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GOVERNOR WILLIAM P. LORD ADMINISTRATION

January 14, 1895 to January 9, 1899

Biographical Note

Lord was born in Dover, Delaware July 1, 1838. After graduating from Fairfield College in 1860 he started to study law but the Civil War intervened. Lord enlisted in the Union Army in 1862 and was commissioned a Captain. He advanced to Major by the end of the war. After the war he returned to law school and graduated from Albany Law College, Albany, New York in 1866. He again entered military service as a lieutenant and served in California, Washington and Alaska. When Alaska was purchased by the U.S. in 1867, Lieutenant Lord was sent to Sitka as the army took formal possession. He resigned in 1868 and took up a law practice in Salem, OR. He became the city attorney and was elected State Senator as a republican in 1878 but resigned to accept the republican nomination for Justice of the Oregon Supreme Court and won in 1880. He remained on the court until 1894. He was nominated by the Republican Party in 1894 for governor of Oregon. He won the election and was inaugurated Jan. 16, 1895.



Governor Lord suggested a constitutional amendment permitting the Governor to veto a single item of an appropriation bill. In his day the executive had either to veto the whole bill or let pass appropriations to which he was opposed. This suggestion was favored by succeeding governors and was passed in November 1916.

Lord encouraged the creating of the State Land Board and the office of State Land Agent because of dishonest activities of land speculators who acquired large tracts of public school lands through dummy entry men and forced legitimate settlers to homestead on them.

Lord did not run for a 2nd term as Governor, having been challenged successfully by T. T. Geer in the 1899 Republican primary. He was appointed U.S. Minister to Argentina in 1899. He returned to Oregon in 1902.

Lord married Juliette Montague in 1880 and had three children, Elizabeth, William, and Montague.

The Justices of the Supreme Court, in compliance with an act of the 1909 Legislative Assembly, appointed Lord as Code Commissioner to revise, codify and publish the statute laws of the State of Oregon, known as the Oregon Code of 1909.

Lord died Feb. 17, 1911 in San Francisco, California.

Inaugural Address, 1895

Source: Biennial Report of the Secretary of State of the State of Oregon, Messages and Documents, 1895, Vol. 1, Page 1.

Gentleman of the Senate and House of Representatives:

Trusting for guidance and wisdom from Him who doeth all things well, I appear before you, in assuming the duties of the office of governor of this State, to which I have been chosen by the suffrages of the people, with a profound sense of my obligation and responsibilities, to make such suggestions and recommendations in reference to the affairs of the State as seem to be appropriate and expedient. The duty devolved upon the governor by the constitution, to communicate to the legislature the condition of the State and to recommend such measures to it as he may deem expedient, would seem more properly to belong to the retiring governor, whose official experience during his term enables him to acquire a special knowledge of the various institutions of the state and the measures deemed essential to promote its progress and prosperity, which particularly qualify him for the performance of such duty than to the incoming governor, who, just called from another occupation which has absorbed his time and attention, could hardly be expected to possess the kind of knowledge which would qualify him to enter into a consideration in detail of the various matters of state, or to recommend measures of special significance for the development of its interests and the wants of its people. But, be that as it may, I trust it may not be inappropriate for me to avail myself of this occasion to extend to the retiring governor-who brought probity and ability to his office-our thanks for many acts of public merit and our best wishes for his personal happiness and prosperity; and, also, on my own behalf, to express to the people of the State, through you-their chosen representatives- my grateful appreciation of the distinguished honor conferred upon me, and my earnest hope to perform the duties devolving upon me with fidelity to their interests and with credit to the State, to the end that they may have no cause to regret the generous confidence reposed in me.

RESOURCES OF THE STATE

I greet you, gentlemen of the legislature, at the beginning of the new year, although the skies are not bright with promise, with an abiding faith in the future of Oregon. Our State is endowed with great resources and natural advantages, the development of which under industrial influences will insure its growth and enrichment. Its soil is fertile, and its fields yield generous harvests; its ranges are excellent feeding grounds for the raising of stock; its mines, though only partially developed and utilized, are rich in mineral wealth; its forests are studded with an almost inexhaustible supply of timber; its waterways are extensive, and afford unequalled advantages for commerce; its harbors are safe and commodious; its water powers are unlimited in capacity and extent, offering unrivaled facilities for manufacturing enterprises; its climate is healthful, and its plains and mountain ranges combine beauty and grandeur of scenery. Here within our own borders are all the material elements and advantages that attract men of enterprise and capital to make investments in commercial and business activities and to establish manufacturing and mechanical industries, which in the progress of time will give employment to many laboring people, build up towns and cities, increase our wealth and population, and lay deep and strong the foundations of our general prosperity. Already considerable capital has been invested in our State, devoted to the enlargement of some of our existing institutions, and to the creation of new enterprises and business ventures. Many railroad lines have been constructed within our territory that have afforded an outlet for our products and opened up additional avenues for trade and commerce. In the meantime, the growth of our cities and towns has been steady and rapid, the value of property has greatly increased, and improvements of a public and private character have marked our advancement. All around us there are tangible evidences of the industrial activity of our people and the growth and development of our State, and with national legislation not unfavorable to us, the future of Oregon is full of promise of a rich inheritance to its inhabitants.

CAUSES OF DEPRESSION

But, unfortunately, some national legislation at first threatened, and some since enacted, has had the effect to cripple the industries of the country, cause depression in the value of property and its products, disturb business relations, stagnate trade and commerce, create distrust and uncertainty in our monetary affairs and a deficit in the national treasury, abridge the demand for labor and render its employment unremunerative, by reason whereof, the country is plunged into a profound financial and commercial depression, which grievously burdens our people and serves to retard the general progress and development of the State. This is a condition of things from which the country can expect no permanent

relief until wiser counsels shall prevail in the management of our national affairs and induce legislation calculated to protect the industrial interests of our people, and, at the same time, by its offer of reciprocal advantages, retain and foster trade with foreign nations.

NECESSITY FOR ECONOMY

Under these circumstances, when the opportunities for business and labor are contracted and scarce; when the farmer, though his harvest be abundant, finds no profit in his crop; when hard times are upon us, rendering it especially difficult for the laboring masses to make comfortable provision for their families; when all classes engaged in trade or business are husbanding their resources and practicing a rigorous economy to avoid loss and preserve their commercial standing, it behooves you, upon whom rests the authority to levy taxes and direct the expenditures of the public moneys, to make no appropriation of them except it be for a public purpose and its necessity be clearly shown, and to withhold all appropriations which will bear delay, or can be postponed, in order that the burdens of the people may not be unnecessarily increased and their property subjected to a tax lien to defray needless public expenditures. It is not only desirable that economy should characterize all your appropriations, but, at the present time it is absolutely indispensable to the public welfare. No good citizen will find fault with a public expenditure, which is essential to the public service, but all will feel aggrieved, and have a right to complain, when the expenditure authorized is unnecessary or extravagant. The people have a right to require that public business should be conducted on the same principles of economy that characterize prudent men in the management of their private affairs. The reason as well as the necessity for the practice of economy is the same in one case as in the other. Extravagance, whether public or private, is a demoralizing influence, which impoverishes States and bankrupts individuals. No officer, whatever may be his position, has the right to be generous at the public expense. Any disbursement or appropriation of the revenues, the necessity for which is not shown to be essential for the public good, is a flagrant injustice. Retrenchment is the mandate of the people, and the chief plank in the platform upon which you were elected. The day is come, and the hour is at hand, when your promise to reduce public expenses, wherever it can be effected without detriment to the public good, must be fulfilled. Your word is pledged for it, and good faith requires that it should be kept.

ABUSES SHOULD BE CORRECTED

Abuses, if any have grown up, must be unmasked and extirpated root and branch. No department of State, nor any of its institutions, is too sacred for you to invade with the view of ascertaining its condition, its needs, its practices, whether good or bad. How are you to know where to cut off unnecessary expense, or to withhold a needless appropriation or to reduce to a minimum a needed one, or to destroy a hidden emolument, or to abolish a useless office, or whether abuses exist, without making yourselves acquainted with the true condition of the State and its institutions? It is true that much of the knowledge of public affairs with which you will be charged or presumed to be aware must come through committees to whom is confided the business of investigating and reporting, often with such recommendations as they deem proper, upon the condition and needs of the various institutions of the State. This involves the assumption that the members of the committee will be selected with reference to their fitness and ability to perform the work to which they are assigned, and that such work, whatever it may be, will be thoroughly and not perfunctorily performed. I trust that this assumption may hold good in fact, for I sincerely hope that no perfunctory report will come from any committee of this legislature. There will, also, be submitted for your information the reports of the different officers having charge of the public departments and institutions of the State. I bespeak for them a fair and candid hearing, believing that these officers are animated by the best motives for the public good. I earnestly hope that you will carefully examine their reports with a view of giving deliberate consideration to the suggestions contained therein, keeping in mind, at the same time, the interests and the needs of the people.

I make these suggestions, gentlemen, to impress you with the necessity of using all the means of information in your possession to qualify yourselves for the intelligent performances of your duty and to enable you to provide such legislation as will secure needed reforms, reduce the public expenditures, and put at a

minimum all needed appropriations of the public revenue. It is in your power to accomplish these objects. The duty and responsibility of legislation rests immediately upon you. To you is committed the sole authority of making laws for the protection of the life, liberty, and property of the citizen, for the levy and collection of taxes and directing the expenditures of the public revenue for the general welfare, the education of our youth, and the care of the unfortunate, and for the support of our institutions of learning, of charity, and of reform and punishment. To a great extent, the honor and welfare of the State and the prosperity and happiness of the people depend on your action. You cannot escape accountability for the manner in which you discharge your high trust. You are here by the will of the people and owe them a conscientious performance of duty according to your best ability. They will scrutinize and review and pass upon your official acts. Do not disappoint their expectations of relief from unnecessary taxation. Make a resolute effort to reduce the burden of taxation to the lowest possible limit consistent with a wise and economical administration of the public business.

ASSESSMENT AND TAXATION

Assuming, then, that your efforts will be directed to the accomplishment of this end, it is equally important and necessary, after the amount of money to be raised by taxation for the support of the State, economically administered, as ascertained, that our law regulating the levy and collection of taxes should distribute its burdens ratably so as to insure uniformity of contribution. There is wide complaint against the inequality and insufficiency of our tax laws. If these defects exist, they should be speedily remedied, for equality is the essence of the right to take the citizen's property for the support of government. Our constitution makes it the duty of the legislature to "provide by law for uniform and equal rate of assessment and taxation." To secure uniformity and equality it is absolutely essential that taxation be based on some rule of apportionment that operates impartially and rests on fixed principles of justice. No doubt it is impossible to obtain absolute equality, but it is indispensable that some rule be adopted that approximates to that end. Without it, tax laws are partial and inequitable producing inequality and flagrant injustice. It is therefore of the utmost importance, so far as human laws can devise, to equalize the burdens of taxation. This is the leading principle that should be kept steadily in view when tax laws are the subject of legislative consideration. One of the causes of inequality is the insufficiency of the law to secure the assessment for taxation of all classes of property. Where one class of property is taxed and another to any large extent is allowed to escape, the burdens of government are not equally shared. The fundamental idea is that all property, movable and immovable, visible and invisible, should be assessed, to the end that they may bear their fair and just proportions of the tax necessary to be raised for the support of the government. Our constitution contemplates that both classes of property, real and personal, shall be assessed equally and according to their just valuation. It is thought that real estate—the lands and homes of our people—contributes more than its just proportion of the taxes. The reason assigned is that some classes of personal property escape taxation through the insufficiency of our tax laws. It is believed that if our laws were competent to exact a truthful assessment of the value of personal property it would largely increase the amount of our taxable property, and render less burdensome the ownership of houses and lands. A law, which so operates, is partial and inequitable. The farms and homes of our people should not bear more than their just proportion of the public burdens.

We must all deplore a condition of things which permits a citizen paying a tax upon his home or farm to point to some neighbor, owning vastly more in personal goods and capital, who pays a much less amount of tax. It is idle to urge the difficulty of assessing some classes of property without making your law inquisitive. In the nature of things, all laws for the raising of revenue are more or less inquisitorial, but not necessarily to the extent of violating the principle of good neighborhood. Nor will laws devised to exact a truthful statement of a citizen's taxable property be so considered by those who recognize the duty they owe the government for its protection to their persons and property to bear their fair and just proportion of the public burdens; and as to those who, refusing to recognize such duty, shirk their portion of such burdens, and create the necessity for such laws, they constitute a class who have no claims upon your sympathy or consideration. The aim of the law should be to tax all property liable to taxation, of whatever nature and description, and in taxing it to observe the principle of uniformity in the valuation of the different classes of property. You

should also carefully consider the laws relating to the taxation of all corporations doing business in this State, and ascertain whether they are bearing their fair and equal proportion of the public charges. The State affords them the benefit and protection of its laws, and the reciprocal duty should be devolved upon them of contributing their share to its support. Upon the same principle, residents of other States loaning money in this State should be required to pay taxes on the amount employed. It is not possible for me at this time to enter into consideration in detail of the wants of the people in this regard. I can only suggest some of the general principles, which should control you in the consideration of the subject of taxation. The demand for a revision of our tax laws is urgent and widespread. You are here by the will of the people who have confided to you the sovereign power to tax—to take the citizen's property for governmental purposes. It is important that you should wisely exercise this power, aiming to avoid all inequalities, and to place the burden of taxation so that it will bear, as nearly as possible, equally upon all.

THE PENITENTIARY

Our penitentiary has been a serious charge upon the State. The law inflicts punishment upon the criminal to protect society and effect his reformation, and to deter others from the commission of crime. The punishment consists in confining him in the State penitentiary for a period of time proportionate to the enormity of his offense. When he has served his punishment, the public good requires that he shall return to society a better or reformed man. But the reformation of the criminal cannot be effected by his confinement alone. There must be, in addition, the influence of moral forces upon his character and regular employment upon his habits, to work his reformation. As a mean to this end, systematic employment is regarded as one of the most humane as well as valued means of reform used in penal institutions. It is essential to the health of the convict, and is due the State as a recompense for his support. Any system of regular employment, therefore, which the State chooses to initiate that would tend to lighten the burden of his support, and make the prison in a measure self-sustaining, is a decided gain for the people, and likely to improve the health and benefit the habits of the convict. But experience has shown that it is extremely difficult to select an industry, which will afford regular employment without bringing convict labor in competition with free labor. We know, as a matter of fact, that wherever the employment of convict labor has been brought in competition with free labor it has produced much dissatisfaction. It was in a measure the desire to avoid this result that induced the last legislature to make an appropriation for the erection and operation of a jute mill with convict labor. It was claimed that by this means the State could work its convict labor with profit in manufacturing articles at a low price, and largely in use by our farming class, and at the same time avoid competition with free labor.

In the neighboring States of California and Washington jute mills have been erected and operated for the past few years, but whether profitably or not I am not informed. But, since the appropriation has not been used for a jute mill, as the law contemplated, for reasons which will doubtless appear satisfactory to you, it is highly important, in view of the fact that jute goods are now on the free list by recent tariff legislation, to ascertain and determine whether the State will realize any profit or advantage by building and operating a jute mill with convict labor. It certainly is true that the State does not want to engage in any doubtful experiments; and, unless you think, after careful consideration, that the conditions are favorable to the operating of a jute-mill industry with convict labor, the proposed enterprise had better be abandoned and the money appropriated for this object be devoted to some other needful public purpose. It is never wise for a State to buy an enterprise which prudent men are anxious to get rid of. There is an impression among some of our people that the purchase of the foundry plant and its operation with convict labor has not been productive of profit or advantage to the State. The idea briefly is that "an elephant" was unloaded upon the State. I trust there is no foundation for such impression, but that facts will disclose that the foundry has been successfully and profitably operated, furnishing regular employment for the convicts, and making the penitentiary in a great measure a self-sustaining institution. It is your duty to ascertain what is the true state of the case in respect to these matters so that you will be able to make such provision for, or disposition of these industries, proposed and contemplated, as may be of the highest advantage to the State and the best interests of the people. In this connection, I would suggest that you consider whether such a change in the present statutes is desirable as would enable the State to transport her own convicts from the jails to the

penitentiary through her own agency connected with the penitentiary management. Under existing laws, the sheriffs deliver the convicts to the penitentiary authorities, and the cost for each convict brought to the prison is thought to be largely in excess of what it would cost for the warden to send a guard for such convicts. This method of conveying convicts to the penitentiary, and others based on similar suggestions, have been adopted in several States and resulted in benefit and advantage to the taxpayer.

ASYLUM FOR THE INSANE

The duty of providing for the insane is a work of charity and benevolence, which I commend to your generous consideration. The charity, which takes care of this unfortunate class is a noble work and finds its source in the best impulses of our nature. It is a work, which demands the highest intelligence and keenest sympathy to manage with efficiency and humanity. Whatever is necessary for their relief and comfort ought to be done promptly. The dictates of humanity and the honor of the State alike demand that none of these unfortunate ones should be uncared for. We have one institution at the capital, and another soon to be erected in Eastern Oregon, devoted to this noble work, which bespeak the generosity of our people and indicate that no sordid influences can affect them when places for the comfortable care of these unfortunates are needed. A generosity, which taxes itself to accomplish such objects, ought not to be abused. It is believed, owing to the laxity of our laws, that many persons are sent to the asylum, and many remain there as its inmates, who are not proper subjects for its charity, and that, if the defects of our laws in these particulars were remedied, it would diminish the number of insane, so accounted, fully one-fifth, and greatly reduce the expenses of the institutions. Evils of this character are abuses of charity and ought to be promptly remedied. In this connection, I would also suggest that I think it would be to the interest of the State that the asylum, through her own agency, should be intrusted, wherever it can be done, with the transportation of insane persons. Besides the difference in expense, there is the further reason that a guard sent by the asylum would be much more expert in handling this unfortunate class, and therefore would often know how to spare them unnecessary physical pain and mental distress. I earnestly recommend these matters to your consideration.

MILITIA

The protection of society demands that sufficient provision should be made for the suppression of mobs, riots, and other disorders, which are beyond the power of the civil authorities to control. Experience has demonstrated that when such uprisings or internal disorders occur, endangering the life and property of citizens, the prompt use of organized military force is the most effective way to suppress them and restore order. In fact, there is no better way to secure obedience and respect for the laws than always to possess the power to enforce them. For these reasons, it is important to have sufficient military organization, well armed and equipped, and under proper discipline, to assist the civil authorities in the enforcement of the laws in case any crisis or emergency should arise which is beyond their power to control. But the military organization should not be so extensive as to require large expenditure of the public money. There is no actual necessity for a large organization. Our people are law-abiding and respect the individual rights of others. They are not of the sort who are prone to riotous conduct or disposed to do violence to the person and property of others. I do not think, therefore, that any large military organization ought to be kept up, or so large as is now maintained; it would be sufficient to have a military organization of several companies, which, properly distributed over the State, would answer every exigency. It gives me pleasure to say that, so far as my observation has extended, our companies are composed of brave and patriotic young men who are engaged in peaceful pursuits in civil life, and who are loyal to our State and its laws, our country and its flag.

EDUCATION

The general diffusion of knowledge furnishes the best guarantee for the strength and stability of the State. Popular education is closely allied to popular liberty. No State can afford to neglect the educational interests of its children. It should give them all an opportunity, at the public expense to enjoy such educational facilities and advantages as will enable them to become fairly intelligent citizens. But it is evident that those

who are to teach children should possess the special training that qualifies them for the work. To obtain expert teachers, it is necessary to have schools for their education. With this end in view, our normal schools were established. I take it that they are fulfilling the purposes for which they were designed, and are in good condition and constantly increasing in efficiency. So, too, it is my opinion that the State university and the agricultural college are performing efficiently and acceptably their share in the educational system of the State. Under the able management of their presidents, aided by their corps of accomplished professors, these institutions, in the line of their educational work, ought to become valuable aids in the development of the State, and the advancement of knowledge and intelligence. The schools for the blind and the deaf and dumb are performing an important work, and are deserving of your fostering care. But, in respect to these educational institutions of whatever description, I feel bound to say that, in view of the large amount of money which the State has invested in their grounds and buildings, and the large amount which is required for their support, it is due the taxpayer that they be managed with strict economy, and their expenses be reduced to the lowest possible limit, not incompatible with their efficiency and usefulness. Upon this basis, I recommend whatever appropriations may be found necessary for their support. This recommendation, of course, includes the idea that every institution should show satisfactorily to you what are its needs for efficient work, and excludes the idea that any institution should have a fixed sum provided by law, as in that case there is always a tendency to consume the appropriation, whether the whole is needed or not, rather than allow any part of it to return to the treasury by operation of law. Every law of this character, if there be any such, ought to be promptly repealed, leaving the appropriation for all institutions to be based on an estimate satisfactorily shown to be needful for its wants and efficiency. As to the reform school, I have little data upon which to found an opinion. The buildings and outbuildings are new, and sufficient for present purposes. No additional cost of this kind need be incurred. It would seem that this institution, with the labor force at its disposal among its inmates, and the large acreage attached to it, under careful and economical management ought to be made nearly self-sustaining. Certainly the sum needed for its support for the ensuing two years ought not to be large.

PUBLIC ROADS

There is no subject of equal importance upon which the public mind is more unanimous than the advantage to be derived from good roads. The subject of economical road-making has been much studied, largely discussed by the press and in road conventions. Every one understands that the State cannot be built up and its lands made valuable, without good roads are constructed. But how to do it without involving too great an expense is the difficult problem. Various systems have been devised with varying degrees of merit, but they all include a measure of expense that makes it difficult for the younger States, like our own, to construct them in a satisfactory manner without entailing too heavy taxation upon property owners. This consideration, though, ought not to discourage us from ascertaining the condition of our roads and the best methods of constructing and improving them. Our State is in great need of good roads. Where the cost of them is reasonable there can be no better investment. Good roads facilitate intercourse and develop trade, promote health, and add greatly to the enjoyment of life, enhance the value of farms, and make markets accessible for the sale of their products, spare beasts of burden and save the wear and tear of wagons and harness. It is greatly to be desired that some economical plan may be devised to secure good roads, so that our communities may be enabled to enjoy their advantages. There is no doubt that our road laws have failed to accomplish, in a satisfactory manner, the object of their enactment. The system created by them is defective and needs thorough revision. I own I have no plan for correcting their defects, but I suggest to you, who are intelligent men of experience in practical affairs, to take the matter into consideration and endeavor to evolve some system which shall remedy their defects and secure better roads for the traveling public. As the question of good roads is a matter now much discussed, you can acquire much useful information in regard to them through pamphlets, which have been published and circulated with the view of suggesting the best method of improving and building good roads.

IRRIGATION

There will probably be submitted for your consideration a bill, designed to enable our State to take advantage of a law known as the Carey law, which gives to those States having large tracts of arid lands, a million of such acres on the condition of reclaiming them by irrigation. Our State is included among those entitled to avail themselves of its provisions. This is a highly important subject to Eastern Oregon, where there are large quantities of arid lands and where there are mountain ravines in which water maybe stored by dams for irrigating and making them productive and valuable. In this way, large tracts of arid lands may be reclaimed for the uses of civilization and become the happy abodes of industry and contentment. I commend the subject to your careful and intelligent consideration.

SALMON FISHERIES

Our salmon fisheries, being one of our leading industries, are the source of great revenue and give employment to many men. Salmon fish, when prepared for market, constitute one of the principal exports of the State, and are an important part of its commerce. The necessity of proper regulations for salmon fishing, to preserve them from destruction, and to protect our future supply, is too manifest to require discussion. Whatever further regulations in this behalf are necessary ought to be established by the legislature and enforced by the courts. We cannot too vigilantly guard our salmon interests from destruction. The lesson taught by the history of other States, where they once abounded but have now disappeared, emphasizes the necessity of such regulations for their preservation and propagation. One of the means to preserve salmon and obviate their decrease, on account of the catch, is their artificial propagation, but I understand that some legislation is required on the part of the State to enable it to avail itself of the benefits to be derived under the regulations prescribed by the United States statutes for fish culture. Whatever legislation in this regard may be needed for the propagation and preservation of salmon should be enacted.

LABOR

It is indispensable to the peace of society and the welfare of the people that the relation between those who perform manual labor and those who employ it shall be harmonious and satisfactory. But to secure this condition of feeling between them, the relation must be founded on recognized principles of justice, mutually contributing to the advantage and protection of each other. Both employer and employee have rights that must be respected and defended from the unjust demands and encroachments of the other. Neither can disregard the conditions essential to preserve harmony and good will between them without exposing society to disturbances and disastrous conflicts, endangering life and property. It is gratifying to know that our State has been free from the turbulence and disorder which has been so common in some of the other States, and that our exemption is due to the intelligence and orderly character of our industrial classes. It is a duty we owe them to look steadily after the conditions, which injuriously affect their employment and welfare. In my judgment, one of the greatest dangers that menace honest labor is the indiscriminate immigration now inundating our country. To the poor and oppressed of other lands our country offers an asylum, but this invitation does not include the corrupt and vicious, the paupers and the criminal classes, nor those-worse still- who use its freedom to work its destruction. We cannot afford that our country shall be the dumping ground for the degraded and socialistic classes of other nations. This evil is upon us, and unless remedied sooner or later, we shall feel its contaminating influence upon our national life in disturbing the conditions that surround labor and that are essential to its independence and prosperity, and in endangering the health and safety of the people and the welfare of the republic. The people ought to make themselves heard upon this subject in tones so distinct as to cause their representatives to heed their demand for legislation which shall exclude from our shores this vicious and dangerous class of immigration.

SUPREME COURT

A delay of justice often operates as a denial of justice. The bill of rights in our constitution declares that, "justice shall be administered openly and without purchase, completely and without delay." The business of the supreme court is increasing so rapidly that it will soon become impossible for the judges to keep pace with it, and properly perform their duties. With the aid of their efficient stenographer, they have kept the

work from accumulating as rapidly as it otherwise would, and are now only behind in the hearing of cases some two or three months. But in the nature of things, it cannot be long before their docket will be crowded with cases, causing much delay, vexation, and expense, before their final adjudication. In anticipation of this condition of things, an amendment was passed by the last legislature, which will be submitted to you, proposing an increase of two in the number of supreme judges. Upon this proposed amendment I shall leave you to act as your best judgment dictates. What I wish to suggest is that in my opinion appeals in civil cases might be considerably limited, and the business of the court largely decreased, by granting them only where the judgment rendered exceeds two hundred and fifty dollars, unless such judgment involves matters affecting lands, public revenue, or the construction of the constitution of the State and the United States. Upon examination, I think it will be found that a large number of cases involve sums of less than two hundred and fifty dollars, and in many instances, the object in appealing these cases is to obtain delay, or to gratify a bad feeling between the parties litigant. I am aware of the objection usually urged against such a law, namely, that every citizen should have the right of appeal, no matter how small the sum, otherwise its effect would be to discriminate against citizens of small means. On the other hand, many good citizens suffer injustice and wrong rather than submit to the long, expensive and vexatious delays, which usually attend a resort to the appellate court for redress.

Possibly some other remedy may be devised to correct this evil, but the necessity that relief should be afforded the court, and a prompt hearing and adjudication of causes be obtained, is imperative. The judges now are the hardest working officials in any department of State. Their duties comprise grave responsibilities and interests of the highest conceivable character. Life, liberty, reputation, and property are intrusted to their judgment, and rest upon their decision. They are, as your judges should be, men of ability and learning, wise in judgment, upright in character, firm and courageous in spirit, who will render their judgments uninfluenced by the voice of popular clamor and unintimidated by threats of political vengeance. Having such judges, it is your duty to afford them relief, and make sure reasonable compensation for their services. Their salary ought not to be reduced. Salaries should be commensurate with the duties, dignities, and responsibilities of the office to which they are attached. None should be so high that fortunes can be made from them, or so low that, with frugality, they are without pecuniary benefit. There are some officials, such as those composing the railroad commission, whose salaries could be reduced one third, and still be reasonable compensation for efficient services. The railroad commission, where it fulfills the purpose of its creation, is a useful body, and a benefit to the people, though I think one commissioner and his clerk are all that are needed.

OFFICES SHOULD BE FILLED BY THE PEOPLE OR THEIR EXECUTIVE

The mode of selecting railway commissioners, as some other officers, by the legislature, is wrong and of doubtful validity, although sanctioned by custom and sustained by some judicial precedents. The power to appoint to an office ought to be lodged in the people or their executive. Such a power is not legislative, nor should it be exercised by the legislature except in the appointment of officers for its own body. Every statute which vests such power in the legislature ought to be amended in this regard, and lodged in the people or their executive. Such a change is needed in our statutes to save your valuable time for legislative service, to do away with trades and combinations to advance political fortunes, and to put an end to the disgraceful scenes that sometimes characterize the scramble for legislative appointments to office.

PUBLIC PRINTING

The public printing is swelled much beyond the needs of the public service, and ought to be largely diminished. Some of it is in form of tables more open than similar printing for private citizens, and part of it is not only of no public interest, but is of no public concern, consisting in some instances of mere printed blank forms that are of no more use than so many blank pages, except to count as an extravagant public expenditure. This is a serious injustice to those who foot the bills. The law authorizing public printing is too lax. You ought to investigate it thoroughly, for the purpose of ascertaining the nature and extent of its defects with a view of remedying it.

MARRIAGE AND DIVORCE

The national reform league is engaged in a movement to secure uniformity in the law governing marriage and divorce. This is an important subject, vitally affecting the interests of domestic life, and the welfare of the people, and is worthy of your attentive consideration. I would suggest that you appoint a committee without pay to examine into the merits of the subject and report the result of its deliberations to the next legislature.

REDEMPTION FROM FORCED SALES

Your attention is also directed to the necessity of extending the time for the redemption of realty sold at judicial sales. Owing to the financial depression and the depreciation in value of land and its products, forced sales at this time are relatively confiscatory.

BANK INSPECTION

There is also some demand for legislation in respect to the inspection of banks with a view of guarding the interests of those depositing money and doing business with them. It is claimed that some of the heavy losses, public and private, which occurred lately, owing to the suspension or failure of some of our banks, would have been averted if such law had been in force and operation. As practical business men acquainted with the wants of the communities, which you represent, I submit the desirability of this demand to your intelligent consideration.

APPROPRIATION BILLS

Bills for the appropriation of the public moneys ought to be submitted to you early in the session so as to afford opportunity for the members to carefully examine and pass upon them, and not be left to the hurried consideration that marks the closing scenes. The custom of including in one bill, appropriations of the public moneys for every conceivable purpose, general and special, is thoroughly vicious, and ought not to be countenanced. There are certain fixed charges and liabilities for the support of the State government for which specific appropriations might be embodied in one bill, but in all other cases the bill ought not to include appropriations for more than one object. In other words, no bill appropriating public revenue, except as stated, should contain an appropriation for more than one object. By adopting this method, every appropriation must stand or fall upon its own merits; there will be afforded the executive an opportunity to interpose any objection that he may have to the appropriation without delaying the passage of appropriations that are unobjectionable or meritorious, and thus put in practice that wise principle incorporated in the constitutions of some States, which allows the executive to veto single items or appropriations in a general appropriation bill.

The rule that every measure should stand on its own merits is too apparent for discussion, but in no case is the reason for its application more manifest than in the consideration of bills appropriating the public revenue to be raised by taxation. Under the practice which has prevailed in this State of including in one bill appropriations for every conceivable public purpose and delaying its introduction until the end of the session, when there is no time for the members to examine it carefully, or the executive to exercise his power of veto without defeating appropriations contained therein needed for the public service, lavish and unnecessary appropriations have been secured, and the interests of the people disregarded. Experience has demonstrated in this State the embarrassment that is occasioned by the adjournment of the legislature without making needed appropriations for the support of the State, but these are ills which we had better bear or the expense of reconvening the legislature, than that the executive should feel compelled to approve a general appropriation bill that bears the mark of having been railroaded through the legislature during its expiring hours to avoid examination and discussion so as to secure some needless, extravagant, and objectionable appropriation of the public moneys.

CONCLUSION

In entering upon the performance of the duties to which we have been called, as the trusted agents of the people, we must not be unmindful of their wants and interests. We owe them a conscientious performance of duty and we must fulfill our obligation. That obligation requires us to lighten the burden of taxation wherever it can be effected without detriment to the public service. As a means to this end, the people demand that we exercise the same care and economy to avoid extravagance and needless public expenditures in the conduct of the public business as govern prudent men in the management of their private affairs. The conditions that surround them emphasize the necessity for the practice of public and private economy, for the reform of any wasteful habits or practices, and for diminishing the public expenditures and reducing taxation. To effect these reforms, lavish and unnecessary appropriations of the public money must not be countenanced or tolerated; for these always put an unjust burden on the backs of the people, tend to check industrial activity and business enterprise, and serve to retard the general growth and development of the State.

Gentlemen, we cannot overestimate the responsibilities of our positions. Our oaths will not rest lightly on our consciences if we neglect our duty or abuse our trust. We are brought together by a majority larger than the people ever before accorded to their representatives. To that extent it emphasizes more strongly our duty to redeem our pledges for retrenchment and reform. Let us all, without distinction of party, join in a common purpose to faithfully serve the State and advance the interests of its people. Let us cooperate in showing to them our sense of obligation and appreciation of the generous confidence reposed in us by jealously guarding the public revenues and withholding our sanction from any appropriation of them except for the public good-by reforming abuses which custom or bad laws have fastened on the body politic-by practicing a rigorous economy in the management of public affairs,-by reducing State taxation to the lowest possible limit consistent with a wise and economical administration of the public business,-by abolishing useless offices and discontinuing the employment of supernumeraries in the public service,-by enacting laws designed to advance the public welfare and repealing those which conflict with the interests of the people,- and by devoting our best energies and abilities to the advancement and prosperity of the State.

WM. P. LORD, Governor

Governor's Message, 1897

Source: State of Oregon, Messages and Documents, 1897, Vol. 1, Page 1.

Gentlemen of the Legislative Assembly:

You have assembled, in obedience to the requirements of the constitution, for the purpose of enacting such laws as, in your judgment, may be needed, better to protect the rights of person and property, to conserve the public interests, and to promote the general welfare. The important duty is devolved upon you to repeal or modify all laws that unjustly or injuriously affect the citizen in his constitutional rights, and to enact such others as will secure to him the full benefit of the constitutional guaranty of protection to life, liberty, and property, and of the right to dispose of his labor, and to pursue his happiness according to his own judgment. The important duty is also devolved upon you to carry out the mandate of the people, expressed in their platforms, for retrenchment and reform; to apply the knife to abuses and hidden emoluments, if any exist, upon the body politic; to cut off unnecessary expenses; to withhold needless appropriations, or such as will bear delay or can be postponed, and to reduce needed ones to the minimum; to abolish useless offices, boards, and commissions, to the end that unnecessary and excessive taxation may be avoided, and that the public expenditures may be reduced to the lowest possible limit consistent with a wise and economical administration of the state's government. To qualify yourselves intelligently to perform these duties, it will be essential for you to acquire a thorough knowledge of the true condition of the state and its institutions. This knowledge will be brought to your attention through detailed reports of the various departments of the state and the institutions under their charge, through committees appointed by your body to investigate

and report on their condition and needs, and through such information of the affairs of the state as the executive may feel it his duty to communicate for your consideration and action.

Gentlemen, you have imposed upon you grave and responsible duties; duties that you cannot neglect or evade without incurring the just condemnation of the people, and inflicting an irreparable injury upon your state. They are duties that demand, for their faithful and intelligent discharge, the uninterrupted use of every available hour of the forty days allotted for your legislative labors; duties, I repeat, that, if well performed, will afford no time for factional fights, or senseless struggles for mere party advantage, or trades and combinations to fix legislative appointments to office. You are assembled under circumstances fraught with less discouragement than those which confronted your legislative predecessors. The extraordinary financial and commercial depression which afflicted our country and blighted its prosperity is slowly passing away. The clouds which lower on our country's horizon are lifting; already we can see a rift in the skies, through which is gleaming the light of the better and brighter days coming; already we can feel the pulsations of reviving business, and hear the hum of industrial activity echoing throughout our borders. Such is the recuperative quality of our people that, from the depth of their financial disasters, they are emerging hopeful and courageous. The future that awaits our state is full of promise. The natural conditions that environ it, backed by the energy, intelligence, and skill of its people, and aided by wise legislation for the development of its abounding and varied resources, will make our state a center of financial and industrial activities. Nothing short of a policy that shall handicap its government with debt, excessive taxation, lavish expenditures, and bad laws, retarding its growth and development, and benumbing the energies of its people, drying up the sources of their material wealth, can make Oregon a laggard in the procession of progressive and prosperous states. While, it is true, there are some laws of trade and finance which control business, and which no statute can affect or abolish, it is equally true that legislative enactments often perform an important part in stimulating business and industrial enterprise, in opening the channels of trade and commerce, in protecting life and property, and in preserving many valuable natural resources from waste and destruction. To the extent that legislation may assist in the accomplishment of these objects, without disturbing or restricting trade, it ought to be enacted. Much has been done by past legislatures to aid in the development of the resources of our state, and to preserve others from extinction; much to serve the public interests, by the adoption of measures of retrenchment and reform, which have kept her free from public debt and in the front rank of an advancing civilization; but much still remains to be done to supply her wants and more fully improve her resources, and meet the growing demand for general enlightenment, for higher standards of public duty, for better political methods, and for more economical government. Upon you, gentlemen, rests the responsibility of inaugurating such measures as will effect these reforms. You owe the people conscientious performance of duty according to your best ability. I pray that you may not disappoint these just expectations.

It now becomes my duty to give you such information concerning the condition of the state, and to recommend such measures as may be deemed to be expedient.

FINANCES

Oregon has no debt, but there is a surplus in the treasury of \$368,034.42. The following indicates the funds to which the credits belong:

The receipts into the state treasury during the biennial term ending

December 31, 1896, including the balance on hand as per last report, were...\$2,353,563.85

The disbursements out of the several funds were..... 1,985,529.43

Leaving a balance in the treasury of.....\$ 368,034.42

To the credit of the following funds:

General fund.....	\$ 121,986.93
Common school fund principal.....	150,398.28
Common school fund, interest.....	48,696.79
Agricultural college fund, principal.....	3,704.99
Agricultural college fund, interest.....	3,624.68
University fund, principal.....	1,951.87
University fund, interest.....	\$ 1,463.43
Five per cent, land sale fund.....	69.32
Swamp land fund.....	1,545.10
Tide land fund.....	15,680.58
Salmon industry fund.....	1,246.08
University tax fund.....	15,919.34
Military tax fund.....	1,747.03
Total.....	\$368,034.42

ASSESSMENT AND TAXATION

There is probably no matter of public concern which is the cause of greater complaint, or which is beset with greater difficulty in its practical operation, than the law regulating the levy and collection of taxes. The complaint is caused by the inequality of taxation. To be just, the law must distribute the burdens of taxation equally, and, in this way, insure uniformity of contribution. Equality of taxation is the essence of the right to take the citizen's property for the support of government. Without it, tax laws are partial and inequitable, producing rank injustice. To insure uniformity and equality, it is indispensable that the law regulating assessments and taxation should be based on some rule of apportionment that operates impartially, and rests on fixed principles of justice. Our law is based on the theory that all property, whether real or personal, should be assessed at its actual cash value, without regard to the income derived from it, or the uses to which such property is appropriated. It has always seemed to me that some reference should be had to the revenue derived from property, in estimating its value. Still, there can be no doubt, if our law was strictly enforced, conformably to its true intent, equality of taxation would result. For, it is plain, where all property in the state is assessed at its actual cash value, there will be equality of taxation. But the same consequences would follow, if all the property of the state were assessed at less than its cash value, provided that the reduced rate of assessment were made equally to apply upon all property. To illustrate: if all the property in the state were assessed at half its cash value-or fifty per cent of its real value; there would be equality of taxation. The assessment being equally distributed upon all property, there would be equality in the payment of taxes. Inequality of taxation, then, is due, not to the fact that property is assessed too low, but to the fact that it is assessed unequally. Where one class of property is taxed, and another is allowed to escape

taxation to any great extent, or where one piece of property is taxed at its cash value and another at half its real value, there necessarily results inequality of taxation. In this way, it is thought, that thousands of dollars' worth of property escapes taxation altogether, and much other is taxed at less than its real value, as compared with property of like character. Where such is the case, the burdens of government are not shared equally, and a flagrant injustice is done some taxpayers. This condition of things is the result of incompetency or dishonesty on the part of assessors, and is the cause of the general complaint about our tax laws. Every assessor should aim to assess all property at its real value, as the law directs, to the end that it shall bear its just proportion of the public burdens. If this were done, though the result might not be absolute equality, owing to the infirmity of human judgment, it would approximate to that end. It thus appears that most of the inequality that exists, and about which there is so much dissatisfaction, could be remedied by selecting assessors qualified by business experience, good sense, and impartiality of judgment, to discharge the important duty of taxing property for the support of government. There is not so much difficulty in framing a law that, in theory, shall distribute the burdens of taxation, as in securing its proper administration. Nor do I think our law, if fairly executed, according to its intent, fails to provide for an impartial assessment of property. The difficulty is not so much with the law itself, as with its administration. If the officers to whom is confided the duty of enforcing our law, should strictly comply with its provisions, there would be little cause of complaint relative to assessment and taxation. There might be some amendments to our law that would operate beneficially, but its general provisions are based on principles, which, if fairly complied with, would approximate to equality of taxation and remove much dissatisfaction. At any rate, be slow in tinkering with tax laws, and above all, be careful to avoid thrashing over old straw, for the result of your labors will be more apt to increase, than remove, the evil sought to be remedied. The framing of a tax law to supplant an old one, is expected to remedy all defects and give universal satisfaction, is a delusion; but, somehow, it is a public service always attractive to youthful and inexperienced statesmanship.

PENITENTIARY

The penitentiary is a badly located institution. With so many excellent sites near it, it is amazing that its present location should have been selected. It is said in explanation, that the present site was chosen on account of the necessity of securing a water power; but there are several other places in the neighborhood much more desirable, as locations, where there are water powers, or to which water could be brought with convict labor at little expense. All institutions of this character ought to be located on elevated ground, so that sufficient fall may be secured to afford good sewerage, and to enable the inmates, who are confined a large part of the time in their cells and within the prison walls, to enjoy the benefits of wholesome air and plenty of light. Where an institution is located, like our penitentiary, adjoining a creek, on low, wet ground, which extends many acres around it, there cannot be cleanliness, or fair drainage, or wholesome air, without constant care and attention and considerable expense. The institution will always be confronted with obstacles to its sanitation and sewage that would be easily removed from locations more wisely selected. To aid the sanitary conditions and the sewerage of the buildings, it is indispensable that the adjoining lands, when low and wet, should be drained in order to ward off miasmatic conditions during certain seasons, and to promote general healthfulness. In view of the location of the penitentiary, and the conditions surrounding it, it would be supposed that, as a matter of ordinary care, such improvements would be made; that the building would be kept in good condition, and that its outbuildings and appurtenances would not be allowed to get out of repair, or in a state of dilapidation and decay. I regret to say, that, when the prison and its belongings was received by the present superintendent, this condition of things did not exist, and, while it is true that many things had been done in this direction, they had not been prosecuted to the extent demanded by the plain necessities of the situation. The condition of the prison was such that the superintendent was compelled to make many repairs, though without funds for this purpose, the necessity of which had existed some time, and could not longer be delayed. Notwithstanding the difficulties which confronted him, the superintendent, by practicing rigid economy and intelligently utilizing the prison labor, was able to make pressing repairs and needed improvements, such as mending the floors, putting in new window sills, planks in porches and guard walks, where they were rotten and broken; painting portions of the building and fences, where needed for their preservation, and especially a large structure built of

corrugated iron, that was rapidly going to decay from exposure to weather, and the iron fences in front of the prison. Besides which, he built a new flume for the water race, cleaned up and improved the prison yard and the channel of the stream and its banks therein, improved and renovated a portion of the sewerage escape, which, when opened, disclosed that it had been illy constructed of unfit material, that made it a hotbed of filth and a breeder of disease; reclaimed several acres of wet lands, and tiled and drained others, to prevent malarial conditions, and render such lands profitable for agricultural uses. It is believed that the prison and its belongings are in a fair condition, considering the limited means for its repairs, though there are other improvements needed, especially with references to its sewerage. I ask special attention to the report of the superintendent, and believe that his recommendations should receive favorable consideration. I reiterate the recommendation, that the penitentiary, through its own agency, be intrusted with the transportation of convicts. I especially request that you examine the bills for transportation, under the present system, filed in the office of the secretary of state, and ascertain whether this recommendation deserves again to be disregarded.

CONVICT LABOR

No more perplexing problem presses for solution than the working of convicts. The penitentiary has always been a serious charge on the state, because the maintenance of convicts is necessarily expensive, unless they are profitably employed. Thus far, the result of working convicts in any enterprise, either by the state or by leasing them to private parties, has not proven entirely satisfactory or very remunerative. It is thought, though, that the leasing of convicts, as is now authorized, for the carrying on of some industrial enterprise within the prison, would largely help to pay the expenses of the institution. It is better for the present, at least, than that the state should undertake to conduct an industrial enterprise with its convicts. It was a serious and expensive mistake, when the state bought the foundry plant and undertook its operation. Its profitable management was, no doubt, greatly handicapped by the financial depression, but, generally speaking, such business enterprises are more profitably conducted by private parties. Shortly after entering upon my official term, it was found that the foundry was working only a few convicts, who were piling up goods on those already manufactured, not any of which could be sold, owing to the lack of demand occasioned by hard times. To have continued the operation of the foundry under these circumstances would necessarily have resulted in putting the state at heavy expense for the purchase of raw material and the pay of superintendents and foremen, and, at the same time, left on its hands an overstock of manufactured goods for which there was no sale. Of course, the board could have made an excellent showing on paper by setting up these unsold manufactured products at a good price rate, and counting them as cash assets. The last legislature authorized the governor to lease the convicts, and to carry this law into operation would necessarily have deprived the board operating the foundry of its convict labor. This statute was considered to repeal, by implication, the statute authorizing the board to operate the foundry with convict labor. A short while after the enactment of this statute, Mr. J. Loewenberg proposed to lease the foundry plant and a specified number of convicts, but he was unwilling to take the stock of manufactured products on hand at the price valued, or to pay the price for convict labor specified in the statute. After several consultations, it was agreed that a lease should be made for a certain number of convicts, and a request was made by the board of managers that "the governor detail twenty-five convicts for the care, custody, and protection of the foundry plant, subject to ratification by the legislature," to which request the governor acceded. The board then leased Mr. Loewenberg the plant and sold him the manufactured stock at reduced prices, on time, secured by chattel mortgage and endorsed notes; but, owing to the continuance of the general depression, Mr. Loewenberg has been unable to sell his manufactured products or to pay his notes and the rent of the plant.

If the legislature shall deem it proper to ratify this agreement, upon Mr. Loewenberg's promptly paying his indebtedness due the state, or at some other time upon reasonable extension, I suggest that the superintendent of the penitentiary be substituted for the governor in the contract, under an act amending the law for that purpose. This will not change the terms of the contract, but will make it more satisfactory for the conduct of the business to all concerned. This is an outline of the transaction, and for further particulars, I invite your attention to the report of the board of managers of the foundry.

REFORM SCHOOL

It is thought by those who have given much consideration to reclaiming youthful criminals, that reformatories are useful and beneficial institutions. It is much better for the state to make an effort to reform its wayward youths than to send them to the state penitentiary to associate with hardened criminals. The effect of such association during their term of confinement usually is to develop their evil tendencies, and to cause them to become confirmed criminals. When criminals of this class are placed in reformatories, they are separated from the society and influence of hardened criminals, and, with proper care and treatment, they may be impelled to turn from their evil habits and lead useful and exemplary lives. The effect of punishment on criminals of the depraved class is seldom to cause them to reform or to lead better lives; but for the youthful criminal, whose evil habits have not become confirmed, it is better for society to make an effort to reform him, and, in recognition of the wisdom of this policy, our state has established a reform school. The practical operation of this school indicates a considerable degree of success. Many improvements have been made during the biennial term, which have required considerable outlay of money, and have increased the difficulties of the management of the institution; but, as the farm shall be improved and made a productive adjunct, and as the boys at the school are given industrial training and their work is utilized more and more, the cost of the school will fall, notwithstanding its membership is rising. For all purposes, the superintendent now asks \$51,000 for the current biennial term, which sum is a marked decrease to the appropriations for 1893 and 1895; yet, I am constrained to think, the farm may be so utilized, as well as the work of the boys, that a less sum ought to suffice. The report of the superintendent may be consulted with profit for details which a want of space will not permit me to call to your attention.

GIRLS' REFORMATORY

I desire to recommend that the wooden building now occupied by the farmer at the reform school be converted into a girls' reformatory. There are not many young criminals of this class, and the location of the building is favorable for their care and safety. Two or three cells might be fixed in it for the reception of female convicts, of whom there are seldom more than one or two, and oftener none. There is n place for this class at the penitentiary, and the necessity of the case requires them to be kept strictly confined to their cells, which is an unnecessary hardship. The additional cost will be slight, as the present management will not be disturbed.

ASYLUM

It is not simply a dictate of duty, but of humanity, that the tenderest care and best provision should be made for the comfort and recovery of that unfortunate class of our people, who are wholly or in part deprived of their reason. What class can more justly appeal to our sympathies, or have better right to ask that our best thought and skill be devoted to the amelioration of their condition? No reasonable expense should be spared to furnish them with the best medical attendance and to make their surroundings agreeable. There is no better test of the progress of civilization in a state, than the adequacy of its provisions for the care, support, and protection of insane. The progress made in the study and treatment of nervous diseases has been rapid and successful, being based on the idea that insanity is a disease, and should be treated, as other diseases, with a view to recovery, except where conditions exist that render such a result impossible. In conformity with this idea it is suggested that the words "Oregon State Insane Asylum," descriptive of our institution, should be changed to "Oregon State Hospital." Our state has not been backward, nor spared expense to provide suitable places for the comfortable care and treatment of its unfortunates. A good building with the best improvements, good surroundings, excellent care, and the best medical attendance, is provided for them. The asylum is, as it should be, a public generosity rightly directed, but it should not be abused. There is no doubt, owing to the laxity of our laws, that many persons are sent to the asylum and remain there, who are not proper subjects for its charity, and that, if the defects in our law in this particular were remedied, and fuller powers conferred on the superintendent, it would greatly diminish the number accounted insane, and reduce the expense of the institution. The practice of some county courts in sending persons who are not insane, but simply affected with the infirmities of old age, to the asylum, often through

the pressure of relatives, is wrong in principle, and often tends to encourage filial ingratitude. The hospital (as we shall prefer to call it) is intended for the care and treatment of the diseased in mind, and not those merely afflicted with senility. There is also another class, known as the "morphine fiends," who have reached that point of personal degradation where the habit is fixed and a permanent change is improbable, that ought to be excluded. Nor is a hospital the proper place for the idiot. Cheap buildings, with large dormitories and few attendants, under the superintendent, as an adjunct, would answer every purpose.

Gentlemen of the assembly, I here and now reiterate my recommendation of two years ago, that the asylum, through its own agency, should be intrusted with the responsible duty of conveying these unfortunates to the institution. To serve this purpose, there should be two attendants, a man and a woman, appointed to go after patients and bring them to the hospital, who should receive a fair salary as compensation for their services, and actual expenses for themselves and patients. These agents should be persons of intelligence, of kindly disposition, steady habits and decision of character. They would soon become experts in handling patients, and quickly learn how to attend their wants and spare them unnecessary pain or mental distress. The difference in the cost, as compared with the present practice, is much greater than generally known. It is the same policy which is recommended for the state prison. Under the system proposed, it would not cost a dollar for the transportation of intended inmates from Salem to either place while under the existing system it costs \$8.50. Under the first, they would be taken in groups, to save expense, where several awaited transportation, while under the latter they are taken separately to fatten the job. In defense of the practice it is said that the law allows it; but the fact that such practices may exist under a law is the best reason for its repeal. There is another reason for its repeal and the adoption of the system recommended that is unanswerable. No man should be permitted wholly to have charge of conveying an insane female patient to the hospital. The law, which authorizes such commitments of female patients, is a relic of barbarism. What act can be more barbaric, what spectacle more revolting, than an officer dragging from her home an unfortunate woman, frantic and helpless, through crowded thoroughfares, before gaping crowds, and over the railroads, to her destination at the asylum? Several hours at least, and sometimes days, must be occupied with her transportation, and during this interval of time, think of the indignities to which she is unavoidably exposed; think of what in many instances must be her pitiable, indescribable condition when she arrives. Common decency demands that this insult to womanhood shall cease.

The report of the medical superintendent of the asylum is a carefully prepared and able document, and it will furnish you in detail all information appertaining to the management of the institution. His recommendation to build a wing to accommodate the increasing number of inmates deserves your immediate attention. I commend the report to your careful consideration.

ORPHAN'S HOME

I also recommend the acceptance of the offer of the Oregon Children's Aid Society to donate to the state the Orphan's Home, at Salem, which consists of fifteen acres of excellent land and good buildings, containing at this time over twenty inmates. In the near future the state will be compelled to make provision for this class of friendless and helpless humanity, whose care and right bringing up concerns the public welfare as well as their own, and the present offer of the buildings and grounds, without cost, as a home for them, is a liberal gratuity that ought to be accepted with alacrity. In the event you should adopt this recommendation, the law should provide for the appointment of a board, to be composed of women, and not to exceed five in number, to whom would be committed the management of the affairs of the home, and to receive only actual expenses for their services.

STATE LAND DEPARTMENT

The successful management of state lands depends upon laws enacted to promote the object for which they were granted, and their strict administration. Oregon has been the beneficiary of large land grants for various objects, and much legislation has been devised and enacted in regard to them, but our state has not realized the benefits and advantages which it should have received from them. All that can now be done is to

take care of and dispose of what remains, so as best to promote the objects and distribute the benefits of these grants. It is greatly to be regretted that the law did not make better provision for the segregation and mapping of state lands, for indexing all sales of them and disclosing their location, and further providing that the officers in charge of the land office, when requested by a purchaser, or other interested person, should give the information asked, as appears from the record. It would have saved purchasers much unnecessary expense, and greatly aided in conferring the benefits, designed to be given, by the grants. But, without legal provision, the land department office ought to have adopted rules and regulations that would have served this purpose. The records of the office ought to have been kept in such a way that a person desirous of purchasing a certain piece of state land could easily ascertain its location, whether it was taken or was for sale, without incurring the unnecessary expense of hiring a third party. By neglecting to do so, it was only possible for its officers, or those who had acquired special knowledge of the location of state lands, to consult the record as kept and ascertain the desired facts. Such a mode of doing public business offers too much temptation for wrongdoing and scandalous practices to justify its existence or continuance. Some of our statutes, however, seem to have been expressly designed to encourage despoliation of state land purchasers. Our statute, repealed in 1895, was framed in such a way that a party desiring to purchase a piece of indemnity land, was compelled to take the risk of title to the land which he selected, but, as he could obtain no assistance from the records of the land office as kept, he was forced by the necessity of the case to seek a land attorney who could find a base before he could make his selection and consummate the purchase. This usually involved the payment of fees, often equal to the price of the land desired, and was a service that, under proper practice, was wholly unnecessary. What was the result? It now appears that many of the bases selected by these land agents were not subject to be taken, and, the title failing, the purchaser falls back upon the state and asks to be indemnified for his purchase money. The case is a hard one. He has paid for his land and the state has his money, but he has received no title to such land, and he is out the price of the land and the other sum, whatever that may be, paid to the land attorney. Even if the person whom he hired to select the land were liable, which is perhaps doubtful, he would probably prove a poor resource for his losses. The case is one of a bad statute working in combination with a bad office practice. The state, under such circumstances, imposed upon the purchaser an impossible task, if it desired to sell its land; which is reasonable to presume. When it imposed the risk of title upon the purchaser of the land he selected, the state ought to have required that the records of its land office should be kept in such a way that he could consult them, and obtain all necessary data about the land, and then, if he made mistakes, the fault being with him and not in the office, he should take the consequences. But when the fault lies not in him but in the practice of the office, forcing him to seek outside agencies, the responsibility of risk of title is inconsistent with the duty imposed upon the purchaser, and he should not be held answerable, and his purchase money should be returned to him without interest. The aim of the present land board has been to make the land office serviceable and inexpensive to those having business with it, and, under the direction and management of its efficient clerk and his subordinates, the records have been classified and arranged, indexes and notations on the maps have been made, and rules and regulations have been adopted, designed to simplify and expedite the public business, and make inexpensive the doing of business in the land department.

LOANS OF THE SCHOOL FUND

In connection with the state land, it needs to be mentioned that loans of the school funds, in many instances, owing to the hard times and overvaluation of the land, have proven bad investments and entailed losses upon the school fund. In many of these loans the borrowers have defaulted in payment of interest, and the state has been compelled to take the security and to pay the cost of foreclosure proceedings. These judgments represent, in addition to the principal loaned and the costs of suit, a large accumulation of interest, which lessens to that amount the school fund interest to be annually distributed for the education of children in our common schools. Another source of loss and annoyance is the sale of lands for taxes two or three years overdue, without notice to the board, thus entailing further expense in redeeming them. This loss ought to be obviated by such legislation as would make it unlawful to sell for taxes any securities held by the state, without proper notice to the land board in all instances, where the taxes are in default, and in such cases making it the duty of the board, upon such notice, to cause the taxes to be paid and charge the same to

the interest account, and at once proceed to procure a decree with the tax included. In making collections, it has been the policy of the board to deal as leniently as circumstances would permit with debtors to the school fund, on account of the financial and industrial depression prevailing over the country, which has seriously affected the values of property and contracted the means of earning money. To loan the school fund and avoid losses is difficult. The persons composing the board, though they are capable in other walks of life, may not possess that business sense and judgment that is especially required in making loans. Their sources of information, respecting the value and sufficiency of the security offered for the loans, are through agents in the different counties, upon whose judgment they must depend, and who are liable at times to recommend loans that are not desirable, through entreaty of friends and a yielding disposition. Owing to the business depression, and the provisions of the act of 1895, which withholds indemnity school lands from sale for two years, the sale of lands has greatly fallen off. Some legislation is needed to provide for the sale of these lands, and to facilitate the selection of all lands to which the state is entitled as indemnity school lands, before these valuable lands are disposed of by the general government.

The special agent appointed to select lands under the act of 1895, has been busily engaged in this work, but the act omitting to provide for his salary and expenses should be amended in this particular, and there should be an appropriation to pay his salary and expenses for the past two years. It is highly important to the interests of the state that a proper selection of these lands shall be steadily pushed, as when confirmed to the state, the funds derived from their sale will add a very considerable sum to the irreducible school fund. Some legislation is also needed for the disposition of lands known as sand islands, in the Columbia river, which have considerable value and are much sought after for fishing purposes. For matters in regard to state lands and the school fund, I recommend to your careful consideration the reports of the clerk of the land department and the special land agent, which offer valuable suggestions and are pregnant with matters of public interest.

FISHERIES

No other country has salmon fisheries so extensive and profitable as the states bordering the Columbia River. Oregon's fishing interest is justly regarded as one of our leading industries. Salmon fish, canned or cured, constitute one of our principal exports and an important part of our commerce. The industry affords employment to many persons, and is the source of great revenue. Its growth and preservation is a matter of the highest importance to the welfare of our state, and no further delay, from any cause, should be permitted to obstruct the enactment of appropriate legislation to protect salmon fish from wastefulness and threatened annihilation. The present law is not satisfactory. It ought to be repealed and a law enacted that shall be sufficiently restrictive in its provisions to enforce the close seasons, and so protective in its regulations and restraints as to guard natural and artificial propagation of salmon from waste and destruction. Such a law ought also to contain a provision for joint jurisdiction over the Columbia River, if the consent and cooperation of our neighboring state can be secured. The failure to secure appropriate legislation, to this end, in 1895, emphasizes the duty of the present legislature to make an active effort to reach this result.

The report of the fish commissioner is an able and interesting document, giving in full detail all matters of importance and interest connected with the fishing industries, and making many valuable suggestions for your consideration, including remedial legislation, that are of the utmost moment to the preservation of this source of our revenue. It gives me great pleasure to commend the whole of his report to your attentive consideration, and to bear witness to the fidelity and ability with which he has performed the onerous and difficult duties of his office.

EASTERN OYSTERS

There have been several barrels of eastern oysters shipped to our state by the general government upon request of the fish commissioner, and transplanted in Yaquina bay for the purpose of propagation, with a view of ascertaining whether the oyster industry could not be made profitable in this state. There will

probably be more of such oysters sent when the season is favorable for planting in other suitable places in the bays and rivers of our coast. It is important that proper legislation for their protection should be enacted at once. I recommend, also, that there be an appropriation of \$1,000 for uses connected with their planting and care.

MILITIA

The fact is manifest that our National Guard is a well disciplined and an efficient body of troops, and that, if an emergency should arise requiring their service, the guard would respond with alacrity and behave with courage and firmness. The general government recognizes the necessity of the National Guard by its cooperation in maintaining the system in each of the states. It supplanted the old militia, and is considered to be a more economical system, and to furnish in every way a more efficient body for the suppression of riots and mobs, or other organized opposition to the law, during periods of turbulence and public disorder. The National Guard is intended as a reserve force, to be used by the state always with caution, but nevertheless with firmness, for the protection of life and property, when the civil authorities are powerless in the presence of disorderly uprisings or mob violence. There has been but one occasion when its presence was thought unnecessary and demanded by the civil authorities. This was at Astoria during the past summer. To the call the guard promptly responded, and though no collision occurred, by reason of wiser counsels prevailing, their conduct was marked by excellent discipline and soldierly behavior. Their presence at Astoria involved a fundamental principle of government. It is the duty of the state to protect personal liberty as well as property. A man may work or not work, as he may choose, not under penal restraint. He has a right to make his own contract and serve whom is his pleasure, consistent with public policy: and any man, or organization of men, who, through menace, threat, or force, interferes or prevents him from the enjoyment of these privileges, is a violator of the law and an enemy of his country. Such interference is a deadly blow at personal liberty, guaranteed by our constitution, and its toleration is inimical to free government. It will not be possible for our state, so greatly in need of capital, to develop its varied and abundant resources and to offer an inviting field for the investment of capital, unless it steely maintains its constitutional guaranty to protect alike all property and secure to every man the right to pursue his daily work without molestation. But, in saying this, I must add, that I favor conciliatory methods of interference through state officials to bring about an adjustment of differences between capital and labor, which shall be fair and honorable to all parties.

It is to the credit of the National Guard that, to save any additional expense to the state, the suggestion that its expenses, while doing duty at Astoria, be taken out of the fund for their maintenance, was acceded to, requiring the troops to forego an encampment and other military matters quite essential to their comfort, equipment, and discipline. The guard is composed of excellent young men, who come from the people, and their enlistment is prompted by a patriotic spirit to serve and defend their state and its institutions. Their presence is a pledge for good order and an assurance that the executive is able faithfully to execute the laws. Their officers are capable and discreet men, to whom much credit is due for the discipline and high state of efficiency of the guard. Time will not permit me to make personal reference, and for details I respectfully invite your attention to the report of the adjutant-general, which gives a full account of military matters.

SOLDIERS' HOME

The merits of this institution, and its benefits to the old soldiers, are too well known to require comment. The management of its affairs through a board of trustees has been careful and economical. But, in my judgment, there is no need of a board to overlook its condition and affairs. The board ought to be abolished, and some of its members concur in this opinion. It would be much better that the executive should appoint the commandment upon whom would devolve the duty and responsibility of the management of the affairs of the institution, subject to supervision by the governor, who would make regular inspections through some member of his staff, thoroughly qualified for the duty. This system would put the home in contact with the department to which it is related, without being subject to military law, and secure a thorough inspection of its affairs at regular intervals, or on special occasions, as might be necessary, by a competent

officer. This plan would doubtless be more satisfactory to all concerned, would enforce strict accountability of its officers, and secure an economical and efficient administration of its affairs, consistent with the needs and comforts of its inmates.

HORTICULTURE

One of the largest interests of our state, and the source of much of its wealth, is the cultivation of the soil. Anything that increases its productions, aids in the development of the state. As connected with farming, horticulture is a profitable adjunct, and the interest now being manifested in the culture of fruits promises to develop a leading industry, diversifying farming, and adding greatly to our wealth. Such being the case, horticulture should be encouraged, under such regulations as will be productive of the best results. For a comprehensive treatment of this subject, I invite your attention to the able report of the board of horticulture, and recommend that sufficient funds be appropriated for the continuance of this valuable work, as essential to the best interests of the state.

FORESTRY

The frequent destruction of our forests by fires, caused by carelessness or design, should be stopped. Their preservation is a matter of great importance, and, if something is not done to prevent it, great injury will result to our timber interests. This is a subject that demands your attention, and some means must be devised for better enforcement of our laws.

IRRIGATION

This is a subject of considerable interest to the people of the eastern part of our state. We have many acres of land, known as arid lands, that could be made wonderfully productive and profitable under the fertilizing influence of irrigation. The problem of water supply for these waste places is becoming every day more pressing, but its solution is confronted with many difficulties. Whatever law should be enacted, great care should be taken to protect the interests of the people and prevent them from being seized under the guise of public good by private corporations for speculative purposes.

ROADS

There is at this time an active interest being taken in the subject of good roads. The movement should be encouraged. Good roads are of such public utility and importance, and are of such general interest, that measures, designed to secure them, will be submitted for your consideration and action. Our present law is lamentably behind the age in the matter of road improvements; it ought to be gotten rid of and some other adopted looking to a systematic effort to improve our public highways. A new system should be provided. All road taxes should be paid in money, and the present system of working out road taxes at extravagant wages, under supervisors often selected without reference to their qualifications, should cease. I earnestly beg your attention to this subject, in the hope that you will bring about some legislation that will result in securing the improvement of our roads.

EDUCATION

The general diffusion of knowledge is the best guaranty of the stability of republican institutions. Their safety and prosperity depends on the spread of knowledge among the masses. The fact is now recognized that intelligence in communities is essential to social progress and political reform, is conducive to sobriety and industry, and serves to establish justice and promote the public interests. As a means of disseminating intelligence, our common schools are most active and potent factors. There are no other instrumentalities comparable with them for the accomplishment of this object. They seek to increase the general average of human intelligence by the education of the rising generation, and in this way to elevate the citizen and

strengthen the state. The state cannot neglect its educational interests, without loss of public intelligence and detriment to its well-being. It is gratifying to know, that the subject of education always attracts much attention from the legislature, on account of its importance in the development of an intelligent citizenship and a progressive civilization. How to devise a system of education that shall extend its opportunities and benefits to all the children of the state, without entailing too heavy a load on the taxpayer, is a problem not often easy of solution. A law, simple in its provisions and inexpensive in its arrangements, is what our state needs for the attainment of this object. Our present school law has become a clumsy and costly contrivance from too frequent patching by way of amendments, some of which seem to have no reference to its symmetry or general design, and always providing, as a condition precedent, for the payment of fees that serve no educational purpose, and are an unjust tax on the teacher. The whole law ought to be repealed, and a new law enacted, embracing its meritorious provisions, leaving out what is defective and useless, and including such other provisions as will make an efficient and an inexpensive common school system, relatively considered.

It is impossible to enter upon details, and probably unnecessary at this time, as there are assurances that some of our educators will present these matters to the consideration of the legislature. There is, however, serious need for reform in the method of issuing state certificates, diplomas, and life diplomas. If the number of these documents issued by the present board even approximately represents the number issued by our predecessors, they must be scattered over the state "thick as leaves in Vallombrosia," and worth but little more as evidence of capability for teaching. The original design of the law was simple and excellent. It contemplated that the board of education should appoint a board of examiners, composed of men trained in practical teaching and of scholarly attainments, who were to meet at the capital twice a year, for the purpose of examining applicants for teachers' certificates and diplomas, and recommend to the board such teachers as became entitled to them. By this method the state secures the service of trained men to select teachers, and the diplomas issued on their recommendation by the board would be of value to their possessors, as affording some guaranty of their fitness and qualification. Such examinations would tend to weed out incompetence and secure a high grade of teachers for our public schools, and thus prove of incalculable benefit to the children of our state. To pay the expenses of these examiners, the law provides fees of \$10, \$6, and \$4, respectively, for life diplomas, state diplomas, and state certificates, and, if any money remain, after the payment of such expenses, it is to be held, or appropriated, the board for educational purposes. Though examiners have been appointed, they were never convened, as a body, but have examined applicants at their respective residences, under instructions from the superintendent of public instruction. Nor do they furnish the board with lists of questions for distribution to the county superintendents. The authority for this mode of administering the law is without validity, and receives its chief warrant from the custom or usage of the superintendent's office. The fees paid by the teachers are appropriated by the superintendent, after paying such sums to the examiners, as may be agreed upon between them. These fees in the aggregate amount to a large sum yearly, over \$3,00, and their proper disposition has been the cause of controversy between the superintendent and the other members of the board. In consequence of this, in the fall of 1895, a rule was made on the superintendent, requiring him to report to the board the number of diplomas and certificates issued, the amount of fees collected for them, what disposition, if any, had been made of such fees, and to turn over to the board any and all fees that he had on hand, in order that the board might appropriate them to the objects contemplated by the school law.

To this order the superintendent replied that he had kept no record of the number of diplomas and certificates issued, nor the moneys that he had collected for them, but that the sums retained by him did not exceed in the aggregate \$1,000; that the fees belonged to him, and that, in taking them, he was sustained by the practice of former superintendents. He also disclaimed any intention of violating the law, or of wrongdoing, of which we freely acquit him, basing his right to appropriate them on the custom of the superintendent's office, which he thought justified his right to them. There can be no doubt, if the law, expressly or implied, intends that the superintendent shall have these fees, they belong to him; but, unless it does so, no practice or precedent of the superintendent's office can give validity to his converting them to his own use. To my mind there is not one iota of authority to use these fees for any other purpose than indicated by the law, under the direction of the board, and every dollar diverted into the private pocket of

the superintendent is a misappropriation of educational funds, notwithstanding the custom or practice of his predecessors. This is not a case where fees are authorized by law, which the officer is entitled to collect and appropriate until the law is repealed or declared unconstitutional. I regret the necessity which compels me to make reference to these matters, and I only do so because, under my interpretation of the law, there arises a responsibility for the performance of a public duty which I cannot ignore or disregard. At any rate, these fees are too large, if the present practice of their distribution and appropriations to be continued, and ought to be reduced one half, namely, to five, three, and two dollars, respectively, for life and state diplomas and certificates, in justice to the teachers who pay them out of their hard-earned money. On the other hand, if the law is to be carried out, and the state is to have a board of trained examiners, whose expenses are to be paid out of the fees derived from the diplomas and certificates issued upon the recommendation of such examiners, the fees are not too large and no alteration should be made in them. It is to be hoped this matter, and all others connected with the school law, will receive that attention and consideration which its importance to the public interest demands. It gives me pleasure to say that the superintendent has entered with enthusiasm upon the performance of his duties, and that he has successfully conducted institutes in all sections of the state, by means of which teachers have been stimulated to greater activity. For details of school matters, I refer you to the superintendent's report, which deals comprehensively with them.

NORMAL SCHOOLS

The object of the normal schools is to furnish teachers for our common schools. The scope of their work includes special instruction in those branches of education which are taught in the public schools, and thorough training in the science of teaching. The effect of their work, when successfully prosecuted, is to increase the usefulness of the teacher and elevate the standard of our public schools. Our normal schools are a useful and indispensable adjunct to our common school system. Without them we cannot expect to have young men and women trained and equipped to supply the demand of our local schools. It is gratifying to know that the value of normal training is recognized by our people, and that the work of the normal schools is progressing satisfactorily, and resulting in great benefit to our common schools. Let them be held strictly to the true object of their work, and aloof from educating in other branches, or for other purposes, than training experts for teaching; then their success is assured and their expense will probably be greatly reduced.

UNIVERSITY

There are those who think our university should not receive financial support, while there are others who think it is bad policy and worse economy to withhold from it any needed aid. It is no doubt true that taxation is for the general benefit, and that objects of its fostering care should conserve the public good. But the fact that comparatively few can enjoy the university's advantages is not conclusive that its benefits are not for the public welfare. If the university is an essential part of our educational system in conducting to the progress and development of our state, and to the prosperity and intellectual greatness of the people, it is of general benefit and entitled to receive public support. The university aims to furnish such an education as will enable those, always the few, who possess the requisite abilities, to become useful citizens and leaders of thought in the professions, in statesmanship, in the various branches of learning, in philanthropy and works of charity, in promoting industrial projects and conducting commercial enterprises, and in devising methods for the moral and political advancement of the people. Its existence is due to recognition of the fact that the state needs captains in every department of life, affecting human happiness and welfare, and that, as a means to this end, it should provide an institution of learning whose course of study would lay the foundation to supply them: and perhaps too, some of those benefactors of our race, whose enlightened influences shall hereafter be traced in the improved condition of our species, and in the increased prestige and power of our state. The state cannot afford to wait or depend on local enterprise, or church organizations, to establish and maintain institutions of learning, splendid and worthy as have been their efforts and success, for the accomplishment of these great objects of public concern. The crown of our educational system is the university. We should strive to lift it to a plane where it may compete with similar institutions of other states, and save our children the necessity and expense of going abroad to acquire a

higher education. It is entitled to receive the financial aid and fostering care of the state. Money spent to further its legitimate aims and ends, is not a gratuity but a good investment for the state. These do not include a preparatory department or school, or commercial adjuncts for bookkeeping, but the curriculum should be confined strictly to a university course. The use of money to pay the expenses of such departments is a diversion of the funds of the university and ought to be discontinued. At the present time there are over three hundred students at the university, and only about one hundred, or a third of them, are pursuing a university course. The other two thirds, or two hundred, are students in the preparatory department. This is all wrong, and in conflict with the idea of a university, and involves expense which, if taken from the funds appropriated to the university, is a misappropriation of such funds, and an unjust burden on the people. These departments, not included within the aim of a university, should be cut off and disestablished, and the university made to fulfill its true mission in education. It will then become an active, compact, and potential factor in advancing the cause of civilization and the betterment of man. It will also have the effect greatly to reduce expenses, and put the institution upon an economical working basis. There will then be ample room and accommodations in the present buildings for all purposes, and the work of the professors can be distributed, and their number reduced by cutting off all supernumeraries. Free scholarship should be abolished, and a reasonable fee should be charged for tuition. The student, who wants something for nothing, lacks the stimulus and pride for a university education. It is to be hoped that, under the wise administration of its able president and his accomplished coadjutors, such measures will be inaugurated as will give the right direction to the true aims of the university, and make it a splendid, successful, and famous institution of learning.

AGRICULTURAL COLLEGE

It is the life and prosperity of our country to keep up and maintain its institutions, dedicated to the work of education in all its departments, to their utmost efficiency, although it may require some expenditure of the public revenue. Our people, to a large extent, are engaged in agricultural and industrial pursuits. A sound, practical education along the lines of these callings or vocations is a need of our people, and its benefits to the state cannot be overestimated. To fill this want is the object of our agricultural college in our educational system. Its chief end and aim is to give its students a thorough agricultural and mechanical training, as distinct from college or university courses. It is a different education in practical results from a university education, but is not in conflict with it. In this age when so many industrial projects require mechanical or scientific education for their management, the agricultural college affords excellent opportunities for acquiring such an education. It is gratifying to know that the present management of our agricultural college has been attended with unusual success, and that its results in all departments are highly satisfactory. The increased attendance is evidence of its popularity, and a forecast of its usefulness. While the recommendations of the officers for the various institutions of learning are entitled to much consideration, you must keep constantly in view the finances of the state in granting appropriations to them. The appropriations should be limited to the strictest economy consistent with the usefulness of the institutions.

DEAF-MUTE AND BLIND SCHOOLS

It has often occurred to me that it would have been far better for the deaf-mutes and blind, and cheaper for the state, to have delayed several years the building of our present institutions for them, and to have sent these unfortunates to some old established school, fully equipped in all its departments, embracing many branches of art and trade, presided over by skilled teachers, always difficult to procure in a new country, and affording many advantages that new institutions cannot provide. Some states find it much cheaper and more satisfactory to pursue this policy than to maintain such institutions. Among the causes leading to the premature building of such institutions, are the creation of new offices and places, and the increase of appropriations that serve to stimulate local business. These are considerations, though, which come too late to be of benefit, but they may serve to show the necessity of intelligent and economical management of the affairs of such institutions. It is not contended that these unfortunate people are not entitled to the deepest sympathy and liberal support, because of their helpless and dependent condition. This is especially true of the blind, who are shut out from all recourse to the beauties of nature, or works of art, which are a source of

so much mental elevation and pleasure, and must grope their way through life in darkness and ignorance, except as by training they may be made to advance in learning, and to comprehend the beautiful in nature and in art. Not quite so unfortunate, but equally worthy of your kindness consideration, are the deaf-mutes, some of whom possess great quickness of parts, and a mental capacity that, when trained, makes them useful and self-supporting citizens and leaders in some departments of business. It is the duty of the state to make ample provision for these unfortunates, and to afford them every facility for their improvement and the betterment of their condition, consistent with an economical management. The superintendents of these institutions are strenuously endeavoring to carry out the objects of their schools, for the benefit and improvement of the pupils, and the results thus far are satisfactory.

REGISTRATION LAW

The need of a registration law in our larger towns is so manifest that there is almost a universal demand for the enactment of such a law. There seems to be an impression that our Supreme Court, in *White v. Commissioners*, 13 Or. 317, laid down a rule that would render any registry law might be devised unconstitutional. Though I do not concur in the reasoning of the opinion, (which I think is able, and which, I believe, has been the subject of undue criticism,) it is manifest, from the concurring opinion in the result and the dissenting opinion, that the majority of the court thought that a registry law could be enacted that would be constitutional. My own view is that where the constitution confers a political right without designating the manner in which such right is to be exercised, it carries by implication sufficient procedure to ascertain in whom the right exists, for its orderly exercise or enjoyment; but that procedure must be subordinate to the right; it must not impair or destroy it. In other words, that the legislature may regulate the exercise of such political right, but in doing so, it must not embarrass, impair, or destroy it. This is what I understand to be the effect of the decision in *Capen v. Foster*, 12 Pick. 488, to which reference was made in the concurring opinion. The constitution of Massachusetts confers the right of suffrage, but does not designate the mode of its exercise. In construing the constitution so as to warrant the legislature in adopting reasonable regulations for the exercise of the right to vote, Mr. C. J. Shaw, in that case, was careful to put this limitation on the power of the legislature. He said: "Such a construction would afford no warrant for such an exercise of legislative power as, under the pretense or color of regulating, should subvert or injuriously restrain the right itself." This is what I thought our law did, impair, injuriously restrain, etc., the right itself, and hence the law was unconstitutional, and necessarily I concurred in the result, though through a mode of reasoning which was not inconsistent with a registry law. I think a registry law could be enacted that would be constitutional.

SUPREME COURT

The business of the Supreme Court has increased so rapidly that the court is now behind more than two years in the hearing of cases. It is imperative that some relief should be afforded the court, so that a prompt hearing and adjudication of causes may be obtained. It is thought that our constitution limits the Supreme Court to three judges, and, if this is so, there is no means of increasing the number of judges, except by amendment, which would require too much time for its adoption, to afford the desired relief. To remedy this condition of affairs, the appointment of a commission is proposed, to serve for a term of four years, to assist the court in hearing and deciding cases, in the expectation that within that period its docket will be cleared, and, in the mean time, if the proper steps are taken to secure the adoption of an amendment, so as to increase the number of judges, then there will be no future accumulation of causes. This proposition does not impress me favorably. Such a commission, will double the expenses of the court, and its creation should be avoided on the ground of economy, if there is any other way of affording the court immediate relief. My own plan is: first, to enact a law that shall limit appeals in civil cases to the Supreme Court to those involving title to real estate, or matters affecting the public revenue, the construction of the constitution of the state or of the United States, or where question of franchise is raised, or where the amount of the judgment exceeds \$500; second, require the court to file written opinions only in cases where the judgment or decree of the lower court is reversed, leaving it optional with the court to write and file opinions in cases affirmed. The records of the Supreme Court show that about thirty per cent of the cases appealed are under \$500,

varying from less than \$50 to that sum. The fact that the court is over two years behind in its work, serves as an inducement to appeal cases in many instances, to delay justice, or cause vexation and expense. It thus tends to encourage litigation and breed discord in the community. That chronic argument that every citizen should have the right to appeal, no matter how small the sum, is entitled to little consideration. The community should not be taxed several hundred dollars to gratify two obstinate men in bandying some trivial matter through the courts when its merits can be fully considered and decided in the circuit court as a court of last resort. The effect, then, of limiting appeals to the Supreme Court as indicated, would be to cut down one third of the appealable cases, which would be a great gain. The second proposition, namely, that of leaving it optional with the court to write opinions in cases affirmed, would rapidly relieve the court of the present congestion of cases, and enable it to keep pace with its work, and afford it more time for the preparation of opinions in cases where important principles are involved. Of the value of this plan and its effectiveness for relief of Supreme Courts, Mr. Justice Kinne, of the Supreme Court of Iowa, in an address delivered before the Iowa State Bar Association, said: "This plan is followed in several states with much satisfaction to all parties, and it is impossible to discover any valid argument against it. Take a recent Iowa report, and we find one hundred and fifty-three cases therein, of which one hundred and eleven were affirmed, and forty-two reversed. Of those affirmed, more than three fourths of the opinions were based upon and following previous cases, and the opinions contain nothing of value as precedents. The only excuse for writing opinions in such a multitude of cases is that our statute requires it. If the legislature in its wisdom would so change the law as to permit, in all cases of affirmance, a note of the decision to be entered in the announcement book without more, the vexed question of relieving the Supreme Court of this state of the great burden of cases which come to it would be solved for many years to come, and that without the creation of an additional office, or the addition of a dollar's expense to the burdens of the taxpayers."

Under this plan, the sum for appealable cases might be reduced to \$250, though the sum named is better, and still relief be furnished the court, without the creation of an additional office or the addition of a dollar's expense to the taxpayer. The reason I recommend that the legislature authorize the court to dispense with the writing of opinions in affirmed cases, is to give the practice the weight of legislative sanction, and spare the court the dissent that possibly might be made by some members of the bar, accustomed to the present practice, if the court should adopt the practice of its own volition. I do not understand that the section of our constitution, requiring that "the judges shall file with the secretary of state concise written statements of the decisions made," prohibits the adoption of this practice. The "decision" of a court is its judgment; its "opinion," the reasons given therefore. The difference is marked. The decision is recorded upon its rendition, and can be changed only through an application to the court. The opinion is the property of the judges, subject to modification until transcribed in the records: *Huston v. Williams*, 13 Cal. Our judges may, if they so chose, adopt the practice recommended, without violation of the constitution, and without legislative authorization. It is better, though, that the act which shall limit appeals to such sum as you may specify, should direct the adoption of this practice, for the reasons mentioned, which, I am sure, would be more satisfactory to all parties.

CIRCUIT JUDGES

The organization of new counties and an increase in the population has led to the creation of more circuit judges than are warranted by the requirements of public justice or the interests of economy. The work of the different judges is notoriously unequal. In the first district, where the population is rural, and (according to the state census) numbers only twenty-three thousand five hundred and thirty-seven, there are two judges, while in the adjoining district, which has much greater business activities, there is a population of fifty-two thousand and seventy-nine, with one judge. In the sixth district there are but two counties with only fifteen thousand nine hundred and sixty-eight inhabitants, and one judge, while in the third district there are seventy-five thousand and nineteen people, with two judges. Again, in the ninth district there are only three counties, with a population of nine thousand two hundred and forty-eight and no large town, with one circuit judge, while in the fifth district there is only one judge to a population of fifty-three thousand six hundred and thirteen, almost six times as great, and including towns of considerable size, full of business activities, and much more exposed to criminal litigation. There is needed but one judge in the first district,

with another county added, and then his work would not be equal to the work of the judges in the second and fifth districts. Two circuit judges only are needed in the fourth district, with another county added to it. The powers of the municipal judge in Portland might be increased and broadened. Instead of fourteen, there are only ten circuit judges needed to do judicial duty, if the districts were readjusted and the labor equalized. Upon this subject I know my recommendations are practical, feasible, and economical, but I own, I am not confident of their adoption.

ATTORNEY GENERAL

The office of attorney general is important in its relations to the public service and its abolition would be detrimental to it. The supposition that its duties are not arduous and not needed is a serious mistake. This officer is kept almost constantly employed in advising and furnishing written opinions to the various officers, boards, and commissions, and in trying appeal cases in the Supreme Court. It is true that his opinion is only advisory, but that fact makes it none the less valuable nor furnishes a reason for dispensing with it. He has administered his office with promptness, fidelity and ability, and its continuance is required by the interests of the public service.

DISTRICT ATTORNEY

As a matter of economy and justice, the state salary of the district attorneys ought to be abolished. These officers are paid fees, whenever they appear for the state or county, which, in some of the districts, amount to a sum far in excess of the combined salaries of all the judges of the Supreme Court, and no injustice would be done them in cutting off their state salary. This would compensate for the office of the Attorney General, upon whom devolve many of the duties that formerly were wholly attached to their offices. In the interests of economy, I think, the district attorneys will sanction this suggestion.

Between the appointment of a commission, and the continuing of the present number of circuit judges, and the salary of district attorneys, and the system I recommend for the Supreme Court, the reduction of circuit judges, and the abolition of the salaries for district attorneys, there will be a saving to the state of \$30,000 a year, and equally as faithful and efficient service.

TRIALS

At present our law requires a unanimous verdict of the jury in civil and criminal cases. The failure to obtain a unanimous verdict is often the cause of mistrials, which greatly increase the expenses of the courts and of litigants, would not be better conserved, if the agreement of two thirds or three fourths of a jury upon a verdict should be sufficient in civil cases.

CRIMINAL COSTS

The burden on our taxpayers under our system of taxing costs has become so grievous that some relief must be afforded them by this legislature. It is not believed that our officials are not honestly performing their duties, or that the evil complained of lies in the administration of the law, but in the law itself, and, until it shall be radically changed, there can be no effective reform in the system, or relief afforded our overburdened taxpayers. Under our laws, in all criminal prosecutions before a justice of the peace, or before the grand jury, with a few slight exceptions, where the prosecution is unsuccessful, or where, if successful, the costs cannot be made out of the defendant, which is commonly the case, all the legal costs, including officers' fees, jail fees, and fees of witnesses, are paid by the county; and to these costs must be added the costs in all misdemeanors and felony cases where there is a dismissal or nolle prosequi, or where, for any cause, the defendant is discharged before indictment, or after indictment and before verdict. It thus appears, except in the few cases where costs may be disallowed because of the frivolous or malicious nature of the prosecution, that the costs of criminal prosecutions are practically guaranteed by the county, with the

obvious result of encouraging useless prosecutions, which is a radical fault of the system. As a matter of fact, the costs are taxed to, and paid by, the county, even in cases where the prosecution is successful and the judgment for them is enforceable against the defendant, but, as the county can only be indemnified for its costs by the collection of such judgment through its officers, and as they, having already been paid their fees, are apt to forget its existence, the judgment is allowed to become dormant or fall into "innocuous desuetude." Another fault of the system, which is the cause of much expense, comes from multiplying hearings or trials. Before a defendant can have a trial which is to determine his guilt or innocence, he must pass through three stages of examination or trial. First, there is the preliminary hearing before the justice of the peace, who, if he finds evidence of probable guilt, binds the accused over to the court; second, the hearing before the grand jury; and, if they find a "true bill," then comes, third, his final trial in the criminal court. Nothing short of a radical reform in our system of criminal costs can furnish the relief demanded: how to accomplish this result is the question. I would recommend that a joint committee of three or five persons be appointed, composed of men able and competent to examine the laws of other states, such as Georgia and some others, where important reforms have been effected, greatly decreasing the expense of costs in criminal cases, to report what changes, if any, are needed in our system, or report a bill making such changes as will furnish the desired relief.

BOARDS, COMMISSIONS, AND LEGISLATIVE APPOINTMENTS TO OFFICE

Our scheme of government contemplates a division of powers into three great departments, known as the legislative, executive, and judicial. It is intended that these departments shall be separate and independent in the exercise of their functions, and any infraction of the principle which confines each to its own appropriate sphere of action, is inconsistent with the spirit of our institutions, and an encroachment on the prerogatives of the department affected by it. Moreover, where this division of power and responsibility is strictly maintained, no department interfering with the action of any other, but each moving in the circle of its activity in conformity with the general design, there can be no confusion of authority, and every department will be answerable for the conduct of its own affairs. But, while these departments act independently, and exercise different functions, in subordination to the general plan, they constitute one government, whose strength and symmetry lies in the preservation intact of this division of power and responsibility. Hence, any action of one department in assuming duties that belong to another, or in transferring to some board or commission duties that belong to one of the other departments, whether sanctioned by custom or otherwise, is a usurpation which is inexcusable, and ought to be summarily condemned. This confusion of authority, too, has the tendency to divide responsibility, which, experience has proven, is inimical to good government.

At the present time there are several boards, composed of the executive, the secretary of state, and the state treasurer, and the two former with the superintendent of public instruction, who are invested with authority to appoint superintendents to the various institutions of the state, and these superintendents, under the supervision of such boards, manage these institutions and administer their affairs. These boards are known as the trustees of the asylum, of the reform school, of the deaf-mute school, of the blind school, the domestic animal commission, and others not now recalled. These boards are invested with the power of appointing the superintendents, (who cannot appoint their subordinates without the board's consent,) and of making rules and regulations for the government and management of the affairs of the institutions not inconsistent with our laws. In effect, the board administers the law regulating the management of such institutions through the superintendents, when the full responsibility of the administration of their affairs under the law ought to devolve on the superintendents, subject to such supervision by the governor as may be embraced in his constitutional duty "to take care the laws be faithfully executed." Every officer, in discharging his duties under a law, is its administrator. Upon him ought to rest the full responsibility of the faithful discharge of his duties, and the economic management of the institution committed to his charge. There can then be no bandying of responsibility between him and the board. The superintendent will be personally accountable for his conduct in the discharge of his trust. He will be rid of the ugly task of trying to balance his official conduct to suit the idiosyncrasies of three members of a board, which is always impossible of performance; for, it is a scriptural saying that a man cannot serve two masters; ergo, he cannot

serve three. The truth is, a divided authority is inimical to economic and responsible government. Nor is there a public need of such boards, which fact, of itself, should be sufficient to demand their abolition. There is no place in the scheme of our government for their existence. The legislature has no authority to create boards and invest them with authority to appoint public officers to discharge important duties that concern state affairs. The power to appoint belongs to the executive department, or to the people, by election. The legislature has no legal right to exercise such power, much less to delegate it to a board or commission. It goes to the full extent of its powers, when it provides by law for the election of officers by the people, or their appointment by the governor, as may be deemed best, when not prescribed by the constitution, and to declare their duties and responsibility in the conduct and management of such institutions. It is on this principle that the superintendent of the penitentiary is appointed and discharges the duties of his office. He directs, manages, and superintends the affairs of the penitentiary on the same principle that others discharge the duties of their office. He appoints his subordinates, who are subject to his direction and authority. The responsibility of managing the institution, economically and effectively, devolves upon him, subject to the supervision of the executive. What possible use, then, can there be for a board? There is none. A board is a mischievous administrative instrumentality, because its effect is to divide responsibility, destroy the symmetry of our governmental system, trench on the prerogatives of the executive, and injuriously affect the management of the institutions.

But, it has been said, the object in creating these boards was to increase the salary of the governor, (although the other members of the board are allowed the same compensation), the implication being that, to raise it directly and commensurately with the duties and responsibilities of the executive office, would be unpopular and unconstitutional. The supposition is absurd. The passing of an act to effect indirectly an increase of the salary of an officer ought to be more unpopular than the passing of an act which directly increases it. If the people will consent or submit that the increase should be effected through the agency of a board, they will not object that it should be accomplished by a direct increase of salary, which only affords him reasonable compensation for his services. Nor is the objection to an act directly increasing the salary of the governor of any constitutional weight. It is entirely within the constitutional province of the legislature to raise the salary to such sum as is just and proper in its judgment, and the best lawyers and judges, some of whom served in the convention that framed the constitution, have expressed opinions on this subject with a unanimity that could not exist if there were any doubt of the constitutional power of the legislature to do so. It is not the salaries of officers that embarrass the operation of government, or burden the people with excessive taxation. It is "jobs," wasteful practices, lavish and unnecessary public expenditures, pillaging state contracts, useless boards and commissions, freebooting the treasury with fictitious claims and needless appropriations, that put an unjust burden upon the people, and serve to retard the growth, development, and prosperity of the state. The state is entitled to honest, efficient, and intelligent service, and no detriment comes to it, or disadvantage to its people, by awarding a high compensation for such service. But, so far as I am personally concerned, if you cannot give me a reasonable salary without continuance of these boards, then I say, abolish the boards and let the salary go. It is vastly more important that these boards be abolished, and that an end be put to a system that affords temptation to favoritism and opportunity for the existence of abuses.

The offices of food and dairy commissioner and veterinary surgeon should be consolidated into one office under the latter, at his present salary, and the domestic animal commission should be abolished. This would secure a better service and effect a saving alone of \$2,000 a year. Nor is there any need of a railroad commission, composed of three members. One commissioner, with a clerk, is enough, if the office is of any public benefit. In any event, either abolish the commission, or cut its number down to one. There is, too, the board of equalization, which is composed of excellent men, desirous of serving the interests that was the object of its creation; but it is greatly doubted whether the board is rendering a useful service and its abolition is not desirable. Its expense is considerable, but that is a consideration for which the public receives an equivalent, if the board is successful in equalizing taxes. It seems to me that it would be better to have a board composed of three members, appointed by the executive, whose duties should be confined to equalizing the state tax between the counties, leaving the matter of taxation for county purposes wholly to the counties. A board, composed of representatives from different districts, may be swayed by influences

that are disqualifying for the impartial duties of equalization, because its members are apt to feel a local pride in guarding the interests of their respective districts. At any rate, the equalization of taxes is a matter of high importance and interest, and it is for you to determine, after careful consideration, whether the present board merits a continuance or deserves extinction of official life. To avoid further enumeration in detail, I earnestly recommend that you abolish all boards, commissions, and offices that do not serve a useful public purpose, and thus cut off the unnecessary expense of their longer continuance.

Let me repeat that, while the appointment of officers by the legislature is not so objectionable, as empowering boards to exercise such authority, it is nevertheless wrong in principle and of doubtful validity, though sanctioned by custom and sustained by some judicial precedents. The courts, as the cases will disclose, have sanctioned legislative appointments with reluctance, and under circumstances which furnish the explanation and justification of their decision. In the late case of *Eddy v. Kincaid*, 28 Or. 559, where the question involved was the power of the legislature to appoint railroad commissioners, Chief Justice Bean said: "we feel constrained to hold the act constitutional, although, if the question was one of first impression, the court, as at present organized, might probably hold otherwise." It was on account of the reasons and circumstances to which the chief justice alluded, and the hesitation which a judge always feels in declaring an act of the legislature unconstitutional, that the court was induced to uphold the act and thus sanction legislative appointments to office. That the court felt such appointments to be of doubtful constitutional propriety, as an original question, is emphatically announced, and it must be conclusively inferred that the court felt that all laws authorizing the legislature to exercise such function ought to be repealed. How much more objectionable, then, is the delegation of such power to a board. The truth is, the power to appoint to office, when not lodged in the people, belongs to the executive. It is a prerogative of his office, and needs no express declaration in the constitution to establish it. The legislature ought not to make any appointments, except of officers of its own body. The logical consequence to which the exercise of the power by the legislature may be carried furnishes the strongest argument for its abolition. For, if it be a legislative function, then there is no limit to the power of the legislature to select officers, or to create offices and fill them, when required for the public service, except such officers as derive their title from the constitution. Upon this theory, the legislature may absorb all power to appoint officers for the public service, or to manage the state institutions, except the few named in the constitution. Instead of appointing, as now, the railroad commissioners, the state librarian, the game warden, the food commissioners, etc., the legislature could extend the list by appointing superintendents of the penitentiary, the asylum, the reform school, and others, when required for the public service. Such a grant of power to the legislature was never contemplated by our constitution, and is consistent with its spirit and letter, and the further exercise of it ought to be stopped at once and vested where it properly belongs, either in the people or in their executive. Such a change would be of incalculable importance to the members of this legislature. Your every step would not be hounded by the persistent office seeker; much of your time would be saved for legislative service, which is your legitimate duty; vote-trading, and combinations to assist political friends or pay off political debts, would come to an end; you would find yourselves in the possession of the disposition, and the opportunity, to perform your legislative duties with fidelity and deliberation, which, I hope, would include the adoption of the reforms already suggested, and to be mentioned, which reforms, I confidently believe, when enacted into law, would be so pregnant with public benefits as would embalm the memory of this legislature in the hearts of a grateful constituency.

APPROPRIATIONS

Bills for the appropriation of public money should be submitted to your body a sufficient length of time before the end of the session to afford ample opportunity for their scrutiny, and the exclusion of all unnecessary disbursements. The practice of delaying their introduction until the last hours of the session, when the members have no time carefully to examine the items, not the executive to exercise his veto, without defeating needed appropriations, is thoroughly vicious, and a fraud upon the public service. In this way unnecessary appropriations are secured, lavish public expenditures are encouraged, and the interests of the people are disregarded. The conditions, which confront us, emphasize the necessity of rigid economy. No money should be appropriated that is not essential to the public service and the necessity for which is

not clearly shown to your satisfaction. The practice of distributing the public money to various institutions of a private character, or, at least, nor under state control, nor responsible to the state for the manner of its expenditure, meritorious as may be the object of such institutions, is an inducement to multiply their number, and encourage every imaginable scheme for obtaining funds from the public treasury. Where appropriations for such purposes are permitted to pass unchallenged, there will always be the temptation to organize various enterprises, as institutions of a quasi-public character, and fasten them on the body politic, to secure appropriations for stimulating local interests, or booming speculative projects. All such appropriations are wrong in principle, and ought to be discontinued. Not a dollar of the public funds should be appropriated for the support of any institution not accountable to the state, and organized to serve the public interests. Not a dollar should be appropriated even for the support of public institutions whose existence and maintenance are essential to the public welfare, until the necessity of the appropriation asked is made plain, and its amount is clearly shown to be indispensable to the general welfare. Adopt this rule, and apply it to the purposes for which you are asked to make appropriations, and there will be no funds to use for lavish expenditures, or to support wasteful and extravagant practices; and, from the necessity of the case, economy and good business management will pervade every department of the state and its institutions.

When appropriations are limited to actual public needs, and the state's expenses are rigidly kept within the appropriations, the state is conducting its business on the same principles of economy and good judgment as govern prudent men in the management of their private affairs. It is pursuing methods which will secure good government, economically administered, as certainly as the same practices will bring prosperity and stability to private business establishments. We may affirm, then, that, when the institutions of the state and its affairs are conducted on business principles, there will be no deficiencies that are not the result of unforeseen exigencies or mistaken judgment, no debts contracted that can be avoided, or that are not demanded for the public good, no expense permitted that is not authorized, no employment where none is needed, and all employment will be based on reasonable compensation for the services rendered.

To reach this desirable condition of affairs, there is no way so direct and efficient, as the limitation of appropriations to the actual needs shown to exist, and the denial of appropriations for deficiencies, unless caused by some unexpected emergency, or a plain showing that the amount appropriated was insufficient for actual and necessary expenses. The custom or habit of allowing deficiencies to occur, in the expectation that the legislature will, without inquiry, and as a matter of course, make appropriations to cover them, ought to receive a good, hard bump against the bedrock of legislative economy and good sense; and another custom, thought lately to be in vogue, of devising schemes to expend an appropriation when its legitimate uses would leave a surplus to lapse in the treasury, is still worse, and deserves the severest reprehension.

When the legislature shall take any effective mode to ascertain how many persons are employed in a department or institution, the salaries or wages paid its officers and employees, the nature and amount of work performed by them, the kind and quantity of food consumed, the methods of procuring supplies, the extent and variety of purchases, the expense of growing grain or stock, the cost of raising a head of cabbage or a beet, the means for economizing food, clothing, fuel, and drugs, and carefully scrutinize all matters and things connected with the support and expenditures of such department or institution, as a business man would who expected to provide funds for the same, you will then get at the bottom of their needs, and be prepared to estimate their expenses and the amount of appropriation necessary for their support and maintenance. This kind of scrutiny is always beneficial to the public service. It tends to weed out the incompetent or corrupt official, and reward the capable and honest. An upright official stands in no dread of a rigid scrutiny of his affairs. If any of our heads of department or superintendents of institutions, have pursued vicious methods in doing the public business, or have been guilty of reckless expenditures, let them be exposed; but, on the other hand, if they have discharged their duties with fidelity and economy, give them the credit due a faithful public servant. I believe and assert, taken as a whole, the administration of these officers in their respective spheres of duty has been in general economical and honorable; that expenses have been in the main curtailed; that the public service in many respects has been considerably improved, and that the public interests have been steadily guarded and maintained. For them, I challenge the most

searching inquiry that you may institute. I assert that they stand in no dread of you or your power to investigate the truth, and I say that they despise, as every honest man should despise, the perfunctory or "fixed" committee, constituted to gloss ugly facts and manufacture fraudulent reputations for dishonest, worthless, or incompetent officials.

CONCLUSION

Gentlemen, as representatives of the people, it is your prerogative to enact legislation, to better our laws, to promote our growth and development, and to enhance the cause of civilization and good government. It is my duty to cooperate with you in this laudable and needful work. It is likewise our joint duty to make a resolute effort to reduce expenses and lighten the burdens of taxation, to promote reforms, correct abuses, if any exist, and protect the public interests. We owe the people a conscientious performance of duty and must fulfill our obligations. We cannot overestimate the responsibility of our positions. Our oaths will not rest lightly on our consciences if we neglect our duty and abuse our trust. We are brought together under circumstances that emphasize the necessity of the redemption of pledges. Animated by a high sense of duty and unselfish loyalty, let us strive to discharge our public duties in a way that shall meet the approbation of Him who is the giver of all good, that shall maintain the best interests of the people and contribute to their happiness and advancement, and that shall add to the glory and redound to the honor of our beloved state.

WM. P. LORD, Governor.

Governor's Message, 1898

Source: Journal of House of the Legislative Assembly, Special Session, 1898, Governor's Message, Salem, Oregon, W.H. Leeds, State Printer, 1898.

Gentlemen of the Legislative Assembly:

The constitution authorizes the governor, on extraordinary occasions, to convene the legislative assembly by proclamation, and, when assembled, devolves upon him the duty to state to both houses the purposes for which he has convened them. By the virtue of such authority, and in compliance with this requirement, I shall endeavor briefly to state the reasons which have induced me to summon you body in special session.

ELECTION OF SENATOR

We are at a critical period in the history of our country. The next few years will mark and advance to retrograde movement in our national destiny. Not since the war of the rebellion has the statesmanship of our country been confronted with questions of such transcendent importance as those which have grown out of our victorious contest with Spain. They are questions involving consideration of such various sort and far-reaching effect, that they will require for their rightful solution the best brains and wisest heads of our country. Cuba and Porto Rico in the west, and the Philippine islands in the far east, have been wrested from their Spanish oppressor by our victorious arms, and are now in the possession of the United States, to be dealt with on those enlightened principles of justice and equity which animate the conduct of free governments. Hawaii has gravitated to us, by the law of political affinity, and by annexation has become a permanent part of our territory. All these islands lie within the tropical regions; their climate is mild and their soil fruitful to exuberance, rendering the struggle for existence free from that constant labor and effort exacted by the rigor of the temperate zones. Their people are of an alien race, whose habits and customs, modes of thought and civilization, form of government and institutions, are different from our own, and whose condition of poverty, ignorance, and wretchedness is the result of pitiless taxation and merciless tyranny. As a consequence of these causes, and of blood adulteration, deteriorating the quality of their people, and weakening their mental and moral fiber, these islands, though richly endowed by nature, have been only partially developed, their civilization is stationary or backward, and in some of the Philippines a condition prevails that verges on semi-barbarism.

To meet these complex conditions and undertake their general improvement; to institute regulations aiming to revive trade, improve sanitary conditions, induce social reform, and aid in the educational and political advancement of these people; to win their loyalty by providing a government that people; to win their loyalty by providing a government that shall lighten the burden of taxation, add to the wealth of the country by development of its natural resources and the interchange of trade and commerce, protect rights of property, and secure the blessings of civil and religious liberty, is and Herculean task, demanding for its proper performance our best thought and wisest statesmanship. If we must retain these islands, or any part of them, considerations of this kind must confront us for determination. We are in legal possession of them, and cannot shirk the responsibility of our position. Can we give them back to Spain? Would not such an act be a crime and turn the glory of our battles into victories of dishonor? All commercial nation now are fighting for trade, and in their race of cupidity and inordinate ambition China is threatened with partition. We need the business of these islands. Exchange of products, natural and artificial, would be mutually beneficial to them and to us. We must find an outlet for eth surplus product of our fields and forests, our factories and workshops; we must share on equal terms with all other nations the opportunity for trade in the Orient, which or possession of the Philippine islands affords us. Their location is said to be the key to the Orient, and now to throw away the opportunity it affords would be worse than a blunder – it would be a calamity. What, then, shall we do with these islands? Shall we retain them as naval stations, or as a permanent part of our territory? And if the latter, what form of government shall be devised for them? Shall it be a protectorate, or a dependency, or what? These are some of the important questions which will confront our national legislature at its next session in December, and demonstrate the need of a full representation in that body. Already, commissioners to agree upon terms of peace have been appointed by the United States and Spain, and have e received their instructions from their respective governments, and the strong probability is that they will close their labors and make their report before the meeting of the United States congress in December.

It is important, then, to our state and the nation, that we should have senator present to assist in the discharge of the onerous and responsible duties of the senate. If his election be delayed until the regular session, he will not be likely to reach Washington until near the end of the session if February; but his election now will afford him opportunity not only to ascertain the will of his constituency, but to study the situation and acquaint himself with its environments, so as to be ready to render intelligent and faithful service when the session of congress begins in December, and when the country needs his service and the administration his support.

There is another matter incidentally connected with these considerations which furnishes additional reason for he election of a senator at the present time. I refer to the early construction of Nicaraguan canal. The wonderful voyage of the battleship Oregon has demonstrated the necessity of its construction, to protect our coast from depredation and or commerce from spoliation. Its building ought to be undertaken without further delay; it should be built, owned and operated exclusively by the United States. THE canal should be in name and fact an American canal under American control. No corporation should be allowed to construct it, or supervise its operations. The building, though, of this isthmian waterway, uniting two great oceans, will necessarily affect the interests of all commercial nations, and give rise to many confliction questions of public policy and international relations which our country cannot ignore, and which will require the wisdom of its best statesmen to solve on principles of justice and equity. But build this canal mush be, whatever the responsibility it imposes, to meet the demands of our growing commerce, and to strengthen our coast defenses. THE signs of the times, the future development of our boundless resources, the growth of out industrial interests and commercial enterprises admonish us of the necessity of its early construction, and of the importance of organizing an naval force adequate to protect our commerce and coast from the depredations of hostile nations, and equal to the task of meeting all questions for which our government stands sponsor among the nations of the earth.

These considerations, gentlemen, are suggested as showing in part the necessity of an extra session, to enable you body to select a senator before the meeting of congress in December, and thus afford our state an opportunity to be heard in its deliberations, and to cast its full vote in determining these various

important questions, which so largely affect the interest and welfare of our state and the states of the Pacific coast.

APPROPRIATIONS

The failure of the legislature to organize at its regular session in 1897 left the state without an appropriation of money to meet its current expenses, and in consequence many warrants have been issued for salaries and audited claims, and many vouchers exist for unaudited demands that need to be examined, and, if they are found correct, warrants should be drawn for their payment, after which an appropriation should be made of the funds in the state treasury to pay all such outstanding warrants.

The appropriation for such objects ought to receive your attention early in the session, to enable you to give full consideration to its various items, and prevent the payment of fraudulent or illegal claims. It would greatly augment the labor so the regular session to impose upon it the work of examining the accounts and providing appropriations for their payment, in addition to estimating the revenue to meet expenses for the ensuing two years. An appropriation bill is always exposed to more or less dickerings and jobbery, and to have two such bills pending before the regular session, would afford too great an opportunity for raiding the treasury with swapping jobs, needless appropriations and pillaging contracts. It is better --- far better --- that the regular session shall be relieved of this work, and its time occupied with providing remedial legislation so urgently demanded, and enacting wise laws to advance the interests of the state and the happiness of its people. I am desirous that the affairs of the present administration shall be examined and closed, and not imposed upon the incoming administration. I want the decks of our splendid ship of state cleared and ready for action when my successor shall take her helm, though I trust that, during his term and under his pilotage, with banners streaming and sails set to catch the factoring gales, she may be wafted over summer seas on a prosperous voyage.

COMMISSIONERS' COURT

The business of the supreme court has increased so rapidly that the court is now behind more than two years in the hearing of cases. It is imperative that some relief should be afforded the court, so that a prompt hearing and adjudication of causes may be obtained. To afford such relief two remedies have been suggested: One is to enact a law that shall limit appeals to the supreme court, in civil cases, to those involving title to real estate, or matters affecting the public revenue, the construction of the constitution of the state or the United States, or where questions of franchise are raised, or where the amount of the judgment exceeds three hundred dollars; the other is to enact a law authorizing the supreme court to appoint three commissioners, for a term of four years, to assist the court in hearing and deciding cases. The objection raised to the first law is that every citizen should have the right of appeal, no matter how small the sum involved in litigation, and that its denial would affect largely the poor man, whose many demands are usually small. The second law suggested would be efficient to remedy the evil complained of, and is preferred by the supreme court. As the delay in hearing in some cases now practically amounts to a denial of justice, it is desirable, if a law is to be enacted authorizing a commissioners' court, that it should be enacted at this session, in order that such court may begin the work of relieving the congested condition of the supreme court docket as early as practicable, or at least begin its sessions at the first of the ensuing year.

INTERNATIONAL EXPOSITION

The act of congress, approved July 19, 1897, entitled "An act making appropriation to supply deficiencies," etc., contains a provision to the effect that the invitation of the republic of France to take part in an exposition of works of art and the products of manufacture and agriculture of all nations, to be held in Paris, commencing the 15th day of April and closing the 5th day of November, 1900, is accepted, and that "The governors of the several states and territories be, and are hereby requested to invite the people of their respective states and territories to make a proper representation of the productions of our industry, and the

natural resources of the country, and to take such further measures as may be necessary, in order to secure to their respective states and territories the advantages to be derived from this beneficent undertaking." IN conformity with this provision, and with especial reference to the latter portion of it, the secretary of state of the United States, the Hon. John Sherman, in a letter to me as governor of the state, dated September 27, 1887, urges the propriety, as well as the necessity, of taking steps immediately to secure representations of the natural and industrial resources of our state, "to the end that an exhibit on behalf of the government of the United States, befitting its material and industrial importance, may be assured." Owing to the limited time now available for selecting and arranging the exhibits of our state, it is proper that this subject should be brought to you attention, for the reason that it is absolutely necessary, if our state is to participate in this great international exposition, that a law be enacted at once, providing for the appointment of commissioners, and appropriating sufficient funds to make a proper representation of the products of our industries and the natural resources of our state.

LOEWENBERG'S CONTRACT

Under an act passed by the eighteenth legislative assembly, a contract was made with J. Loewenberg, of the Northwestern stove foundry, in July, 1895, for convict labor, and the board of managers of the state foundry leased him the plant and sold him the manufactured stock on time. His obligations to the state were not met; but in view of bad business conditions, and the desirability of keeping the convicts employed, great leniency has been shown him. First, he was allowed an extension of time, and later, in the spring of 1898, a second accommodation was arranged for him, under which the Loewenberg & Going Company indorsed the notes of the Northwestern stove foundry; but notwithstanding these accommodations, Loewenberg has not kept his promises, nor met his obligations to the state. THE sums due the state, with interest, aggregate a large amount. In view of these facts, I have deemed the matter of his default of such importance as to be a proper subject for your immediate consideration.

GENERAL CONSIDERATIONS

I have purposely refrained from recommending any new legislation, except the organization of commissioners' court which the exigencies of the public service require without delay. IN this case I have done so because I know there are few evils which affect the people of the state so seriously and injuriously as delay in the administration of justice. The bill of rights of our state, and of every free state, recognizes the evils resulting from such delay and the necessity of their prompt removal, whatever may be the source from which they spring, by declaring that "justice shall be administered openly and without purchase, completely and without delay." I do not wish, however, to be understood as being averse to new legislation, or as doubting your authority to enact it, whether general or special.

Owing to a senatorial contest, which only ended with the election of a senator in the early hours of its session, the legislative assembly of 1895 failed to enact much remedial legislation demanded by the people in the platforms of their different parties, and needed to correct existing evils, and the legislative assembly of 1897 failing to organize, there has been but little opportunity for legislation, and practically not of importance has been enacted, though the public interests have greatly suffered in consequence thereof since the legislative session of 1893. Much legislation, especially of a remedial character, which properly belonged to those sessions, and still is needed for the protection of the public interests, must be considered by your body at its next regular session, in addition to its own legislative belongings, thereby greatly increasing your labors and responsibilities. It is always desirable that legislation affecting large classes of society in person or property should be examined with deliberation, and discussed with fullness, before enactment into law. In this way whatever defects lurk within the terms of a statute are likely to be discovered and eliminated, and whatever amendments are necessary for its improvement or efficiency may be suggested and added. The vicious habit sometimes indulged in by legislative bodies, of hurrying important measures through their different readings, and especially appropriation bills containing obnoxious clauses, without investigation or discussion, is subversive of the time-honored custom of open debate, and inimical to the public good. Bills for assessment and taxation, for registration of voters, to preserve inviolate the

ballot box, for the abolition of useless boards and commissions, for reorganization of the circuit courts by equalizing their judicial labors, for the revision of court costs, and especially criminal costs, for the revision of court costs, and especially criminal costs, which are grievous burden on the counties, and for the appropriation of public moneys, and the like, require time for their proper examination, and should receive the fullest discussion before passage by either house.

To afford you time and opportunity for the full consideration of all such important matters, the regular session ought to be relieved of those more urgent matters of public interest, which need prompt legislative attention, by an extra session. In view of these conditions, not to call an extra session but to leave to the regular session the election of senator, with its exciting and often obstructive incidents, and two appropriation bills, with their opportunities for trades and hold-up of important measures, would imperil, and probably prevent, the enactment of much needed legislation, and prove disastrous to the highest good of the state. For these reasons I have conceived it my duty to call an extra session, believing that you would meet its responsibilities with patriotic zeal and intelligent service.

Governor's Biennial Message, 1899

Source: Journal of House of the Legislative Assembly, 1899, Governor's Biennial Message, Salem, Oregon, W.H. Leeds, State Printer, 1899.

BIENNIAL MESSAGE OF GOVERNOR WM. P. LORD

TO THE TWENTIETH LEGISLATIVE ASSEMBLY 1899

Gentlemen of the Legislative Assembly:

You have assembled, in obedience to the requirements of the constitution, for the purpose of enacting such law as may be needed, in your judgment, better to protect the rights of person and property, to conserve the public interests and to promote the general welfare. The important duty is devolved upon you to carry out the mandate of the people for retrenchment and reform --- to abolish useless offices, boards and commissions, to cut off unnecessary expense, and to rid the body politic of abuses and hidden emoluments, of any exist; to withhold needless appropriations and reduce needed ones to a minimum in order that excessive taxation may be avoided and that the public expenditures may be reduced to the lowest possible limit consistent with a wise and economical administration of the state's government. To qualify yourselves intelligently to perform these duties, it will be essential for you to acquire a thorough knowledge of the true condition of the state and its institutions. 'This knowledge will be brought to your attention through detailed reports of the various departments of the state and the institutions under their charge, --- through committees appointed by your body to investigate and report on their condition and needs, --- and through such information of the affairs of the state as the executive may feel it his duty to communicate for your consideration and action.

Gentlemen, you have imposed upon you grave and responsible duties --- duties that you cannot neglect or evade without incurring the just condemnation of the people, and inflicting irreparable unjust upon your state. They are duties that demand, for their faithful and intelligent discharge, the uninterrupted use of every available hour of the 40 days allotted for your legislative labors; duties, I repeat, that, if well performed, will afford no time for sectional fights or senseless struggles for mere party advantage, or trades and combinations to fix legislative appointments to office. You are assembled under circumstances fought with less discouragements than those which confronted your legislative predecessors. The extraordinary financial and commercial depression which afflicted our country and blighted its prosperity is passing away. Already we feel the pulsations of reviving business, and hear the hum of industrial activity echoing thorough our borders. The future that awaits our state is full of promise. The natural conditions that environ it, backed by the energy, intelligence and skill of its people, and aided by wise legislation for the development of its abounding and varied resources, will make our state a center of financial and industrial activities. Nothing

short of a policy handicapping its government with bad laws, excessive taxation and lavish expenditures can make Oregon a laggard in the procession of progressive and prosperous states. While it is true, there are some laws of trade and finance which control business, and which no statute and affect or abolish, it is equally true that legislative enactments often perform an important part in stimulation business and industrial enterprise, in opening the channels of trade and commerce, in protecting life and property, and in preserving many valuable natural resources from waste and destruction. To the extent that legislation may assist in the accomplishment of these objects, without disturbing or restricting trade, it ought to be enacted. Much has been done by past legislatures to aid in the development of some of the resources of our state, and to preserve others form extinction --- much to serve the public interests, by the adoption of measures of retrenchment and reform, which have kept her free from public debt and in the front rank of an advancing civilization; but much still remains to be done to supply her wants and more fully improve her resources and meet the growing demand for general enlightenment, for high standards of public duty, for better political methods and for more economical government. Upon you, gentlemen, rests the responsibility of inaugurating such measures as will effect these reforms. You alone have the power to pass bills and change existing laws, to inaugurate measures for bettering the condition of our institutions and reduce the tax levy. You owe the people as conscientious performance of duty according to your best ability I pray that you may not disappoint these just expectations.

It now becomes by duty to resent you a variety of information concerning the condition of the state, and to recommend such measures as may be deemed to be expedient.

FINANCES

Oregon has no debt, but there is a surplus in the treasure of \$763,699.23. The following indicates the condition of the state's finances:----

The receipts into the state treasury during the biennial term ending December 31,1898, including the balance on hand as per last report, were _____\$2,777,031.50

The disbursements out of the several funds were _____\$2,013,332.27

Leaving a balance in the treasury of _____\$ 763,699.23

To the credit of the following funds:----

General fund _____\$191,236.62

Common School Fund, Principal _____ 444,898.17

Common school fund, Interest _____ 70,747.02

Agricultural College fund, principal _____ 9,308.63

Agricultural College fund, Interest _____ 938.07

University Fund, principal _____ 3,093.27

University Fund, Interest _____ 2,661.54

Swamp land fund_____	2,687.45
Tide land fund_____	19,201.57
Salmon industry fund_____	1,246.08
Thurston monument fund, interest_____	14.44
University tax fund_____	15,919.34
Military tax fund_____	1,747.03

Total_____	\$763,699.23

I call your special notice to the fact that the principal of the common school fund, which was \$150,398.28 two years ago, is now almost three times that sum. Also, I desire to call your attention to the fact that the tax levy of this year is greatly increased, on account of appropriations made by the special session, for objects not anticipated or contemplated by the board when the tax levy was made, towit: \$313,000 for the Eastern Oregon asylum lands, \$41,000 for the unorganized legislature of 1897, \$15,000 for the Omaha exposition, \$25,000 for an agricultural college building, and others, making in all about \$200,000, in excess of the amount levied by the board, or one fourth of the entire tax levy.

ASSESSMENT AND TAXATION

NO matter of public concern is the cause of greater complaint, or vest with greater difficulty in its practical operation, than the law regulating the levy and collection of taxes. The cause of the complaint is the inequality of taxation. To insure uniformity and equality, it is indispensable that the law regulating assessments and taxation should be based on some rule of apportionment that operates impartially and rests on fixed principles of justice. Our law is based on the theory that all property, whether real or personal, should be assessed at its actual cash value, and, it is plain, where all property in the state is so assessed there will be equality of taxation. But the same consequences would follow if all the property of the state were assessed at less than its cash value, provided that he reduced rate of assessment were made equally to apply upon all property. The assessment being equally distributed upon all property, there would be equality in the payment of taxes. Inequality of taxation, then, is die, not to the fact that property is assessed too low, but to the fact that it is assessed unequally. Where this is the case the burdens of government are not shared equally, and a flagrant injustice is done some taxpayers. There is not so much difficulty in framing a law that, in theory, shall distribute the burdens of taxation as in securing its proper administration. Nor do I think our law, if fairly executed, according to its intent, fails to provide for impartial assessment of property. The difficulty is not so much with the law itself as with its administration. If the officers to whom is confided the duty of enforcing our law should strictly comply with its provisions, where would be little cause of complaint relative to assessment and taxation. There might be some amendments to our law that would operate beneficially, but its general provisions are based on principles, which, if fairly complied with, would proximate to equality of taxation and remove much dissatisfaction. At any rate, be slow in tinkering with tax laws, and, above all, be careful to avoid thrashing over old straw, for the result of your labors will be more apt to increase, than remove, the evil sought to be remedied. The framing of a tax law to supplant and old one, expected to remedy all defects and give universal satisfaction, is a delusion; but, somehow, it is a public service always attractive to youthful and inexperienced statesmanship.

PENITENTIARY

Considering the poor location of the penitentiary, on low, wet ground, and the conditions surrounding it, it was highly essential, as a matter of ordinary care, that ample and thorough provision should have been made for its sewerage and that its lands should have been drained in order to ward off miasmatic conditions and to promote general healthfulness; that its buildings and outbuildings should have been kept in good condition and not allowed to become dilapidated and out of repair, with a view to their preservation and better to serve the interests of economy and good government. I regret to say, that, when the prison and its belongings were received by the present superintendent, this condition of things did not exist, and, while it is true that many things had been done in this direction, they had not been prosecuted to the extent demanded by the plain necessities of the situation. The condition of the prison was such that the superintendent was compelled to make many improvements and repairs, the necessity for which had existed some time and could not longer be delayed, though without funds for this purpose. Notwithstanding the difficulties which confronted him, the superintendent, by practicing rigid economy and intelligently utilizing the prison labor, was able to make pressing repairs and needed improvements. Besides mending the floors, putting in new window sills, planks in porches and guard walks, where they were rotten and broken, he painted portions of the building and fences, where needed for their preservation, and especially a large structure built of corrugated iron, that was rapidly going to decay from exposure to weather. Also, he built a new flume for the water race, cleaned up the prison yard and the channel of the stream and its banks therein, and renovated a portion of the sewerage escape, which, when opened, disclosed that it had been illy constructed of unfit material, that made it a hotbed of filth and a breeder of disease; reclaimed several acres of wet lands, and tiled and drained others, to render them profitable for the agricultural uses, and prevent malarial conditions. It is believed that the prison and its belongings are in a fair condition, considering the limited means for its repairs, though there are other improvements needed, especially with reference to its sewerage. I ask special attention to the report of the superintendent, and believe that his recommendations should receive favorable consideration. I reiterate the recommendation, that the penitentiary, though its own agency, be entrusted with the transportation of convicts. I especially request that you examine the bills for transportation, under the present system, filed in the office of the secretary of state, and ascertain whether this recommendation deserves again to be disregarded.

CONVICT LABOR

No more perplexing problem presses for solution than the working of convicts. The penitentiary has always been a serious charge on the state, because the maintenance of convicts is necessarily expensive, unless they are profitably employed. Thus far, the result of working convicts in any enterprise, either by the state or by leasing them to private parties, has not proved entirely satisfactory or very remunerative. It was a serious and expensive mistake, when the state bought the foundry plant and undertook its operation. Its profitable management was, not doubt, greatly handicapped by the financial depression, but, generally speaking, such business enterprises are more profitably conducted by private parties. Shortly after entering upon my official term, it was found that the foundry was working only a few convicts, who were piling up goods on those already manufactured, not any of which could be sold, owing to the lack of demand occasioned by hard times. To have continued the operation of the foundry under these circumstances would necessarily have resulted in putting the state at heavy expense for the purchase of raw material and the pay of superintendents and foremen, and, at the same time, left on hand an overstock of manufactured goods for which there was no sale --- though, of course, the board could have made an excellent showing on paper, by setting up these unsold manufactured products at a good price rate, and count them as cash assets.

Under an act passed by the eighteenth legislative assembly, a contract was made with J. Loewenberg in July, 1895, for convict labor, and the board of managers of the state foundry leased him the plant and sold him the manufactured stock on time. His obligations to the state were not met, but in view of the bad business conditions which existed throughout the country and the desirability of keeping the convicts employed, the board deemed it better, for the interests of all concerned, to be forbearing and grant Mr. Loewenberg some extension of time to meet his payments. In the spring of 1898 accommodation was arranged whereby he promised to make certain payments at the times specified therein, but failing to do this, his default was

reported to the special session of the legislature. As a result of this action, a committee was appointed to confer with the board, which committee recommended that proceedings be instituted to enforce the payments in default. After suit had been commenced, property attached, etc., it was deemed best to put the property attached in the hands of a trustee authorized to sell the same, and also to operate the plant with convict labor and use the raw material already purchased, in the manufacture of stoves, and after paying expenses to hold the surplus for payment on the indebtedness to the state until the first of March, in order afford Mr. Loewenberg time to make arrangements to meet his obligations and preserve his business from destruction, as would necessarily result through a forced sale.

For further particulars I invite your attention to the report of the board of managers of the stove foundry.

REFORM SCHOOL

It is thought by those who have given much consideration to reclaiming youthful criminals, that reformatories are useful and beneficial institutions. It is much better for the state penitentiary to associate with hardened criminals. The effect of such association during their term of confinement usually is to develop their term of confinement usually is to develop their evil tendencies and make them confirmed criminals. When youthful criminals are placed in reformatories, they are separated from the society and influence of hardened criminals, and, with proper care and treatment, they may be impelled to turn from their evil habits and lead useful and exemplary lives. The effect of punishment on criminals of the depraved class is seldom to cause them to reform or to lead better lives; but for the youthful criminal, whose evil habits have not become confirmed, it is better for society to make an effort to reform him. IN recognition of the wisdom of this policy, our state has established a reform school. The practical operation of this school indicates a considerable degree of success. Its expense has been greatly decreased during the past two years, and the superintendent reports that a further decrease may be made in the cost of maintenance during the ensuing two years.

GIRLS REFORMATORY

I desire to recommend that the wooden building now occupied by the farmer at the reform school be converted into a girls reformatory. There are not many girl criminals, and the location of the building is favorable for their care and safety. Two or three cells might be fixed in it for the reception of female convicts, of whom there are seldom more than one or two, and oftener none. There is no place for this class at the penitentiary and the necessities of the case require them to be kept strictly confined to their cells, which is an unnecessary hardship. The additional cost will be slight, and the present management will not be disturbed.

ASYLUM

It is not simply a dictate of duty, but of humanity, that the tenders care and best provision should be made for the comfort and recovery of that unfortunate class of our people. Who are wholly or in part deprived of their reason. What class can more justly appeal to our sympathies, or have better right to ask that our best thought and skill be devoted to the amelioration of their condition? No reasonable expense should be spared to furnish them with the best medical attendance, and to make their surroundings agreeable. There is no better test of the progress of civilization in a state than the adequacy of its provisions for the care, support and protection of insane. The progress made in the study and treatment of nervous diseases has been rapid and successful, being based on the idea that insanity is a disease, and should be treated, as other diseases, with a view to recovery, except where conditions exist that render such a result impossible. IN conformity with this idea it is suggested that the words "Oregon State Insane Asylum," descriptive of our institution, should be changed to "Oregon State Hospital." Our state has not been backward, nor spared expense to provide suitable places for the comfortable care and treatment of this unfortunates. A good building with the best improvements, good surroundings, excellent care, and the best medical attendance, is

provided for them. The asylum is, as it should be, a public generosity rightly directed, but it should not be abused. There is no doubt, owing to the laxity of our laws, that many persons are sent to the asylum, and remain there, who are not proper subjects for its charity, and that, if the defects in our law in this particular were remedies, and fuller powers conferred on the superintendent, it would greatly diminish the number accounted insane, and reduce the expense of the institution. The practice of some county courts in sending persons who are not insane, but simply affected with the infirmities of old age, to the asylum, often through the pressure of relatives, is wrong in principle, and often tends to encourage filial ingratitude. Another class, known as the "morphine fiends," who have reached the point of personal degradation where the habit is fixed and a permanent change is improbable, ought to be excluded. Nor is a hospital the proper place for the idiot. Cheap buildings, with large dormitories and few attendants, under the superintendent, as an adjunct, would answer every purpose.

Gentlemen of the assembly, I here and now reiterate my recommendation of two years ago, that the asylum, through its own agency, should be entrusted with the responsible duty of conveying the insane to the hospital. To serve this purpose there should be two attendants, a man and a woman, appointed to go after patients and bring them to the institution, who should receive a fair salary as compensation for their services, and actual expenses for themselves and patients. These agents should be persons of intelligence, of kindly disposition, of steady habits and decision of character. They would soon become experts in handling patients, and quickly learn how to attend their wants and spare them unnecessary pain or mental distress. The difference in the cost, as compared with the present practice, is much greater than generally known. It is the same policy which is recommended for the state prison. Under the system proposed, it would not cost a dollar for the transportation of intended inmates from Salem to either place, while under the existing system it costs \$8.50. Under the first they would be taken in groups, to save expense, where several awaited transportation, while, under the latter, they are taken separately to fatten the job. In defense of the practice it is said that the law allows it; but the fact that such practices may exist under a law is the best reason for its repeal. There is another reason for its repeal and the adoption of the system recommended that is unanswerable. No man should be permitted wholly to have charge of conveying an insane female patient to the hospital. The law which authorized such commitments of female patients is a relic of barbarism. What act can be more barbaric, what spectacle more revolting, than an officer dragging from her home an unfortunate woman, frantic and helpless, through crowded thoroughfares, before gaping crowds and over the railroads to her destination at the asylum? Several hours at least, and sometimes days, must be occupied in her transportation, and during this interval of time think of the indignities to which she is unavoidable exposed – think of what in many instances must be her pitiable, indescribable condition when she arrives. Common decency demands that this insult to womanhood shall cease.

The reports of the medical superintendent and of the board of trustees of the asylum are carefully prepared documents, and will furnish you in detail all information apprising to the management of the institution.

ORPHANS HOME

I also recommend the acceptance of the offer of the Oregon Children's Aid Society to donate to the state the Orphan's Home, at Salem, which consists of fifteen acres of excellent land and good buildings, containing at this time over twenty inmates. IN the near future the state will be compelled to make provision for this class of friendless and helpless humanity, whose care and right bringing up concerns the public welfare as well as their own, and the present offer of the buildings and grounds, without cost, as a home for them, is a liberal gratuity that ought to be accepted with alacrity. In the event you should adopt this recommendation, the law should provide for the appointment of a board, to be composed of women, not to exceed five in number, to whom should be committed the management of the affairs of the home, and who should receive only actual expenses for their services.

STATE LAND DEPARTMENT

Oregon has been the beneficiary of large land grants for various objects, and much legislation has benefited and enacted in regard to them, but our state has not realized the benefits and advantages which it should have received from them. All that can now be done is to take care of and dispose of what remains, so as to promote the objects and distribute the benefits of these grants. It is greatly to be regretted that the law did not make better provision for the segregation and mapping of state lands, for indexing all sales of them and disclosing their location, and further providing that the officers in charge of the land office, when requested by a purchaser, or other interested person, should give the information asked, as appeared on the record. It would have saved purchasers much unnecessary expense, and greatly aided in conferring the benefits designed to be given by the grants. But, without legal provision, the land department office ought to have adopted rules and regulations that would have served this purpose. The records of the office ought to have been kept in such a way that a person desirous of purchasing a certain piece of state land could easily ascertain its location, whether it was taken or was for sale, without incurring the unnecessary expense of hiring a third party. By neglecting to do so, it was only possible for its officers, or those who had acquired special knowledge of the location of state lands, to consult the records as kept and ascertain the desired facts. Such a mode of doing public business offers too much temptation for wrongdoing and scandalous practices to justify its existence or continuance. Some of our statutes, however, seem to have been expressly designed to encourage spoliation of state land purchasers. The aim of the present land board has been to make the land office serviceable and inexpensive to those having business with it, and, under the direction and management of its efficient clerk and his subordinates, the records have been classified and arranged, indexes and notations on the maps have been made and rules and regulations have been adopted, designed to simplify and expedite the public business, and make inexpensive the doing of business in the land department.

LOANS OF THE SCHOOL FUND

In connection with the state lands, it needs to be mentioned that lands of the school funds, in many instances, owing to the hard times and overvaluation of the land, have proven bad investments and entailed losses upon the school fund. In many of these loans the borrowers have defaulted in payment of interest, and the state has been compelled to take the security and to pay the cost of foreclosure proceedings. These judgments represent, in addition to the principal loaned and the costs of suit, a large accumulation of interest, which lessens to that amount the school fund interest to be annually distributed for the education of children in our common schools. Another source of loss and annoyance is the sale of lands for taxes two or three years overdue, without notice to the board, thus entailing further expense in redeeming them. This loss ought to be obviated by such legislation as would make it unlawful to sell for taxes any securities held by the state, without proper notice to the land board in all instances, where the taxes are in default, and in such cases making it the duty of the board, upon such notice, to cause the taxes to be paid and charge the same to the interest account, and at once proceed to procure a decree with the tax included. In making collections, it has been the policy of the board to deal as leniently as circumstances would permit with debtors to the school fund during the financial and industrial depression which so seriously affected the cause of property and contracted the means of earning money. To loan the school fund and avoid losses is difficult. The persons composing the board, though they be capable in another walk of life, may not possess that business sense and judgment that is especially required in making loans. Their sources of information, respecting the value and sufficiency of the security offered for the loans are through agents in the different counties, upon whose judgment they must depend, and who are liable at times to recommend loans that are not desirable, through entreaty of friends and yielding disposition.

SELECTIONS OF LIEU LANDS

The special agent appointed to select lands, under the act of 1895, has prosecuted his work energetically and efficiently, adding many thousand acres of valuable suggestions relating to the disposition of our public lands, not least among which is his recommendation that the act, creating his office and its duties, having accomplished the object for which it was enacted, be abolished. There being, therefore, no further need for the continuance of the act, I concur in his suggestion and recommend its repeal.

FISHERIES

No other country has salmon fisheries so extensive and profitable as the states bordering the Columbia river. Oregon's fishing interest is justly regarded as one of our leading industries. Salmon fish, canned or cured, constitute one of our principal exports and an important part of our commerce. The industry affords employment to many persons, and is the source of great revenue. Its growth and preservation is a matter of the highest importance to the welfare of our states. I trust that the law enacted at the recent special session of the legislature will prove adequate and effective for the purpose, and save salmon from waste and destruction.

The report of the fish commissioner is an able and interesting document, giving in full detail all matters of importance and interest connected with the fishing industries, and making many valuable suggestions for your consideration that are of the utmost moment to the preservation of this source of our revenue. It gives me great pleasure to commend the whole of his report to your attentive consideration, and to bear witness to the fidelity and ability with which he has performed the onerous and difficult duties of his office.

EASTERN OYSTERS

Several barrels of eastern oysters have been shipped to our state by the general government upon request of the fish commissioner, and transplanted in Yaquina bay for the purpose of propagation. There will probably be more of such oysters sent when the season is favorable for planting in other suitable places in the bays and rivers of our coast. It is important that proper legislation for their protection should be enacted at once. I recommend a small appropriation for their planting and care. It is also important that some protection be furnished the native oyster from destruction by fishnets, whose repeated dragging over the beds will eventually destroy the oyster entirely.

OREGON NATIONAL GUARD

The general government recognizes the necessity of a national guard by its cooperation in maintaining the system in each of the states. The guard is intended as a reserve force, to be used by the state always with caution, but nevertheless with firmness, for the protection of life and property, when the civil authorities are powerless in the presence of disorderly uprisings or mob violence. There has been but one occasion when its presence was thought necessary and demanded by the civil authorities. This was at Astoria during the summer of 1896. To the call the guard promptly responded, and though no collision occurred, by reason of wiser counsels prevailing, their conduct was marked by excellent discipline and soldierly behavior. Their presence at Astoria involved a fundamental principle of government. It is the duty of the state to protect personal liberty and well as property. A man may work or not, as he may choose, not under penal restraint. He has a right to make his own contract and serve whom is his pleasure, consistent with public policy; and any person who, though menace, threat, or force, interferes or prevents him from the enjoyment of these privileges, is a violator of the law and an enemy of his country. Such interference is a deadly blow at personal liberty, guaranteed by our constitution, and its toleration is inimical to free government. It will not be possible for our state, so greatly in need of capital, to develop its varied and abundant resources and to offer an inviting field for the investment of capital, unless it steadily maintains its constitutional guaranty to protect alike all property and secure to every man the right to pursue his daily work without molestation. But, in saying this, I must add, that I favor conciliatory methods of interference through state officials to bring about an adjustment of differences between capital and labor, which shall be fair and honorable to all parties.

It is to the credit of the national guard that, to save any additional expense to the state, the suggestion that is expenses, while doing duty at Astoria, be taken out of the fund for their maintenance, was acceded to, requiring the troops to forego an encampment and of the military matters quite essential to their comfort,

equipment, and discipline. The sum thus expended, if needed, might be refunded to the guard after its reorganization shall be effected.

When the late war with Spain was declared and our quota of troops was allotted, accompanied with the request by the president that the national guard be given preference, there was quick response. Within five days from the order for their mobilization at Portland, a full regiment, armed and equipped, with banners streaming and drums beating, marched through its streets, in response to their country's summons to duty. Within less than a month the regiment was in San Francisco, ready for embarkation for the Philippine islands, where the courage and skill, loyalty and patriotism of its officers and soldiers greatly aided in the capture of Manila and the subjugation of the islands to the sovereignty of the United States. The enlistments to fill the quota of troops for the war left the state practically without a military guard, and the fund used to support and maintain a guard not being needed, for the want of one, has accumulated in the treasury. This sum, and the sum the state will be entitled to receive for clothing and equipments furnished the second Oregon volunteer regiment, will aggregate quite a large amount of money, which, in case the same or any part of it shall lapse into the treasury, may be re-appropriated, or refunded to the guard, upon a sufficient showing that it is needed, in addition to the regular appropriation derived from the military law, for a reorganization of the guard and its proper equipment and maintenance. Our national guard is composed of excellent young men, who come from the people, and their enlistment is prompted by a patriotic spirit, to serve and defend their state and its institutions. Their presence is a pledge for good order and an assurance that the executive is able faithfully to execute the laws.

SOLDIERS' HOME

The merits of this institution, and its benefits to the old soldiers, are too well known to require comment. The management of its affairs through a board of trustees has been careful and economical. But, in my judgment, there is no need of a board to overlook its condition and affairs. The board ought to be abolished. It would be much better that the executive should appoint the commandant, upon whom would devolve the duty and responsibility of the management of the affairs of the institution, subject to supervision by the governor, who would make regular inspections, through some member of his staff, thoroughly qualified for the duty. This system would put the home in contact with the department to which it is related, without being subject to military law, and secure a thorough inspection of its affairs at regular intervals, or on special occasions, as might be necessary, by a competent officer. This plan would doubtless be more satisfactory to all concerned, would enforce strict accountability of its officers, and secure an economical and efficient administration of its affairs, consistent with the needs and comforts of its inmates.

HORTICULTURE

One of the largest interests of our state, and the source of much of its wealth, is the cultivation of the soil. Anything that increases its productions aids in the development of the state. As connected with farming, horticulture is a profitable adjunct, and the interest now being manifested in the culture of fruits promises to develop a leading industry, diversifying farming, and adding greatly to our wealth. Such being the case, horticulture should be encouraged, under such regulations as will be productive to the best results. For comprehensible treatment of this subject, I invite your attention to the able report of the board of horticulture, and recommend that sufficient funds be appropriated for the continuance of this valuable work as essential to the best interests of the state.

FORESTRY

The frequent destruction of our forests by fires, caused by carelessness or design, should be stopped. Their preservation is a matter of great importance, and, if something is not done to prevent it, great injury will result to our timber interests. I am glad to note that the government of the United States, through the agency of the land commissioner's office, is making

some praiseworthy efforts to this end, but I believe that forest lands of the state, being within its sovereignty, and its people interested in their preservation, should be under state dominion and control, and that the state should devise laws and provide means for their enforcement, to prevent the destruction of forests by fire.

IRRIGATION

This is a subject of considerable interest to the people of the eastern part of the state. We have many acres of land, known as arid lands, that could be made wonderfully productive and profitable under the fertilizing influence of irrigation. The problem of water supply for these waste places is becoming every day more pressing, but its solution is confronted with many difficulties. Whatever law should be enacted, great care should be taken to protect the interests of the people and prevent them from being seized under the guise of public good by private corporations for speculative purposes.

ROADS

There is at this time an active interest being taken in the subject of good roads. The movement should be encouraged. Good roads are of such public utility and importance and are of such general interest that measures designated to secure them will be submitted for your consideration and action. Our present law is lamentable behind the age in the matter of road improvements; it ought to be gotten rid of and some other adopted looking to a systematic effort to improve our public highways. A new system should be provided. All road taxes should be paid in money, and the present system of working our roads taxes at extravagant wages under supervisors, often selected without reference to their qualifications, should cease. I earnestly beg your attention to this subject, in the hope that you will bring about some legislation that will result in securing the improvement of our roads.

EDUCATION

The general diffusion of knowledge is the best guaranty of the stability of republican institutions. Their safety and prosperity depends on the spread of knowledge among the masses. The fact is now recognized that intelligence in communities is essential to social progress, and political reform is conducive to sobriety and industry and serves to establish justice and promote the public interests. As a means of dissemination intelligence, our common schools are most active and potent factors. There are no other instrumentalities comparable with them for the accomplishment of this object. They seek to increase the general average of human intelligence by the education of the rising generation, and in this way to elevate the citizen and strengthen the state. The state cannot neglect its educational interests with our loss of public intelligence and detriment to its well being. It is gratifying to know that the subject of education always attracts much attention from the legislature on account of its importance in the development of an intelligent citizenship and a progressive civilization. How to devise a system of education that shall extend its opportunities and benefits to all the children of the state, without entailing too heavy a load on the taxpayer, is a problem not often easy of solution. A law, simple in its provisions and inexpensive in its arrangements, is what our state needs for the attainment of this object. Our present school law has become a clumsy and costly contrivance from too frequent patching by way of amendments, some of which seem to have no reference to its symmetry or general design, and always providing, as a condition precedent, for the payment of fees that serve no educational purpose and are an unjust tax on the teacher. The whole law ought to be repealed and the new law enacted, embracing its meritorious provisions, leaving out what is defective and useless and including such other provisions as will make an efficient and an inexpensive common-school system, relatively considered.

It is impossible to enter upon details, and probably unnecessary at this time, as there are assurances that some of our educators will present these matters to the consideration of the legislature. There is, however, serious need for reform in the method of issuing state certificates, diplomas and life diplomas. If the number

of these documents issued by the present board even approximately represents the number issued by our predecessors, they must be scattered over the state "thick as autumnal leaves that strew the brooks of Vallombrosa," and worth but little more as evidence of capability for teaching. The original design of the law was simple and excellent. It contemplated that the board of education should appoint a board of examiners, composed of men trained in practical teaching and of scholarly attainments, who were to meet at the capital twice a year for the purpose of examining applicants for teachers' certificates and diplomas, and recommend to the board such teachers as became entitled to them. By this method the state secures the service of trained men to select teachers, and the diplomas issued on their recommendation by the board would be of value to their possessors, as affording some guaranty of their fitness and qualification. Such examinations would tend to weed out incompetence and secure a high grade of teachers for our public schools, and thus prove of incalculable benefit to the children of our state. It is to be hoped these matters, and all others connected with the school law, will receive that attention and consideration which the public interest demands. For details of school matters, I refer you to the superintendent's report.

NORMAL SCHOOLS

The object of the normal schools is to furnish teachers for our common schools. The scope of their work includes special instruction in those branches of education which are taught in the public schools, and thorough training in the science of teaching. The effect of their work, when successfully prosecuted, is to increase the usefulness of the teacher and elevate the standard of passable adjuncts to our common school system. Without them we cannot expect to have young men and women trained and equipped to supply the demand of our local schools. It is gratifying to know that the value of normal training is recognized by our people, and that the work of the normal schools is progressing satisfactorily, and resulting in great benefit to our common work, and aloof from education in other branches, or for other purposes than training experts for teaching; then their success is assured and their expense will probably be greatly reduced.

UNIVERSITY

There are those who think our university should not receive financial support, while there are others who think it is bad policy and worse economy to withhold from it any needed aid. It is no doubt true that taxation is for the general benefit, and that objects of its fostering care should conserve the public good. But the fact that comparatively few can enjoy the university's advantages is not conclusive that its benefits are not for the public welfare. If the university is an essential part of our educational system in conducting to the progress and development of our state, and to the prosperity and intellectual greatness of the people, fit is of general benefit and entitled to receive public support. The university aims to furnish such an education as will enable those --- always the few --- who possess the requisite abilities, to become useful citizens and leaders of thought in the professions, in statesmanship, in the various branches of learning, in philanthropy and works of charity, in promoting industrial projects and conducting commercial enterprises, and in devising methods for the moral and political advancement of the people. Its existence is due to recognition of the fact that the state needs captains in every department of life, affecting human happiness and welfare, and that, as a means to this end, it should provide an institution of learning whose course of study would lay the foundation to supply them; and perhaps, too, some of those benefactors of our race, whose enlightened influences shall hereafter be traced in the improved condition of our species, and in the increased prestige and power of our state. The state cannot afford to wait or depend on local enterprise, or church organizations, to establish and maintain institutions of learning --- splendid and worthy as have been their efforts and success --- for the accomplishment of these great objects of public concern. The crown of our educational system is the university. We should strive to lift it to a plane where it may compete with similar institutions of other states, and save our children the necessity and expense of going abroad to acquire a higher education. It is entitled to receive the financial aid and fostering care of the state. Money spent to further its legitimate aims and ends is not gratuity but a good investment for the state.

AGRICULTURAL COLLEGE

Our people, to a large extent, are engaged in agricultural and industrial purposes. A sound, practical education along the lines of these callings or vocations is a need of our people, and its benefits to the state cannot be overestimated. To fill this want is the object of the agricultural college in our educational system. Its chief end and aim is to give its students a thorough agricultural and mechanical training, as distinct from college or university courses. It is a different education in practical results from a university education, but is not in conflict with it. In this age when so many industrial projects require mechanical or scientific education for their management, the agricultural college affords excellent opportunities for acquiring such an education. It is gratifying to know that the present management of our agricultural college has been attended with unusual success, and that its results in all departments are highly satisfactory.

DEAF-MUTE AND BLIND SCHOOLS

It has often occurred to me that it would have been far better for the deaf-mutes and blind, and cheaper for the state, to have delayed several years the building of our present institutions for them, and to have sent these unfortunates to some old established school, fully equipped in all its departments, embracing many branches of art and trade, presided over by skilled teachers --- always difficult to procure in a new country -- - and affording many advantages that new institutions cannot provide. Some states find it much cheaper and more satisfactory to pursue this policy than to maintain such institutions. Among the causes leading to the premature building of such institutions are the creating of new offices and places, and the increase of appropriations that serve to stimulate local business. These are considerations, though, which come too late to be of benefit, but they may serve to show the necessity of intelligent and economical management of the affairs of such institutions. These unfortunate people are entitled to the deepest sympathy and liberal support, because of their helpless and dependent condition. This is especially true of the blind, who are shut out from all recourse to the beauties of nature or works of art, which are a source of so much mental elevation and pleasure, and must grope their way through life in darkness and ignorance e, except as by training they may be made to advance in learning, and to comprehend the beautiful in nature and in art. Not quite so unfortunate, but equally worthy of your kindest consideration, are there deaf-mutes, some of whom possess great quickness of parts, and a mental capacity that, when trained, makes them useful and self-supporting citizens and leaders in some departments of business. It is the duty of the state to make ample provision for these unfortunates, and to afford them every facility for their improvement and the betterment of their condition, consistent with an economical management. At this time the expense of maintaining the blind school is disproportionate to its benefits --- though, perhaps, unavoidable so --- owing to the small number of its students; but since the law requires this institution to be conducted, I do not believe its expense can be avoided and the aims of the mute school and the blind school be sub served by permanent consolidation. As the asylum is greatly in need of more room for its patients, and some provision will have to be made for their accommodation at once, it will be cheaper and better to turn over the present mute school and its lands to the asylum, and build a mute school in town, where the education of its students would be greatly aided and facilitated by contact with other people. In v view of these facts, it might be advisable, temporarily, for the mute school to use the blind school building, and to include the blind students in its management, except as to recitation exercises, until a mute school can be erected in town, during the ensuing two years. AT the expiration of that time the blind school will probably need its own building for the use of its students.

REGISTRATION LAW

The need of a registration law in our larger towns is so manifest that there is almost a universal demand for the enactment of such a law. There seems to be an impression that our supreme court, in *White v. Commissioners*, 13 Or. 317, laid down a rule that would render any registry law that might be devised unconstitutional. Though I do not concur in the reasoning of the opinion (which I think is able, and which, I believe, has been the subject of undue criticism), it is manifest, from the concurring opinion in the result and the dissenting opinion, that the majority of the court thought that a registry law could be enacted that would be constitutional. My own view is that where the constitution confers a political right without designation in manner in which such right is to be exercised, it carries by implication sufficient procedure to ascertain in

whom right exists, for its orderly exercise or enjoyment; but that procedure must be subordinate to the right --- it must not impair or destroy it. In other words, that the legislature may regulate the exercise of such political right, but, in doing so, it must not embarrass, impair or destroy it. This is what I understand to be the effect of the decision in *Capen v. Foster*, 12 Pick. 488, to which reference was made in the concurring opinion. The constitution of Massachusetts confers the right of suffrage, but does not designate the mode of its exercise. In construing the congratulations for the exercise of the right to vote, Mr. C. J. Shaw, in that case, was careful to put this limitation on the power of the legislature. He said: "Such a construction would afford no warrant for such an exercise of legislative power as, under the pretense or color of regulating, should subvert or injuriously restrain the right itself." This is what I thought our law did --- impair, injuriously restrain, etc., the right itself --- and hence the law was unconstitutional, and necessarily I concurred in the result, though through a mode of reasoning which was not inconsistent with a registry law. I think a registry law could be enacted that would be constitutional.

SUPREME COURT

The business of the supreme court has increased so rapidly that the court is now behind more than two years in the hearing of causes. It is imperative that some relief should be afforded the court, so that a prompt hearing and adjudication of causes may be obtained. It is thought that our constitution limits the supreme court to three judges, and, if this is so, there is no means if increasing their number of judges, except by amendment, which would require too much time for its adoption to afford the desired relief. To remedy this condition of affairs, the appointment of a commission is proposed, to serve for a term of four years, to assist the court in hearing the deciding cases, in the expectation that within that period its docket will be cleared, and, in the meantime, if the proper steps are taken to secure the adoption of an amendment, so as to increase the number of judges, then there will give no future accumulation of causes.

There is this much to be said for the proposition to appoint a commissioners' court, namely, that the constitutionality of such a body has been fully tested in the courts of several states and the decisions have uniformly been favorable to their validity. This being so, there will be no question involving the validity of its judgments and embarrassing the supreme court with their determination, as would likely be the case with the judgments of the supreme court if two additional members were added to that body. Nor can there be any doubt that the commission would be able to deal promptly with pending cases and greatly aid in their prompt disposition and thus afford the desired relief to the court and litigants. For these reasons it is desirable, if a law is to be enacted authorizing a commissioners' court, that it should be passed at once in order that such court may begin the work of relieving the congested condition of the supreme court docket. Or, if your body shall not be disposed to adopt this recommendation, then I suggest this plan: First, to enact a law that shall limit appeals in civil cases to the supreme court to those involving title to real estate or matter affecting the public revenue, the construction of the constitution of the state or of the United States, or where question of franchise is raised, or where the amount of the judgment or decree of the lower court is reversed, leaving it optional with the court to write and file opinions in cases affirmed. The records of the supreme court show that about 30 per cent. Of the cases appealed are under \$500, valuing from less than \$50 to that sum. THE fact that the court is over two years behind in its work serves as an inducement to appeal cases in many instances to delay justice or cause vexation and expense. It thus tends to encourage litigation and breed discord in the community. That chronic argument that every citizen should be the right to appeal, no matter how small the sum, is entitled to little consideration. The community should not be taxed several hundred dollars to gratify two obstinate men in bandying some rival matter through the courts, when its merits can be fully considered and decided in the circuit court as a court of last resort. The effect, then, of limiting appeals to the supreme court, as indicated, would be to cut down one third of the appealable cases, which would be a great gain; and leaving it optional with the court to write opinions in cases affirmed, would greatly aid in relieving the court, and perhaps enable it to keep pace with this work and at the same time afford the court more time for the preparation of opinions in cases where important principles are involved.

CIRCUIT JUDGES

THE organization of new counties and an increase in the population has led to the creation of more circuit judges than are warranted by the requirement of public justice or the interests of economy. The work of the different judges is notoriously unequal. In the first district, where the population is rural, and (according to the state census) numbers only 24,537, there are two judges, while in the adjoining district, which has much greater business activities, there is a population of 52,079, with one judge. IN the sixth district there are but two counties with only 16,968 inhabitants, and one judge, while in the third district there are 75,019 people, with two judges. Again, in the ninth district there are only three counties, with a population of 9,248 and no large town, with one circuit judge, while in the fifth district there is only one judge to a population of 54,613, almost six times as great and including several tons on considerable size, full of business activities and much more exposed to criminal litigation. There is needed but one judge in the first district, with another county added, and then his work would not be equal to the work of the judges in the second and fifth districts. Three circuit judges only are needed in the forth district, with another county added to it. The powers of the municipal judge in Portland might be increased and broadened. Instead of 14, there are only 11 circuit judges needed to do judicial duty, if the districts were readjusted and the labor equalized. Upon this subject I know that my recommendations are practical, feasible and economical, but, I own, I am not confident of their adoption.

ATTORNEY-GENERAL

The office of attorney-general is important in its relations to the public service and its abolition would be detrimental to it. The supposition that its duties are not arduous and not needed is a serious mistake. This officer is kept almost constantly employed in advising and furnishing written opinions to the various officers, boards and commissions, and in trying appeal cases in the supreme court. It is true that his opinion is only advisory, but that fact makes it none the less valuable, nor furnishes a reason for dispensing with it. It is not thought, under the law, that the attorney-general is required to practice in nisi prius has always appeared in the circuit courts, when specially requested and his services could be spared from his regular duties.

DISTRICT ATTORNEY

AS a matter of economy and justice, the state salary of the district attorneys ought to be abolished. These officers are paid fees, whenever they appear for the state or county, and no injustice would be done them in cutting off their state salary. This would compensate for the office of the attorney-general, upon whom devolve many of the duties that formerly were wholly attached to their offices. In the interests of economy, I think, the district attorneys will sanction the suggestion.

TRIALS

At present our law requires a unanimous verdict of the jury in civil and criminal cases. The failure to obtain a unanimous verdict is often the cause of mistrials, which greatly increase the expenses of the courts and of litigants. It is suggested that the public interest, as well as the interest of litigants, might be better conserved, if the agreement of two thirds or three fourths of a jury upon a verdict should be sufficient in civil cases.

CRIMINAL COSTS

The burden; on our taxpayers under our system of taxing costs has become so grievous that some relief must be afforded them by this legislature. It is not believed that our officials are not honestly performing their duties, or that the evil complained of lies in the administration of the law, but in the law itself, and, until it shall be radically changed, there can be no effective reform in the system, or relief afforded our overburdened taxpayers. Under our laws, in all criminal prosecutions before a justice of the peace, or before the grand jury, with a few slight exceptions, where the prosecution is unsuccessful, or where , if successful,

the costs cannot be made out of the defendant, which is commonly the case, all the legal costs, including officers' fees, jail fees and fees of witnesses, are paid by the county; and to these costs must be added the costs in all misdemeanors and felony cases where there is dismissal or nolle prosequi, or where, for any cause, the defendant is discharged before indictment, or after indictment and before verdict. It thus appears, except in the few cases where costs may be disallowed because of the frivolous or malicious nature of the prosecution, that the costs of criminal prosecutions are practically guaranteed by the county, with the obvious result of encouraging useless prosecutions --- which is a radical fault of the system. As a matter of fact, the costs are taxed to, and paid by, the county, even in cases where the prosecution is successful and the judgment for them is enforceable against the defendant, but, as the county can only be indemnified for its costs by the collection of such judgment through its officers, and as they, haven't already been paid their fees, are apt to forget its existence, the judgment is allowed to become dormant or fall into "innocuous desuetude." Another fault of our system, which is the cause of much expense, comes from multiplying hearing or trials. Before a defendant can have a trial which is to determine his guilt or innocence, he must pass through three stages of examination or trial --- first, there is the preliminary hearing before the justice of the peace, who, if he finds evidence of the probable guilt, binds the accused over to the court; second, the hearing before the grand jury; and, if they find a "true bill," then comes, third, his final trial in the criminal court. Nothing short of a radical reform in our system of criminal costs can furnish the relief demanded; how to accomplish this result is the question. I would recommend that a joint committee of three or five persons be appointed, composed of men able and competent to examine the laws of other states such as Georgia and some others, where important reforms have been effected, greatly decreasing the expense of costs in criminal cases, to report what changes, if any, are needed in our system, or report a bill making such changes as will furnish the desired relief.

BOARDS, COMMISSIONS AND LEGISLATIVE APPOINTMENTS TO OFFICE

Our scheme of government contemplates a division of powers into three great departments, known as the legislative, executive and judicial. It is intended that these departments shall be separate and independent in the exercise of their functions, and any infraction of the principle which confines each to its own appropriate sphere of action, is inconsistent with the spirit of our institutions, and an encroachment on the prerogative of the department affected by it. More over, where this division of power and responsibility is strictly maintained, no department interfering with the action of any other, but each moving in the circle of its activity in conformity with the general design, there can be no confusion of authority, and every department will be answerable for the conduct of its own affairs. But while these departments act independently, and exercise different functions, in subordination to the general plan, they constitute one government, whose strength and symmetry lies in the preservation intact of this division of power and responsibility. Hence, any action of one department in assuming duties that belong to another, or in transferring to some board or commission duties that belong to one of the other departments, whether sanctioned by custom or otherwise, is a usurpation which is inexcusable, and ought to be summarily condemned. This confusion of authority, too, has the tendency to divide responsibility, which, experience has proven, is inimical to good government.

At the present time there are several boards, composed of the executive, the secretary of state and the state treasurer, or of the two former and the superintendent of public instruction, who are invested with authority to appoint superintendents to the supervision of such boards, manage these institutions and administer their affairs. These boards are known as the trustees of the asylum, of the reform school, of the deaf-mute school, of the blind school, etc. The boards are invested with the power of appointing superintendents (who cannot appoint their subordinates without the board's consent), and of making rules and regulations for the government and management of the affairs of the institutions not inconsistent with out laws. In effect, the board administers the law regulating the management of such institutions through the superintendents, when the full responsibility of the administration of their affairs under the law ought to belong on the superintendents, subject to such supervision by the governor as may be embraced in his constitutional duty "to take care that the laws be faithfully executed." Every officer, in discharging his duties under a law, is its administrator, Upon him ought to rest the full responsibility for the faithful

discharge of his duties and the economical management of the institution committed to his charge. There can then be no bandying of responsibility between him and the board. The superintendent will be personally accountable for his conduct in the discharge of his trust. He will be rid of the idiosyncrasies of three members of a board, which is always impossible of performance; for, it is a scriptural saying that a man cannot serve two masters; ergo, he cannot serve three. The truth is, divided authority is inimical to economic and responsible government. Not is there public need of such boards, which fact, of itself, should be sufficient to demand their abolition. There is no place in the scheme of our government for their existence. The legislature has no authority to create boards and invest them with authority to appoint public officers to discharge important duties that concern state affairs. The power to appoint belongs to the executive department, or to the people, by election. The legislature has no legal right to exercise such power, much less to delegate it to a board or commission. It goes to the full extent of its powers, when it provides by law for the election of officers by the people or their appointment by the governor, as may be deemed best, when not prescribed by the constitution, and to declare their duties and responsibility in the conduct and management of such institutions. It is on this principle that the superintendent of the penitentiary is appointed and discharges the duties of his office. He directs, manages, and superintends the affairs of the penitentiary on the same principle that of the officers discharge the duties of their office. He appoints his subordinates, who are subject to his direction and authority. The responsibility of managing the institution economically and effectively devolves upon whom, subject to the supervision of the executive. What possible use, then, can there be for a board? There is none. A board is a mischievous administrative instrumentality, because its effect is to divide responsibility, destroy the symmetry of our governmental system, trench on the prerogatives of the executive, and injuriously affect the management of the institutions.

However, a board composed of three, or even six members, authorized to inquire from time to time into the condition and management of state institutions, and the treatment of their inmates, and to report the result of their investigations to the executive for his information, with such suggestions for the improving of affairs of such institutions, and preventing abuses, as to them might seem desirable, would be a useful body, serving an excellent public purpose; but beyond the performance of some such duties, its powers ought not to be extended --- certainly not to be invested with authority to appoint superintendents or officers, and through them manage and control such institutions.

But, it has been said, the object in creating these boards was to increase the salary of the governor (and, likewise, of other state officers), the implication being that, to raise it directly and commensurately with the duties and responsibilities of the executive office, would be unpopular and unconstitutional. The supposition is absurd. The passing of an act to effect indirectly an increase of the salary of an officer ought to be more unpopular than the passing of an act which directly increases it. If the people will consent or submit that the increase should be effected through the agency of a board, they will not object that it should be accomplished by a direct increase of salary, which only affords him reasonable compensation for his services. Nor is the objection to an act directly increasing the salary of the governor of any constitutional weight. It is entirely within the constitutional province of the legislature to raise the salary to such sum as is just and proper in its judgment, and the best lawyers and judges – some of whom served in the convention that framed the constitution --- have expressed opinions on this subject with a unanimity that could not exist if there were any doubt of the constitutional power of the legislature to do so. It is not the salaries of officers than embarrass the operation of government, or burden the people with excessive taxation. It is “jobs,” wasteful practices, lavish and unnecessary public exsions, freebooting the treasury with fictitious claims and needless appropriations, that put an unjust burden upon the people, and serve to retard the growth, development and prosperity of the state. The state is entitled to honest, efficient and intelligent service, and no detriment comes to it, or disadvantage to its people, by awarding a high compensation for such service. Of course, if any officer sincerely believes that the salary in excess of the sum mentioned in the constitution is unconstitutional and void, as an honest man, under oath, he could not accept such salary without moral perjury and self-abasement. But, gentlemen, it is vastly more important that these boards be abolished, and thereby and end be put to a system that affords temptation to favoritism and opportunity for

the existence of abuses, than that they should be continued as an excuse or justification for raising salaries of state officers indirectly.

THE offices of dairy commissioner and veterinary surgeon should be consolidated in one office, under the latter, at his present salary, and the domestic animal commission should be abolished. There should be one railroad commissioner at least, with a clerk, to guard the public interests, and a board of equalization, composed of three members appointed by the governor, whose duties should be confined to equalizing the state taxes between the counties, leaving the matter of taxation for county purposes wholly to the counties.

Recurring to the mischievous effects of boards or commissions appointing officers for administrative duties, let me add that while the appointment of officers by the legislature is not so objectionable, it is nevertheless wrong in principle and of doubtful validity, though sanctioned by custom and sustained by some judicial precedents. The courts, as the cases will disclose, have sanctioned legislative appointments with reluctance, and under circumstances which furnish the explanation and justification of their decision. IN the late case of Eddy v. Kincaid, 28 Or. 559, where the question involved was the power of the legislature to appoint railroad commissioners, Chief Justice Bean said: "We feel constrained to hold the act constitutional, although, if the question was one of first impression, the court, as at present organized, might probably hold otherwise." It was on account of the reasons and circumstances to which the chief justice alluded, and the hesitation which a judge always feels in declaring an act of the legislature unconstitutional, that the court was induced to uphold the act and thus sanction legislative appointments to office. That the court felt such appointments to be of doubtful constitutional propriety, as an original question, is emphatically announced, and it must be conclusively inferred that the court felt that all laws authorizing the legislature to exercise such function ought to be repealed. How much more objectionable, then, is the delegation of such power to a board. The truth is, the power to appoint to office, when not lodged in the people, belongs to the executive. It is a prerogative of this office, and needs no express declaration in the constitution to establish it. The legislature ought not to make any appointments, except of officers of its own body. The logical consequence to which the exercise of the power by the legislature may be carried furnishes the strongest argument for its abolition. For, if it be a legislative function, then there is no limit to the power of the legislature to select officers, or to create offices and fill them, when required for the public service, except such officers as derive their title from the constitution. Upon this theory, the legislature may absorb all power to appoint officers for the public service, or to manage the state institutions, except the few named in the constitution. Instead of appointing, as now, the pilot commissioners, the state librarian, the food commissioner, etc., the legislature could extend the list by appointing superintendents of the penitentiary, the asylum, the reform school, and others, when required for the public service. Such a grant of power to the legislature was never contemplated by our constitution, and is inconsistent with its spirit and letter, and the further exercise of it ought to be stopped at once and vested where it properly belongs, either in the people or in their executive. Such a change would be of incalculable importance to the members of this legislature. Your every step would not be hounded by the persistent office seeker; much of your time would be saved for legislative service, which is your legitimate duty; vote trading, and combinations to assist political friends or pay off political debts, would come to an end; you would find yourselves in the possession of the disposition, and the opportunity, to perform your legislative duties with fidelity and deliberation, which, I hope, would include the adoption of the reforms already suggested, which I confidently believe, when enacted into law, would be so pregnant with public benefits as would embalm the member of this legislature in the hearts of grateful constituency.

APPROPRIATIONS

The custom of including appropriations of the public moneys for every conceivable purpose, general and special, in one bill, is thoroughly bad, and ought to be stopped. There are certain fixed charges, such as salaries of officers and liabilities created for the support of state institutions, usually known as current expenses, for which specific appropriations may be embodied in one appropriation bill; but in all other cases, a bill ought not to include appropriations for more than one object. By this method --- a method I recommended in my inaugural --- every appropriation must stand or fall upon its own merits. This would

afford the executive an opportunity to interpose any objection that he may have to a appropriation, without delaying the passage of appropriations that are not objectionable and meritorious, and thus put in practice that wise principle incorporated in the constitution of some states, which allows the executive to veto specific items in the general appropriation bill. In aid of this principle, I suggest that the committee on ways and means adopt a resolution in effect refusing to embody any item in the general appropriation bill that does not properly belong to the current expense account of the state, and requiring all appropriations for specific objects to be carried in separate bills, Under the practice which has prevailed in this state of including appropriations for every conceivable purpose in one bill, and delaying its introduction until the expiring hours of the session, when there is no time for the members to examine it carefully, or for the executive to exercise his power of veto without defeating the whole appropriation bill, lavish and unnecessary appropriations have been secured and the interests of the people disregarded. To illustrate: At the session of 1895, the general appropriation bill, covering over a million of dollars, for many and various items, was presented to me for my signature during the last hour of the expiring session, being between 11 and 12 o'clock, Saturday night. The alternative was presented to me of approving the bill as a whole, notwithstanding it contained many items of an objectionable character, as well as of doubtful validity, or vetoing it and leaving the state without appropriations for the two ensuing years, unless I called an extra session. I did not want to sign the bill, for I had denounced this method of forcing the executive, in my inaugural, but I had no time to think, or for conference; I was not familiar with executive duties, nor with its surroundings, and, under protest, I yielded my assent out of an overweening respect for precedent and dread of a condition of affairs which might necessitate an extra session, which is always a doubtful experiment. What I ought to have done is this: I ought to have vetoed that bill in three lines, and returned it with the veto to both houses before their adjournment, and at the same time notified them that I should issue a proclamation convening them in extra session the following Monday, for the purpose of appropriation funds to defray the current expenses of the state, and disposing of such matters as were left over or needed their attention.

Gentlemen, I repeat that bills for the appropriation of public moneys should be submitted to you a sufficient length of time before the end of the session, to afford ample time for their scrutiny and for the exclusion of all unnecessary expense; and that the practice of delaying their introduction until the last hours of the session, when the members have no time carefully to examine the items, for the executive to exercise his veto, without defeating needed appropriations, is thoroughly vicious and a fraud upon the public service. In this way unnecessary appropriations are secured, lavish public expenditures are encouraged, and the interests of the people are disregarded. Nor should you give your assent to an appropriation, though its object be worthy, that is not essential to the public service and the necessity for which is not clearly shown to your satisfaction. The practice of distributing the public money to various institutions of a private character, or, at least not under state control, nor responsible to the state for the manner of its expenditure --- meritorious as may be the objects of such institutions --- is an inducement to multiply their number and encourage every imaginable scheme for obtaining funds from the public treasury. Where appropriations for such purposes are permitted to pass unchallenged, there will always be the temptation to organize various enterprises, as institutions of the quasi-public character, and fasten them on the body politic, to secure appropriations for stimulating local interests or booming speculative projects. All such appropriations are wrong in principle, and ought to be discontinued. Not a dollar of the public funds should be appropriated for the support of any institution not accountable to the state and organized to serve the public interests. Not a dollar should be appropriated even for the support of public institutions whose existence and maintenance are essential to the public welfare, until the necessity of the appropriation asked is made plain, and its amount is clearly shown to be indispensable to the general welfare. Adopt this rule, and apply it to the purposes for which you are asked to make appropriations, and there will be no funds to use for lavish expenditures or to support wasteful and extravagant practices; and, from the necessity of the case, economy and good business management will pervade every department of the state and its institutions.

To reach this desirable condition of affairs, there is no way so direct and efficient as the limitation of appropriations to the actual needs shown to exist and the denial of appropriations for deficiencies, unless caused by some unexpected emergency, or a plain showing that the amount appropriated was insufficient for actual and necessary expenses. The custom or habit of allowing deficiencies to occur, in the expectation that the legislature will, without inquiry, and as a matter of course, make appropriations to cover them, ought to receive a good, hard bump against the bedrock of legislative economy and good sense; and another custom, thought lately to be in vogue, of devising schemes to expend an appropriation when its legitimate uses would leave a surplus to lapse in the treasury, is still worse, and deserves the severest reprehension.

When the legislature shall take any effective mode to ascertain how many persons are employed in a department or institution, the salaries or wages paid its officers and employees, the nature and amount of work performed by them, the kind and quantity of food consumed, the methods of procuring supplies, the extent and variety of purchases, the expense of growing grain or stock, the means for economizing food, clothing, fuel and drugs, and carefully scrutinize all matters and things connected with the support and expenditures of such department or institution, as same, you will then get the bottom of their needs and be prepared to estimate their expenses and the amount of appropriation necessary for their support and maintenance. This kind of scrutiny is always beneficial to the public service. It tends to weed out the incompetent or corrupt official and reward the capable and honest. An upright official stands in no dread of a rigid scrutiny of his affairs. If any of our heads of department or superintendents of institutions, have pursued vicious methods in doing the public business, or have been guilty of reckless expenditures, let them be exposed; but, on the other hand, if they have discharged their duties with fidelity and economy, give them the credit due in faithful public servant. I believe and assert, taken as a whole, the administration of these officers in their respective spheres of duty has in general been economical and honorable; that expenses have been in the main curtailed; that the public service in many respects has been considerably improved, and that the public interests have been steadily guarded and maintained. For them, I challenge the most searching inquiry that you may institute. I assert that they stand in no dread of you or your power to investigate the truth, and I say that they despise, as every honest man should despise, the perfunctory or "fixed" committee, constituted to gloss over ugly facts and manufacture fraudulent reputations for dishonest, worthless or incompetent officials.

CONCLUSION

Gentlemen, as representatives of the people, it is your prerogative to enact legislation that shall better our laws, promote our growth and development and advance the cause of civilization and good government. My duty of cooperation with you in this laudable and needful work now comes to an end, but I doubt not that my successor is ready to join with you in a resolute effort to reduce expenses and lighten the burden of taxation; to promote reforms and protect the public interests.

Profoundly grateful for many honors bestowed, and deeply sensible of aspirations not fully realized for bettering economic conditions in my state and enhancing the well-being of its people, I now surrender the high trust confided to me by their partiality, sustained by the consoling reflection that --- whatever may have been my shortcomings --- my constant aim has been to administer its powers on the side of right and justice, of law and public order, for safeguarding personal liberty and protecting the right of private property, in furtherance of educational progress and general enlightenment, for bettering social conditions and promoting economic reforms, in extirpating abuses and encouraging a high standard of public duty, for advancing the interests of my state and the happiness of its people.

Respectfully submitted,
WM. P. LORD