

Inaugural address

of

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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. }