guise of flood control, rights in our beautiful and fertile valleys without adequate compensation both to the individuals concerned and to the State.

Storage reservoirs and power developments are not things of beauty and themselves uncontrolled may have as devastating effect on a valley as an occasional flood. We should not sacrifice the cream of our farm land to the development of additional electric energy unless satisfied that it will be beneficial to the State.

The State of Vermont should have first claim on the electric current developed in the State. These developments should be for the growth and betterment of Vermont and not be the sacrifice of Vermont for the benefit of other states and communities.

In closing, let me say that I assume the office of governor with a deep appreciation of its responsibilities. I shall need your advice and help and I shall not hesitate to ask it. If I may aid you, it will be my privilege and pleasure. I trust we may work together for the best interests of the people of Vermont.

STANLEY C. WILSON

Inaugural address
of

Stanley C. Wilson

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1933

Thursday, January 5, 1933

Inaugural Message

Members of the General Assembly:--

The people of Vermont have entrusted to us tasks that we have severally taken our oaths to perform. Some of those tasks are bound to be difficult. But we have pride in our state, we have confidence in the stability of our institutions, we have a steadfast faith in our people, and as true Vermonters we shall not lack in courage to attack and solve the problems that confront us.

It is my first duty to suggest to you such subjects of legislation as seem important for your consideration and to make such recommendations as seem to me advisable. Necessarily these suggestions and recommendations must be briefly stated, but every facility will be afforded you for such additional information as you desire. Yours is the chief responsibility for legislation, but you are entitled to executive aid.

In order that you may wisely determine what shall be done, it is essential that you have before you the facts as to what has been done, as well as present conditions.

STATE INSTITUTIONS

I am glad to be able to report to you that our state institutions are in excellent condition. We have no institution that requires any additions, improvements, or extensive repairs during the next biennial term.

Under authority from the last legislature a new fire proof dormitory for disturbed female patients was erected at the State Hospital for the Insane at Waterbury. This building is of the most approved type for the handling of that class of patients. It was built, completed, and fully equipped within the appropriation of one hundred twenty-five thousand dollars. This building will accommodate one hundred patients and should be sufficient to take care of any natural increase in patients at the state hospital for the present.

In this connection I call your attention to the fact that there is a constantly growing tendency to secure commitment to the state hospital as state patients of people who may perhaps be technically insane but who are not in need of care in an institution for the insane. The practice of unloading town paupers on the state through commitments of this sort should be discouraged.

By special appropriations, repairs and improvements have been made at the Vermont Sanatorium at Pittsford and the Soldiers' Home at Bennington, and from regular appropriations at the State Prison and Prison Farm at Windsor and the Industrial School at Vergennes. A sprinkler system for fire protection has been installed at the Vermont State Hospital for the Insane.

Our institutions now raise a large part of the farm and garden produce for their needs and the policy has been adopted of buying Vermont products.

WASHINGTON COUNTY TUBERCULOSIS HOSPITAL

In accordance with the provisions of No. 182 of the Acts of 1931, duly ratified by the voters of Washington County, the Washington County Tuberculosis Hospital was on the 2nd day of November, 1932, conveyed to the State and is now in charge of the Commissioner of Public Welfare. It is expected that the cost to the state of the maintenance of this institution together with the liquidation of the portion of the bonds assumed will not exceed the amount heretofore paid to the hospital for the care of patients.

FISH AND GAME

Practically one person out of every four in the state by procuring a license to fish or hunt contributes to the funds provided for the improvement and protection of the fish and game resources of the state. The facts show that the people of the state, as well as an increasing number outside, are interested in our fishing and hunting.

Our fish and game assets are of great value not merely for the sport furnished for the recreation of our people, but for the actual commercial benefit resulting to the state. In the last open season 1992 deer were reported lawfully killed, which according to prevailing prices had a commercial value of \$48,106.80. The

commercial value of other game killed and of the millions of fish caught each year cannot be accurately computed because not reported.

During the past two years the Fish and Game Department has made extensive additions and improvements to its plants and equipment for the propagation and rearing of fish. The policy has been adopted of raising fish to at least advanced fingerlings and in some cases to legal size before planting. This necessitated additional hatchery accommodations and equipment and enlargement of the facilities in the rearing stations.

A modern hatchery has been constructed at Salisbury. This hatchery is said to be producing the finest fish ever raised in Vermont. Extensive improvements have been made to the hatcheries at Bennington, Canaan and Roxbury. Numerous rearing pools have been constructed with the cooperation of fish and game clubs throughout the state.

By far the greater part of the funds available in this department are now being utilized for the actual raising and distribution of fish and game, while the law-enforcement work has been considerably curtailed. At the same time a healthy sentiment in favor of law enforcement has been built up through work with the fish and game clubs and in other ways. Public sentiment in a community in favor of enforcement of law is of tremendous aid to the promotion of fish and game interests. I think real progress has been made during the past two years in this respect.

REVISION OF STATUTES

At the last session of the General Assembly a revision of the Vermont statutes was authorized. The preliminary work has been completed and the proposed revision is ready to be submitted to you. This work has been done at an expense somewhat less than the amount appropriated and very much less than the cost of the last previous revision.

Upon enactment of this proposed revision, provision should be made for the editing and printing of the revision with such amendments as may be required by legislation of this session.

UNEMPLOYMENT AND POOR RELIEF

Vermont has suffered from unemployment and consequent necessity for poor relief less than most states. This does not mean, however, that we have been immune. In 1931 I appointed a State Committee on unemployment which acted in conjunction with President Hoover's Unemployment Committee, largely as a fact finding commission and a clearing house for information and suggested relief.

In 1932 we effected a coordination of several of the public relief and unemployment agencies including the above, the Mayors Committee, the Share-the-Work Committee, the Red Cross, the Committee for Trade Recovery, and representatives of the local overseers of the poor. The work has been quietly organized and apportioned. Improved methods of poor relief to avoid doles, eliminate frauds, spread work and create new work have been put in operation wherever cooperation could be secured.

The state itself through the highway department and the forestry department has aided materially in furnishing employment to those in need.

PUBLICITY

I believe in Vermont. We are all proud of her agriculture and her industries. We are now alive to the wonderful scenic wealth and opportunities for recreational development which abound in the state. It is useless, however, to hope to attract to Vermont any great number of people either for vacations or permanent residences unless we tell them about the attractions of our state.

Two years ago the appropriations for publicity work were somewhat increased. I think the money has been well spent and that Vermont is reaping benefits from it. These benefits extend all the way from securing out of the state customers for Vermont farms, summer homes, and farm products, to a presentation of the advantages of Vermont for business and recreational purposes. We should continue our publicity work. The time to advertise is when additional business is needed. Avenues of approach to the people of other states have been opened which appear to be fruitful in results. Private and commercial organizations have assisted in the work.

As governor, it has been a pleasure to take on a considerable amount of work along publicity lines. Insofar as my time and other duties have permitted, I have endeavored to tell the story of Vermont and her beauties, her opportunities and her resources on every occasion when it seemed proper. Various broadcasting studios have aided by donation of their facilities. So far as I have been able, I have made use of them. In behalf of the state I now express appreciation of this cooperation.

EDUCATION

Vermonters believe in education. They are disinclined to accept dictation, however, as to how it shall be provided. We are educating our youth far better than we formerly did. No change to our school laws should be made which will reduce the efficiency of our schools.

I believe firmly that every reasonable aid should be provided to give the pupils in rural schools and debt burdened small towns, educational facilities comparable to those enjoyed by pupils in populous communities.

I feel, however, that our schools are costing us unduly at the present time in many instances. Towns are somewhat hampered by state laws in attempts to cut costs.

A careful study of existing school laws convinces me that changes can be made that will enable us to reduce expenditures by the state and by the towns without sacrificing efficiency. I believe the department of education will cooperate with you to this end. I commend to you a careful study of the school laws and the appropriations based thereon. Specific suggestions will be made in connection with the budget.

BANKS AND BANKING

The banking record of Vermont is unique in that during the past two years no bank in the state has closed its doors. This record is a strong testimonial to the stability of our financial institutions, the conservatism of our bankers, and the good sense of the tens of thousands of our people who own the deposits in our banks. These deposits amount to approximately \$145,000,000 in state banks and approximately \$50,000,000 in national banks in the state.

Banks are a great benefit to the state and to the communities in which they are located. Our people rely upon them for the protection of their savings, for a convenient and safe medium for handling of commercial transactions involving money payments, and for the credit facilities needed for the conduct of business. A great part of the loans of our banks are made upon mortgages on the farms and homes of our own people. It is to be remembered, also, that the banks contribute annually over a million dollars to our state treasury in taxes.

General business conditions during the past three years have made it difficult for banks as well as for individuals. When individuals, because of reduced earnings, do not have money to pay their loans, the banks in turn do not have those funds to finance other individuals. So, the banks may have some slow assets which may be worth full value but cannot be realized upon quickly. In times of depression, it is natural that bank depositors desire to draw upon their savings for use. If the people who owe the banks fail to pay fast enough to supply funds to meet these withdrawals, banks are forced to borrow money to pay their depositors until they can collect on their mortgage loans on homes and farms. Throughout the country, due largely to the present abnormal conditions, there have been a great many bank failures.

Our bankers have been laboring with the problem of adjusting the business of the banks to changing conditions in order to perform their full service without ill-treating their debtors and still supply the needs of their depositors on demand and furnish necessary loans for business and agriculture.

Other states are struggling with the same problems. In a few, where legislatures have been in session, legislative enactments have been made; in many others, legislation is to be proposed, looking to improvement of the situation. Banking, like most business, is conducted upon the foundation of credit. It is, therefore, our duty to see to it that the credit of our Vermont banks is maintained in order that our business may be conducted properly.

During the past year, at my suggestion, a voluntary organization was formed which includes in its membership eighty per cent of all the banks in the state, representing ninety per cent of all the bank deposits.

This organization, known as the Vermont Bankers State Committee, has created a central fund under a cooperative loan plan for the mutual protection of all. It has helped to stabilize credit conditions.

This organization is temporary and voluntary, however, and legislation will be necessary to safeguard permanently the interests of our banks, and when I say banks, I have in mind especially the depositors who are the people having the greatest interest, as well as the stockholders and the business men and farmers and home owners who borrow from the banks. It is essential to the welfare of the state that every reasonable effort shall be made to keep our financial institutions not merely sound, but able to perform their proper functions in their communities.

The Commissioner of Banking and Insurance has made an extensive study of present conditions, As a result, there will be presented to you proposed changes which he deems advisable to be made in the investment and administrative provisions of our banking laws. I trust these will be given your careful consideration.

I believe that the situation requires something more than routine action, You should go further and provide legislation to guard against contingencies that may arise in the future similar to that which is being provided in other states and which may be termed emergency legislation. In some states, the compulsory creation of a joint fund, contributed to by all banks and for the use of banks in temporary need of cash, has been provided by law. In others, legal status has been given to such a fund created on a voluntary basis. These are worthy of your consideration.

I deem our banking laws inadequate also in the matter of provisions for reorganizations, consolidations, and mergers. These are technical matters which I do not care to discuss in detail at this tune but which I suggest for your careful consideration.

In view of the misfortunes which have come to the banking institutions in many states and the serious financial conditions which prevail the country over, we will be derelict in our duty if we fail to provide every reasonable safeguard for our banking institutions in order that we may preserve to our people the benefits of the savings and financial genius of generations of Vermonters.

HOME LOAN BANKS

By act of Congress Home Loan Banks have been created to aid in the financing of the construction of homes. The use of this governmental agency is desirable to enlarge the credit facilities of our financial institutions and facilitate the return of normal building operations. Building costs are now low and our labor in building lines is in need of employment. The contraction of ordinary bank credits due to the general financial stringency has put building operations at a low point.

Our statutes do not permit our Vermont institutions to take advantage of the provisions of the Home Loan Bank. I recommend that you provide proper legislation to enable them to do so and so release additional funds for the use of people who desire to build homes. Every dollar we can put in circulation for useful purposes will aid the general public

ERADICATION OF BOVINE TUBERCULOSIS

Agriculture is the basic industry of Vermont. For many years Vermont has been committed to the policy of eradicating bovine tuberculosis through cooperation between the state government and federal government. We began with the accredited herd plan in 1917 and inaugurated work by areas in 1925. At the present time 113 towns have been area tested. Ninety-three of these are officially modified accredited tuberculosis free areas. One hundred thirty-five towns have not been area tested, of which 107 are already signed up for the test.

The last legislature recognized an emergency and provided an increase in appropriations for this work. The emergency is greater now.

If we continue the work by appropriating \$250,000 a year, as we are now doing, the work will not be completed until 1937 and the estimated cost would be \$865,000. The federal government will cooperate with their part of indemnity payments up to July 1, 1934. We have no assurance of federal appropriations beyond that date.

Our dairymen are threatened with loss of markets for their milk unless their herds are tuberculin tested, and this threat is especially serious because our neighboring states are finishing their work along these lines.

Very carefully revised estimates satisfy me that if funds are provided, the initial area tests can be completed before July 1, 1934 at a considerably lower cost than if the work is extended over three additional years. A plan has been worked out whereby we can provide funds and take care of the expenditures within the coming biennial period. The appraisals on cows are now low and the dairy industry needs the immediate relief.

I recommend for your careful consideration the plan which will soon be presented to you.

FORESTRY

Interest in forestry continues despite economic conditions. During the past two years 2,193,400 trees were planted in the state in private lands, municipal forests and state forests. Five thousand seven hundred four acres were added to our state forests and state forest parks, making a total of 44,207 acres. There have been three splendid gifts during this time. The Thetford Hill State Forest, 260 acres, was a gift from Mr. Dwight Goddard. Mr. Walter K. Barrows gave 12 acres in the Gifford Woods in Sherburne, and Mr. Wallace I. Allis gave 135 acres on Bear Hill in Brookfield. The latter tract is now a scenic resort visited by many thousands of people last summer.

At the present time several hundred men are employed cutting wood and logs on state and municipal forests. On state forests the Commissioner of Forestry has arranged with overseers of the poor to give wood to the unemployed in return for labor culling the forest growth.

MOTOR TRUCKS

The problem of heavy trucks on our highways is serious. I suggest for your consideration the further regulation of the use of these trucks and especially those coming into Vermont from other states, as well as the question of load limits and the adjustment of registration fees on the basis of weights including actual load carried.

HIGHWAYS

Highways are essential to the business life of our state. The almost universal use of the automobile has made it necessary to build roads better in order to meet the requirements of present day traffic. Engineers and road builders are constantly improving well-known types of construction as well as developing new types adapted to changing conditions and at reduced costs. The present problem in Vermont is to make our roads usable the year around and to get our people out of the mud and dust as fast as possible with funds available.

The last legislature wisely provided for the state taking over the entire care of our federal aid roads. The action was taken so late that we did not get full benefits in 1931, but in 1932 the beneficial results have been manifest. The state has an added burden but the gain in efficiency and in satisfaction to the traveling public has fully justified the change.

We now have 1013 miles state roads, 3387 miles state aid roads, and 9952 miles town roads.

During the calendar year 1931 the state constructed on state and state aid roads 32 miles of cement surface roads, 21 miles of macadam and 125 miles of mixed-in-place and surface treated, or a total of 178 miles of modern surfaced road. During the year 1932 the state built 31 miles of cement, 29 miles of macadam and 96 miles of mixed-in-place and surface treated. In addition to this, there were constructed 92 miles of gravel surfaced road in 1931 and about 75 miles in 1932. These figures rate certain roads as macadam that formerly were put in the lower classification, the change of classification having been made to accord with the practice in other states. Some old style surface treated road surfaces were improved.

In 1932, due to unemployment conditions much construction was done by hand labor and on force account in order that as many as possible of our people could be kept at work. Some of this work is still in progress.

The federal government for unemployment relief advanced to be used before next July an additional \$600,000 to be used only on federal roads. This has to be used under special regulations which according to our

experience greatly reduce its value to us in construction results. State funds spent under our own regulations have produced better results both in accomplishment and unemployment relief.

We now have on our entire road system of 14,352 miles, 352 miles cement, 154 miles macadam, 2 miles granite block and other types of pavement, and 597 miles mixed-in-place and surface treated. Of these modern surfaced roads the distribution is as follows: state roads, 663 miles; state aid roads, 295 miles; town roads 147 miles. There has been no complete data on town road work until recently, or since all roads were re-measured in 1931. Base work has been done or is in process for at least 37 miles additional of cement or other improved surfaced roads.

I believe that during the next two years we should decrease our high type construction on state roads and increase our lower type construction of improved surfaced roads on our state aid roads. We have few miles of state road requiring immediate improvement of high type construction and we have a large mileage of state aid roads needing modern surface. The construction of bituminous surfaced roads will afford much greater unemployment relief and give more extended mileage. Not only should we get out of the mud as fast as we can, but we should put as many people at work as possible, consistent with efficiency. We should not decrease the amount of state aid to town roads.

EXPLOSION AT POWDER HOUSE

On the evening of August 1, 1932 there was an explosion of dynamite and other explosives stored by the Highway Department near the State Garage in the town of Berlin causing damage to persons and property. On the following day preliminary survey of the damage and investigation of the cause of the explosion were made. The explosion resulted from fire of undetermined origin.

On August 3 a meeting of the Emergency Board was held upon my call, and upon considering reports from the Highway Department, the Attorney General, and State Detective, an appropriation of not to exceed twenty thousand dollars was made for the purpose of paying such damages to persons and property as were caused by the explosion. The adjustment of claims was handled by the Highway Department.

All claims have been adjusted and paid except a few property claims which were disallowed, and one personal injury claim which is unsettled because of continuing treatment of the injured person.

The total sum paid for damages and administration expense is \$12,740.74.

All claims were personally inspected, and settlements made appear to have been satisfactory.

TAXATION GENERALLY

I am opposed to an increase in taxes. We have succeeded in relieving our grand list from all direct state taxes. All taxes, however, whether direct or indirect and whatever the immediate source are ultimately paid by the public. State taxes should be reduced if it is possible to do so and care for the endeavors of the state that must be continued or which should be continued because of the benefits which they give to our people.

INCOME TAX

The income and franchise tax law enacted by the last legislature has had a year of operation. The taxes paid in 1932 were based on the incomes of 1931, a time of great business depression, yet the receipts from the tax for the year were \$685,935.73.

In revenue production for the state, the law has been a success, considering the unfavorable times. Administration costs have been below all estimates.

As is to be expected with a new law of such importance, minor amendments in administrative features seem desirable. I believe the law should be continued in force with such amendments as experience has shown to be needed.

This law has enabled us to do away with all direct state taxes based on the grand list of the towns, a very material measure of direct relief to real estate and tangible personal property, which has been bearing an unjust proportion of the burdens of taxation.

TAXATION OF ELECTRIC POWER COMPANIES

The first year of operation of the new law providing a tax on electric energy generated in the state has also been successful. The taxes collected were \$239,154.00, or an average of about \$20,000 a month. The cost of collection has been small. The tax has not been passed on to the consumers through increased rates.

A commission appointed under authority of the last legislature to examine into the general subject of taxation of public utility companies engaged in the generation of electricity has filed a report making three recommendations. They recommend that the tax be continued in force. In this conclusion I concur.

They further recommend two changes in the law — (1) that these corporations be exempt from franchise taxes, and (2) that a different basis of deductions or credits be provided. The report will be submitted to you.

SALARIES OF STATE OFFICERS AND EMPLOYEES

Referring to the compensation of state officers and employees, Section 57 of the Constitution of Vermont provides as follows:

*****“If any man is called into public service to the prejudice of his private affairs, he has a right to a reasonable compensation; and whenever an office through increase of fees or otherwise, becomes so profitable as to occasion many to apply for it, the profit ought to be lessened by the Legislature.”

It has seemed to me that the subject of decrease in salaries of state officers and employees should be dealt with by the legislature since a great many of the salaries are fixed by statute, and the legislature may of course fix the salary or wages of any employee.

Assuming that you will desire to consider the question of a revision of salaries, I have requested the Commissioner of Finance to prepare, classify, and tabulate information on this subject to assist you in your deliberations.

Vermont state officials and employees, as a rule, are not overpaid. Most of our officials in positions of responsibility are underpaid as compared with compensation of individuals in similar positions in other states and in private business.

It is only because of business conditions and the fact that many people are getting reductions in pay, that a general reduction in state salaries and wages may be justified.

I think that, because of existing conditions, salaries should be reduced. I feel, however, that the maintenance of a proper standard of living requires an exemption of one thousand dollars. A flat reduction of ten per cent on all salaries, after allowing such exemption, would, I think, be reasonably fair, with a corresponding reduction for officials and employees paid on per diem basis when such per diems are at a rate commensurate to a salary above one thousand dollars per year.

If after investigation you deem salaries and other compensation should be reduced, feel sure state officers and employees will accept the reductions in a patriotic spirit.

In case there is a reduction of salaries, authority should be given to the Commissioner of Finance or other officials to work out and adjust the salaries in accordance with the plan outlined by the legislature. If a salary reduction is made, corresponding changes should be made in departmental appropriations.

COST OF GOVERNMENT

The net adjusted cost of state government has been tabulated by the auditor of accounts for the last thirty-two fiscal years. The tabulation shows expenditures for each main endeavor of our state government as well as totals. This tabulation deserves your study. You should consider, however, the causes of the changes. You should also bear in mind that these figures do not distinguish the portion of expenditures paid for through appropriations from state revenues which in many instances are much less.

All expenditures to be made from state funds must be specifically appropriated. The state is the agency, however, for the expenditure of various sums that do not come through state taxation, as for instance highway funds and other funds coming from the federal government and the income from trust funds.

The tabulation shows that the cost of government from about a million dollars in 1901 increased nearly every year until it reached its crest in 1929, when we had our heaviest expenditures due to the flood of 1927. The cost has decreased from that time, as follows:

For year ending June 30, 1929.....	\$16,776,302.71
For year ending June 30, 1930.....	\$13,447,335.57
For year ending June 30, 1931.....	\$12,006,221.90
For year ending June 30, 1932.....	\$11,040,634.44

The net cost of government during the last fiscal year was reduced from that of the previous year by \$965,587.46 and from that of the high year of 1929 by \$5,735,668.27. We have no reason to be discouraged, therefore, while we seek to make further reductions.

The great increase in the cost of our government aside from war time expenditures and those due to the flood has come about because the people acting through their representatives in previous legislatures have been constantly demanding that more be done for them through state agencies. We speak of essentials of government. The actual essentials of state government are few. Not long ago the state spent nothing for highways, public health, care of the insane, care of tubercular persons, public welfare, conservation, agriculture, forestry, industries, and supervision of public service corporations and but little for education and debt service. If we should eliminate expenditures for these endeavors now, we could run state government for a tenth of its present cost.

For practical purposes we must now define the essentials of state government to be those endeavors which are either necessary for the continuance of the constitutional functions of the state or which may properly be handled by the state and which the people had rather pay for and have the state carry on than to go without the service or provide for it through local taxes.

I believe governmental costs should be reduced. I believe the cost of town and city government should be reduced. To shift burdens from the towns to the state does not relieve the burden of taxation, although it may effect a different distribution of that burden and may secure greater efficiency. To cut off a state endeavor that is deemed essential will not relieve the burden, it will simply cast it on the several communities.

Probably we have no state endeavors that do not have merit. Some are absolutely essential to the continuance of our functioning as a state. Others are essential according to modern standards. Some are desirable only if we can afford them. We must reduce our expenditures both state and local to reduce taxes.

State revenues were decreasing in 1932, but with the cooperation of department heads and employees, we managed to keep state expenditures not merely within the appropriations but approximately \$300,000.00 below them after making allowance for balances carried forward because of commitments such as highway construction which has to be conducted on a seasonal basis. The state paid its bills for the year from current revenues, and at the same time paid the interest and \$472,000.00 of the principal on our bonded debt.

STATE FINANCES

It is estimated that state revenues for the pending fiscal year may not be quite sufficient to prevent a deficit even with continued and increased economies, due to the fact that appropriations have entailed commitments that cannot well be avoided. I assure you, however, that we shall endeavor to keep down the departmental expenditures wherever feasible under the law, and I believe the deficit, if any, will be small.

On the basis of existing laws, the revenues of the state available for the payment of appropriations are estimated to be \$8,196,730.00 for 1934, and \$8,149,730.00 for 1935. The appropriations made by the 1931 legislature were 9,373,272.53 for the period up to June 30, 1932, including \$173,665.81 provided for advanced use in 1931, and for 1933 they were \$9,392,977.70.

It is plain to be seen, therefore, that with estimated annual revenues more than a million dollars below the annual appropriations for the pending biennial period, we must reduce expenditures to balance the budget.

THE STATE BUDGET

Having these facts in mind, I have in preparation a state budget which will soon be presented to you for your consideration. It is prepared on the basis of existing laws except that in some instances recommendations for reduced appropriations are made which may require amendments to statutes and which amendments are suggested. Other suggestions are made as to changes which if adopted will effect further reductions.

No department of state government has been immune from reduction in appropriation. The percentage of reduction has varied considerably according to the nature of the appropriation. It is, of course, more difficult to reduce the cost of an endeavor, the performance of which is required by law and the scope of which is fixed by conditions over which we have no control, than to reduce an appropriation for an endeavor, the extent of which is measured only by the funds available.

The budget makes no allowance for any special appropriations. No special appropriations should be made unless the same are clearly founded upon necessity. If additional appropriations are made, it will be necessary to provide additional revenue.

The budget eliminates all appropriations for construction of new buildings or unusual repairs of present buildings.

I recommend that from the revenues received from motor vehicle registrations and fees and gasoline tax there be deducted the following: the annual payment on flood bonds, the interest on flood bonds, and the cost of operation of the Motor Vehicle Department; and that only the remainder, after these deductions, be appropriated for highway purposes. These deductions amount to approximately \$800,000 per year. I am therefore recommending that appropriations for highways be greatly reduced from the appropriations for the pending biennial years. I dislike to make this recommendation, especially in view of the fact that there is a likelihood federal appropriations for highway purposes may be reduced or cut off, and we need the work for our unemployed.

In the Department of Education, I recommend reductions on several items — elimination of one deputy commissioner, reduction of appropriations for superintendents, and changes of basis of state aid of several kinds. The changes are designed to curb the tendency to higher school taxes in the towns, as well as save money for the state.

I recommend the repeal of the statutes providing bounties for destruction of noxious animals.

In the Judiciary Department I recommend several changes in statutes and the elimination of certain courts to bring about reductions in expense.

Provision is made for caring for the emergency confronting agriculture in the matter of bovine tuberculosis eradication.

The recommended appropriations in the budget are within the estimated income. In other words, the budget will balance.

CONCLUSION

Your work as legislators is especially important this session. Legislative action will be watched this year by the people as seldom before. These times of depression have brought forth a multitude of radical suggestions the country over. You will doubtless have some presented to you.

From the days when the Green Mountain Boys set up an independent nation more than a century and a half ago Vermont and Vermonters have stood for independent thought and action and for progress along conservative lines. It is your business to see that Vermont shall retain her proud position and in these troublous times lay the foundation for a new and greater prosperity that is bound soon to come. It is my earnest hope that we may labor together and accomplish much for our beloved state.

STANLEY C. WILSON.

Inaugural address

of

Urban A. Woodbury

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1894

Thursday, October 4, 1894
Inaugural Address

Gentlemen of the Senate and House of Representatives:

Pursuant to the provisions of the Constitution we the stewards and servants of the people, have assembled here to perform the several duties which are therein prescribed for us. If we have an adequate conception of our obligations to our fellow citizens it will be shown by wise legislation in their behalf. We meet under circumstances which call for great thankfulness. During the past two years the people of our beloved State have been spared from wasting pestilence, from the ravages of fire and flood and other providential inflictions. The labors of our people have been fairly rewarded and contentment and plenty are in our homes. We have been largely spared the sufferings with which many of the people of our sister States have been afflicted; sufferings which were caused largely by a threatened and finally accomplished change in our National industrial policy. It is my duty as well as my privilege to bring to your attention matters which are important for your consideration.

The reports of the several officers and boards are comprehensive and complete, and I think it would be a wearisome and useless repetition for me to detail to you what they show. I have made a few deductions from the Treasurer's and Auditor's Reports which may be of interest and value to you.

FINANCES.

The report of the Treasurer shows that the State is as usual in a good financial condition. Its only funded liability is the Agricultural College fund represented by registered bonds of the State of.... \$135,500.00

Expenses of the State for last biennial term, were	920,397.48
For preceding biennial term,	1,031,710.92
The average for seven biennial terms,	722,740.90

There should be added to the expense of the last biennial term the unpaid bills of the Vermont State Asylum, accrued before July 1, 1894, say,	18,000.00
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Which properly belonged to that term, making the total expenses for the term,	938,397.48
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It is possible that there are other deferred payments probably chargeable to the last term.

It is estimated by the Treasurer that there be available for the expenses of the fiscal year ending June 30th, 1895, was,	489,655.09
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Deducting from this the amount of unpaid bills of the Vermont State Asylum accrued before July 1st. of	18,000.00
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Would leave	471,655.09
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The estimate of the Treasurer of the amount available for the fiscal year ending June 3, 1893, was	428,822.48
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Showing available funds of	42,832.61
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More for the fiscal year ending June 30th, 1895, than there were for the year ending June 30th, 1893.

If our Grand List is as large as that of 1893.....	1,751,745.23
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a tax of 15 cents in addition to the corporation taxes ought to pay the expenses of the State for the next biennial term including the special appropriations which I have hereinafter recommend.

The expenses of the State are controlled largely by the Legislative Branch of the Government, The Executive is directed by the Constitution to see that the laws are faithfully executed and it is his duty to control the expenditures within the limits of law. He can also have influence as to the expenditures of the various institutions, commissions, etc., but however much he may or can do the responsibility rests mainly, as it was intended by the fathers who framed our wise Constitution, with the legislative branch.

TAXATION.

The report of the Tax Commissioner indicates that the corporations generally have very promptly and willingly paid their taxes. Our system of taxation is probably as nearly equitable as it can be made at present. The amount of corporation taxes collected has constantly increased during the ten years the law has been in force, from..... \$ 186,698.51

In 1883, to.....	343,090.54
In 1893. These taxes, with the license taxes, furnished the last biennial term, 72½ per cent, or	692,151,18
of the money raised for State expenses.	
The State tax of 15 cents, yielded 27½ per cent., or.....	261,000.00
Of the corporation taxes the savings banks paid 38 ⁸ / ₁₀ per cent., or	268,916.16
The railroad corporations paid 31 ⁸ / ₁₀ per cent., or.....	220,034.47
The trust companies paid 12 ² / ₁₀ per cent., or	85,632.46
Life and fire insurance companies and other corporations, 17 ² / ₁₀ per cent., or	117,568.09

I believe that no personal property in the State pays a greater tax than do the funds of savings banks and trust companies. No attempt is made at concealment and every dollar is taxed.

SAVINGS BANKS AND TRUST COMPANIES.

It will be seen by the report of the Inspector of Finance that our savings banks and trust companies are in a healthy condition. It is a source of great satisfaction that during the financial panic of '93, which caused the suspension and ruin of so many banking institutions in the United States, that not one of our savings banks and trust companies were seriously injured. They stood the test completely, which may be attributed to the wise laws by which they are governed, the integrity and wisdom of their managers, the wise counsel of the Inspector, and the common sense of a majority of the depositors. Although there was \$1, 329,364 withdrawn from them in July and August, 1893, it has all been returned and with it \$703,920.77 more, making on deposit, July 1st, 1894, \$27, 966,855.46, with total resources of \$30,512,449.

I do not think it wise to make many, if any, changes in the law pertaining to these corporations. The interests of the people seem to be well guarded and permanency in laws is always desirable. I will say however, that it will be unwise and unprofitable to multiply savings banks and trust companies in the State. In most sections the ground is well covered now.

STATE AUDITOR'S REPORT

I invite your attention to the comprehensive report of the State Auditor. It discloses to whom the money which has been raised by taxation has been paid, and it will be a help to you in correcting any abuses that may exist.

You will notice that Court expenses are increasing quite materially. It will be your duty to inquire into the reason of these increased expenditures and ascertain whether any changes in our existing laws are necessary to reduce them and still do justice to the Officers of the Court and other interested parties.

STATE PRISON AND HOUSE OF CORRECTION.

The report of the Directors of the State Prison and House of Correction shows a prosperous financial condition of these institutions, During the last biennial term the Directors of the House of Correction have made quite extensive repairs and alterations in that institution, which were not contemplated at the close of the session of the Legislature of '92. From quite a thorough examination which I have made of this institution I am of the opinion that the directors were justified in making the alterations and additions they have, I do not well see how they could have done otherwise under the circumstances. The institution is now entirely inadequate for the proper custody and care of its inmates. More cell room is imperatively demanded. The number of inmates has increased so materially that the cell room is now but little over one-half of what is required. It is to be deplored that but little reformatory work is being done on account of the crowded condition of the institution.

The Directors and Superintendent are evidently men of good business capacity and are conducting the institution upon business principles.

REFORM SCHOOL

The report of the Trustees and Superintendent of the Reform School will furnish you a complete history of this institution for the last biennial term. They appear to have discharged their duties with fidelity and ability. The school is doing a good conscientious work for the boys and girls committed to it, and the results are highly beneficial. The cost of maintenance is large, and may be thought unnecessarily so, but an inspection of the work being done and an examination of the expenditures do not disclose any extravagance. The value to the State and to the individual in bringing many of these boys and girls into respectable citizenship is worth the cost it involves. The State Board of Health has condemned the system of sewerage and it should be remodeled to prevent unfavorable results. A great saving of fuel could be made by enlarging the boiler capacity of the heating apparatus.

BRATTLEBORO RETREAT.

The report of the Board of Supervisors of the Insane shows that the insane of the State are properly cared for both in the Brattleboro Retreat and the Vermont State Asylum. The only question in connection with the Brattleboro Retreat is whether the price which the State now pays for the care of the insane in that institution, should not be decreased, Considering the relation the State bears to this institution and its present strong financial, condition and the material decrease in cost of supplies, it may be well for you to inquire if the cost to the State cannot be equitably reduced.

VERMONT ASYLUM FOR INSANE.

I recommend to your careful perusal the report of the Trustees and Superintendent of this institution. This report fully sets forth its condition and, needs. I think that it would be wise to make an appropriation of \$100,000 for the construction of a new wing and putting in heating and lighting apparatus and furnishings. The benefits to be derived from this enlargement are great. The administration building, which includes the chapel and kitchen the laundry, the steam plant and electric light plant are sufficient for the use of the enlarged structure. It would accommodate two hundred more patients and, from the information I have obtained from the Superintendent, I estimate that the cost per week per person of keeping these two' hundred additional patients would not exceed \$1.75. This would be about \$ 1.15 per week less than the cost of keeping the present patients. This is \$2.00 per week per patient less than the State is paying the Brattleboro Retreat. This would make a total saving of \$400 per week or \$20,800 per annum to the State by transferring two hundred people from the Brattleboro Retreat. Should you think it wise to appropriate all that the Trustees recommend, all the patients could be moved from Brattleboro and the saving increased to \$26,000 or more per annum.

This appropriation would require a tax of about six cents or three cents each year for this biennial term. I believe it would be true economy, as well as humanity, to do the work. Although we could hire the money at about 3 ¼ per cent., I cannot advise doing so, believing we are able to pay as we go.

The Trustees and Superintendent are performing their duties ably and faithfully.

STATE BOARD OF HEALTH. . .

The report of this Board indicates that it has done a large amount of important work during the last two years, which should be continued.

RAILROADS.

The able and interesting report of the Railroad Commissioners shows among other things that the physical condition of the railroads in this State is excellent in the main. The railroads have suffered severely during the past eighteen months on account of the general depression in the business of the country, and it is much to their credit that they have not materially lessened their service to the public during these trying times.

Railroad corporations are the creation of the State and properly may be supervised by it, but they are intimately connected with our business prosperity and are necessary for our convenience, and, so long as they properly perform their duty to the people, should be looked upon with favor. When they do not they should be corrected and controlled.

FISH AND GAME.

I invite your attention to the comprehensive report of the Commissioners of Fisheries and Game for a detailed account of their work and its needs. The establishment of a Fish Hatchery by the State as well as one by the United States, coupled with the energetic efforts of the Commissioners of Fisheries and Game, and of the Fish and Game League, have excited an interest is not confined to this State. I am confident that in the near future the results of their work will be of great financial value to us. Good hunting and fishing are great attractions for people in the large cities and are appreciated by many of our own citizens. I believe this work deserves encouragement within reasonable limits.

SOLDIER'S HOME.

This institution is a monument to the patriotic generosity of the people of Vermont. From 1861 until the present time the people of this State have never been found wanting in generosity to those who risked their lives in defense of the Union and for the honor of Vermont. This institution is in fact a "Home" for veterans who are without homes elsewhere. The expenditures are necessarily quite large, but are not extravagant, and are closely scrutinized by the competent and faithful President and other members of the Board of Trustees, who serve without compensation. For a detailed account of this institution and its future requirements I refer you to the report of the Trustees which will soon be placed, before you.

NATIONAL GUARD.

Our regiment of Militia and Light Battery, or National Guard as it is called, exists by virtue of the requirements of our Constitution. The report of the Adjutant and Inspector-General, and the very able and comprehensive report of Captain H. E. Tutherly, U. S. A., to the War Department, show that the National Guard is in excellent condition. It is well officered and deserves your favor. Every member of it is rendering patriotic service and practically without compensation, I commend to your consideration the recommendations of the Adjutant-General that a permanent camp be established near Fort Ethan Allen. This would be an economical measure, and it seems to me give conducive to the efficiency of the National Guard, which is the paramount object to be borne in mind. If it can be done, I advise that existing laws be changed so that my successors in office will have the privilege of appointing the Adjutant and Inspector-General, the Quartermaster-General and the Judge-Advocate-General. The Governor is commander-in-chief of the forces of the State, and should have the privilege of appointing all of his staff officers. This is the method adopted in many, if not all other States.

Since the last biennial session the United States Government has established a Military Post upon land ceded to them by this State, near Winooski and Essex Junction. This establishment will be of much benefit to our State in many ways. The location of this post, called Fort Ethan Allen, in Vermont, was obtained largely through the efforts of Senator Redfield Proctor.

EDUCATION.

Education is the basis of the morality, happiness and prosperity of a people, and consequently is of the first importance to the State. While the present school law may need some amendments, the consensus of opinion seems to be that it is the best law we have had, and the best adapted to this age. I think it should have a thorough trial before its essential features are changed. The normal schools appear to be doing their work in the usual satisfactory manner, though I think it would be very desirable and much less expensive if we had but one school of the proper proportions. The report of the State Superintendent indicates activity and honest effort in his work.

OUR COLLEGES.

The University of Vermont and State Agricultural College is constantly increasing its advantages for students of all classes, and the educational and agricultural interests of the State are being more benefited by its work than ever before. The influence of the agricultural department is being manifested in many lines. I think the time has passed for severe criticisms as to its usefulness.

The Norwich University and Middlebury College are both extending their spheres of usefulness. All of these institutions deserve your continued favor.

BOARD OF AGRICULTURE.

The Board of Agriculture and the Dairymen's Association are each performing a good work in their spheres. The benefits of these organizations are manifested by the increased value of the products of agriculture and the dairy, and are deserving of continued moral and financial support.

THE MARY FLETCHER HOSPITAL.

This institution, located in Burlington, is doing a most beneficent and great work for suffering humanity. The report of the Trustees which will be placed before you shows that they treated 664 patients during the last year, of which 6 per cent were charity patients, reckoned by the length of time they were in the institution. The paying patients, however, did not pay the cost of their care into \$2.65 per week, each. The whole income of this institution is dedicated to the relief of suffering humanity, and it is managed by able and benevolent men.

FIRE MARSHAL.

Insurance men of this State desire the office of Fire Marshal to be created, whose duty it shall be to investigate the causes of fire so that punishment may be meted out to incendiaries. They claim where this method has been adopted in other States losses by fire have been materially decreased. This result would not only benefit the insurance companies but every person who insures property, as the cost of insurance is based upon former losses. The expenses of this office, if created, should, I think, be borne largely or entirely by the insurance companies.

THE AUSTRALIAN BALLOT.

Considerable dissatisfaction is being manifested at the working of this system of voting. It is claimed by many of our citizens that the system is too elaborate and expensive and quite unnecessary for such a State as Vermont. There is a manifest disinclination upon the part of quite a large per cent, of voters to be subject to the requirements of this system of voting. From representations made to me I am inclined to believe that from five to ten per cent, of the voters of the State are practically disfranchised by reason of their disinclination to submit to such an elaborate system. I think that no one, however intelligent, goes into a booth to vote without experiencing some trepidation for fear that he will make a mistake.

I recommend that you investigate these causes of complaint and decide whether the law should not be less modified. I will only bring to your attention one out of many of the modifications of the law proposed to me. It is suggested that ballots be prepared as now, but detached from each other leaving off the square at the top and placed in the booth. The voter could then go into a booth and select and use the ballot as prepared, or prepare a ballot to suit him; he could erase names from the ballot as prepared and insert other names if he chose. Inspectors could see that only one ballot of each kind was deposited and the secrecy of the ballot and freedom of the voter would not be destroyed.

OUR FORESTS.

The owners of timber lands in our State are pursuing a ruinous policy in the method used in harvesting their timber, There is no more valuable crop produced from land than timber, especially spruce timber. By the preservation of spruce trees of ten inches in diameter and under, when the large timber is cut, a good crop can be cut every fifteen years, at least. Every decade will see timber more valuable, and it is of great importance to the owners of timber lands, as well as to the State as a whole— for what increases the wealth of a class increases the wealth of the State some measure should be adopted to lessen the wanton destruction of our forest. The value of our water powers and the attractiveness of our scenery and preservation of game and fish also call for reform I invite your earnest attention to this subject.

GOOD ROADS.

I thoroughly believe in good roads. They are necessary for the comfort and profit of our citizens, and as a means to attract to us people from other States. I do not feel sure that the five per cent. State tax has been wisely expended. In most towns it has been put to the same uses as the town highway tax, and in many cases the towns have raised five per cent, less tax than they would had they not received the State tax. Many believe that the distribution of the tax is unjust and think that each county should have the benefit of the tax levied upon it.

There does not seem to be any good reason why a county in one part of the State should send several thousand dollars per annum into a county in another part. If the county plan of distribution were adopted the money raised should be expended, in my opinion, in what would be called permanent improvements, under the directions of a Commission composed of say one from each town in the county. Addison, Bennington, Caledonia, Franklin and Washington Counties would not be materially affected by the change. Chittenden and Rutland Counties would be benefited, while Essex, Lamoille, Grand Isle, Orange, Orleans, Windsor and Windham would suffer loss.

Each county is particularly interested in good roads in its own county, but only interested in a general way in the roads of other counties. The large towns in the several counties are interested in having good roads in the small to as the trade and traffic of small towns are tributary to them and therefore they might in justice be required to bear a share of the burden of maintenance of their roads. If any change in the distribution of the tax is made it should be done solely because you believe it to be just.

THE PROHIBITORY LAW.

For forty-two years this law has been one of the most important in our Statutes. It may not have accomplished all that its friends hoped, but that it has been a powerful instrument for the prevention of intemperance and crime during these years but few people will deny. The administration of the law, especially in larger towns, has been severely criticized of late, and it must be confessed that the criticisms are largely justified. The friends of the law cannot afford to make light of these criticisms; they should frankly admit them and endeavor to correct the abuses specified. The law itself is not weak, in that it is not severe enough. If I were to recommend any change it would not be toward greater severity or more restrictions.

It is absolutely necessary that there should be a friendly public sentiment to ensure the enforcement of this or any law.

Too great severity tends to create adverse sentiment. There is, however, no doubt, that the sentiment of the people of this State is strongly in favor of the present law and its honest enforcement. If it is ever modified or repealed it will be done by temperance men and in the interest of temperance. Some people, especially those living in larger towns, seem to be discouraged because the law does not absolutely prohibit, but they should bear in mind that no law against the commission of crime prohibits, but only restricts in proportion to its enforcement.

The prohibitory law is a stringent, restrictive measure. In some other States some other restrictive laws may be better; but for our State the present law is unquestionably the best at this time. According to the Audit office's report the amount of fines and costs paid during the last two years on, account of violations of the law, exceeded the Court expenses incurred in enforcing it by \$25,000 per annum.

REVISED LAWS.

One of the most important matters that you will be called upon to consider, will be the revision of the laws of the State. A commission, composed of three eminent lawyers appointed under the act of 1892, have spent several months in the work assigned to them, and will present their report for your action. This work of revision will be one of the most important and laborious of the session, and should be commenced at the earliest possible moment. The committee having it in charge should, in my opinion, have no other work to do so that it may report to you in a reasonable time. The utmost energy will have to be used in this work or the session will be prolonged and expensive.

THOMAS CHITTENDEN.

In the little church-yard in the town of Williston, lie the remains of one of the fathers of Vermont, Thomas Chittenden. To no one man are we more indebted for the independence and formation of this State, than to him. He has been aptly called the George Washington of Vermont—the father of Vermont. As the first Governor for nineteen years he safely guided the affairs of State, and, with the Allens and others, by his wise counsel and statesmanship compelled recognition by Congress and gained for Vermont an enviable standing among the sister hood of States.

It seems to me that it would be a very proper thing for this State to recognize his services and perpetuate his memory by erecting over his grave a simple but suitable shaft. A Mr. Root, formerly a resident of Williston, has recently purchased a half-acre of land suitably located for the erection of the monument, and presented it for such use, I sincerely hope you will give this subject proper consideration.

VERMONT.

It is impossible at this time to predict with accuracy the effect the recent tariff legislation will have upon the prosperity of our people, but with free wool and lumber and a material reduction of duty upon many of our leading products, no one can feel otherwise than apprehensive. I do not wish, however, to take a gloomy view of the situation, but believe in laying in a good store of courage and hope and faith in the future of the Republic and in the resources of Vermont. There is no better place for a Vermonter to invest money than in Vermont. If all our people for the next ten years would do what they have not done in the past ten years, invest their surplus earnings at home, Vermont would teem with new industries and our population and prosperity would materially increase. I predict that a substantial gain in our population will be shown by the next census. The western fever is abating. Few if any States in the union surpass ours in value per acre of the products of the soil, and none of equal size surpass us in value of quarries, in value and availability of water power, and none in beauty and variety of scenery, in purity of politics, in healthfulness of climate, in happiness of homes, in morality of people, in bravery of men and virtue of women. Being thus happily situated, why should not we be content.

The times admonish us to be very careful, though not parsimonious, in appropriations of money for the needs of the State.

The proper conduct of public affairs and the progress of improvement which will increase the value of property in the State, cannot be done without the use of money, but it should be wisely expended for the good of all people and not for any particular person or class of persons.

Too much legislation is not wise. It is better to do too little than too much. As a rule, laws should have age before they are changed, so that their true value may be ascertained. With a firm reliance upon Divine favor, without which we cannot hope to accomplish anything of permanent value to our beloved State, let us enter vigorously upon the work of the Session.

URBAN A. WOODBURY.