

Inaugural address
of
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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.