

Farewell address
of
Ebenezer J. Ormsbee
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Farewell Address

GENTLEMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES:

There is seemingly no occasion for apology or explanation on the part of the retiring executive for presenting a valedictory message. Whatever may be my personal views as to this being the best or wisest course, in view of the constitutional requirement that the incoming Governor shall prepare and lay before the general assembly such businesses as may appear to him necessary, the practice has been so uniform for such a period of time and been looked upon, I believe, with naught but favor, and been so wisely performed by my illustrious predecessors that, in considering the subject, it has assumed the form of official duty. In performing this once questionable official act, it will be my purpose to confine myself to rendering an account of my stewardship as the servant of the state, rather than to enter to any considerable extent into the field of recommending or advising as to the work of the session beyond what may be properly denominated unfinished business, having reference to the acts and resolves of the last session; and in calling your attention to some matters of public interest or concern that have transpired during my term of office, I am pleased to say that the prospective business of this session will demand your most earnest and serious attention and consideration; questions of unusual public concern, to successfully solve which will require you to put behind you all narrow or selfish considerations, having only in mind the interest of the entire state, and looking well to the future as well as to the present.

STATE BENEFICIARIES.

By chapter 41 of the Revised Laws and act No. 39 of 1884, provision is made for instruction at the expense of the state of the deaf, dumb, blind and idiotic and feeble-minded children of indigent parents. The annual appropriation of \$11,000, made to carry out these provisions, has thus far proved ample to meet all demands made upon it. The entire expense of the state for the last two years has been \$13,798.94. No application to share in this humane provision has been denied where the applicant came within the law and the rules and regulations of the institutions patronized by the state. During my term of office I have visited all the institutions patronized except that for the feeble-minded children, and have seen the pupils of this state and made examination and inquiry as to their treatment, condition and progress, and as to the probability of further improvement to each pupil by longer remaining in the institution and have solved all doubts in this respect in favor of the beneficiary.

For reasons which seemed to me good and sufficient, I have directed the withdrawal of further aid in two cases, namely: Charles H. Pratt and Evelyn A. Tatreau, aged respectively 22 and 21. The first had been in the Perkins institution for the blind over ten years and the latter over eight years. The beneficiaries of the state now number twenty-eight. So far as I can judge, the pupils are kindly treated and contented, and the state well served by the various institutions. In the appendix may be found a list of all the beneficiaries with statement of further particulars in regard to them. That the state has adopted and follows a policy of thus providing for these classes of her unfortunates is much to her credit

SAVINGS BANKS.

Theoretically, at least, the savings banks are the depositories of widows, orphans and the wage earners; and while there is a growing belief that the original purpose and design of these institutions has been largely departed from, in so much as to make them depositories of the wealthy, at least to a considerable extent, it is doubtless the duty of the supervising power to continue to guard these institutions with the utmost care in the direction of the greatest possible safety. An examination of the report of the inspector of finance cannot fail to convince you, that the old-fashioned ways and modes of investment of funds by many if not all, of these institutions, have been departed from, and the old idea that all other questions should be made subordinate to safety, is being lost sight of in the pursuit of a high rate of interest, that large dividends may be declared. This

cause, while it naturally and unavoidably invites the funds of the wealthy, hazards the savings of the poor. The suggestions of the inspector as to the present management of these institutions in this regard and the remedy by him recommended, are well worth your attention and consideration. If the present policy is to be continued, it will be in order for you to devise and apply some means whereby this immense fund shall be made to bear its fair proportion of the public burden.

EDUCATION.

In view of the action of the last legislature bearing upon the subject of the “efficiency of the public schools of the state,” having reference to its further consideration by the present legislature, there is seeming appropriateness in its being called to your attention and commented upon by the retiring executive.

I approach the consideration and presentation of this subject with a degree of solicitude bordering upon anxiety, but this has its relief to some extent, at least, in the thought that my interest cannot be greater than yours, or my solicitude more intense.

To say that it will be your duty to consider and dispose of matters and questions of vital importance to the state in reference to this matter would be to repeat what I may assume to be known by all and it would seem to be but a similar act to assert that the common or public schools of the state, as to which in former times Vermonters were justly proud, are at the present time as a whole far from satisfactory, if not, in fact, deplorable in their lack of efficiency. This condition of things is not a late revelation or a new discovery. It has come to us through executive communications and reports of the superintendent of education in language too forcible to admit of any misunderstanding and supported by evidence as to which no question is made. And now we are told by our superintendent of education in his report, which will be before you and to which your considerate attention is earnestly requested, that in “the graded schools of the larger towns and in some of the ungraded districts and in most of the towns that have held to the town system, there has been improvement, and intelligent and systematic instruction is given. The teachers are competent and well qualified and some of these schools are not excelled by any in the country, as I believe. But in most of the other districts, those away from places of business and back on the hills, the schools are growing poorer. These are the schools where more than half the children of the state attend and they are not improving but retro-grading. If this is doubted by any the evidence is accessible. Let there be a personal examination of these schools, consider the qualifications of the teachers employed, notice the condition of the houses provided by these districts, the absence of proper outbuildings, lack of all care and sanitary arrangements, the dearth of all books of reference, charts, globes, and suitable blackboards, and I feel sure that we shall be forced to admit that the condition of many of these schools is unworthy the reputation and character of our state, and should be a constant reminder of the serious neglect of our duty to the children of the commonwealth.” These sentiments and statements by the chief educational officer of the state, and former ones from the same source, and emphasized repeatedly by and through executive communications constitute a serious indictment for Vermonters to plead to, and avoidance or denial do not seem to be available; therefore, it is in order that you should make conscientious, considerate and determined effort to find and apply an effectual remedy. This condition of things was recognized at the last session of the legislature and after much earnest though fruitless effort to find a cure for the trouble, that might be applied at once, act number 111 of 1886 was passed with substantial unanimity. By this act the Governor was “authorized and directed to appoint a committee of three competent and practical men whose duty it shall be to revise, redraft, and so far as may be deemed necessary, draw up a new bill, rejecting all or as many of the sections of the school law now in force as they may deem desirable, and substituting therefor such new sections as will best add to the efficiency and improve the public schools of the state, and report a bill to the general assembly at its next biennial session.” To be responsible for the selection of this committee to be charged with the performance of the duty proposed, was indeed onerous and well calculated to impress me with the gravity and seriousness of the duty imposed. If any failure or mistake has been made in the *personnel* of the committee, it was not for want of appreciation of the magnitude and importance of the work to be committed to it, or a want of appreciation of the grave responsibility resting upon me.

In compliance with the direction given by said act No. 111, I appointed as such committee, Hon. James M. Tyler of Brattleboro, Rev. Ezra Brainard, of Middlebury and Prof. S. W. Landon of Burlington, and before but little action had been taken by the committee, Mr. Tyler resigned on account of his appointment as one of the

judges of the supreme court, and I appointed to fill the vacancy, Hon. Loveland Munson of Manchester. This committee was seasonably appointed and entered upon a performance of their duty, and have given it much time, and, I believe, their best endeavors, seriously imbued with its gravity, magnitude and importance; and have, I feel assured, had but one object in view, and that being to present, as a result of their work, such a code of school laws as will, in their judgment, most improve the public schools of the state. How well they have succeeded the result of their work must attest, under your scrutiny and judgment. The committee have completed their work and it will be before you. The act under which this committee was appointed only requires the presentation of a new bill, but at my request the committee have supplemented the bill they offer, by a report in support and explanation thereof. If it should seem to you that by presenting this supplemental report the committee have transcended their authority, it will be plainly your duty to visit the consequences upon me. It seemed to me that it was due to the cause in hand, to you and to the committee, that you should be informed of the reason that governed their action and lead to their conclusions, with full explanation of their work; hence the request that a report accompany the bill.

Should the measures presented by the bill offered seem to you to be radical in the changes proposed, or extreme in any of its features or provisions, I beg to remind you that the trouble sought to be alleviated is also extreme, and that the disease sought to be cured involves the good name of the state, and the happiness and intelligence of the children of that commonwealth. I bespeak for this subject due appreciation of its importance, and candid and earnest thought and action. The bill submitted has, as a whole, my approval.

NORMAL SCHOOLS.

The present system of maintaining and supporting normal-school instruction will expire in August, 1890, if no action is had in reference thereto at the present session, In anticipation of this fact the last legislature took action in the matter and by joint resolution No. 124 directed the Governor to appoint four suitable persons, who with the state superintendent of education, should constitute a committee "to inquire into the system of normal-school instruction under the patronage of the state, and report to the Governor before the meeting of the legislature of 1888, as to the discontinuance of the present system after August, 1890, the desirability of establishing one state normal school owned and controlled by the state, and in connection therewith the practicability of normal-school instruction connected with the graded schools in each county in the state."

In compliance with said direction, I appointed as such committee, Hon. Jonathan Ross of St. Johnsbury, H. O. Wheeler, Esq. of Burlington, Hon. Albert N. Swain of Rockingham and Prof. Edward H. Dutcher of Brandon. Before the committee entered upon the performance of their duty, Mr. Swain resigned by reason of serious illness in his family, and I appointed Prof. H. M. Willard to fill the vacancy. This committee have, I am satisfied, performed their duty with entire disinterestedness and great thoroughness, and have given to the subject an amount of time, attention and service greatly out of proportion and in excess of the provision made for compensating them. The report of this committee will be before you. It merits, and doubtless will have, your best attention and consideration. What I have elsewhere said on the subject of education has direct force and application to this matter. Should it be your pleasure to legislate in the direction of greater efficiency in the public schools, you seemingly cannot omit to make provision in some form for normal-school instruction, for reasons too evident to demand illustration or argument. This report presents a duty that cannot be postponed or ignored, and covers a field, of public interest that pertains to but few subjects; and it is expected that you will perform it upon broad and unselfish grounds and principles, having in mind the conceded retrograde condition of public instruction, the important and seeming inseparable connection between the common school and normal-school instruction, if a high grade of the former is to be sought after and maintained; and also having in mind the fact that the responsibility of disposing of this matter is with you.

INTEMPERANCE.

In my inaugural message I took occasion to remark at some length on the subject of intemperance and to express decided views and suggest certain legislation. My views are the same now as then, and, were it within my province to advise as to the legislation on the subject, I should now repeat my former suggestion in that respect with, if possible, increased emphasis. I will only add that observation and information agree and establish in me the belief that there is scarcely a sister state where a better condition of things exists or where

the public sentiment is more healthy upon this all-important question of public concern At the same time I venture to assert without fear of denial that the illegal sale of intoxicating liquors and the use of such as a beverage, even here in our favored state, is a direct cause of more crime, trouble and sorrow, the blight of more homes and the extinguishment of more bright hopes of happiness, than all other causes combined. If I am correct in this you cannot fail to take a lively interest in the question, and by earnest and diligent endeavor give such aid in the premises as in your judgment it is possible to render by or through legislative action.

RAILROAD COMMISSION.

The matters and interests committed to the railroad commission are of great significance, and their importance is second to but few, if any, other subjects over which the state has to a certain extent supervision.

It is quite too early to pronounce or judge of the intrinsic value to the state of the commission. Much was expected of it, and so far as I can judge its work has been such as to give satisfaction. The report of the commission will be will have, I doubt not, your careful attention.

This report gives unmistakable evidence of an industrious and painstaking effort on the part of the commission to do, with great thoroughness, whatever they have conceived to be their duty under their appointment; and also like evidence that their action has at all times been impartial, independent and intelligent.

It is not my purpose to dwell at length upon this subject, yet I am moved to suggest that if the act of 1886, by which the commission was created, should be so amended as to make it more in accord with the provisions (such as are applicable to a state enactment) of the so-called inter-state commerce law of congress, including some or all of the provisions of the pending proposals of and so as to give further power, authority and direction to the commission to initiate and carry out enquiries, examinations and proceedings in its discretion or other wise, *upon its own motion*, as to matters which it may now investigate upon complaint or petition, the hands of the commission would be strengthened and its opportunities for correcting real abuses or grievances, and of demonstrating the want of actuality as to supposed or imaginary ones would be thereby greatly enlarged.

THE NATIONAL GUARD.

An examination of the reports of the adjutant and inspector-general, the quartermaster-general, and accompanying documents and statements, will put you in possession of all material facts bearing upon the strength, condition and needs of the militia, and to that source of information you are referred. You will find these reports exhaustive on the subject, and replete with evidence of enthusiastic interest, and admirable efficiency on the part of the officers of the command, and of a satisfactory and commendable condition of the command itself. I call your attention to the recommendations of the adjutant and inspector-general that the force be enlarged to a limited extent; the views and suggestions of this experienced and earnest servant of the state in consideration of his long, faithful and efficient service merit your considerate attention.

At the last session of the legislature provision was made—see act No. 113—for providing the guard “with the newest and most improved arms and equipments that the national government may have in use at the time of re-equipment,” and a partial appropriation was made to carry the provision into effect, providing that the balance of the expense could be met by a sale or exchange of military stores, arms or equipments then on hand and subject to be condemned. I am pleased to be able to say that through the means thus provided, and the commendable business tact and energetic effort of the quartermaster-general, the new and improved arms and equipments have been procured and are now in the hands of the militia, and in those regards every want is supplied. I feel warranted in saying that there has not been any retrogression in the condition or efficiency of the national guard during the now expiring administration; that in character and reliability it is equal to any emergency that way demand its aid and protection; and I trust it will continue to have the liberal support and merited encouragement of the state.

The commission created by joint resolution of 1866, No 119, for the purpose of investigating and inquiring as to the expediency of establishing permanent camping grounds has not completed its work I am, however, assured that its report will be presented to you at an early day.

GETTYSBURG MONUMENT.

By act No. 215 of the session laws of 1886 provision was made and direction given for the “purchase of lands of especial interest, construction of avenues and driveways, rebuilding and repair of earthworks, and otherwise caring for and beautifying the Gettysburg battlefield grounds by the officers of the Gettysburg battlefield memorial association,” and “for the purpose of purchasing and erecting suitable monuments on or near such grounds, to commemorate and perpetuate the conspicuous valor and heroism of Vermont soldiers on that decisive battlefield of the war of the rebellion.”

By the provisions of said act, this work of patriotism was committed to a commission, to consist of the Governor of this state and one member from each of the regiments and the companies of sharpshooters present and three members from the state at large, to be appointed by the Governor. The commission was duly appointed and early in the spring of 1887 it visited Gettysburg for an examination of the battlefield and the better consideration of the important matters committed to it. One of the immediate results of this visitation was to satisfy the commission that the work in hand was of greater magnitude than had been previously understood or estimated; also to give some of its members a more correct idea as to the decisive part taken in the battle by Vermont troops; furthermore to acquaint them all for the first time with the great memorial undertakings of other states upon the field, and moreover, to thoroughly impress them that the pride and honor of Vermont, and its duty to its soldier sons, living and dead, demanded thorough work at their hands—demanded that the monuments of the state there to be erected should correspond with the splendid and unsurpassed valor of her soldiers on that and other battlefields of the war and be made to reflect, in a measure at least, the patriotic pride and devotion of the Green Mountain state.

The selection of a suitable design for the principal or state monument proved to be a work of great difficulty and required much more time than had been anticipated. Moved by the above considerations on the one hand, and met by a limited and inadequate appropriation on the other, this part of the duty of the commission was arduous and embarrassing; but resolving that the work should go on to completion, notwithstanding these obstacles, and that when complete it should not be disappointing in any respect, or be dwarfed or belittled by its surroundings, the commission, with entire unanimity, made choice of a design, to carry out which involved an expense much beyond the appropriation and a personal obligation upon the members of the commission for any excess. Toward meeting the excess an appeal was made to individuals and a considerable sum was either paid or pledged by patriotic citizens, but not enough to carry the work to completion according to the plans. The commission, however, entered into a contract with the Carrick Brothers granite company of St Johnsburry, the lowest bidders, for the construction and erection of the state monument, according to said design, of Dummerston granite, to be erected by September 15, 1888, for \$9,000.

Owing to delays in quarrying the stone, for which the contractors were not at fault, and which the commission was powerless to prevent or remedy, the monument is not completed and the present indications are that it will not be until late this autumn.

A report of the commission and a copy of the design of the state monument will be laid before you in due time. There are many details in this report which will interest you, and to which I invite your attention. Should it be your pleasure to provide for the full expense of the commission it will require an appropriation of about \$3,000, over and above the private contributions already paid or pledged.

By an examination of the design you will see that it would be a much more perfect whole if surmounted by a figure or a statue, and there has been a very general expression from many sources that this work might be crowned by a statue of the late Gen. George J. Stannard. This would indeed, be a most fitting and grateful finish to this work of art and memorial of the state to her soldier sons.

The work of the commission in reference to the four other monuments which it decided to erect upon the field, is going forward. To complete the work, including the statue suggested, will require in the aggregate about \$8,000 I earnestly recommend that you take such measures as will accord with the proverbial patriotism of our people, and enable the commission to finish this work as well and completely as our soldiers did theirs.

In concluding this subject I desire to call your attention as to whether further legislation may not be necessary to make the unexpended part of the appropriation available, and also as to whether the power of the commission should not be extended or renewed.

THE SOLDIERS' HOME.

The soldiers' home, located at Bennington, may, I assume, be considered as a state institution, for the support and maintenance of which the good faith and patriotism of the state is unflinchingly pledged, so long as a "deserving soldier or sailor" remains to claim its shelter and enjoy its comforts. Assuming this, I will omit saying what I might otherwise present by way of an appeal. to your patriotism, and enlarging upon and amplifying as to the obligations of the state to the surviving and needy defenders of the nation when its very existence was in deadly peril and its flag assailed and sought to be destroyed by the hand of treason. This assumption leads me unhesitatingly to another, and that is, that you will only want to know as to the needs of the home to make cheerful and prompt provisions for meeting them. For this information I point you to the report of the trustees of the home, which will be before you, and from it you can satisfy yourselves as to all facts and details pertaining to this more than commendable undertaking. To repeat them here cannot be necessary.

Among other things set forth in the report is the fact that there is no provision of law requiring the trustees to make report to the Governor or general assembly as is required by other like or similar boards. Bearing upon this subject, the trustees at a late meeting, passed the following resolution:

Resolved, That in the opinion of the trustees of the soldiers' home of Vermont, a bill should be proposed and introduced in the legislature of this state which shall make it the duty of the trustees to make an annual report to the Governor of the state of the moneys received and expended in support of the home, of its financial condition, and of the number of veterans received and discharged.

It seems hardly necessary to even suggest that this opinion of the trustees should be regarded and acted upon at this session, and that such further legislation be had as to this matter as the merits of the home may demand.

I trust that I may be pardoned if I say that in my judgment the trustees of this institution, more than any other of our public servants, are the custodians of the good faith and patriotism of the state, and that their hands should be strengthened and their treasury never allowed to be empty so long as one of these beneficiaries is in need of its aid.

MONUMENTS TO VERMONT SOLDIERS AT WINCHESTER AND CEDAR CREEK, VIRGINIA.

I desire to call your attention to joint resolution No. 126 of 1886, wherein due and merited recognition was made of the liberal and patriotic action of Col. Herbert E. Hill in erecting upon the battlefields of Opequan and Cedar Creek, Virginia, substantial monuments in memory of those who fell in the charge of the eighth regiment Vermont volunteers, September 19, 1864, and to commemorate the desperate struggle at Cedar Creek on October 19, 1864.

Col. Hill was a member of the eighth regiment and a brave participant in deeds of splendid valor commemorated by these monuments, and although a resident of Massachusetts, shown an unswerving devotion to Vermont and takes in the achievements of Vermont troops. He is in feeble health and informs me by letter of September 28, 1888, in reference to the above matters, that "it gives me pleasure to present through you, as chief executive, to the state of Vermont, these monuments and the plot on which the stand, and I respectfully ask that the state accept this gift, trusting that these shafts will long remain to symbolize the valor of Vermont soldiers in the late civil war, as they historically mark the pathway of desperate fighting."

The lateness of the receipt of Col Hill's letter makes it impossible for this matter to be presented to you in other than this hasty and imperfect, and to me, unsatisfactory manner. I solicit your due attention to this interesting subject and trust that you will give it such attention as its interesting and patriotic character demands., and give such further legislative expression of gratitude Hill as to you may seem appropriate.

THE CRIMINAL AND CONVICT INSANE.

In view of the fact that the state is without an asylum for the insane, and the somewhat peculiar if not anomalous relation existing between the state and the asylum at Brattleboro, its crowded condition, and the desire of the management to be relieved from receiving the convict and criminal insane of the state, and other

considerations bearing upon the subject, the legislature of 1886 adopted joint resolution No. 121, by which the Governor was "requested to appoint a commission of three suitable persons to investigate as to the advisability and location of a separate building for the care of the criminal and convict insane, and all matters germane to the subject, and report to the next legislature."

In compliance with this request I appointed as such committee ex-Gov. Roswell Farnham, Henry F. Janes, M. D. and Hon. Charles P. Hogan, and their report upon the subject committed to them will be before you for your consideration and action.

The report of this committee, taken in connection with that the trustees of the asylum at Brattleboro and the supervisors of the insane, leaves no room to doubt that a *necessity* exists for the state to make early provision for the care and keeping of these unfortunates. Should the recommendation of the committee find such favor with you as to meet with responsive action, I suggest that you consider whether it is not practicable to provide a department under the same management where a portion of the incurables and idiotic insane may be cared for to such an extent as to relieve the asylum at Brattleboro of its over-crowded condition. It is not my purpose to comment upon the important subject of our insane in general, further than to point to the self-evident fact that the overcrowded condition of the asylum at Brattleboro should in some way have relief at your hands. A respectable regard by the state for the rights of that institution, and for the comfort and due and proper treatment and care of the inmates, unquestionably demand and require remedial action by this legislature. The reports above referred to will be before you and should have your careful and consideration attention.

PENAL AND REFORMATORY INSTTTUTIONS.

The reports of the directors and superintendent of the state prison, and the trustees and superintendent of the reform school will be before you; and to these you will naturally look for the purpose of ascertaining the condition and needs of these state institutions. I am not aware that there is occasion for special attention or mention as to these institutions beyond inviting your attention to the reports of their several heads, and to congratulate the state upon their wise management and generally safe and satisfactory condition.

PARDONS.

During my term of office I have granted three pardons, all from the house of correction and twelve conditional discharges, six from the state prison, and six from the house of correction; a list of which may be found in the appendix, with a statement of such facts as seemed to me to be of public interest.

The applications for pardon and the exercise of executive clemency by way of granting conditional discharges have been quite numerous, and each has been carefully examined into. Should it be a matter of surprise that the pardoning power has been exercised so sparingly, my only answer would be that as a general rule of action I have been actuated by the idea that sympathy should yield and be held in subordination whenever there is a substantial risk to life or property, or whenever there is danger that the wholesome influence of punishment for crime as an example to others inclined to evil would fail to have its proper effect, and more particularly so when the subject is a confirmed or professional criminal. There is a class of cases, exceptional or otherwise, where the right to grant conditional discharges may be exercised with great good to the individual and comparative safety to the citizen. I desire to improve this opportunity to speak approvingly of this provision of the criminal law.

LEGISLATION BY JOINT RESOLUTION.

Several of the joint resolutions of last session were not sent to me for my signature, although in more than one such instance provision was made for compensation to individuals for services to be rendered. Such resolutions when lacking executive approval want the force of law necessary to justify the payment of money from the treasury. This subject is brought to your attention in the hope that greater caution may prevail as to this mode of legislative action. It was well remarked by one of my predecessors in commenting upon this subject, "every legislative act ought to have the safeguards of the readings and usual reference."

EXECUTIVE APPOINTMENTS.

Full information upon this subject is contained in the Appendix.

THE LATE JACOB COLLAMER.

By joint resolution No. 122 of the session of 1886, I was authorized to provide a suitable pedestal for the statue of the late Jacob Collamer in the national capital, for the reasons stated in the resolution. This pleasant duty has been so performed that the pride of the state will be no further hazarded or the feelings of the observer disturbed by seeming lack of attention or want of respect for the memory of the illustrious statesman.

JUDGES OF THE SUPREME COURT.

In September, 1887, the Hon. William H. Walker resigned his position as sixth assistant judge of the supreme court and I appointed the Honorable James M. Tyler to fill the vacancy. A request was made to me from a highly respectable source that the vacancy be allowed to remain until the present session of the legislature. In view of the duty imposed by the constitution in reference to filling vacancies, it is at least questionable whether any discretion is given to the executive. I had no doubt as to the matter independent of the constitutional question. I had before me the fact that upon several occasions of recent date the state, through its general assembly, had declined to diminish the number of its judges, so that the expressed wish of the state in that regard seemed to be in accord with the constitutional provisions that "the Governor shall supply every vacancy in any office occasioned by death or other wise until the office can be filled, etc."

THE CLAIM BETWEEN THE STATE OF VERMONT AND THE UNITED STATES.

The adjustment of all claims between the state of Vermont and the United States was made the subject of an executive message to the general assembly at the last session, and the legislature voiced its wish in the matter by the passage of act No. 217 of 1886. The message and act referred to will furnish full information to those desiring it, and there does not seem to be any present occasion for enlarging upon this matter further than to say that no substantial progress has been made toward an adjustment. As yet no officer or person has been authorized by act of congress to act in the matter in behalf of the United States, and it has been deemed by the auditor of accounts and myself to be our plain duty to wait such action by congress before submitting the claims of the state. Although again requested to submit the claims to the auditing officer of the treasury department of the United States our interpretation of said act No. 217 was such, and our judgment in the premises such that we have declined to comply with the request. A seriousness and anxiety as to the alleged claim of the United States against the state prevailed to some extent when the presentation of it was first known, but this was seemingly allayed by the prompt and just action of the general assembly in the passage of said act No. 217. I believe that the interest of the state demands that this matter should be adjusted, but it seems best that the matter be deferred on the part of the state until congress on its part shall have made provision for adjusting the matter upon "just and equitable principles." The correspondence and communications as to the matter will be passed over to my successor, who will doubtless call attention to the subject should he consider further legislation desirable. There is no cause for alarm or uneasiness as to this matter.

AGRICULTURE.

The experience and intelligence of this presence in all that pertains to this subject forbids me from assuming to give light or instruction, and it seems superfluous to say that its overshadowing importance is such that whatever its advancement or encouragement demands at your hands should be promptly accorded and provided for. This interest or subject is practically the material foundation of the state itself; and all other interests, industries and callings so largely depend upon it that its care, protection and advance should have the first place in your deliberations and if this all-absorbing and important interest is suffering from, or is trammelled by any substantial hindrances or grievances within the reach of proper legislation to cure or remove, your line of duty cannot be doubtful, and your steps should not be measured save by a due and proper regard for the rights and protection of every other interest and industry within the state, and by an avoidance of the ills liable to flow from so-called class legislation.

As an exponent of, and one of the means whereby this interest may be fostered and advanced by the state, stands the

STATE BOARD OF AGRICULTURE.

I am pleased to believe that the board of agriculture is in and of itself a success; and that its work for the last two years at least, has been fully up to expectations; that its meetings have been of unusual interest and of great advantage to the interests it has had in charge, and I commend it to you for encouragement as favor able consideration. Standing along by the side of the board of agriculture, and as a co-worker in devising means and measures and applying them, for the advancement of the farming interests of the state, is

THE EXPERIMENT STATION.

To this aid and instrument in forwarding the agricultural interests, I call your earnest and patient attention. I submit that the station may be well considered and treated as an important agency in the field of material prosperity to our people; that under the management of its present excellent and especially well adapted director it is meeting a long existing want ; that its further and continued beneficial service and advantages will be up to the full measure or degree of the fostering care and material encouragement it shall have at the hands of the state.

CATTLE COMMISSION.

In the month of March, 1887, such a condition of things existed, and was brought to my attention, as to the existence of and loss from contagious cattle disease,—notably in Bennington county—that I created a board of cattle commissioners, namely: John B. Mead of Randolph, Edgar N. Bissell of Shoreham, and Luman A. Drew of Burlington. Later Mr. Bissell resigned, and a further vacancy occurred by the lamented death of Mr. Mead. I appointed Mr. Fred H. Farrington of Brandon, to fill a vacancy.

Events transpiring subsequent to the appointment of the commission demonstrated that there was great need of its existence.

The commission rendered efficient and valuable service, as their report fully attests. This report will be subject to your call. There being no evident occasion for further service of the commission, I have terminated it.

THE UNIVERSITY OF VERMONT AND STATE AGRICULTURAL COLLEGE.

The relation of the university of Vermont and the state agricultural college to the state is not measured by the fact of its existence here, and entitled to its general care and protection. Its name may be said to indicate its true relation. In my inaugural message, I was moved to comment somewhat at length upon this subject, and there is a seething want of occasion and perhaps of propriety in again going over this enticing and interesting field. The report of the trustees will be before you; and if I judge correctly in that regard, you will find it of unusual interest, and exhaustive of the subject. It merits, and I solicit for it, your earnest consideration.

STATE BOARD OF HEALTH.

The importance of the duties devolving upon the state board of health must be apparent to all. That it has rendered much valuable service to the state during its existence is perhaps best evidenced by the able and exhaustive reports of the board by its secretary, and I refer to it as not only the best source of information as to what has been accomplished, but as containing much invaluable information and instruction. The suggestions and recommendations of the board merit your careful attention and considerate action.

IN CONCLUSION.

GENTLEMEN:

As the concluding act of my office, let me extend to you and through you to the people at large, my congratulations upon the peace, harmony and general contentment that prevails throughout the state. Let me venture to remark briefly as to legislation generally. Frequent alterations of the general laws are not desirable. It is not enough that a proposed act will do no harm. To justify its passage there should be wrong to be righted, clearly observable, or an unmistakable and substantial gain or benefit in view. And the value to the people of your service here as their chosen representatives and servants will depend more upon the quality than upon the number of your enactments. And while it is inevitable that much seeming delay must occur before the substantial business of the session can have progress, there is much of the routine and minor work that may be

disposed of early, thereby securing to the performance of your later and more important duties, less confusion and greater opportunity for deliberate action.

EBENEZER J. ORMSBEE.

EXECUTIVE CHAMBER,
Montpelier, October 4, 1888

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