

Inaugural address

of

William W. Stickney

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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
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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
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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
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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
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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.