

Farewell address  
of  
Franklin S. Billings  
As it appears in the  
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Farewell Address

Members of the General Assembly:

In accordance with a long established custom, the retiring Governor delivers to the members of the General Assembly a message in which it is expected that he will recount some of the important events during his administration and may make some recommendations. I fully realize that you will give more attention to the incoming Governor's suggestions than to mine, but I consider it a duty to give you my observations on some of the things which have come to my attention during my term.

FINANCES

A short synopsis of the finances of the State is as follows:

Cash on hand July 1, 1924 .....	\$1,593,062.93
Receipts to June 30, 1925 .....	<u>7,666,879.19</u>
<i>Total</i> .....	9,259,942.12
Disbursements year ending	
June 30, 1925 .....	<u>7,768,908.96</u>
Cash on hand June 30, 1925 .....	1,491,033.16
Receipts to June 30, 1926 .....	<u>7,290,624.98</u>
<i>Total</i> .....	8,781,658.14
Disbursements year ending	
June 30, 1926 .....	<u>7,114,613.95</u>
Balance on hand June 30, 1926.....	1,667,044.19

Of this amount \$1,165,152.27 is specifically appropriated for various purposes, which leaves \$501,891.92 for working capital available for current expenses. This is not large enough for the State to avoid making large temporary loans each year.

TAXATION

When United States Attorney General Sargent took away from the State its Tax Commissioner, I was most fortunate in securing such an able attorney as Judge Erwin M. Harvey to fill the position. It required a man of experience to interpret the tax law passed by the General Assembly of 1925 and Judge Harvey has done it well.

On the general subject of a revision of the tax laws, the Commissioner says: "I recommend that our tax laws be rewritten, consolidated and simplified. Conflicting statutes should be repealed. Many provisions are obsolete and tend to confuse rather than aid the listers. Our exemption laws have not kept pace with general business conditions in the State. Worthy objects are being taxed while other taxable property is exempt. So far as possible our tax laws should be redrafted in language capable of being understood by both listers and taxpayers. This work should not be done hastily during the session but authority should be given by the Legislature in 1927 so that the work may be done and passed upon in 1929. The Commissioner of Taxes should have this work in charge but should be granted authority to employ a competent attorney to aid him. This does not necessitate the employment of a so-called tax expert at a considerable expense. The work should be to revise our existing statutes and not to develop new and untried theories of taxation. We have too many laws on the subject rather than too few. What we need is revising and consolidating". I consider this a very wise suggestion. In the Commissioner's report you will find his other suggestions. I agree with some of them.

It is unnecessary to remind you that I vetoed the so-called intangible tax bill which was passed over my veto.

## TAXATION OF HYDROELECTRIC PROPERTIES

In my inaugural message I recommended a tax on these properties. By most skillful lobbying this was made an unpopular measure. I have somewhat changed by views but I do think that all electric current generated in the State and going out of the State should be taxed. Otherwise people of the State are giving away to private or corporate interests a valuable asset.

## GASOLINE TAX

This tax has proved a great success as the returns have been good and the cost of collecting small.

The situation as to prices of gasoline throughout the State has been very unsatisfactory. There have been great differences in prices within the State, and in some places in bordering states much lower prices have ruled than in Vermont. An effort should be made to equalize prices and if possible legislation passed to stop the unfair discrimination.

## STATE INSURANCE SINKING FUND

This fund amounts to \$103,388.67. For the past two years \$10,000 has been appropriated each year to be added to this fund. This ought to be continued and increased. To my mind nothing should be taken from this fund until it amounts to at least \$300,000—better \$500,000—and then the State should do its own insuring.

## THE VERMONT-NEW HAMPSHIRE BOUNDARY SUIT

When I came into office my attention was called to a suit pending in the United States Supreme Court entitled, State of Vermont vs. State of New Hampshire, concerning the Connecticut River boundary. The preparation of this case had been in the hands of Honorable John G. Sargent until he was appointed Attorney General of the United States. As this was an action that would take more time than the Attorney General could give in view of his other duties, and as it seemed to me that this case should be prosecuted with vigor and ended at the earliest possible date, I employed Warren R. Austin, Esq., of Burlington as special counsel upon an understanding with him that this matter would be thoroughly and speedily conducted.

I am delighted to say that he carried out my wishes. The evidence of Vermont has been presented and that of New Hampshire is about to be introduced. The case is therefore, proceeding as expeditiously as circumstances will permit.

## MILITARY

The roster authorized and required under an act of 1919, and containing the name and record of every person who served in the army, navy, marine corps and army nurses corps during the World War, has been finished by the Adjutant General's department and the printing and binding of one thousand copies for distribution will be completed early in the year.

The National Guard of the State is in a very healthy and satisfactory condition and well officered. The field officers, without exception are men with World War training. The ranks are well filled with a good type of young men who appear much interested in their work.

The Adjutant General has, during the past two years, been fortunate in obtaining from the Federal Government over \$50,000 for construction of new kitchens, mess halls, etc. This gives the State one of the best equipped National Guard camps for its size in the country.

The policy of constructing one armory each biennial period is a wise one and in my judgment should be continued.

## PUBLICITY

There is no doubt that efficient work has been done by the Secretary of State and the Director of Publicity with limited appropriation for this purpose. With all that the Chambers of Commerce and private individuals are doing for Vermont along this line, it would seem as if a larger appropriation, say \$25,000 each year, should be granted for this purpose.

The results of the Vermont Maple Sugar Special Train show what can be accomplished by concerted effort.

### PUBLIC SERVICE COMMISSION

By the enactment of No. 85 of the Acts of 1925, this Commission has been given power to employ experts so that they may have proper facts on which to base their decisions in regard to the change of rates and the issuing of securities by public service corporations. This law has worked well. Before it was passed the public could not be properly protected.

### MUNICIPAL LEGISLATION

The law respecting the issuance of bonds by municipal corporations was thoroughly considered and amended by the last General Assembly so that its provisions are now definite and certain where before indefiniteness and uncertainty existed. Under these circumstances it no longer should be necessary for municipalities to come to the Legislature for special authority for the general law now wisely confines the issuance of bonds within reasonable limits and these should be respected and enforced. If the General Assembly insists that these provisions be adhered to, much valuable time, which has been expended in this line of endeavor in the past, can be saved for the consideration of other measures, and a large expense for printing eliminated.

### FISH AND GAME

In an address before the New York Waterways Association, Congressman Clarence MacGregor quotes from "The Outlook", "The nation has an inalienable right to clean waters." Its close association with fish life makes the subject of pollution of Vermont waters one of great interest and importance to this department. There should be a uniform antipollution law without discrimination and with penalties and enforcement provisions that are clear and unmistakable. You must all feel that it is poor business for the State to spend money for stocking streams and then permit private individuals or corporations to dump poisonous matter into these streams. Such an antipollution law should have been passed long ago but it has been defeated by the lobbying of selfish interests. When I recommend a law that forbids the polluting of our streams, I mean a law that will stop all pollution. Such a law would be not only a benefit to our fishing but also a protection to public health and of great benefit to our scenic attractions.

Town clerks or others selling fish and game licenses should be placed under bonds or some means taken so that the money received for fish and game licenses will be turned in promptly to the department on the dates specified. During my administration there have been many cases where it has been difficult to collect the money due the State.

### MUNICIPAL COURTS

In my judgment there are too many municipal courts. The Justices of the Peace can take care of many more cases than they do and at less expense to the State.

I strongly believe that no municipality should have a court unless it furnishes a suitable court room. The counties furnish the county court rooms. Why should not the towns and cities do the same for their courts?

The expenses of the department of justices have been increasing too fast and the suggestions mentioned would, I think, reduce them somewhat.

### INSTITUTIONS

**INDUSTRIAL SCHOOL.** A farm has been purchased which has aided greatly in the work of the school, but a refrigerating plant is needed.

**SCHOOL FOR FEEBLE MINDED.** This institution is greatly congested and a new dormitory should be built. I mentioned this in my inaugural message and must now repeat it. A new dormitory would not only relieve the situation at Brandon but would take some cases from the Industrial School at Vergennes and the State Hospital at Waterbury—cases that ought not to be in these institutions.

STATE PRISON AND HOUSE OF CORRECTION. The situation in these institutions is most serious. With two hundred and five cells, it is not difficult to realize what the situation is with from three hundred to three hundred and fifty prisoners. Even the library has had to be used for beds and the room where the night school was held and the night school given up. There has been criticism of some paroles. If this situation continues, either sufficient accommodations for the prisoners must be provided or many more paroles will have to be granted. No one can more heartily approve of an amendment to the Constitution to provide for a pardon and parole board than I do. I would suggest the purchase of the Evarts farm, which adjoins the prison farm and is now under lease with an option to buy, and another adjoining property, and erect a building to hold at least one hundred prisoners.

STATE HOSPITAL AT WATERBURY. With the appropriation provided by the General Assembly of 1925, a power house and some new equipment have been built and installed and by the new installation it is planned to save in fuel alone over \$7,000.00 annually—besides being assured at all times of a safe and sure source of power and heat which is a necessity in an institution of this character.

#### EDUCATION

The rural school to me is one of the most important branches of this department. I believe that many of our farms have been abandoned on account of a lack of educational facilities in their neighborhood. The General Assembly of 1925 appropriated \$30,000 per year for improving these schools and much has been accomplished but there is still a great deal of work to be done.

During my term of office the question arose as to the children at Fort Ethan Allen attending school. Fortunately the matter was amicably settled. I feel, however, that a law should be passed in regard to the admission of these children to the public schools.

#### VERMONT STATE SCHOOL OF AGRICULTURE

During the last session of the General Assembly, suggestions were made that this school should be discontinued on account of the small attendance. I was told that farmers were discouraging their sons from attending the school and for a time I believed it. Finally, I made up my mind that Vermont, with agriculture its basic industry, ought to be able to have a good agricultural school. I found a very unfortunate state of affairs at the school and the Board of Education and Commissioner willingly took up the work of improving conditions there. On January 1, 1926, Mr. Stanley G. Judd became principal. When he assumed his duties there were thirty students and the year ended with twenty-eight students, fifteen graduating. The fall term opened on September 14. Eleven students reported from those present last year. Forty-four new students have enrolled, making a total enrollment of fifty-five students, lacking but one of one hundred per cent increase in enrollment. The present entering class was secured without any of the faculty traveling around the state to urge boys to register and I, therefore, feel that this represents a sound situation and an encouraging interest in the school. The large enrollment of Orange County boys is a healthy indication of local support. While there are many things in connection with the administration of this institution which are not yet adjusted to our satisfaction I believe progress has been made since the beginning of 1926.

It appears to me that a grave mistake would be made to discontinue the school, but I do think it should be under the care of the Commissioner of Agriculture as formerly and not in the department of Education.

#### AGRICULTURE

No feature of agriculture at the present time is receiving more thought, effort and attention than the marketing of farm products both cooperative and otherwise. The importance of the matter is attested by the consideration given it by Congress in its recent session as well as by agricultural economists throughout the country. Vermont, being preeminently an agricultural state and producing quantities of food for outside consumers, should not lag behind in providing ways and means to enable her farmers to dispose of these products to their financial advantage.

Under No. 103 of the Acts of 1925, the legislature established the office of Director of Markets and made it incumbent upon the Commissioner of Agriculture to assume the duties set forth in the Act. The contemplated

appropriation was omitted thus emasculating the measure as this department has not sufficient funds to develop another major division. The appropriation of a sufficient sum to make a beginning of this work is recommended.

As will be seen from the Commissioner of Agriculture's report, which should be carefully read, more cattle, under the accredited herd plan, have been tested during the past biennial period than in any other two years. The department has more applications on the waiting list for such testing than the appropriation will allow. It, therefore, does not seem to be for the interest of our farmers to decrease this appropriation.

In considering the amount to be appropriated for eradication work, we must not lose sight of the fact that this is a highly contagious disease and the faster it is eradicated, the less the ultimate cost will be.

Some of you may remember that in my inaugural message, I strongly recommended area testing. An annual appropriation of only \$5,000.00 was made for this work, but even with that sum splendid results have been accomplished. Already sixteen towns have had the area test which covers 2,183 herds and 31,469 cattle. Nineteen towns are on the waiting list with 2,691 herds and 36,098 cattle. After observing the results of area work in other states and in Vermont, I am firmly convinced that the area plan will be a great factor in shortening the time necessary to completely eradicate tuberculosis from our herds. The area test at the present time and under present conditions should be considered only as a follow up method to complete the work of eradication so efficiently advanced by the accredited herd plan. In order that the department may be able to comply with the demands made upon it for area testing, I would recommend that the appropriation for this work be increased.

## FORESTRY

STATE FORESTS. There are fifteen state forests with an aggregate area of 30,664 acres. These lands have been acquired by gift and purchase and on these forests there have been planted 2,250,000 trees. The State of Vermont should own 100,000 acres of state forests and the Legislators would do well to enlarge this appropriation. During the past two years the Calvin Coolidge State Forest of 559 acres was established in the town of Plymouth.

TOWN FORESTS. A good start has been made by some of the towns, villages and cities of Vermont in acquiring forest lands for municipal forests. At present there are thirty-three such forests which is a gain of seventeen over two years ago.

REFORESTATION. Our present policy of supplying trees for reforestation at cost price should be continued. During this biennium over 3,000,000 trees were planted by Vermont land owners and more would have been planted if the trees had been available. I recommend that the State tree nursery at Essex Junction be enlarged in order to supply the demand for trees.

FOREST FIRES. Every Precaution should be taken to prevent forest fires and provisions made for fighting them. The work of years and large expenditures may be wiped out in one day.

It gives me great pleasure to speak of the splendid gift from Miss Mary E. Waterman of Williamstown to the State of approximately 206 acres of land in the Williamstown Gulf. This makes a great addition to our State forests as such picturesque spots should be preserved.

A portion of the State forest in the town of Underhill is to be purchased by the United States Government for part of an artillery range.

## MOTOR VEHICLE LAW

The Uniform Motor Vehicle Code, consisting of the Registration Act, the Anti-Theft Act, the Operators' and Chauffeurs' License Act, and the Act Regulating the Operation of Vehicles on Highways, is the outgrowth of more than two years work by the National Conference on Street and Highway Safety in co-operation with the National Conference of Commissioner on Uniform State Laws, and has been endorsed by the American Bar Association. I realize the great importance of measures so affecting the lives and safety of our people and the

need of uniformity in such legislation throughout the country and for that reason I am calling your attention to this matter in this way. Such recommendations are entitled to very serious consideration.

However, this State has been progressive in this form of legislation and the last Legislature spent much time in revising and codifying our motor vehicle statutes. The law covering this subject embraces thirty-seven pages or nearly one tenth of the printed matter in the Acts of 1925. Under these circumstances, it would seem to me unwise and expensive to supplant our law without a fair trial with one which has not received a practical test of its adequacy, particularly as the whole subject is undergoing changes in conditions. What is needed as a permanent code can be determined better a little later than at the present time.

One minor matter to which I would like to call attention is the saving of time and expense which can be occasioned by the repeal of Section 9 of Number 70 of the Acts of 1925, and the adoption of some other mode of distribution of registration and license blanks.

## HIGHWAYS

The continuation of the same policy has made for a constant improvement in our highways and during the past season I have heard much praise as to their condition. An appendix is printed at the end of my message giving in a concise form, for the period beginning July 1, 1924, to June 30, 1926, the mileage of the different kinds of roads built and the cost of the same, the number of bridges built and their cost and the roads and bridges under construction and other information. I trust this will prove useful to the members of the General Assembly.

As I have frequently stated, I do not believe in bonding the State for highway construction, but do think that means should be found to construct more hard surfaced roads.

A traffic survey in conjunction with the United States Government has been made the past summer and fall and the Government report is expected to be ready for the use of this General Assembly. I judge that it will be most valuable and of great assistance in working out the highway problem.

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In 1917 an act was passed requiring the heads of departments to make their headquarters at the State Capitol. It was a most wise measure but one important department was omitted and that was the Executive. From my experience I am certain that the Governor should make his headquarters in Montpelier and spend most his time here.

The last Legislature by refraining from introducing needless measures, and by early and decisive action on the less important matters materially shortened the length of the session and avoided a congestion of bills in the Executive department the last few days of the session. On the morning of the last day of the session of 1925 there were no bills in the Executive department for attention and only six for consideration of the General Assembly. This action also resulted in lessened cost to the State. A continuance of such a policy may result in even greater economy of time and money. In this connection, I wish to warn you against appropriating money for any purposes that are not purely governmental. A departure from such a course will soon result in a reckless expenditure of public funds. When enacting laws, endeavor to have them benefit the entire State.

As my public career closes today, I extend to my fellow citizens my heartfelt appreciation and thanks for all the honors bestowed upon me.

As my parting words, allow me to quote a message given to our country by Daniel Webster:

“Hold on, my friends, to the Constitution of your country, and the government established under it. Perform those duties which are present, plain and positive. Respect the laws of your country, uphold our American institutions as far as you are able, consult the chart and the compass; as if our united constitutional American liberty were in some degree committed to your charge, keep her, so far as it depends on you, clear of the breakers.”

FRANKLIN S. BILLINGS.