

INAUGURAL ADDRESS

OF

GOV. ANDREW R. MCGILL

BEFORE THE

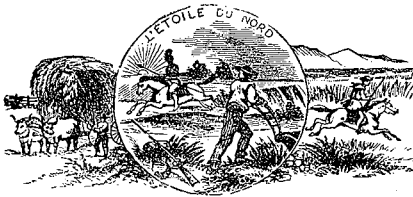
LEGISLATURE OF MINNESOTA,

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# INAUGURAL ADDRESS.

*Senators and Representatives:*

In assuming the duties of the office of governor to which I have been duly chosen by the electors of the State, it becomes my duty, in accordance with a well-established custom, to address you on such matters of public concern as appear to me worthy of your attention and consideration. But first I desire to bear testimony to the ability and fidelity with which the duties of the position have been administered during the last five years by my predecessor, Gov. Hubbard. His message, to which you have just listened, is the closing act of an administration that honors alike himself and our great State which he has so faithfully served, and entitles him to the thanks of a grateful people.

## POLITICAL PLATFORMS AND PLEDGES.

By reading the platforms of the two leading political parties of this State, adopted in their conventions held in September last, it will be observed that liberal promises were made in both. On a number of subjects they seem to have been in full accord. For instance, in respect to establishing a home for disabled and needy survivors of the Union Army in our State; the abolishing of the contract system of prison labor; the amendment of our railroad and warehouse laws, where needed, to secure relief to the agricultural classes; the establishment of a state bureau of labor statistics, and in other matters, there appears to have been no division of sentiment. I am bound to

believe that both conventions were sincere in their declarations, and that you, as the representatives of the people, elected on the platform of one or the other of the two great parties, are here in good faith to redeem the pledges made. I believe that the people have a right to expect from us a strict fulfillment of these declarations, and for one I stand ready to do my part to carry them out in good faith. If it has been customary heretofore for legislatures to disregard the issues on which they were elected, let the custom be broken. Honesty and good faith in a political party are as much to be admired as like attributes in an individual.

#### RAILROAD TRANSPORTATION.

The subject of transportation — of reasonable tariff rates on our railroads — is of supreme interest to the people of this State, and I have no doubt will secure your earnest attention. The right of the legislature to pass laws for the supervision of railroads has been for a number of years well settled. This right was not, however, established without a severe and protracted struggle. I well remember that when in 1870 it was first advocated by the then governor of this State, in a message to the legislature, the proposition was received with much doubt. Not only all the railroad officials and capitalists opposed it, but a large majority of the lawyers of the State antagonized it as in conflict with the fundamental law of the land and opposed to the genius of our institutions. However, in the following year a bill was passed by the legislature and with the approval of the governor became a law, fixing rates, both freight and passenger. About the same time similar legislation was enacted in several other Northwestern states. Suits were instituted in this State, in Illinois, and perhaps in some other of the Northwestern states, under the so-called "granger laws," against various railroad companies for the violation of those laws. The enactments were experimental and no doubt crude and ill-adapted to the exigencies of the situation, but they served the purpose of securing a judicial sanction and vindication of the right of legislative control. The judicial decisions obtained under them, not only in the state courts but

in the supreme court of the United States as well, settled forever the constitutionality of such laws, and confirmed the authority of the legislature. Thus was established one of the most important rights ever secured a free people. The *expediency* of state supervision over railroad and kindred corporations has sometimes been doubted since then, but the *right* is no longer questioned.

I do not take it to be the policy of the State to needlessly interfere with or to harrass any great interest, and more especially the railroad interests of the commonwealth. That railroads have become indispensable to commercial and agricultural prosperity, if not to the very existence of the civilization of the century, no one needs any longer to be told. To eliminate them would be to turn back the wheels of progress to the very portals of the dark ages. But their supreme importance makes it only the more essential that they should be so judiciously managed and controlled as to develop the highest efficiency and usefulness of which they are capable, not simply as wealth-producers to their managers and proprietors, but as engines powerful for good to the masses of the people as well.

The very fact that every city, town and village strives for the most ample railroad facilities, is a tribute to their value which no one can gainsay. Any movement to oppress or cripple these interests, simply to satisfy a popular clamor, would not only be unjust to the roads, but ruinous to the people themselves. There is often a wide but honest divergence of opinion between the masses who use and desire to profit by the roads and their managers and owners. They view matters from different standpoints, and often each does the other injustice. The duty of the State is to find the middle ground—the happy mean between the extremes—and having found it, there to establish, with firm but impartial hand, the great and often intricate relations between the railroads and those who furnish them business and pay their dividends.

The policy of this State, after some legislative fluctuation, has settled upon a board of commissioners as the best instrumentality with which to accomplish this end. My judgment concurs in this policy, and that safety to both sides lies in a board of able, incorruptible men, fearless in the discharge of

public duty, and with ample powers to enforce their decrees. Though railroads in this country are not built with public funds, they can not be classed as private property. They are common carriers, and, even under the common law, are under certain obligations and owe certain duties to the public. Their franchises are a grant from the State, and they possess no essential powers not conferred by the State. Therefore it is from the people that they obtain life and authority, and their accountability to the people logically follows. The public interest in such corporations, though not one of invested capital, is real and substantial, and one that the State can not in its duty to the public cease to protect. The right of control on the part of the State is but a fair return for the powers and privileges conferred. This right indeed would seem to be inherent and indefeasible in the State. It is even to be doubted if the State could divest itself of the duties and responsibilities implied were it so disposed.

There is but little or no organization among the farmers of the State for mutual protection, and in the matter of freights and the inspection and grading of grain their interests are specially committed to the railroad and warehouse commissioners. As a rule other industries have more complete organization and are much better qualified to care for themselves. The railroads, as is well known, are under the management of able men, capable of protecting them at every point. It follows that the farmers feel and have a deeper interest in the matter of railroad supervision than any other class of our people, and it is not only the privilege but the duty of the legislature to make that supervision close, watchful and effective.

It is especially desirable in this State, where the chief industry is agriculture, that the transportation rates be as low as is consistent with a fair return on the actual capital invested in the roads. Indeed it is questionable if the original cost of a road furnishes a certain criterion of what it should be allowed to earn, or by which to fix its rates. Values of other kinds of property fluctuate, and railroad property is no exception to the rule. If railroads can be constructed and equipped at from thirty to fifty per cent less now than prior to

1873, does it follow that the old roads should be allowed to charge from thirty to fifty per cent more than the new ones, constructed at a much less cost, could reasonably charge? It should be the policy of the State to secure for its great producing classes the cheapest rates possible with consistency and justice to the other interests involved.

The railroad and warehouse commissioners have reported to you certain proposed legislation of great importance, already referred to and commented on by Gov. Hubbard, which I doubt not will receive your earnest consideration. I am sure you will be glad to adopt any changes or amendments in the railroad and grain laws which will contribute to their efficiency and to the usefulness of the commission, and shall not trespass on your time to call attention to them in detail.

#### TAXATION OF RAILROADS.

It appears plain that new and definite legislation is needed on the subject of railroad taxation. The commissioners seem to be in doubt concerning the liability of any railroad company, which has not formally accepted the provisions of the law of March, 1873, relating to the taxation of the St. Paul, Stillwater & Taylors Falls Railroad Company to even pay a per centum of its earnings, in lieu of taxes, under existing legislation. This liability should be so definitely settled that there could be no question about it in any case. It seems desirable that the whole subject be inquired into by the legislature, and a plain and consistent law enacted. The law in force is so indefinite and obscure that several suits have already been carried to the supreme court for a construction of its meaning. Besides it is well known that the intention of the law is being continually abused by railroad companies. I mean that feature of it which imposes a tax on *new roads* of but one per centum on gross earnings for the first three years, two per centum during the next seven years, and three per centum thereafter. As a result of the favor shown in the law to new roads, the spurs and branches built for the old roads, as a direct part of their systems and regularly operated with them as a part of one property or railroad, are as a rule built

by new corporations for the sake of the exemption extended to new roads. In this way it happens that while the gross earnings in the State for the past year increased \$258,095.82, the taxes, or percentage in lieu of taxes, decreased \$6,530.82. In view of these facts, and of the large amount of property held by the railroad companies exempt from taxation, I recommend that the law be amended so as to compel all railroad lines hereafter to be built and operated, to pay to the State the full three per centum on their gross earnings, in lieu of taxes, from the start.

#### TAXATION OF RAILROAD LANDS.

The large quantities of lands held by the various railroad companies free from taxation is a subject which has attracted the attention of the people of the State. There is an evident impression in the minds of many that some action can or ought to be taken looking to the taxation of such lands. They lie largely in the more sparsely settled portions of the State, where the people are struggling against great odds to make homes for themselves and their posterity. Court houses and other county buildings are to be erected and paid for; school houses built and schools maintained; roads opened and worked—in short, all the necessary adjuncts to a thriving community are to be called into being by the efforts and money of the hardy pioneer. Every other section, or more perhaps, of the land in the county or district in which he has settled belongs to some one of these giant corporations, and is held by it freed from any liability to contribute a farthing to the improvement which is constantly and rapidly enhancing the value of its holdings. The question of the taxability of these lands has been in a number of cases and in different forms before our supreme court. In almost every such instance the State has been met with the provisions contained in the charters of these companies which grant immunity from taxation until a sale or conveyance of such lands. It is for you to thoroughly investigate the status of such lands, and see if there is any way by which you can obtain relief to the people in this matter.



## GRAIN STORAGE BY RAILROAD COMPANIES.

In connection with the legislation proposed by the railroad and warehouse commission, I would suggest for your consideration whether it is not both right and practicable that the railway companies, which handle nearly all of the grain raised for market in the State, should not be required, when not receiving the same into cars directly upon delivery to them, to furnish storage for it in elevators or grain houses at the stations where the grain is received for shipment, free of expense to the shipper. Is there any sound reason for making grain an exception to the general rule that common carriers shall receive freight, and if not shipped at once, shall furnish storage from the time it is offered for shipment until ready to be delivered to the consignee? That such a requirement would involve the companies in much expense and no little inconvenience at first must be admitted, and if the system should be inaugurated a reasonable time should certainly be given the companies to furnish suitable storage structures. The proposed plan might, to a limited extent, displace elevators and grain houses now employed by other companies or persons, but I doubt if its effect in this direction would be material. The greater part of the grain now received by such houses is not delivered for transportation, but is either sold for cash or receipts are taken by the producer with intent to sell at a future day and without shipping from the receiving station. Were the plan suggested to be put in operation it is not perceived that it would interfere with the facilities for buying, receiving or storing of grain wherever such traffic is or could be carried on, but it would certainly stimulate railroad companies to provide, as far as possible, the necessary cars for the immediate shipment of grain as offered. No grain, of course, would be delivered to the companies but such as the owners desired to have immediately shipped. The most obvious reason for making grain an exception to the rule in sections where raised in great abundance is that the bulk of the crop intended for sale is thrown upon the market within a few months after harvest, and hence it would be unreasonable to require the companies to provide the necessary

transportation to move it in so limited a time, or to store it for want of cars to haul it away. But as the wheat farmer becomes more forehanded, and is not compelled to realize on his crop immediately, he will largely provide his own storage, and this objection would soon be very greatly diminished. In this connection it would be well to consider whether the objections to the proposed plan are not to some extent founded on a participation in the elevator profits by some of the officers or managers of the roads, rather than on the plan itself.

Whether or not these suggestions should be considered by you worthy to be formulated into a legal enactment, I have no hesitation in recommending such legislation as will make it a penal offense for any person owning, operating or managing a railroad in the State, to participate in any profits derived from an elevator, grain house, wood or coal yard, located on the line of his road.

#### WHEAT GRADING.

One of the most frequent and serious complaints among wheat producers and dealers in grain is the difficulty of procuring anything like uniform grades at different times and places—too often, indeed, at the same time and place—on wheat of the same kind and quality. The railroad and warehouse commissioners have done much to lessen the evil, but there is still wide room for improvement. If possible, the inspection should be made by persons not only disinterested in the result, but without knowledge of the ownership of the grain or of the probable purchaser—or, indeed, of the person or persons interested in commissions on it. Under conditions of this kind I am satisfied that the surprising and inexplicable differences in official grades of wheat of the same variety and quality would rarely occur. Every avenue to dishonest practices should be closed by law where possible. With the door to favoritism left open, dissatisfaction will prevail, even in the absence of actual fraud.

#### WATERING STOCKS.

I commend to your special consideration the legislation proposed by the commissioners to prevent the issuing of false,

fraudulent and unpaid stock by railroad companies, and to regulate proceedings in the matter of increasing their capital stock. It appears to me that the proposed bill is well calculated to suppress the evil of watering stocks by railroad corporations, a trick by which fictitious capital is created, and upon which the people are required to pay dividends. This method of diluting and expanding capital, already dangerous to the public from its very vastness and its absolute control by a few persons, — sometimes practically by one man, — costs the producing classes of the country many millions annually. There can exist no moral claim to dividends on watered stock, and there should exist no legal right to such dividends.

#### CHEAP PASSENGER FARES.

Cheap passenger fares on our railroads, though with us of secondary importance as compared with freight charges, are nevertheless of public moment. The territorial limits of the State are so great — the masses of the people so remote from our large cities and chief public institutions — that travel is oftentimes burdensome to them, and that free intercourse between the people, so much to be desired for many reasons, is greatly retarded. Still it must be remembered that the very existence of these magnificent distances and the comparatively limited population scattered over them, render it impracticable that the passenger rates here should be as low as in the thickly settled communities of the East, where the average number of passengers per mile is many times greater. Commendable progress has been made during the past year toward a standard of cheap passenger fares, but greater reductions, if practicable, are much to be desired. There is, I apprehend, one obstacle in the way which it is within your power to remove. I allude to the practice, obtaining among railroad companies, of issuing free passes. This custom, besides being of questionable policy, has become burdensome to the companies. It favors the few at the expense of the many. The traveling public who pay fares have reason to suppose that the amount charged them is governed more or less by the number who ride free. It is a custom which smacks of favoritism on the one side and injus-

tice on the other, and, like many another, would be "more honored in the breach than in the observance." It may, however, be safely assumed that the influence of free passes on public men is much less than is generally supposed, if indeed the cases where it swerves them from duty are not too rare to merit consideration. The custom has become so firmly established that men holding public positions are apt to regard themselves as entitled to free passes by virtue of the offices they hold. On the other hand the railroads are subject to retaliation in so many ways that it is doubtful if the practice can be suppressed without legislative interference. Unless forbidden by law, passes will be issued, and with rare exceptions those to whom they are issued will accept them. The influence of the few who refuse will be so slight in restraining the evil that there will be but little encouragement to individual action. In my judgment the free pass system in its present magnitude amounts to a public evil, and I recommend the enactment of suitable legislation to destroy it.

#### THE TAX LAWS.

There is no more important subject concerning which I invoke immediate legislation than that of the amendment of the general tax laws of the State. Under these laws, as interpreted by our supreme court in its decision of the now celebrated "Chauncey-Wass case," rendered since the adjournment of the last legislature, and lately reaffirmed, though by a divided court, any freeholder is liable to be divested of the title to his real property through the operation of the tax laws or the action of those who administer them, although he may have paid his taxes in full and within the statutory time. I advance no censure of the court, and find no good reason for doubting the sincerity, high motive and lofty independence of the judges. The provisions of the statute are intricate, and there is too much room for division and doubt. The law should be made so plain and simple as to exclude all uncertainty. When a property owner promptly pays into the hands of a public officer who has been chosen by the people or duly appointed to collect the revenue, the taxes due on his property, that act ought to re-

lieve him at once and forever from all the consequences attaching to delinquency. When the citizen has done his full part—has borne the burden which the State has imposed upon him—his financial ruin by the blunder or criminal connivance of a public officer, in the manner made possible under our tax laws, should be put beyond a possibility. It is true that by a decision made in a more recent case, the repeal of that clause of the tax law which provides that notice of the sale of his property for delinquent taxes shall be served upon the owner before the time of redemption shall begin to run, was held to be in contravention of the constitution, and therefore void. Yet personal notice is not required by that section of the law in all cases, and may be safely said to be the exception in practice. Nor should the property owner who has paid his tax be required to watch every step in the intricate proceedings by which payment of delinquent taxes is enforced, to make sure that he be not devoured by the tax-title shark, or his property confiscated by the State. Immediate steps should be taken to make it impossible to commit the wrong which the law now sanctions. The main features of our tax laws, so far as I am informed, are well understood and satisfactory in their operation. I doubt not you fully appreciate the importance of a law which insures the prompt collection of the revenues, and that, in remedying the wrong complained of, you will keep this fact in view.

#### THE LIQUOR TRAFFIC.

You will be called upon at this session to consider measures looking to the further regulation of the liquor business in this State. The people have pronounced in favor of "high license, local option and the rigid enforcement of the laws relating to the liquor traffic," and now turn to you in the hope and expectation that you will, in the form of suitable legislation, give effect to the verdict which they have found. Outside of the limited number engaged in the liquor traffic in this State, the people, by a very large majority and without regard to political parties, favor the measures proposed. I can see no reason why the desired legislation should not be promptly enacted. It is undoubtedly true that while the question of high license

does not properly relate to party politics, it is one of intense interest to the liquor venders of the State, and in our cities and large towns has become the predominant issue at every election. The liquor interests are organized as a compact power for the avowed purpose of combatting all efforts looking to the further regulation of the liquor traffic. The effect of such an organization in such a cause can not be otherwise than harmful. All questions are made secondary to that of high license, and every man who stands for office—and more particularly a legislative office—is required to pledge himself against it, or stand the brunt of their united opposition, in many cases meaning utter defeat from the outset. In all candor I submit to you if this is not a pernicious influence on the legislation of the State. Two years ago a high license bill was before the legislature, with every prospect of becoming a law, but was finally defeated through the organized efforts of the liquor interests. This organization is much stronger to-day than it was then, and will no doubt oppose with a zeal worthy of a better cause the measures proposed. But I trust this legislature, elected on the issue of “high license and local option,” is also stronger on this subject than its predecessor, and that it has the courage and independence to refuse to be bound and controlled by the liquor dealers. I have no word to utter against these men—I am willing to concede that many of them regard the proposed measures as an infringement on their personal rights and liberty, but in the name of that great body of our citizens who believe in sobriety, in law and order, and who recognize and deplore the evils traceable to the liquor traffic, I protest against that interest being permitted to dominate the legislation of the State. It is not only your province but your duty to eliminate as far as practicable these evils. It is believed that high license and local option will minimize them. Sharing in this belief, and desiring to keep faith with the people, I recommend the enactment of suitable and efficient legislation to carry the proposed measures into effect.

#### PRISON LABOR.

During the last few years—and more especially during the last year or two—the subject of prison labor and its effect on

free labor, when brought into competition therewith, has received much earnest consideration, not only by labor organizations throughout the country, but by thoughtful men in the professions and other walks of life, whose only interest in the matter has been one of justice to all parties concerned, and of good to society. That prisoners should work does not admit of argument. For reasons of discipline and health, if for no other, they must be kept employed. But how to do this and not bring the products of their labor into competition with those of free workmen and mechanics is a problem which has engaged the attention of many earnest and able men, and which you will probably be called upon to consider at this session. I am well convinced that the system of letting the prison labor out by contract to the lowest bidder, now prevailing in this State, is unjust in many ways, and should be abolished; and to this end I recommend such legislation as will prohibit its extension beyond the term of the present contract. The price paid by the contractor in Minnesota per convict is forty cents a day, and this labor is utilized in the manufacture of articles which are sold in the market in competition with like articles manufactured by free labor. The inevitable result of this system is to reduce the wages of free mechanics, and in numbers of cases in other states has broken down manufacturing establishments and thrown hundreds of mechanics and other workmen out of employment. With this state of things existing it is not to be wondered that the representatives of free labor complain. I confess to the fullest sympathy with them. A State can not be greater than its citizens. Its prosperity is measured by theirs, and whatever contributes to their advantage adds to its greatness. It may be found on investigation that the evils resultant from the system in this State are not so great as represented,—nevertheless the system is bad, and should be abolished. Free labor naturally rebels against competition with the labor of criminals, and who can blame it? It should be the policy of the State to exalt and dignify labor, and to conserve in every reasonable and proper way the interests of its laboring men. In this spirit I recommend the abrogation of the system in Minnesota, and commend the matter to you in the expectation that whatever legislation is necessary to bring this about you will freely grant.

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## DRAINAGE.

In July last a delegate convention of residents and property owners of that portion of the Red River Valley lying in Minnesota was held at the city of Crookston, to devise means and adopt methods for a comprehensive system of drainage for that fertile section of the State. The action of the convention resulted in the employment of competent engineers to make surveys, adopt a plan and report at a subsequent meeting, with estimates of the cost of the proposed work. The report has been submitted and, I am informed, will be laid before you with a request for legislation in furtherance of the enterprise. The scheme is one of great importance, not only to the agriculture of that wide belt of territory, stretching from the mouth of the Bois de Sioux River on the south to the Manitoba line on the north, with its deep alluvial soil and wonderful wheat-producing powers, but to every city, town, village and industry within its limits, and indirectly to the State at large. I doubt not that you will extend to an enterprise promising such far-reaching results all the aid which the State can render, keeping in view the restrictive provisions of sections 5 and 10 of article 9 of the constitution. The passage of a well-considered drainage law, applicable to all sections of the State, would prove of great utility. The law on the subject, now on our statute books, has been found inadequate to the necessities and should be radically amended or superseded by an act much more comprehensive and better adapted to our wants.

## A SOLDIERS' HOME.

I commend to your favorable consideration the subject of a soldiers' home. Representatives of several organizations of ex-soldiers in this State, who have for some time past given this subject careful consideration, insist that the time has now come when it is necessary for the State to provide a home for the veterans of the late war, citizens of Minnesota who are disabled and needy. It has been ascertained that more than fifty ex-soldiers are subjects of public charity within our borders. It is also a notable fact that the generous provisions



made by the government nearly twenty years ago in establishing five branch homes in different parts of the country have now become entirely inadequate to the needs of the ex-soldiers. While it is unquestionably the duty of the nation to provide for these men suitable homes, the people of Minnesota will never willingly consent that because of inadequate provision made by the general government, any ex-soldier within our borders shall be quartered in an alms house. Many other states, notably Michigan and Illinois, have set worthy examples in this direction. To you is accorded the privilege of giving substantial expression to the gratitude which the people of Minnesota feel toward the defenders of the Union, whose heroism and valor from 1861 to 1865 preserved us a nation.

The death roll of the old soldiers tells us plainly that whatever is to be done in this direction must be done promptly. It must be done, not as a charity, but as one of the many obligations resting upon us as citizens of a common country for which these men did valiant service in the dark days of the rebellion.

However generously we may deal with them, our country will still be beyond calculation their debtor. And while I would not recommend extravagance even in this direction, I do recommend such reasonable expenditure as will secure a home and comforts to these old veterans, leaving the details of the measure to your judgment.

#### BUREAU OF LABOR STATISTICS.

I take pleasure in recommending the creation and establishment by suitable legislation of a state bureau of labor statistics. This measure was promised by both of the leading political parties of the State in the late campaign, and, as a matter of good faith now, if for no other reason, should be carried out. But there are other reasons, sufficient in themselves, to justify it. It is important to the whole State, and especially to the laboring men, that there should be some instrumentality through which accurate statistical information could be obtained touching all those questions which concern the welfare of the producing classes. This information is

especially valuable as a basis for needed legislation from time to time effecting these interests, and the dissemination and discussion of the reports of the bureau concerning wages, cost of living, profits of different industries, degree of prosperity or poverty among the people, and similar questions, would prove of great interest and value. In creating this new bureau I would suggest and recommend that the present state statistical bureau be merged in it, except as regards the gathering of vital statistics, and that in the future this latter duty be transferred to the state board of health, where such information could be made of real value.

#### INDUSTRIAL TRAINING SCHOOLS.

My attention has been called, by resolutions of the Duluth Chamber of Commerce, and also of the Duluth Engineer Association, to the question of the location of a state industrial and art school, in connection with a school of mines, at the head of Lake Superior, for the purpose of fostering and perpetuating our manufacturing interests, encouraging the development of our natural resources, and supplying the demand for an institution whereby our young workingmen and women can obtain a training and a technical education that will fit them to become good citizens, instead of vagrants and a public charge, thus resulting in great benefit socially and intellectually. The old system of apprenticeship, which at best only educated the hands, has been practically abandoned, and the opportunities for supplying the demand for skilled workmen are constantly diminishing. The usefulness of training schools in other states and countries has been demonstrated, and the establishment of such an institution in our own State, where not only the hands but the brains of our youth can be educated, seems to be justified on the highest grounds. It would also be well, in my judgment, if the system of industrial education could be generally adopted in our public schools; but until such time as that may become practicable, I believe it would be good policy to establish such a school as is asked by the Duluth Chamber of Commerce, if for no other purpose than to educate the public to the needs of such educational

work. Duluth, lying in close proximity to the mining industries of the State, would afford an excellent location for such a school, and would materially aid in the development of the vast mineral resources known to exist in that region. I commend the subject to your thoughtful consideration.

#### MOORHEAD NORMAL SCHOOL.

Under an act of the legislature approved March 5, 1885, entitled "An act to establish a state normal school at the city of Moorhead in Clay County," a site of six acres of land has been selected by the normal school board, as provided by the terms of the law, and deeded to the State. You will be asked to appropriate money for the erection of a suitable building on this site. In considering the necessity of this additional State institution the fact should be borne in mind that this is the first normal school established in the northern half of the State, a section which, owing to its newness and lack of wealth, needs assistance in this direction much more than the older communities. Besides it must be remembered that many years ago normal schools were established in what now are the older sections, when they were new and needed assistance, and it is but fair and just that similar aid be extended to the newer but equally deserving settlements. The schools at Winona, Mankato and St. Cloud are not only too remote from these newer sections to be of any practical value to them, but, according to the report of the superintendent of public instruction, are already full to overflowing and could be of but little benefit to them even if this were not the case. The population of the State at this time exceeds 1,200,000 and at our present rate of growth it will be but a few years until it has doubled. In view of all these facts the inadequacy of existing facilities in this line of our educational system becomes strikingly manifest. I commend to you the needs and just claims of the normal school at Moorhead, and doubt not they will receive your favorable consideration.

#### THIRD HOSPITAL FOR THE INSANE.

By virtue of the provisions of a law passed at the last session of the legislature, a commission appointed by Gov. Hubbard

has recently located at Fergus Falls a new hospital for the insane, and selected a site therefor. For the purchasing of this site, and the erection of a building or buildings thereon for the housing and treatment of patients, you will be asked to appropriate money. In considering the necessity of any action at the present session in this matter, it will be well to bear in mind that a postponement will carry it over for a period of two years, at the end of which time, I am informed, at the present rate of increase, the St. Peter and Rochester hospitals will be nearly if not entirely full; and before new buildings could then be provided, there would be a long period of overcrowding at the old hospitals. The great distances which patients from the northwestern portions of the State have to be carried constitute an additional reason for your favorable consideration of the matter at this session. The expenses for transportation and sheriff's fees are oftentimes greater than the support and care of the patient while in the hospital, and are no inconsiderable burden to remote frontier counties. On account of this heavy cost, commitments during the curable periods are prevented, and thus the number of chronic cases is continually increased, and for the same reason superintendents are prevented from sending patients home at an early period of their recovery for fear of a possible relapse and return. And what is of still more serious moment, the chances of recovery are greatly impaired by the mental strain and physical exhaustion consequent on these long trips. Considerations of mercy, therefore, as well as of expediency, would seem to urge action on your part looking to the purchase of the new site and the erection thereon within the next two years of such buildings for the reception of patients as will meet the needs of the State.

#### THE SECOND STATE PRISON.

At the last session of the legislature a law was passed providing for the location of a second state prison. A strong sentiment has since arisen in the State in favor of making the proposed prison a reformatory. At a public meeting held at the state capitol Dec. 22, 1886, a resolution was adopted with-

out dissent declaring it to be the sense of the meeting that instead of the new state prison contemplated by the law of 1885, a reformatory institution should be established. The meeting included all of the inspectors of the state prison, all of the managers of the state reform school, the members of the state board of corrections and charities, judges of the courts, prosecuting attorneys, and many leading citizens of the State. Ten years ago the first reformatory prison was opened at Elmira, N. Y., as an experiment. The experiment proved so successful that similar institutions have since been established in Michigan, Massachusetts, Pennsylvania, Ohio, Kentucky, and Kansas. Massachusetts remodeled the new state prison at Concord at a large expense for a reformatory, and Pennsylvania, with the same purpose in view, has recently changed the plan of a projected penitentiary at Huntingdon. I therefore recommend that the proposed new prison in this State be made a reformatory for criminals convicted of their first offense. In this connection and in view of the establishment of an additional prison, I would suggest that the board of state prison inspectors be increased from the present number (three) to five.

#### PRIVATE BANKS.

The banking business of the State, as appears by the public examiner's report, is transacted by 237 banks, but 107 of which are incorporated either under our State or the United States laws. The balance, 130, are owned and operated by private individuals and firms, and all but 11 of them have assumed corporate names. In this the corporations placing themselves under legal restrictions and surveillance have just cause of complaint. There can be no hardship in insisting that banks which make no application to the State for corporate privileges, which conform in no particular to the statutes, and make no disclosures of their affairs either by report or examination, are not entitled to corporate titles and should be compelled to do business under their personal names, as in other business. It would be well to thoroughly consider further whether such corrective legislation should not be applied as will bring all associations seeking to do a banking business under either national or State supervision.

The proposition of the examiner which would entitle the heads of the several departments to certain privileges upon the floor of the legislature, for the purpose of making brief explanatory remarks, or of answering questions pertaining to their work, seems to me in the line of utilizing the experience of those officers and commends itself to my judgment.

*Gentlemen of the Legislature :*

Permit me in closing to express the hope that this legislature will not disappoint the reasonable expectations of the people. You are here as their trusted representatives, and whatever legislation is needed to conserve and protect their interests, they have a right to expect you will freely grant. In all matters pertaining to their welfare and to the prosperity of our beloved State, I pledge you my heartiest co-operation. In the expenditure of the public money you will pardon me for cautioning you to the most rigid economy consistent with the public needs. Extravagance should receive no encouragement at our hands. The people have confided to us great and important trusts. Let us so administer them that at the close of our official terms each one of us can bear away at least the reward of an approving conscience.

ANDREW R. MCGILL.

EXECUTIVE OFFICE,  
ST. PAUL, MINN., Jan. 5, 1887.

9  
BIENNIAL MESSAGE

OF

GOV. A. R. MCGILL

TO THE

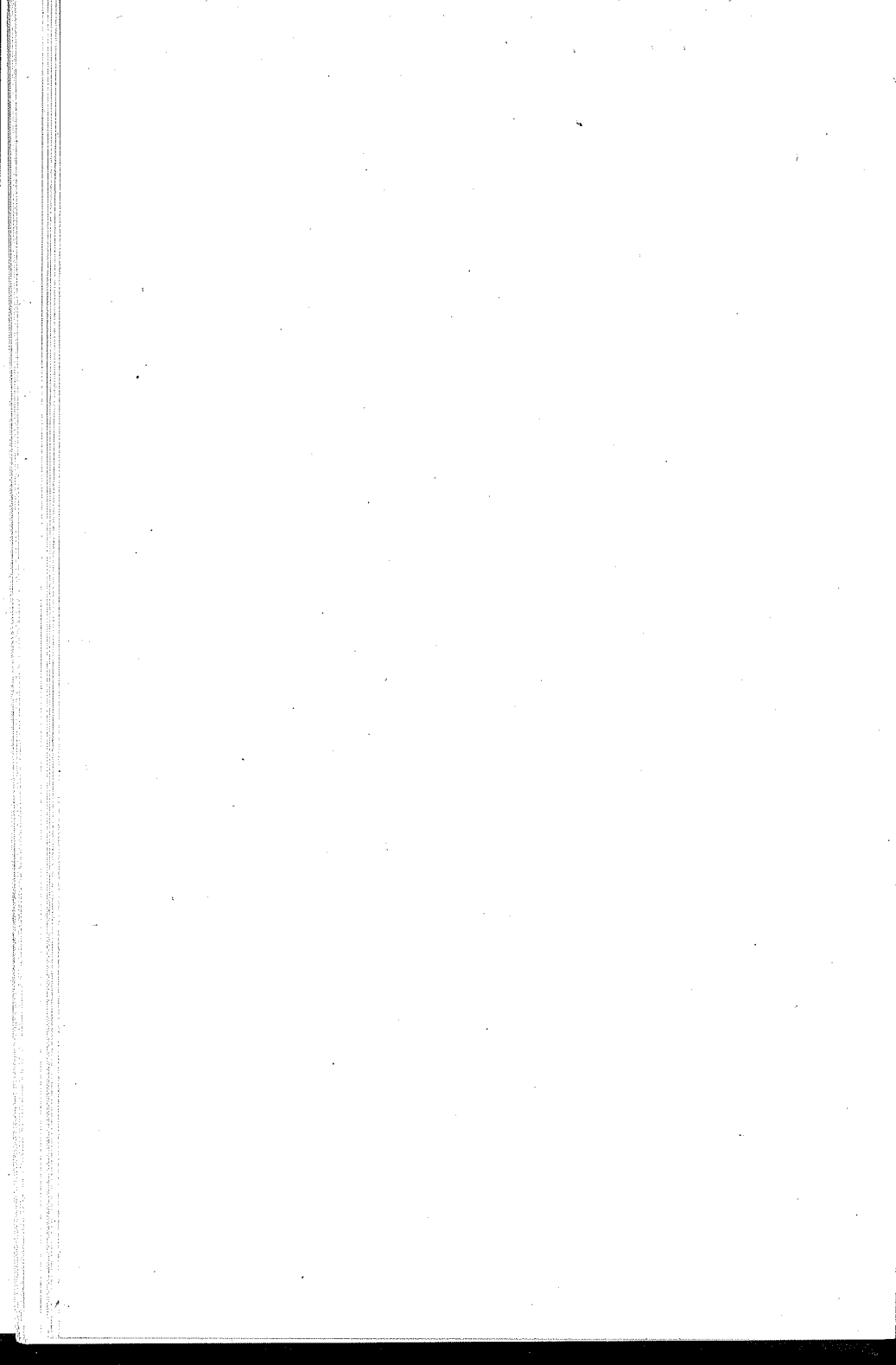
LEGISLATURE OF MINNESOTA

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1889.





# BIENNIAL MESSAGE

OF

# GOVERNOR A. R. MCGILL.

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*Gentlemen of the Legislature:*

In compliance with the constitutional requirement that "the governor shall communicate by message to each session of the legislature such information touching the state and condition of the country as he may deem expedient," I have the honor at this time to discharge a final official duty.

## RAILROAD MATTERS.

In Minnesota where agriculture is the leading industry the people feel a deep and constant interest in all questions relating to transportation; for on the rates obtained from railroad companies for shipping to market the products of the farm, depend in large measure not only the prosperity of the individual farmer, but of the state as well. In my inaugural message, two years ago, I invited attention to the railroad problem in several of its aspects—to the right and necessity of state supervision; the need of the lowest rates upon the great agricultural staples of the state compatible with fair returns to the transportation companies; the advantages flowing from cheap passenger fares and consequent freedom of intercourse among the people; the taxa-

tion of railroad earnings and railroad lands; the prevalent and pernicious custom of stock watering and the necessity of preventing the same by suitable legislation. During the session which followed the defects in the old law for the taxation of railroad companies were remedied, the fictitious increase of capital stock made a penal offense, and a well considered and comprehensive general railroad law passed and approved. In many respects this law conforms in essential particulars to the inter-state commerce law—in others it surpasses it, conferring greater powers upon the commission and holding the railroads under stricter control.

The provisions of this law were made applicable to the board of railroad and warehouse commissioners already appointed by me under the law of 1885, and have been administered by them in a manner to meet, in my judgment, the approval of all reasonable men who have taken the trouble to inform themselves of the nature and extent of the difficult and too often thankless labors the commission have had to perform. The commissioners have sometimes been severely criticised for not adopting more radical measures and effecting greater reduction of rates, but quite as often and severely for doing too much in this direction. Considering the widely divergent standpoints from which those who use the roads and those who own and operate them view the question, it is not to be wondered at that their conclusions are all so widely apart—nor is it inconsistent with honest conclusions on both sides. There is a class however outside of these, who would complain probably even if the law were being administered according to their own sense of justice—if they have any. The rise of every great question—political, social or economic—brings to the surface a few unscrupulous men, anxious to ride into power on the wave of such popular prejudice as they may be able to create. This class you have always with you. It is not the merit of a question which affects them, but the opportunity it affords for subserving their own personal ambitions. In disregarding the clamor of this class, as well as of that faction of railroad officials and capitalists who regard every effort on the part of the state to regulate the vast interests and complicated relations between the companies and the people as an impertinent, vexatious and unlawful interference with personal property and private rights,—in disregarding the unreasonable clamor of both of these classes and endeavoring to administer the law on lines of justice, with due regard to the rights of all, the

commissioners have in my judgment properly conceived and performed their duty.

In the annual reports of the commission will be found a comprehensive record of their official acts during their term of office, and in a biennial report, required of them by law, will be found such proposed legislation by way of amendment or revision of the railroad laws of the state as experience and observation have suggested to them. It is gratifying that no radical or extreme legislation is thought to be necessary at the present session, but only such amendments to the law of 1887 as its practical application has demonstrated to be advisable, together with a few short bills well calculated to give greater security of life and limb, not only to the traveling public, but to the thousands of railway employes, whose calling is fraught with so much peril. It is often contended that the intelligent self interest of those who are responsible in damages for the loss of life, or other injury to the person, may well be trusted to secure the introduction of safety appliances and improved machinery as fast as experience demonstrates their utility and advantage; but it is now too late to question the fact that the interests of both the public and the carrier are often promoted by timely and judicious coercive legislation.

Since the passage of the inter-state commerce law and our own general railroad law, and the appointment of commissioners to carry them into effect, the tendency of rates has been constantly downward. The average rate per ton per mile on freight carried shows an annual decrease, so that even with a large increase in tonnage the earnings on freights in this state for the year 1888 were over a million dollars less than in 1887. The maximum passenger rate on all the leading roads of the state is now established at three cents per mile. The passenger earnings of 1887 show a slight decrease as compared with similar earnings of the previous year, while such earnings for 1888 at the reduced rate show an increase over those of 1887. While the commission has been conservative in its administration of the law, it has nevertheless, in the reduction of passenger rates, the scaling of grain rates and in other direct action accomplished much in behalf of the public. The well known orders of the commission reducing switching charges at Minneapolis and fixing a rate for the transportation of milk in the southern part of the state are still involved in litigation in the federal court, though the latter is in full force. The limits of this paper will not permit of a detailed statement

of the direct financial advantages which have inured to the people during the last two years under the railroad laws of the state. For further definite information and for a full account of their administration of the grain laws I would respectfully refer you to the several reports of the commission, which will be transmitted to you as required by law.

Of much greater importance than any reduction of rates, or the amount thereby saved to producer and consumer, is the settlement of the question in and for this state, of the right of legislative control and public supervision — the right to prevent unjust discriminations against persons and places — the right of every man to command the service of a common carrier on the same terms and conditions accorded to his neighbor under like circumstances, and to command such service on equal and reasonable terms. These rights have been settled and established by a decision of the supreme court of the state, upon great deliberation and after argument and re-argument of the questions involved — so far at least as they can be by the decision of a state court.

With but few exceptions however the railroad companies doing business in the state are non-resident corporations, possessing the right to take litigation into the federal courts. The circuit court of the United States for the circuit to which Minnesota belongs, questions the finality of the decisions of the state commission, though clearly made pursuant to the terms of the law, thereby questioning the authority of the law itself; and it is thought by some able lawyers that the supreme court of the United States has in later cases manifested a disposition to draw back to some extent from the extreme ground taken in the so-called "granger cases," which fully committed it to the doctrine that reasonableness of rates when once determined by legislative action or direction, became a legislative and not a judicial question. Upon the argument in the case of *Munn vs. Illinois* (94 U. S. 113) the attention of the court was called to the alleged danger of surrendering to the legislature unlimited power in the matter, in reply to which (page 134) it says: "We know that this is a power which may be abused, but that is no argument against its existence. For protection against abuses by legislatures the people must resort to the polls, not to the courts."

But in a later case involving the legality of the action of the railway commissioners of Mississippi in fixing rates (116 U. S. 331), the court decides: "It is not to be inferred that the power

of limitation or regulation is itself without limit. This power to regulate is not the equivalent of confiscation. Under pretense of regulating fares and freights the state can not require a railroad corporation to carry persons or property without reward; neither can it do that which in law amounts to a taking of private property for public use without just compensation, or without due process of law. What would have this effect we need not now say, because no tariff has yet been fixed by the commission, and the statute of Mississippi expressly provides" (unlike that of Minnesota) "that in all trials of cases brought for a violation of any tariff of charges, as fixed by the commission, it may be shown in defense that such tariff so fixed is unjust."

It is difficult for a layman to understand how in any given case it can be determined whether the line which lies between rates that are reasonable and those which work confiscation, or between permissible supervision and unauthorized regulation, has been passed, except by a judicial investigation—a trial in a court of law or equity, with the usual forms of law. Certain it is that the circuit court of the United States for the circuit embracing Minnesota has adopted this view, as shown in its decision adverse to the action of our state commission in the switching cases above referred to. Should this principal prevail in the higher court, an appeal would lie in all such cases from the decisions or orders of the commission to the courts, with all the legal impediments and delays incident to such proceedings. Our courts are now almost constantly employed, and I doubt not would much regret to have the additional task assigned them of making rates for all the railroads in the state, with the necessary examination into and mastery of the complicated factors which enter into the question of the reasonableness of rates under all possible and ever changing conditions. Besides, if every case of alleged error of judgment or asserted abuse of discretion on the part of the commission can be taken to the courts as at present organized, there must result about as many rules for the control of their action as there are judicial districts in the state. Under such circumstances the labors of the wisest and most efficient commission would be largely counterbalanced by resulting litigation and uncertainty. What, then, is the remedy for the danger probably impending? In answer to this I would suggest that it may be found in the organization of a special court with jurisdiction to hear all questions of law and fact which the railroad companies now claim

the privilege of carrying to the general courts, with liberal provisions for appeals from the decisions and orders of the commission, relieving all other courts from this class of business, save the necessary appeals from the new court to the supreme court of the state. I am aware that this suggestion will encounter a well founded prejudice against creating new offices, but it must be remembered that the railway with its millions of capital invested in properties and securities, held by all classes of people, and its vast systems articulating with almost every business interest of the country, has introduced into our civilization a new field of jurisprudence, as well as of industry, wealth and refinement, and that with the vast benefits wrought out, new dangers have been encountered and new labors necessitated. It is believed that courts of equity—even the federal courts—would not interfere were a plain remedy at law provided. In a recent case in the United States court for this district involving an order made by the state railroad commission, the fact that the law under which the commission acted gave the right of appeal as construed by the court, was held to be a good reason why it should not interfere, and the complaining party was remanded to the remedy which the law provided. The suggestion of a new court is offered for consideration in the belief that, in case the ruling of the circuit court, above referred to, is affirmed by the United States supreme court, it would afford the plainest and simplest remedy to consequent evils.

Desiring to keep this paper within proper limits I will call your attention to but one or two more matters under this head, although many questions press forward for discussion. In my judgment the time has come to determine by some constituted state authority the final location of all railroads hereafter to be built in this state, to the end (1st) that two or more railroads demanding "reasonable rates"—which a federal circuit judge has within the past year interpreted to mean such rates as will "pay the cost of the service, interest on bonds and then *some* dividends"—shall not be constructed through a country where *one* could as well do all the business, thus increasing the rates necessary to be paid to meet the requirements of the rule quoted, and (2d) that where a road is projected near to a town or village of a specified number of inhabitants, it shall not be permitted to build past and outside of its limits for the sake of building up a rival town, but shall be required (unless for the best of reasons) to enter it, for the convenience and benefit of its people. Instan-

ces are to be found in several parts of the state where prosperous towns, built up by hardy pioneer settlers upon sites offering natural advantages, have been ruined by railroad companies in constructing their lines past them and laying out new towns in close proximity. Deep wrongs of this nature have in many instances been inflicted on worthy and prosperous communities in the past. For these there is now no remedy, but it is your privilege to prevent all such abuses in the future.

For manifest reasons the tenure of office of the railroad and warehouse commissioners should be extended, and the appointments in the first instance made for two, four and six years respectively, and thereafter for the full term of six years. In view of the vast interests involved and the fact that they are constantly called upon to cope with men of first-class ability—of keen, practical minds, who thoroughly understand their side of the question—these positions should not only be filled by men of the highest ability, integrity and independence, but the terms should be so fixed as to give them at least that degree of permanency in office now accorded the judiciary of the state. By the retention, in positions of this character, of such men as have demonstrated their entire fitness to fill them, the public service would be best promoted.

#### THE FINANCIAL SITUATION.

The financial situation of the state is shown by the auditor in his annual report in perspicuous detail. I commend it to your careful reading at the outset of your session. You will be called upon to appropriate an aggregate sum far in excess of the state's available resources, and if you have any desire to "cut the garment according to the cloth," as I doubt not you have, the facts collated with so much intelligent care by the auditor will prove not only interesting but useful to you. To avoid prolixity I will omit detailed statements and refer only to the aggregate totals as given by the auditor. His estimate of receipts and expenditures for the balance of the present fiscal year—*i. e.* up to July 31, 1889—and for the fiscal years ending at the same time in 1890 and 1891 is as follows:

Fiscal year.	Receipts.	Disbursements.
1889.....	\$1,854,690.72	\$2,175,249.66
1890.....	1,747,500.00	1,313,850.00
1891.....	1,818,000.00	1,614,350.00
	<hr/>	<hr/>
	\$5,420,190.72	\$5,103,449.66
		<hr/>
Estimated surplus.....		\$316,741.06

A situation is here presented which, while it may not be excessively agreeable, is at least easily understood. For the fiscal year which ends July 31st next, the estimated receipts fall short of estimated expenditures \$320,558.94. The only resource to meet this is an authorized overdraft of \$200,000 and an additional \$100,000 which may be temporarily borrowed. For the fiscal year ending July 31, 1890, there is an estimated revenue surplus of \$113,091.06, and for the year following \$203,650 on the same side. These estimates of receipts are based on the present tax levy of one and one-half mills, income from railroads, insurance, telegraph and telephone companies, and from miscellaneous sources. The receipts may be increased by the issuance of state bonds in the sum of \$250,000 (the constitutional limit), by the sale of the public building lands in Kandiyohi county, as recommended further on, and by an increase of tax levy. Other ways might be devised of course, but these are the practical methods. In the case of an increase of the tax levy no benefit by way of increased revenue could be derived until after the tax payments in 1890. It will thus be seen that outside of the items of necessary expenditure set down by the auditor there will be nothing whatever available for appropriations in the present fiscal year which will end July 31st next, and that the aggregate estimated surplus for the next two years is but \$316,741.06. Adding to this such sums as may be derived from sources above mentioned, the total is yet so far below the demands of state institutions that you can not but find the situation perplexing.

For correction and charitable institutions you are asked to appropriate for buildings and repairs alone an aggregate amount of \$1,006,925, as follows:

Fergus Falls hospital for insane.....	\$312,000
St. Peter hospital for insane.....	35,000
Rochester hospital for insane.....	104,000
Soldiers home.....	220,000
School for the deaf.....	61,000
School for the blind.....	9,000



School for the feeble-minded.....	\$54,000
School for the dependent children.....	73,350
State prison.....	60,000
St. Cloud reformatory.....	78,575
Making a total of.....	<u>\$1,006,925</u>

The reform school is omitted from this statement for the reason that whatever amount is appropriated for it may be offset by the sale of the old site.

But the state educational institutions must not be omitted. The amounts asked for by them for similar purposes is as here given :

State university.....	\$250,000
Winona normal school.....	16,000
Mankato normal school.....	48,000
St. Cloud normal school.....	49,000
Moorhead normal school.....	11,000
Total.....	<u>\$374,000</u>

Aggregating the totals we have the grand sum of \$1,380,925, which you will be asked to appropriate for building purposes to the correctional, charitable and educational institutions of the state for the period ending July 31, 1891. When you take into account that no part of this aggregate is considered in the estimate of expenditures submitted by the state auditor, the perplexity of the situation becomes strikingly apparent and admonishes you to the closest inquiry into all demands for appropriations, and to the strictest economy compatible with public necessities in the expenditure of public moneys.

The auditor's and treasurer's reports afford a complete record of the state's financial transactions for the past two years. These officers make important recommendations which you will no doubt carefully consider. That one asking that all bills making appropriations for any purpose other than current expenses should state definitely when such money becomes payable, so that officers charged with such expenditures may not incur obligations in advance of treasury collections, is of prime importance and if enacted into a law would save the treasury much embarrassment. The report of the secretary of the state board of charities and corrections shows with great clearness the financial situation with reference to the state correctional and charitable institutions, and this officer together with the auditor and public

examiner, join in recommendations of importance to which your consideration is invited.

#### PUBLIC EDUCATION.

In a government by the people, the well being of a state is largely dependent upon the facilities afforded for popular education. Minnesota has but barely passed its thirtieth birthday as a state, and yet her public schools, both as to system and administration, are not surpassed by those of any other state of the Union. The rapid growth and prosperity of the commonwealth has not been all material, but largely intellectual as well. Through the wisdom of the state's founders a magnificent permanent school fund, which already amounts to \$8,258,096.70, and will eventually exceed \$18,000,000, was provided, and stands as a pledge to the perpetuation of the public schools. This fund has been admirably managed up to this time. Not a dollar of it has been misappropriated or lost—a fact which bears testimony to the honesty and fidelity of the officers who have had its care and management.

Free schools and free people are correlated terms. In all countries where the schools are free and have an opportunity to exert their best influence, whatever the forms of government adhered to, the people are the real rulers—the power behind the throne.

#### THE COMMON SCHOOLS.

The foundation of our public school system lies in the common schools, and on their excellence and efficiency depend largely the possibilities of higher educational development. They are the great heritage of the age, and as we value the good of the whole people, their interests can never be subordinated to those of any other form of education. They are the people's schools and afford the means for that wide spread education so essential to qualify the people for the full and important duties of citizenship. Let higher education come rather as an outgrowth or development of the public schools than through any plan which would deprive the latter of an iota of their strength and usefulness. In addition to the revenue derived from interest on the public school fund and the one mill state tax, these schools re-

ceive liberal support by local taxation, the whole amount expended in their behalf for the fiscal year ending June 31st, including new buildings, amounting to \$4,333,695.41.

In connection with the common schools, high schools to the number of sixty-two are established and in operation throughout the state, in which are enrolled over 3,000 pupils, of whom 800 are non-residents, from the country, and receive free tuition. These high schools receive direct aid from the state treasury to the amount of \$25,000 per annum. They have been fittingly termed the peoples' colleges, and afford opportunity to the youth of the country to seek broader fields of education than the common schools, proper, afford. Their graduates are qualified to teach in the public schools, or to enter the state university without examination on the presentation of their diplomas.

The law granting state aid to districts purchasing school libraries has had a stimulating effect in supplying good reading matter for the schools, as has the amendment to the state constitution permitting the state school funds to be loaned to school districts for building purposes had in providing new and better school houses. The amount so loaned in the twenty-one months the law has been in operation is \$291,124.91. One of the greatest stimulants and benefits ever received by our common schools comes through the law of 1887 which levies a straight one mill tax annually on the taxable property of the state and devotes the proceeds, based on the enrollments of the schools, to the various school districts of the state. This levy as extended on the tax rolls of 1888, amounted to \$486,670.03. Some opposition to the law has developed out of the fact that under its operation there are a few counties which in the distribution of the fund receive less than they pay. But this has been the experience of all states—some thirty in number—where similar laws have been enacted. The arguments of the state superintendent on this subject seem to me to be conclusive. The law is founded on the assumption that the schools are a state charge, that they are a benefit to the whole people, and that therefore it is right to tax all property of the state for their support. True the great cities under this law contribute more than they receive, pay more than they gain in dollars and cents, but when we consider their immense wealth—drawn largely from the country, whose resources make cities possible—and the greater advantages generally which they are permitted to enjoy, the extra contribution they are required to make for popular education, to the end that the

youth of the state may be properly qualified for the duties of citizenship, seems but just and right. In my judgment the law is not only expedient but eminently wise.

#### THE STATE NORMAL SCHOOLS.

These schools continue an important factor in our public school system, and are doing an invaluable work in preparing teachers for the important duties of their profession.

Through an appropriation made by the last legislature a handsome new building has been erected at Moorhead for the fourth normal school, which is now in operation under the presidency of Prof. L. C. Lord, late superintendent of the St. Peter public schools. The establishment of this school at Moorhead was due to the people of the northwestern portion of the state and probably supplies the last demand in the state in the way of new normal schools for many years to come. For fuller information concerning these schools reference is made to the reports of the presidents thereof and of the state normal school board.

#### THE STATE UNIVERSITY.

Last but not least in our educational system comes the state university. For a comprehensive review of its work during the past two years and its present status I beg to refer you to the able and interesting reports of the Hon. Cyrus Northrop, its distinguished president, and Gen. H. H. Sibley, president of the board of regents. Such advancement has been made in opening up new departments, enlarging others, and in the general development of the work in all departments, as to fully justify the statement of President Northrop that "the institution in its scope of instruction has been made in reality what it has heretofore been in theory only, a university." In accordance with the provisions of the original charter of the university, the departments of law and medicine have been established within the past year. The demand for these departments presumed to exist has been amply verified by the large attendance of pupils on both of them since the very first day of opening. They supply within our own state the needed opportunity for obtaining education in the two leading professions and obviate the necessity of seeking it at distant colleges in other states,

and at great additional expense. Thus not only is the university benefited in the enlargement of its scope and influence, but the state is in many ways a gainer.

Another interesting and practical step taken by the board of regents consists in the establishment at the university farm of a practical school of agriculture. The college of agriculture in connection with the university proper has in no sense met the demands of farmers who desired practical agricultural education for their boys. As the president of the university pertinently says, "the need of a full four years course of study in agriculture has not been very generally felt." However desirable collegiate agricultural education may be, its effect seems to be to drive graduated students from agricultural pursuits altogether. On the other hand the school of agriculture presents an attractive course of study of a practical character. While a good general education is aimed at in a course of study running through two years, the special branches taught include accounts, wood work and mechanical drawing, lectures on farm management, farm architecture, lectures on grains, soils and fertilizers, stock and dairying, horticulture, veterinary, etc., etc.

In the establishment of this school I believe the real demands of the state along the line of agricultural education have been met. That the school will prove a popular success—and justly so—I have not a doubt. It admirably supplies the public needs.

Under the law of congress known as the Hatch bill, which appropriates \$15,000 annually to each state in support of its agricultural college for experiments in agriculture, the experiment station at the university farm has been thoroughly reorganized, and an able corps of professional men secured to carry forward the important work of the station. It is believed the best results will be obtained here and that the work can not but be of vast benefit to the great agricultural interests of the state. The bulletins published since the reorganization indicate the nature of the work to be done, and have already awakened a general interest among our farmers. Whatever grounds, if any, may have existed in the past for the severance of the agricultural land grant from the university, certainly none exist now. The regents are entitled to much credit for the admirable status attained at the university farm both in practical agricultural education and experimentation.

The board of regents, through its president, asks for an appropriation of \$250,000 to supply the needs of the university in

the way of new buildings, heating, equipment, etc., etc. While the amount in itself seems large you will bear in mind that under one administering board you are making provision for every demand of intelligence in the professions, and, in the mechanical and agricultural interests of a great state in its formative period. In committing the interests of the university to your care I need not urge upon you the importance of giving that great institution of learning such assistance as will at the earliest moment enable it to take equal rank with the best institutions of similar character in the older states.

For detailed information relating to the public schools of the state and to our educational interests generally, I beg to refer you to the very able and interesting report of the superintendent of public instruction.

#### FARMERS INSTITUTES.

As in the line of practical agricultural education I desire to recommend a continuance of the appropriation of \$7,500 a year for farmers' institutes. This work was first begun under the auspices of the state university, but at the last session of the legislature a special appropriation was made to continue it under a superintendent to be chosen by the president and secretary of the board of regents, the president and secretary of the state agricultural society, the president and secretary of the farmers' alliance, the president and secretary of the state dairymen's association and the president of the horticultural society.

Mr. O. C. Gregg was so selected, and under his energetic supervision, and with a well organized corps of lecturers and instructors, sixty-two institutes have been held since the passage of the bill up to the present time. That these institutes are beneficial does not admit of argument. They are to the farmers what the institutes held under the direction of the superintendent of public instruction are to the teachers of the state. I have attended some of the farmers' institutes and have noted the practical character of their work and the deep interest they awakened among the farmers. The predominant interest and industry of our state being agriculture, it is your duty and privilege to conserve it by wise and helpful legislation. To this end I have no doubt you will authorize a continuance of the institute work. In view however of the fact that the experiment station and all the well trained professional men connected with it, are under the

control of the board of regents of the state university, a corporate board responsible directly to the legislature and representing agricultural as well as other interests in its membership, I recommend that the controlling authority of the institutes be remanded to the boards of regents, who founded them. Thus the services of these professional men may be utilized in the institutes, and an intimate and useful relation established between them and the station to the advantage of both and to the benefit of the great interest to be served.

#### THE LOCUSTS.

In the summer of 1887, I learned incidentally that a large number of grasshoppers had made their appearance at and near Perham, in Otter Tail county, but was assured on inquiry that they were of the domestic species, and no great harm was anticipated from them. Learning again later in the season that whatever the variety, they had developed voracious appetites and destroyed a good share of the crops in that vicinity, and had deposited their eggs over a considerable area, I determined at the proper time to make a full investigation of the subject, and take such practical steps for their extermination as might seem best adapted to the purpose. Accordingly, in the spring of 1888, I despatched a commissioner to that section to investigate the matter and report to me. His report was in substance that there was undoubtedly a wide-spread deposit of eggs in the neighborhood of Perham, but that many of the citizens still believed, notwithstanding the destruction of about 3,000 acres of crops by the grasshoppers there in 1887, that they were of a domestic variety, and would do no further harm. It turned out that there was a popular sentiment against having it publicly known that the grasshoppers had invaded that section. The citizens, many of them at least, preferred some losses of crops to the publication in the newspapers of this fact. But remembering the ravages of these insects in Minnesota during the years 1873 to 1877—how in the latter year, in nineteen counties they destroyed 337,188 acres of grain; how want and suffering took the place of at least comparative comfort in the families of hundreds of hardworking farmers; how, for years, in the infected agricultural districts, grim want stalked in the path of devastation made by these destructive pests—I realized that their presence in any considerable numbers was a menace, not only to our agricultural in-

terests, but to the prosperity of all our people, and fully determined should they reappear in any considerable numbers, to stamp them out if it should prove a thing possible to do. Accordingly a little later on when the insects commenced to hatch out freely under the influence of the warm weather, I obtained the services of Prof. Otto Lugger, the eminent entomologist connected with the experiment station of the state agricultural farm, to visit the infected region, ascertain the situation especially with reference to the variety of the insect and the area of egg deposits, and report to me with such recommendation as he could offer. Within a few days I received from him the intelligence that the egg deposit was extensive in that section and that the young hoppers were of the undoubted Rocky Mountain variety, the same as we had had before in the years already mentioned. War upon them was immediately declared. At the very outset I encountered the embarrassment of having no money at my command, but in purchasing the material necessary to enable the settlers to commence the work of destroying the pests, I found no difficulty in obtaining all that was needed on the credit of the state. I then wrote to the chairman of the board of county commissioners of Otter Tail county, Capt. Chase, asking the co-operation of the board in the work undertaken and especially that they would advance the necessary money to carry it forward with vigor and effect, pledging the faith of the state for its repayment. They responded promptly to my request and from first to last advanced \$17,767.95, which amount I now respectfully ask you to appropriate and repay to Otter Tail county. I also request an appropriation of \$1,764.43 to Noyes Bros. & Cutler in payment of a balance due them for material furnished. Other items of expenditure in the work I was enabled to pay from the executive contingent fund. I feel that it is not necessary to apologize to a Minnesota legislature for the action taken, or to justify it by elaborate argument. While the invasion was local, the danger was to the whole state, and directly so to the whole northwestern portion of it. It would be manifestly unjust to expect Otter Tail county to bear the expense of destroying an enemy so dangerous to the agricultural interests of the entire state as the locusts are known to be when they appear in large numbers. The amount is but trifling compared with the great damage which would no doubt have been inflicted on the growing crops of a large section had no effort been made to exterminate them. That you will



promptly reimburse Otter Tail county for the advances made I can not entertain a doubt. An interesting account of this invasion and of methods of extermination used may be found in a bulletin published by Prof. Luggler and reprinted with the annual report of the state agricultural farm and experiment station.

The infested area proved much greater than at first reported, extending east as far as Battle Lake and Lake Clitheral and covering a superficial area of about one hundred square miles. Fully 35,000 bushels of locusts—an almost inconceivable number—were destroyed and the egg deposit of those which escaped is thought to be light. It was not possible to save all the crops in the infested region—the warfare made on the grasshoppers having itself a damaging effect upon them—but more than half of the aggregate were saved—very much more than would compensate for the expenditure incurred. The danger from the locusts for the present year is not apparently great, still it would be the part of wisdom to be prepared to meet any exigency that may arise. To this end I would deem it wise to make an appropriation of say \$20,000 to be expended in case of need under the direction of the governor for their extermination. Prof. Luggler in his report above referred to makes some recommendations worthy your favorable consideration. I desire to say before passing from this subject that the services, both scientific and practical, rendered by Prof. Luggler in the efforts put forth to overcome this devastating enemy, were simply invaluable. Mr. A. C. Hatch, of Battle Lake, who superintended the work in his immediate vicinity, is entitled to special credit for his untiring zeal in the work so long as danger existed. The citizens generally co-operated with zealous energy and through the combined efforts of all the most satisfactory results were obtained.

#### RELIEF TO SETTLERS.

The legislature of 1887, by two separate bills for \$20,000 each, appropriated \$40,000 for the relief of farmers in the state whose crops had been destroyed by hail in 1886. It was provided that after paying back to the cities of St. Paul and Minneapolis \$10,000, generously advanced by them to Gov. Hubbard, for distribution in Marshall county in the fall of 1886, the balance should be “expended under the direction of the governor of Minnesota.” Assuming it to be the purpose of the legislature to

distribute this aid only among those who were in circumstances of actual need, I appointed in behalf of the state an agent for each county applying for any considerable share of the appropriation to co-operate with the county commissioners in ascertaining the needs of individual claimants and in extending timely relief to such as must have help. In Marshall county where the destitution was greatest, and consequently where the largest amount was expended, Mr. C. W. Culbertson was appointed state agent and had full charge of the distribution. It is but due him to say that he administered the trust with exceptional fidelity and justice. Mr. I. Amundson acted for the state in Chippewa county, Mr. C. J. Coghlan in Lac qui Parle, Hon. H. Steenerson in Polk, and Hon. A. N. Johnson in Swift. All of these gentlemen are entitled to recognition for faithful services rendered in the matter. The amounts forwarded to the several counties are here given :

Chippewa .....	\$2,600 00
Kittson .....	500 00
Kandiyohi.....	182 92
Lac qui Parle.....	2,000 00
Marshall.....	10,439 32
Polk.....	1,500 00
Swift.....	3,500 00
Total .....	\$20,722 24

Lac qui Parle county returned into the state treasury an unexpended balance of \$406.65, leaving \$20,315.59 as the amount distributed, and \$9,684.41 as the unexpended balance of the amount placed at my disposal.

At the same session a law was passed entitled "An Act to furnish seed grain for distribution in certain counties in this state afflicted by hail during the season of 1886, and to authorize the boards of county commissioners of such counties to issue bonds for the payment thereof." This law virtually provided for the loaning of state funds for the purpose indicated in the title, and appropriated \$40,000 for that purpose. After the applications had all been duly filed the awards were made among the several counties as per the following statement:

Big Stone.....	\$889 50
Chippewa .....	1,605 50
Lac qui Parle.....	4,238 70
Marshall.....	11,825 00

Polk.....	\$663 20
Stevens .....	196 50
Swift .....	5,891 70
Traverse.....	67 50
<hr/>	
Total .....	\$25,177 60

Deducting this total from the full amount appropriated we have \$14,822.40 as the balance unused. For the amounts advanced the counties have issued bonds to the state on which payments in the sum of \$6,356.16 have already been made. Undoubtedly the whole amount will be duly returned within the four years limit fixed by the law.

In passing these laws I am sure the legislature acted not only beneficently but wisely. Under the first appropriation much actual want was relieved and suffering averted, and when the season of 1887 opened hundreds of farmers who had lost their all by hail the previous year, and but for the aid extended by the state would have been in absolute want, broken and disheartened, were ready with their teams for vigorous work. Under the latter good crops were raised where, but for the means furnished by the state to purchase seed, nothing could have been planted. The benefits conferred under this law are well illustrated in the case of Marshall county, which, although the most impoverished by the losses inflicted, has already paid back \$5,534.91 of the \$11,625 apportioned it, besides providing comfort and plenty in the homes of a desolated portion of the state.

#### FROSTED WHEAT.

Through the courtesy of the board of regents of the state university I have recently been enabled to obtain the services of Prof. Luggier of the agricultural experiment station to visit the farming communities of the northwestern part of the state and make a collection of frosted wheat from various localities for the purpose of having made, through the proper professors at the experiment station on the university farm, a thorough investigation by experiments in germination, by chemical analyses, etc., of its virtue for seeding purposes. You will in due time be advised of the result of this investigation. Should it demonstrate the unfitness of frosted wheat for seed, then, in behalf of a large number of farmers who have no other kind and are without means to purchase sound wheat, I would earnestly recommend

the enactment by you of a law for their benefit similar to the law of 1887, heretofore alluded to, under which seed grain was furnished to hail sufferers of 1886. A preliminary report from Prof. Luggar indicates a wide spread and serious damage to the wheat crop of the Red River valley, and foreshadows the belief that the frosted wheat will not do for seed. I would suggest the appointment of a committee by the legislature on this subject to report, after due investigation, the needs of the country affected. The report from the experiment station will be made as soon as the experiments—now under way—are completed. It is already pretty evident that many of the farmers in that section must have aid to purchase seed wheat for their spring planting, and I believe it good policy for our state to furnish it by way of a loan the same as two years ago.

#### OUR DAIRY INTERESTS.

A faithful enforcement of the laws for the suppression of adulterated dairy products has had a wholesome influence on the dairy interests of the state. Not only this, but in ridding the state of these fraudulent compounds the people have been protected against food products at once disgusting and dangerous to the public health. The suggestion that the jurisdiction of the dairy commissioner be extended to the suppression of fraud in other food products is one worthy your attention and consideration. The dairy interests of the state have had a faithful and most zealous friend in the dairy commissioner, Hon. Warren J. Ives. He has been earnest in the enforcement of the laws, industrious and painstaking in the performance of all his official duties. The report of the commissioner, to which your attention is respectfully invited, is an able and comprehensive document, covering in full and detail the important work committed to his care.

Permit me here to suggest the propriety of a small annual appropriation, say \$1,000, to the state dairy association to meet the expenses of publishing and circulating reports of their annual meetings. The industry represented by the association is of so much importance to the farmers of the state, and their interest in it so great, that I am sure this encouragement from you would be highly appreciated by them.

## STATE PRISON AND PRISON LABOR.

The reports of the inspectors and warden of the state prison present a clear and comprehensive view of the management of that institution during the last two years and of its status at the present time. An intelligent system of accounts has been adopted with proper checks to protect the state from losses and the whole method of conducting the business management has been vastly improved. Whatever the past history of the prison, it is safe to say there is no ring connected with it at the present time. The internal management and discipline has been such as to entitle the warden and his faithful assistants to much praise.

In this connection you will permit me to call your attention to the condition of the prison with respect to the employment of the convicts. Under a law passed at the last session of the legislature, the contract then existing between the state and Seymour, Sabin & Co. for the employment of the prisoners, terminated on the first of September last, since which time they have not had regular employment. Under the management of the warden a number of them have been engaged in putting up a substantial stone wall along one side of the prison enclosure—a much needed improvement—and the balance in such other work as could be found around the prison. The abrupt termination of the contract with Seymour, Sabin & Co. without other provisions having been made for the employment of the prisoners, has created no little embarrassment. It is absolutely necessary for reasons of health as well as discipline that they be employed—besides under our laws the prisoners are sentenced to penal servitude, and if labor is not provided them the sentences can not be fully executed. But a condition of idleness among them is not to be thought of. The question simply relates to the kind of employment they shall be given and to matters of detail in connection therewith. In 1886, in deference to the well known views and wishes of the labor organizations of the state, the state conventions of the two leading political organizations of the state, representing all but a small minority of the whole people, declared without dissent in favor of the abolition of the contract system of prison labor. Believing these declarations were made in good faith and that promises of political conventions should no more be broken than those of individuals, I recommended in my inaugural address two years ago suitable legislation to give them effect; and the

legislature duly passed the law referred to. The arguments in favor of abolishing the contract system, while I shall not repeat them here, are to my mind conclusive. The system is a species of injustice which does not accord with enlightened views of civilization and is in direct antagonism to reformatory measures of prison management.

The law of 1887 referred to appropriated but \$25,000 to purchase machinery and put in motion the public account system, an amount deemed much too small by the inspectors to warrant them in undertaking the work, and so up to this time nothing has been done. Meantime they have been studying the questions which confront them under the law and informing themselves of the necessities of the situation. The result of their investigations will be laid before you, and it will be seen from their special report, after visiting many prisons in other sections of the country, that they recommend a reinstatement of the contract system in Minnesota. With all due respect to the inspectors, who are able and honest men, it seems to me that to abandon the public account system on the threshold, without even giving it a trial, would not be keeping faith with a large and influential class of citizens through whose influence the contract system was abolished. I believe in this matter we should try and keep our promises—at least until it has been demonstrated by actual trial that the public account system is less advantageous and desirable than the contract system. Then the legislature would be justified in changing back, but in my judgment not before. Knowing something of the heavy demands which will necessarily be made on the treasury in other directions, I can foresee that you may not be able to appropriate the full amount deemed necessary by the inspectors to set in motion the public account system, but you will at least be able to give enough to make a good beginning. The main point is to get started that the prisoners may have work. Nothing is so demoralizing to the health and discipline of prison inmates as idleness. It is desirable of course to make the prison self-sustaining — profitable even,—but the state must not lose sight of its obligations to the prisoners, often the victims as much of misfortune as of crime. While it punishes them by imprisonment it should at the same time do its part to bring about their reformation. To this end the industries of the prison it seems to me should be, as far as practicable, such as will qualify them to follow useful pursuits after their terms have expired and they again take their places

as citizens of the state. I earnestly hope that under the new system the provision for payment to the prisoners of good conduct money will be continued by the state. Nothing has ever been so hope-inspiring to them and so conducive to good discipline as the small percentage of their earnings allowed them for good conduct in prison. Whatever changes are made, this wise and beneficent rule should be continued. I not only fully concur in, but urge the recommendation of the board of charities and corrections on this subject, both as to the state prison and the new reformatory at St. Cloud. I also heartily join in recommending the parole system for the state prison, so successfully in operation in Ohio and elsewhere, and already provided by law for the St. Cloud reformatory. Also in recommending, and for the reasons they urge, that the appointment of warden be made by the board of inspectors. In changing to the public account system it is important that the office of warden be made reasonably permanent and as non-partisan as may be. I renew the recommendation made by me two years ago that the board of inspectors be enlarged to five members. In view of the adoption of the public account system, this recommendation becomes important. The board of charities and corrections make other important recommendations relating to the prison worthy of your careful consideration.

#### A PARDONING BOARD.

One of the most exacting of the many duties pertaining to the chief executive office in this state is that growing out of the pardoning power conferred upon the governor by the constitution. That power is complete. He can pardon and turn loose every prisoner in the state if he so wills and is responsible only to the people of the state for his acts. The wisdom of centering in one person this important prerogative is questioned by many, and by a limited number it is thought the pardoning power should not exist at all. My own judgment is that it should exist and that its proper lodgment is with the chief executive officer of the state. But I am convinced from a brief experience in its exercise that in justice both to the governor and the applicant for pardon an advisory board of pardons should be created and established by law, to whom all applications for pardon should be referred, and whose duty it should be after due investigation and consideration to pass upon the merits of each

application and report their findings and recommendations to the governor for his use and guidance. The applications for pardon in this state are already so numerous and the duties of the governor so exacting in other directions that he can not find the time necessary to give them the patient and careful investigation demanded by the merest considerations of justice. In common fairness to the prisoner, at any rate, this should be done. And to the end that the governor may be relieved as fully as possible from responsibility in exercising the pardoning power, the board should be entirely free, both in its creation and tenure of office, from obligations or responsibilities to him. If duly authorized so to do the chief justice of the supreme court might very appropriately name the members to constitute the board from persons nominated for the positions by the judges of the district courts. It is important that this board, if created, shall be as independent of political influences as possible, and semi-judicial in character. I do not think any state or judicial officer, or any officer connected with any of the prisons of the state, should be eligible to appointment on it. The freer it can be made from political, partisan or outside official influences the better, in my judgment. But these are matters of detail which I shall not discuss. The main thing is the creation of the board, and this I earnestly recommend.

#### THE STATE REFORMATORY.

The interesting reports of Gordon E. Cole, president, and D. B. Meyers, secretary, of the state reformatory board will be laid before you. This board was created by the legislature of 1887 and clothed with power among other things to erect reformatory buildings on a site chosen at St. Cloud, for which purpose the sum of \$100,000 was appropriated and placed at their disposal. The board finally determined on general plans for the accommodation of four hundred prisoners and with the means at hand have erected one wing which when fully completed will accommodate one hundred and twenty-eight prisoners, and a permanent kitchen complete sufficiently commodious to meet the wants of the whole plant. It is very important in the interest of the reform measures to be promoted by this institution that it be put in operation at the earliest day practicable. I commend its imperative needs to your earliest consideration.



## REFORM SCHOOL REMOVAL.

A law was passed at the last session of the legislature providing for the removal of the state reform school from its old site in Ramsey county to a new one, "the same to consist of not less than one hundred and sixty acres of land and not to be situated within ten miles of any existing state institution." A commission of nine persons was raised by the law and named therein to select the new location, and said commission was authorized to contract for the purchase of the same when duly selected. Pursuant to the authority conferred upon it by the law the commission, after visiting and examining a number of places, finally selected a site adjoining the city of Red Wing, contracted for the purchase thereof, and made report of their proceedings to the board of managers of the state reform school.

On receiving the report it became the duty of the board, under the law, to sell the old site, purchase the new one and proceed to the erection of new buildings thereon. This duty has never been performed. The reasons given by the board for the non-performance are in substance that the site selected was not a good one, that it was not accessible, that suitable arrangements could not be perfected with the Chicago, Milwaukee & St. Paul Railroad Company for the stoppage of trains at the new site, and further that to carry out the law the old site would have to be sold on a falling market at a loss to the state. If this last reason did not exist when the law was first enacted it did soon after, and it must be admitted in fairness to the board of managers that after this reason commenced to exist it afforded some excuse for their non-action.

Nevertheless while I then had and still have the highest respect for the members constituting the board and believe they have been governed by a high sense of duty to the state, I have felt from the first that their position in this matter would be hard to justify. In this feeling I addressed them a communication in November, 1887, calling attention to the law, and to their duties thereunder, urging them to promptly carry out its provisions and warning them that "it is hardly safe for public officials to adopt a rule that they will execute only those laws which meet the approval of their judgments." Nothing, however, came of it, and no action was taken looking to the carrying out of the law. I am still of the opinion that the board was in error, and now recommend such further legislation as may be neces-

sary to fully complete and establish the location of the reform school as determined by the commissioners under the law of 1887. It may be that a more desirable site could be found at Red Wing than the one designated by the commissioners, in which case I see no reason why it may not be secured, the site selected never having been purchased, and there being no contracts for its purchase now in force. To this end I would recommend that the board of managers be empowered by law to select a new site at Red Wing, if in their judgment a change would result beneficially to the school. The interests of the state will be promoted by a location readily accessible and which can be reached directly by rail. The city of Red Wing is a suitable point at which to locate the school. It is close and accessible to our large cities, and is far enough removed to be entirely beyond the influences sought to be avoided by changing from the old site. It may be thought by some that a still better site could have been chosen in some other part of the state, and while this may be true, it seems to me that the state in good faith is obliged to complete and make permanent the location at Red Wing. It was fairly secured by the citizens of that city, and it is now but fair play that the state adhere to the compact made with them—a compact implied by the action of the commission in selecting the site determined upon and designated.

The law of 1887 authorizing the change of location, provided for the sale of the old site by the board of managers of the institution, the proceeds to be used by them for the purchase of the new site and the erection of new buildings thereon.

I would recommend, however, that the appropriations for the purchase of the new site and new buildings be made direct by the legislature, instead of appropriating the whole property constituting the old site in bulk, and depending for the necessary money upon its sale by the board of managers. In my judgment the interests of the state would be best served by platting the land and authorizing its sale by the state land commissioner, the same as other state lands are sold. In this case the platting and selling might properly be under the direction of the board of managers, and the sales made at such times as they should designate, but on substantially the same terms as other state lands are sold. It is believed the property will bring 20 to 25 per cent more if sold in this way—on long time with small payments and low interest—than if sold as contemplated by the law of 1887, which

would be a gain to the state of from \$50,000 to \$60,000. Since it belongs to the state I see no reason why its sale should not be conducted to the state's greatest advantage. The whole matter is respectfully commended to your consideration in the hope that whatever additional legislation is needed to carry out the recommendations made will be freely granted.

#### THE STATE NATIONAL GUARD.

The national guard of this state is composed of two well equipped infantry regiments of ten companies each, one cavalry troop and one battery of field artillery. In addition to this I have deemed it expedient to give a regimental organization to the several independent infantry companies, existing and bearing state arms at the time I assumed office, which is designated as the Third Infantry (reserve). This regiment has for more than a year maintained itself—providing armories, uniforms, etc.—without financial aid from the state. Through the assistance of a number of public spirited gentlemen, a battalion of six companies, of the regiment, under Col. Wright, went to camp at Lake City in July last, the same as the other regiments, for a period of seven days, during which time they received valuable schooling in the essentials of drill and discipline, acquitting themselves in a manner to win the praise of competent military men who inspected them in camp. In view of the commendable military spirit thus exhibited and of the reasonable needs of a state like Minnesota with its large cities, I respectfully recommend that this regiment be added to the national guard under provisions similar to those governing the first and second regiments. Including the third regiment, the aggregate strength of the guard would be about 1,800, a number certainly not more than adequate to the necessities in case of riotings requiring their services in two or more different portions of the state at the same time. The fact of the existence of a force fully competent to deal with such troubles would in itself have a strong tendency to check violent lawlessness and stand as a guaranty of public order.

While happily there has been no opportunity during my term of office to test the courage of our military forces, I have had occasion in visiting them in camp to note the military bearing and excellent discipline of the men and the soldierly qualities of the officers. Officers and men, these forces are a credit to the

state. Essentially they are the same quality of men as those who in 1861, when our common country was assaulted by armed foes, shouldered their guns and gallantly marched to its defense — who on a hundred battle fields, in deeds of noble valor, proved the courage and patriotism of American citizens. Many of them indeed are sons of veterans, and some of them are survivors of that powerful and awful contest between brave men. I bespeak for the guard your generous consideration of their interests.

A permanent camp, admirably adapted to the purpose, including a suitable range for rifle practice, has been secured near Lake City for the use of the troops without cost to the state. Deeming it some advantage to the place to have the encampments held there, the public spirited citizens of that beautiful city secured the grounds and prepared them for occupancy at considerable expense and tendered them to the use and control of the state free of charge. I accepted the offer and accordingly designated Lakeview—the name given the camp—as the permanent place of encampment for the state troops. While there is probably no legal obligation to this arrangement, I trust in good faith to the citizens of Lake City, the camp will not be changed. They have incurred heavy expenditures in the matter, and since no better or handsomer location could probably be found in the state, there would appear to be no good reason for discontinuing it as a permanent camp.

Adj. Gen. Seeley, who has had immediate charge of matters pertaining to the troops, is entitled to much credit for the advancement made along the whole line in this branch of the state service, and for the admirable method by which the entire business of his office has been performed. Aside from the business proper of this office—*i. e.*, military business—it prosecutes pension claims for old soldiers against the general government free of charge. From Jan. 10, 1887, to Nov. 30, 1888, it had collected claims of this character amounting to \$82,553.77. At the usual fees allowed by law, the aggregate amount saved to the applicants in the collection of the above named amount through the generous policy of the state in making this office a free pension agency, is \$5,870. For fuller information concerning the business of the adjutant general's office, reference is made to his report.

## THE SOLDIERS HOME.

The last legislature made provision by suitable legislation for the establishment in this state of a home for honorably discharged ex-soldiers, sailors and marines, "who by reason of wounds, disease, old age or infirmities, are unable to earn their living, and who have no adequate means of support," and also for extending aid to others in like circumstances at their own homes.

Trustees were appointed as provided by the law soon after the legislature adjourned, who after visiting and examining a number of points in the state finally decided upon a location for the home at Minnehaha Falls and accepted a site therefor consisting of fifty acres tendered free of cost by the city of Minneapolis.

The site thus chosen is not only of great value intrinsically, but is strikingly attractive and handsome. Temporary quarters were rented on grounds adjacent, and in November, 1887, the home was opened. The full capacity of these quarters was soon reached and at the date of the annual report of the trustees (August 12th last) eighty-one old soldiers had been admitted and sixty-five others were awaiting an opportunity for admission. All these are veterans without families, disabled from labor, and destitute of adequate means of support. They were gathered in from 37 Minnesota counties, averaged 59 years of age, and served a period of 33 months each in the army. During the present winter fully 200 will have to be provided for.

The appropriation of \$50,000 for purchasing a site and erecting new buildings did not become available until 1888. This appropriation has been expended in the erection of two commodious and comfortable dwellings and a boiler house for the heating plant, and it is expected that with these buildings and the temporary quarters all applicants now entitled to admission will be accommodated. But this number is constantly increasing and it is plain that within the next ten years provision will have to be made for fully 1,000 veterans. Hence the trustees have wisely matured plans for the construction of buildings for the home, on the cottage system, as may be from time to time required. For the erection of needed new buildings you will be asked to appropriate \$100,000 for the year 1889 and the same amount for the year following. In an admirable report, which will be submitted to you, the trustees have rendered a full account of their stewardship, showing in detail the disbursements

from the relief fund to outside soldiers and their dependent families, and all business transactions connected with the home itself.

Congress has provided by law for the payment from the United States treasury of \$100 per year per each inmate to the states maintaining soldiers homes. This will materially aid in meeting running expenses. It is hoped the general government at no distant day will so broaden the policy foreshadowed by the law referred to as to assume the entire expense of the state soldiers homes and reimburse the states for all past expenditures. It is clearly a duty which the country owes to its preservers. This duty neglected by the general government has been patriotically assumed by the state. In caring for these dependent old soldiers whose heroism preserved us a nation, we but perform the plainest duty ever dictated by patriotic gratitude. In view of the unprecedented growth and development of our country since the war, and the proud and commanding position it has assumed among the nations of the earth, this duty would seem to become a privilege. The glorious advantages we to-day enjoy as a nation were handed down to us through the blood of patriots shed in a thousand hotly contested struggles with a valiant enemy, and it is to those who survived these deadly perils and are now dependent that we are extending aid. Let us do it with a generosity that will leave behind it no suspicion of reluctance. For one I am very proud of the fact that the soldiers home in Minnesota was established during my term of office, thus incidentally, at least, connecting my name with the noble enterprise.

#### PROBATE LAWS.

Under an act providing for a revision or codification of the probate laws of this state, approved March 7, 1887, three commissioners were appointed by me from a list of persons named by the several judges of the district courts of the state, to do the important work defined by said act and report the result of their labors to you. This report will be laid before you in the form of a bill, which is the result of the best thought and judgment of the commission on the subject committed to them after much patient labor and careful consideration. I doubt not you will find it worthy of your official sanction. The law referred to appropriated \$1,000 to carry out its provisions. This amount was

found insufficient to pay the full compensation provided by it for the commissioners (which they fully earned), and you will therefore be called upon to make up the deficiency.

#### BUREAU OF LABOR STATISTICS.

The bureau of labor statistics provided for by an act of the legislature approved March 8, 1887, was organized in due time by the appointment of Mr. John Lamb, of Minneapolis, as commissioner, who was also reappointed in January, 1888. The bureau has been wisely managed, and through the assistance of Mr. J. P. McGaughey, as deputy, or clerk, many valuable statistics bearing on the condition of the laboring classes have been gathered and collated. The report of the commissioner, which will be duly submitted to you, will be found both valuable and interesting. This office bears an important relation to the labor interests of the state, and the statistics it collects afford a safe guide to the correction of such existing evils as may be developed through this agency. I bespeak for the bureau such support as will give it the greatest efficiency in the important work assigned to it.

#### DEPARTMENT AND OTHER REPORTS.

I commend to your careful reading and attention the reports of the public examiner and insurance commissioner, both of which contain important suggestions and recommendations; also the reports of the secretary of state, state treasurer, commissioner of statistics and state librarian, which show with painstaking care the record of official duties performed by these officers, and to all other reports of departments or state institutions not heretofore specially alluded to, including the state board of health, the hospitals for the insane, the charitable institutions at Faribault, the state school for dependent children at Owatonna (a noble charity), and the reform school. To review all these reports would extend this paper beyond reasonable limitations; besides it is unnecessary, as they will all be printed and laid before you.

## HIGH LICENSE.

The passage by the last legislature of the act commonly known as the high license law (and related legislation), marked an epoch in temperance reform in Minnesota, and set an example to other states of the union from which some of them have already profited and others in all probability soon will. There was no subject before the legislature in which the people generally felt so deep an interest, and its consideration therefore attracted the attention of the public in an unusual degree. Previous efforts in this direction had met with failure—the saloon power had been so strong and well organized as to prevent legislation adverse to its interests. Men desiring to enter public life were confronted by this power and compelled to yield their honest opinions as the price of its support. In many districts in the large towns and cities the saloons wielded the controlling influence, and a candidate for office, especially a legislative office, could not possibly be elected unless supported by them. He did not dare to antagonize them if he hoped to succeed, and though success bought on such terms was less desirable even than defeat, there were always some willing to accept the conditions, humiliating as they were. This influence had not only become hurtful to the cause of temperance and morality, but dangerous to us as a state and degrading to us as a people. It had become necessary either to check it or yield to its dominating influence. A good high license law it was believed would best cure the evils complained of, and the friends of this measure concluded on the issue it presented to make the best fight they could. They knew the strength of their adversary, but were determined to make him yield his prestige and bow to the manifest will of the people. In the contest which followed the friends of practical temperance and the advocates of a thorough supervision and control of the liquor traffic were successful, and the high license law as it to-day stands on our statute books is the result. During the year and a half it has been in force I have had much correspondence with persons of other states desiring information as to its practical workings. While no official data has been gathered, information of a character to be relied upon shows a decrease of fully one-third in the number of saloons and an increase of one-quarter in the revenue derived from licenses. The consumption of liquor has been lessened and the cause of temperance materially promoted. There is not so much intoxication as



existed before the law was enacted; the saloon is no longer a dominant power in the politics of the state; public opinion for a thorough control of the liquor traffic has strengthened, and in many ways, directly and indirectly, good has resulted to our state and its people from the high license law of 1887. It is the outgrowth of an expression of one of the political parties in 1886, in convention assembled, indicating some moral courage, and of the expressed will of a majority of the people at the following election. It is possible, of course, that a bill may be presented for your consideration to repeal the law, but so confident am I that such a measure would meet your prompt and emphatic disapproval that I will not discuss the possibility of its success.

#### TAXATION OF MORTGAGES.

Under the laws of this state real estate mortgages are required to be listed for taxation the same as other personal property. Undoubtedly this is right in the sense that all property should bear its equal share of taxation; but the effects are so prejudicial to the interests of the borrower — of the poor man — that I doubt the policy of the law, and am inclined to believe that the exemption from taxation of this class of securities would be in the line of sound public policy. The tendency of the law is to force our home capitalists to seek investments of this class outside of the state. Or, if they loan their money at home the amount of tax imposed by the state must be added to the interest, thus increasing the rate to the borrower, and imposing upon him the burden of double taxation. If a corresponding benefit were derived by an influx of foreign capital, and a consequent reduction of interest rates, the evil might be endured for the general good, but this is not the case. The rate seems generally to be governed by what the home lender gets, and the lender from abroad simply takes advantage of it. It is evident that the repeal of the law imposing this tax would have the double effect of reducing the prevailing rate of interest in the state and encouraging our own capitalists to loan their money at home, instead of sending it out of the state; besides it would save a world of deceit practiced day after day, year in and year out, in evasions of the law as it now stands.

## THE MINNESOTA EXHIBIT AT NEW ORLEANS.

At the request of my predecessor I invite your attention to the recommendation made by him in his last biennial message to the legislature for an appropriation of \$1,000 to be expended under the direction of the governor of the state, in completing and properly illustrating the final report of the Minnesota exhibit in the World's Exposition at New Orleans in 1885, and that its publication be ordered in the usual way. The prominence achieved by Minnesota in this exposition through her dairy and agricultural products and educational exhibit, is well understood. The benefits, directly and indirectly, have far outrun the cost. The omission of a final report should be supplied at once, and to that end I cordially concur in the recommendation of Gov. Hubbard referred to.

## ELECTION DISTRICTS IN VILLAGES.

The attorney general has called my attention to an existing condition of things relating to the election districts of villages which would seem to call for remedial legislation. The supreme court has held that villages incorporated under the general law of 1885 were not separate election districts for general election purposes unless so organized under the election law of 1887. This interpretation would seem to warrant the recommendation that the law be so amended as to make all villages separate election districts. Under the existing situation the electors in many of the villages are required to go miles to vote at a general election. The conditions under which separate election districts can be created fail in many cases, says the attorney general, to afford relief. The relation now existing between villages and the townships in which they are situated is one which leads to embarrassment and confusion, often times working a substantial injury. I agree with him that it would be better if villages were in all matters separate and distinct from the townships in which they are situated. In case legislative action is taken in this direction care should be had for the proper adjustment of liabilities and division of property between the townships and villages.

## COUNTY SEAT REMOVALS.

The legislature of 1885 passed a law (chap. 272 of General Laws of 1885) regulating the removal of county seats which pro-

vided, among other things, for the removal of county seats by a majority vote of the electors, excepting in counties where the question had previously been submitted to a vote, and the county seats therein had been fixed and located by such vote, and in this class of counties a three-fifths vote should be required to effect the removal. The constitutionality of this law was objected to on the ground that it created two classes of counties, to-wit: those in which a majority of the voters ruled in the matter of county seat removals and those in which it required three-fifths. It was argued that this distinction, depending in one class of counties upon past events which precluded them from in any way coming within the rule prescribed or the first class, was an arbitrary requirement, which rested on no natural reason, and that therefore the law was in violation of section 34, article 4, of the constitution, which requires that all laws shall be uniform in their operation throughout the state. In the case of *Nichols vs. Walter* the supreme court sustained this objection and declared the law unconstitutional. Therefore at this time we have no law on our statute books authorizing county seat removals under any circumstances. You will be asked to supply this omission, and I doubt not will do so. It is but just and right in counties where, for reasons of convenience, a large majority of the inhabitants desire to remove the county seats, the power of removal should exist. In enacting a new law on the subject I would enjoin upon you great care in making it uniform in its operations throughout the state and in avoiding such classifications as brought the law of 1885 under the ban of our supreme court.

#### THE PUBLIC BUILDING LANDS.

I heartily concur in the recommendation of the state land commissioner that the public lands in Kandiyohi county, commonly know as the capitol lands, be sold. The grant amounts to 6,395 acres and the lands are reported as exceptionally good. It is the opinion of the land commissioner that if properly handled they will probably bring ten dollars per acre. The amount thus realized placed at interest would no doubt increase in value as fast as the lands, if not faster; besides it is due to the county in which they are situated that they be sold so as to bear their share of taxation.

A bill for the sale of these lands passed the legislature at its last session, but it was of so objectionable a character that I felt compelled to withhold my approval of it, and thus it failed to become a law.

The state acquired these lands through the law of Congress commonly known as the "enabling act," approved Feb. 26, 1857. This law incorporated five propositions to grant lands and money for specific purposes therein named and made four conditions which the state must accept in its constitution to entitle it to said several grants. These propositions and conditions were declared obligatory on both the United States and the State of Minnesota, and being duly accepted became a contract between the parties. The lands granted by the first, second and fourth propositions, viz., the school, university, and salt spring lands, and the money granted by the fifth proposition for internal improvements, have so far been applied to the purpose for which granted in strict conformity to the law. The grant covered by the third proposition is for the lands here under consideration, which are designated specifically for "completing the public buildings and for the erection of others at the seat of government." Disregarding this provision the bill of 1886 sought to sell the lands and appropriate the proceeds to the "relief of disabled, aged and infirm soldiers, sailors and mariners," first setting apart \$5,000 for digging a ditch to drain such of the lands as the state should still own after selling enough to realize the amount named. Liberal provisions having been already made for the relief of the old soldiers, sailors and mariners, and the ditch business not striking me favorably—knowing it would require the sale of all the lands if sold as other state lands were, as required by the bill, to realize the \$5,000, and that the state would then have no lands left to be benefited by the proposed ditch, and besides regarding the whole scheme as an unwarranted misappropriation of the lands—I withheld my approval as stated. As a consequence the state still owns this grant which the land commissioner estimates as worth \$60,000. In view of the urgent needs of the state in the way of public buildings I recommend the enactment of a law providing for the sale of the lands within the present year, the proceeds to be applied in accordance with the terms of the grant. That they should be sold and made to bear a proper share of the burdens of local taxation is but just to the settlers in the vicinity of their location.

## REAPPORTIONMENT.

The duty, already too long delayed, of redistricting the state into senatorial and representative districts and reapportioning the senators and representatives therein, will devolve upon you at the present session. Under the constitution this duty should have been performed immediately following the state enumeration of 1885. Because it has been neglected heretofore, however, the reason for action by you at this session becomes all the more urgent. The shifting of population and accessions by immigration since the last appointment make our present representation glaringly unequal and unfair. According to the congressional vote in 1886 the Fifth district with 55,000 votes had a much smaller representation in the legislature than the Third district with but 33,000. There is a district represented in this body with but one senator and one representative, whose population largely exceeds 50,000, while there are eighteen districts which show an average of but 6,275 constituents to each of their senators and representatives. In a special message to the last legislature I called attention to the inequalities of the present representation, in some detail, and urged an immediate reapportionment; but for reasons unnecessary to enter into nothing was done in the matter. It now becomes your privilege to pass a reapportionment law which will meet the demand for fair and equal representation, and thus in common justice repair a wrong which has been permitted to exist too long.

## RED RIVER VALLEY DRAINAGE.

The residents of the northwestern portion of the state will ask of you aid for opening up the tributaries of the Red River. Two years ago I recommended such legislation in aid of a scheme to drain the Red River valley as could be granted, keeping in view the restrictive provisions of sections 5 and 10, article 9, of the constitution. A drainage law was passed which meets no doubt the needs of the state generally, but in the Red River valley more comprehensive measures must be adopted. This is a matter of great importance both to the residents of the valley and to the state. It has been pretty well demonstrated that unless the valley is properly drained the wheat crop of that country must depend upon the most favoring seasons. An early frost is pretty sure to destroy it on wet lands, while on dry lands it es-

capas uninjured. If the country were properly drained, the danger from this cause would be remote. I earnestly renew my recommendation of two years ago and ask such assistance to this important enterprise as the state may be able to grant.

#### THE GEOLOGICAL SURVEY.

The commission created to supervise the publication of the final report of the geological survey, have issued volume II and are now engaged on volume III. The publication of this important work proceeds so slowly that, while it secures thoroughness and completeness, it does not satisfy the demands for knowledge of the economic resources of the state. The survey has been continued for sixteen years and but two volumes of final matured results have been published. It is possible that greater good would result to the state if the work could be hastened, and especially since the partial development of the iron resources in the northwestern part of the state indicate that still greater iron deposits exist, as affirmed also by the state geologist. About two-thirds of the state, geographically, have now been reported on and mapped, and published as the law directs. The remaining third is in the north and is much more difficult and costly to survey, but at the same time includes the region where a knowledge of its geography is much desired and would be of great moment.

The last legislature made a special appropriation for economic researches, placing it under the control of the state geologist; with this fund, of which \$7,000 has been expended, search has been carried on for natural gas in the southern part of the state and for iron in the northern. The examinations for gas are incomplete and afford but negative results, while those for iron had special reference to the distribution of the different kinds of ore and their relation to the rocks of the country preparatory to the use of a diamond drill in practical tests at points which may seem promising. The particulars of these investigations and tests will be found in the report of the state geologist. There is an unexpended balance of \$3,000 in this fund.

#### DEEP HARBORS.

A meeting was held at Denver in August last, in which Minnesota was invited to participate, having for its object a con-

certed movement by the Western states in behalf of deep harbors on the Texas gulf coast. The result of this meeting was the creation of a permanent committee to take charge of the interests sought to be promoted, and the inauguration of a movement to form a commercial alliance of the Western states. Since the trans-Mississippi states already produce a surplus of the total products of the country in grain, beef, pork, etc., it is important that a direct outlet via the Mississippi river for shipment, independent of the grasping monopolies controlling the transportation in the East, be provided at the earliest moment practicable. I have been asked to recommend a small appropriation to meet Minnesota's just share of expenses in continuing this movement. Since our state is equally interested with others in the matter I would respectfully suggest the appropriation of a sum not less than \$1,000 for the purpose named.

#### CIVIL SERVICE.

With the growth of the state and increase of public business it becomes all the more important, on grounds of true economy, that new appointments of officers and employes be made solely with reference to their qualifications. The states of New York and Massachusetts have for four years past administered their civil service on non-partisan principles with good results. Their civil service laws enacted in 1884 are substantially alike and authorize a commission of three persons, not more than two of whom shall be adherents of the same party, to prepare rules, subject to the approval of the governor, to regulate and improve the civil service of the state and cities which among other things shall provide for a classification of the offices and employments to be filled; for open competitive and other examinations by which to test applicants, as to their practical fitness to discharge the duties of the positions which they desire to fill; for promotions on the basis of merit; for a period of probation before an appointment or employment is made permanent; and for giving preference in appointments and promotions (other qualifications being equal) to applicants who served in the army or the navy of the United States in time of war, and have been honorably discharged therefrom. The examinations are required to be practical in their character and to relate to those matters which will fairly test the relative capacity and fitness of the persons ex-

amined, to discharge the duties of the service into which they seek to be appointed.

The system thus briefly outlined encountered some prejudice before it was fully understood, but it is now strongly sustained by the sentiment of both political parties in each state named. It would be a distinction for Minnesota to place herself abreast of these enlightened and experienced states on this important subject. Character and high qualification should be the tests of fitness for public position rather than zeal in party manipulations, or ability to serve the partisan interests of any person or faction. And in a government by the people the highest office in the public service should be open to the honorable ambition of every honest citizen, no matter how humble his position in life.

#### CONCLUSION.

In closing I desire to express my thanks to the officers and clerks who have been associated with me in the state government, for the courteous and hearty co-operation at all times accorded me by them in the discharge of my official obligations. They have performed the duties attached to their several positions with conspicuous faithfulness and are entitled to the thanks of all who regard honesty and fidelity in the public service as virtues. As for myself, the record which now closes must speak. Whatever its defects I shall at least carry with me into private life the solace which comes of an earnest endeavor to faithfully administer the trust placed in my hands by the people.



INAUGURAL ADDRESS

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OF

GOVERNOR WILLIAM R. MERRIAM,

TO THE

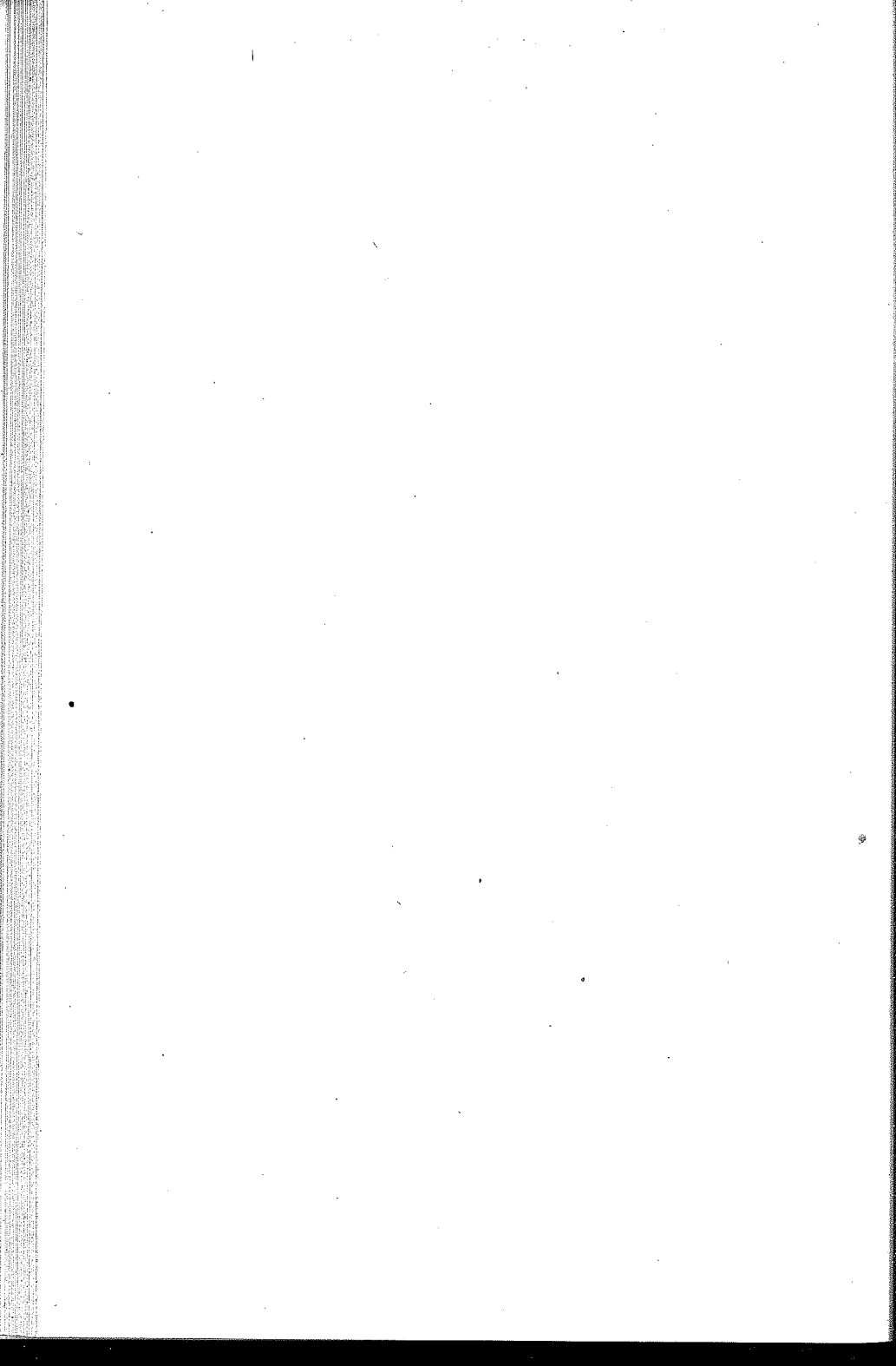
LEGISLATURE OF MINNESOTA.

DELIVERED JANUARY 9, 1889.

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# INAUGURAL ADDRESS.

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*Gentlemen of the Senate and House of Representatives:*

In compliance with a custom that has become one of our unwritten laws, I beg to submit for your consideration my views in connection with a proper administration of the high functions bestowed upon me by the people, and also to offer some suggestions, as to legislation, upon a few of the more important issues materially affecting the commonwealth.

The industrial development and growth in population of Minnesota during the last quarter of a century is almost without a parallel in the history of states.

The transition from an undeveloped territory, great only in the area of its fertile soil, and in its rock-bound minerals, to the majesty of a great state, has been so rapid that we might well believe the change was wrought by the hand of magic.

No eye, though gifted with prophetic vision, could have foreseen that which has come to pass, within our borders, in this brief space of time.

So few, indeed, are the years that have passed since the first leaf in our history as a state was written, that amid the busy, hurrying throng of to-day are many of the honored pioneers of Minnesota; the men whose courage, faith and industry are the foundation of all our achievements.

The fame of our fertile prairies and beautiful, healthful climate spread rapidly, not only throughout our own land, but to foreign shores, and many thousands of our countrymen, and hardy, industrious and venturesome citizens of lands beyond the sea, found in Minnesota new homes and a degree of prosperity before to them unknown.

Hamlets sprung into being and became thriving towns; towns grew into cities, and cities developed into important commercial

and industrial centres, until to-day we number a million and a half of souls, and our state is dotted with busy, prosperous communities, where all enterprises flourish, and where thrifty laborers and mechanics find employment for all their skill; while our soil has rewarded the industry of the husbandman in a degree unsurpassed and rarely equaled in any section of the globe.

Railroads, the advance guards of progress, stretch out their great iron arms in all directions over our broad and productive acres, and gather into our granaries and warehouses the world-famed harvests of Minnesota.

Abundant forests of pine have paid tribute to the pluck and energy of the far-sighted and hardy pioneers who laid the foundation of our great lumber interests, the annual revenues arising from which aggregate a princely sum.

Deposits of iron ore, superior in quality and almost inexhaustible in quantity, have been discovered within the past few years in a section of the state hitherto almost unknown. We may regard these deposits as a valuable addition to our resources, and have every reason to indulge the hope that the industry created by their discovery, and yet in its infancy, will develop into one of great magnitude and importance and prove a source of wealth to our people.

Nature has indeed been bounteous in her gifts to our state, and it is only left to the capital her resources create, and to the labor her soil, materials and industries employ, intelligently and harmoniously co-operating through the tireless energies of her people, to work out for her a grand destiny.

Owing to the wise provision made in the earlier years of our history by the honored men who had in charge the affairs of the then infant state, and who had faith in its growth and future, we are provided with an ample fund to insure the advantage of a liberal education to all who may desire it; and have developed a system of common schools probably equal to that possessed by any state in the Union.

Normal schools have also been erected, and in them great service is being done to the cause of education in the training of teachers for their important duties.

We possess a magnificent university, splendidly endowed, and, thanks to the able management of its honored and learned president, and to the careful attention its interests have received at the hands of its board of regents, it has risen to the dignity of a representative American educational institution.

We are fully equipped to the limit of our needs, with asylums for the unfortunate; and our requirements for the criminal class will be fully met by our reformatory and penal institutions, when improvements and arrangements now proposed, and to be considered by you, shall have been perfected.

The period through which we have been passing has been a formative one, and our development has been so rapid, and our growth so vigorous, that it has been well nigh impossible to keep pace with them in matters of legislation pertaining to the practical requirements of the state.

We can but admit, however, that in endeavoring to meet the needs of the people in this direction, during these years of rapid and radical changes, our lawmakers, and those who have administered the affairs of the common wealth, have, in the main, acted most wisely and well.

The conditions that made possible the phenomenal growth of the past no longer exist.

While new industries will be created and require fostering and care, and while, for years to come, thousands will annually knock at our gates, seeking new and better homes, and will take possession of the vast quantities of land that have not yet succumbed to the plow, it is reasonable to assume that our development henceforth, great as it promises to be, will be less subject to new influences than in the past; and hence, in the enactment of laws, we can provide for the future more intelligently, and with a view to a permanency that was not possible when new issues were so constantly arising.

The highest obligation devolving upon citizens is to carefully and loyally serve their state or country. To be called upon by our fellow men to make or administer their laws, or to be selected as the guardian of some one of the many public trusts, should be esteemed a high honor.

More especially is this true in a government like our own, founded upon republican principles, and maintained by the popular voice; and yet in the midst of the active and busy life that is the lot of most of us, we are too apt to overlook our duty to the state, and to leave to others the care and management of its affairs.

Among these public trusts and duties none more honorable, or more important can be imposed upon a citizen by his fellows than to intrust him with the enactment of laws for the protection of life and property, for guarding the unfortunate, and for defending the weak as against the strong.

The responsibility of our lawmakers, ever a grave one, was never, in our history, so great as now.

Very serious consequences might result to our people, and to those that come after us, by reason of bills hastily drawn and made into laws, or permitted to become such, before their provisions have had serious and thoughtful consideration.

The present, indeed, is almost a crucial period in our existence.

We are making history and making laws that will leave their impress upon the material welfare of the state for a half century to come.

It would seem that in the past, owing to the untried issues so constantly arising, it has not been possible for our legislators, at all times, to be fully cognizant of the wrongs that might be perpetrated upon the people of the state at large, and upon the citizens of the future, in the enactment of laws that reflected some sentiment brought about by conditions undeveloped or misunderstood, or that were not general or permanent.

This body, the honorable members of which it is my privilege to address, will, during the time prescribed for its session, amend, abridge or annul the laws already existing, as, in its judgment, is for the best interests of the people, and will enact such new legislation as may be deemed wise. That you justly esteem the honor that has been conferred upon you by your constituencies; that you do not underestimate the trust reposed in you, and that you will conscientiously endeavor to faithfully discharge your duty to the people of the state, are matters not to be questioned.

You realize the fact that you are not here in your individual capacity, but as representatives of a great people who have intrusted to you the revision or formation of laws to best protect the vast industries and enterprises that make their citizenship of value to themselves, and a legacy worthy to be bestowed upon their children.

Equally grave is the responsibility of the public servant who executes the laws and administers the trusts and affairs of state.

The same rigid and invariable rules, as to integrity, that prevail in individual business relations should govern the conduct of public affairs; and the state, in no less degree than the individual, should demand of employes the most scrupulous fidelity.

Not only in this regard should there be no occasion for criticism, but it may well be the aim of every official to so discharge

his duties as to demand, as his right, the unqualified commendation of his fellow citizens.

Economy in the disbursement of the public funds is no less important and necessary to the welfare and prosperity of the state than is the fidelity and integrity of those to whom is committed the trust of caring for its revenues.

Prodigality in the use of money by the individual means financial ruin and disaster, while economy is one of the primal forces in the creation of wealth and power; and as the principles involved in all monetary transactions are universal in their application, the same rule will apply with equal force to national, state and municipal finances.

History makes record of the fact that, in all ages, countries, states and cities have fallen a prey to the vice of extravagance.

While our national finances have been so ably and economically administered as to elicit the plaudits and command the admiration of the world, and while, in the main, the revenues of our states have been so wisely disbursed as to give no grounds for criticism, yet many instances might be cited where communities in our own land, and states even, have been severely crippled, and driven to a point where integrity and credit were all but lost, through a failure to apply the simple rules of economy that must underlie all true and permanent prosperity.

Laxity on the part of the law-making power, in this regard is sure to permeate the entire community, producing ill effects that will, in the end, not only undermine good government, but ruin the morals of the people.

No state in the Union possesses more economical, thrifty and law-abiding citizens than does Minnesota, and as their representatives, it will undoubtedly be your desire, as it is clearly your duty, to guard the public fund, and to see that no unnecessary or useless expenditure is made of the money which, for the most part, represents the tribute paid by honest toil for the common good.

I bespeak your earnest attention to, and most careful scrutiny of, every bill authorizing the disbursement of money.

It is proper that certain sums be appropriated for the enlargement of state institutions, where there is good reason to believe that the increased population and growth make such action a necessity. There will likewise be the usual demands for the proper support and maintenance of these various institutions, and to cover ordinary expenses incidental to the management of state affairs.

It is not unlikely that, during your session, bills may be introduced providing for the issue of bonds to meet some special emergency, or to realize funds with which to prosecute some public enterprises that it may be deemed wise to enter into; and, while it is your duty to carefully consider all such measures, yet it would seem to be prudent to exercise the greatest caution in creating a debt of any magnitude at this time; for, while commercial, industrial and agricultural business generally is satisfactory, there are indications of the development of conditions less favorable, that might cause our liabilities to become burdensome if materially increased.

Up to the present time the utmost care and economy have characterized the action of those who have had charge of the financial affairs of the state, the taxes having been kept within reasonable and proper bounds.

This policy should be continued, as any departure from it will be regarded as a dangerous precedent, and will invite the serious criticism of the people.

#### STATE REVENUES.

The state auditor has submitted his usual annual report, and from it can be learned the sum that will be at your disposal, arising from the ordinary revenues of the state based upon our moderate tax levy.

It is unfortunate that, in the disbursement of funds called for by general and specific appropriations, it has been found necessary, in the past, to anticipate the revenues accruing to the state from the collection of taxes.

The fund arising from our tax levy is not available to the treasurer until some six or eight months after the commencement of our fiscal year, at which time the various amounts appropriated, and to be disbursed, are invariably called for.

It has been the custom in the past, under authority of legislative enactment, to make good this apparent or temporary deficiency in the revenue fund, by borrowing necessary amounts, from time to time, of the sinking and trust funds of the state.

I assume that the law authorizing this practice was only intended as a temporary measure, and that its framers recognized the necessity of some plan more commendable from a business standpoint. The matter is one that is entitled to your serious consideration; and I hope you may be able to provide some better



method of enabling the treasurer to meet the general and current obligations of the state; for under the existing arrangement undesirable or serious complications might arise.

In the annual report of your treasurer, attention is called to this matter, and some remedies suggested, the more desirable of which, in my judgment, is that you authorize the annual issue of what might be termed revenue bonds, by joint authority of your executive, treasurer and auditor, under such restrictions as you may deem proper, and as may be required to meet the demands made up on the treasury for liquidation of general or specific obligations, when the funds to pay the same are not available.

The plan as contemplated does not provide for the negotiation or sale of these bonds in the market, but that sinking or trust funds only shall be invested therein, and that they shall be made redeemable at any time when the revenue funds in the treasury will permit, and when, in the judgment of the state officials that may be selected to pass judgment on the matter, the urgency that made the issuance necessary no longer exists. In my opinion these bonds should not bear interest at a rate exceeding four per cent (4%) per annum.

#### AGRICULTURAL CONDITIONS.

The present healthy and generally prosperous conditions that prevail throughout the entire country in agricultural, commercial and industrial affairs are nowhere more marked than in our own state, although one section thereof, and that an important agricultural one, and embracing a very considerable area, has lately been visited by a serious calamity that has caused suffering and hardship among the people to a degree that not only commands our sympathies, but demands that we seriously consider what we may properly do to relieve them.

As you are no doubt all aware, in the tier of counties adjacent to and lying north of the Northern Pacific Railroad and to the east of the Red River of the North, a bitter frost occurred in the month of August of the past year, partially destroying, and in many instances completely ruining, the wheat crop.

I have communicated with the auditor in each of the various counties, and am able to present to you accurate and specific information as to the extent of the loss and evidence of the distress that exists.

In some of the counties over eighty per cent (80%) of the wheat crop has been practically destroyed.

This affliction has been especially grievous in many cases where the settlers were already burdened with a debt, more or less heavy, created by the expenses incident to improving their new homes and procuring machinery and implements to conduct farming operations.

I am informed that there are many instances where the farmers who have suffered this misfortune are so poverty-stricken that they are absolutely unable to purchase seed wheat for this year, and that there are some cases even where they find it a difficult matter to provide themselves and their families with the common necessities of life.

Misfortune and suffering cause us to feel and recognize the common brotherhood and kinship of the human race as does nothing else; and I speak in humanity's name when I ask you, as a duty you owe to yourselves and to these your suffering fellow citizens, to enact such legislation as will relieve them, in some degree at least, from the effects of a calamity that has come to them through no fault of their own.

I would suggest that some way be devised whereby the really deserving ones receive aid to the extent at least of being furnished with seed wheat, thus supplying them with the means of pursuing their farming operations, and making it possible for them to improve their condition by means of another crop.

This provision can not be made in the nature of a gift, for it is not the province of the state to donate money for this or any other purpose, however worthy; but a bill can be drawn authorizing a temporary loan from the state to the counties in which these troubles exist that shall provide such counties, through their proper officers, with funds to purchase seed wheat for distribution among the needy and deserving.

I earnestly bespeak your early action upon this matter, as it will require some time to carry into effect the provisions of any bill you may elect to pass, and to secure to the farmer the practical results thereof.

I am informed that the railroads will transport this wheat free of charge, and, so far as possible, deliver it at such distributing points as may be selected.

## PENAL AND REFORMATORY INSTITUTIONS.

A matter of grave importance to the people of the state is the method of managing its penal institutions and the employment of convict labor.

In dealing with this subject it is required of you, as lovers of humanity, and as a duty you owe to the depraved and criminally disposed of our race, that the laws you enact shall be grounded in those principles of philanthropy that underlie and are ever broadening and bettering our civilization.

The convict is in reality the ward of the state, and it is manifestly as much your duty to consider his material and moral welfare as it is your province to deal with those issues, in connection with his management and employ, that affect the people of our state and the industries with which they are concerned.

Idleness, ever and in all classes to be condemned, and never failing to be the precursor of evil results, moral, mental and physical, is to the criminal a condition that only develops his unlawful tendencies.

It is a crime to enforce idleness upon the criminal whom the law deprives of his liberty; and it is equally as unjust to the citizenship of our state to provide for him employment of such character, and in such manner, as shall adversely affect the industries that are the joint product of private enterprise and capital and of honest, free and untrammelled labor.

A very serious problem here confronts you, and in its solution you will have earned the thanks of all those interested in the cause of labor and in our industries, and be entitled to receive the plaudits of those who are more especially studying to improve the moral and material welfare of the criminal class.

The labor of the convicts at Stillwater was, for a number of years, contracted to Messrs. Seymour, Sabin & Co., but, on the first day of September last, in accordance with a law enacted in 1887, the agreement was cancelled and the board of inspectors instructed to employ the labor on "state account."

The sum of \$25,000 was appropriated at the same time, for the purpose of purchasing adequate machinery to conduct such operations as it might be deemed wise to enter into, but the inspectors and warden have thought it best to await further action of the legislature in regard to this matter, and have, thus far, employed the convicts, as well as circumstances would permit, with the facilities at hand.

The sentiment so generally prevailing among our mechanics and laborers, as well as in the minds of capitalists and business men, that the state should not dispose of the labor of its criminals in a manner that would menace the capital invested in our industries and manufactories, or the wages of those employed therein, was the direct cause of the enactment of the law terminating the contract with Messrs. Seymour, Sabin & Co.

It is maintained that the state can utilize the labor of its convicts in such manner as will practically prevent it from coming into competition with free labor, and that it can do so without entailing any financial loss upon the people.

The issue is still an untried one, and it is for you, in your deliberations, to decide as to the best and most practical manner of disposing of it so that it will bring about desired results, if possible, to the great individual and state interests involved.

Unless you supplement or change the existing law in regard to this matter it will be necessary to at once make preparation to carry it into operation.

Under the present statutes the state prison and its management are controlled by a board of inspectors consisting of three members and a warden designated by the executive.

This plan of management seemed to satisfactorily fill all requirements under the system of contracting the labor of the convicts; the duties of the warden consisting chiefly in looking after the discipline of the prisoners, and providing for their maintenance, under certain prescribed regulations.

Now, however, that it has been determined upon by the state to employ the convicts upon its own account, which will involve the handling of large sums of money, the purchase of machinery and materials, and the sale of manufactured articles and goods of various kinds, it becomes absolutely necessary to adopt some entirely different method.

The state is about to engage in business operations, a procedure that is at best questionable, and, unless proper safeguards are interposed, one that is fraught with danger.

Great care should be taken not only to prevent the venture from proving an unfortunate one, entailing financial loss upon the people, but also to so regulate it that neither capital nor labor shall have cause for complaint.

I would suggest that a joint committee be appointed from the senate and house of representatives to consider this important and perplexing problem, and report to you the result of their investigations.

It would be well, in my opinion, to have a bill introduced, increasing the number of the board of inspectors to five (5) members, and giving to such board authority to select a warden, and, if necessary, a superintendent and such other officers as, in its judgment, may be necessary to conduct, in the best possible and most business-like manner, the operations determined upon under the present law, or such modifications thereof as you may deem it wise to make.

The advantage of this plan of providing for the control and management of the state prison, over the one now in operation, under existing law, is manifest; for under it you would have a responsible body of men to hold accountable for the proper administration of its affairs and in the selection of warden and other officers; and further, the whole matter would then be entirely removed from the field of politics.

I am convinced that the plan I have suggested would bring to the state the best and most satisfactory results.

It would, in my judgment, be a mistake to make very considerable purchases of machinery to commence with. In this matter the board could proceed cautiously, and as the plan and its requirements developed.

The present warden, who has given considerable attention and thought to this subject, assures me that a large number of the prisoners can be employed, for some time to come, about the penitentiary, in finishing work already contemplated; and that by sending some of those who are well behaved to the reformatory at St. Cloud, which will be in readiness in the spring, he can, at a trifling expense, provide sufficient machinery to employ the remaining prisoners in manufacturing a few simple articles, and at a fair margin of profit, until such time as the permanent arrangements determined upon can be entered into.

If this plan was adopted, the board of inspectors would have ample time to take advantage of the experience gained in other and older states in the employment of convict labor on "state account," and would, no doubt, be able to avail itself of much profitable information.

And further, proceeding in this manner, the practicability of the plan, if it be practicable, could be demonstrated within the next two years, and without the expenditure of any considerable amount of money, which should in any case be avoided until the experiment has been amply tried and proven feasible.

Casual mention has been made of the reformatory in process

of erection at St. Cloud. This institution is more especially intended for those whose criminal career is a short one; whose vicious tendencies are not pronounced, and who would be more susceptible to influences of a reformatory character.

That a great work can be accomplished in such an institution, in checking the development of criminal impulses, and in correcting evil habits not too long indulged, can not be doubted.

The appropriation made by the last legislature seems to have been inadequate to fully equip that portion of the building already completed, so that the space provided can be utilized, and I would suggest that you consider the matter of making such additional appropriation, as in your judgment may seem necessary to secure the results sought to be obtained.

#### RAILROAD TRANSPORTATION.

Among the many important issues that have commanded serious attention during the last few years, and the one that has been agitated, possibly, more than all others, in nearly every state of the Union, is that of railroad transportation; more especially as it affects the agricultural classes in the marketing of grain, stock, and other farm products.

This agitation has been quite as pronounced in our own state as in any other, and, so far as the question of railroad rates is concerned, has resulted from a system of tariffs adopted by the transportation companies in their earlier history, and at a time when the state was sparsely settled, and when, as a consequence, the business of the roads was comparatively light.

It was observed by the people that rates of freight and passenger fares were not reduced to a point commensurate with the increase of population in the state, and consequent growth of traffic; and, as a result, the feeling became general, even if more marked in the agricultural sections, that some legislation was essential to the end that reasonable rates should be maintained and no discrimination of any character permitted.

At the last session of the legislature a bill was passed creating a board of railroad and warehouse commissioners, and defining its duties, as embodied in the existing law, which law is the outgrowth of the sentiment as above referred to.

In two or three instances the railroads have appealed from the rulings of the board to the courts of the state, and decisions have been rendered to the effect that the right to fix rates is

vested in the board of commissioners, and that from its rulings no appeal can be entertained.

As the law is interpreted by the courts, the power of the board of commissioners over the railroads, in the matter of the regulation of freight and passenger rates, is practically without limit, and it is maintained by the transportation companies that too great authority is thus bestowed upon the board, and that at least the right of appeal to the courts should be permitted whenever the demands of the commission seem to be oppressive.

On the other hand, the theory prevails among those who favor the statute, as it now stands, that, should the railroad companies be allowed the privilege of seeking redress at the hands of the courts, whenever in the judgment of their officers such action became necessary, the practical effect would be that very little would be accomplished in the way of reducing rates, although the fact might be clearly demonstrated that they were unreasonable.

The end sought under and by the law covering these important issues should be, and in my opinion is, justice to both the people and the railroads. The idea has never been advanced that there was any disposition to confiscate or destroy railroad property, but on the contrary it is repeatedly urged, by those most strenuous in their exertions to effect needed reforms, that the transportation companies are entitled to earn a fair rate of interest or income on the actual value of the investment.

It is not reasonable to expect, however, that the people will be satisfied with, or submit to, tariffs made for the purpose of paying interest or dividends upon a fictitious bonded indebtedness or capitalization, and a widespread feeling is apparent that an adjustment should be made that would prohibit it.

That over-capitalization is wrong in principle, and evil and misleading in its effects, and that many of the prominent railroads of our country have indulged the practice, and deserve severe criticism and the interference of the law therefor, can not be questioned.

It should be conceded that money employed in constructing and operating railroads is entitled to the same rights as if invested in any other individual or corporate enterprise. Neither can there be any well-founded objection to an allowance for reasonable returns upon a natural increase of valuation of railroad property by reason of the growth of traffic, or through other causes that may be the result of advantages as to situation or physical condition.

The active competition in all branches of business has so limited the revenues arising therefrom, that if any one of the many interests involved exacts undue compensation, the profits of others are reduced below a paying basis. Thus, if regarded in its commercial aspect solely, it would be unsound as a business proposition to expect that a community could be made to perpetually pay more into the coffers of railroad companies than an equitable proportion of its earnings.

If railroads were permitted at their pleasure to fix transportation rates, and to base them upon what they might consider a fair return upon the actual investment and in addition upon the fictitious capitalization that exists, or upon that which might be created, if there were no restraining influences, it would become only a question of time when their patrons would be incapable of further efforts in the direction of reform, in this matter, through sheer financial exhaustion.

Corporate power when improperly directed is thus a source of danger to the body politic, and the aggregation of large properties in few hands bestows upon the owners opportunities for evil that would be without limit unless legislation was so shaped as to curb any disposition to take advantage of them.

While the people of the state are willing to grant to the owners of railroad properties and securities a generous return, based upon real values, they regard with jealous eye any attempt to enforce collection of a revenue that is founded upon a capital that is unreal, and based upon outstanding stocks and bonds, that, as a matter of fact, were issued, in too many instances, without the payment of one dollar of actual money.

I understand that the rates of freight and passenger fares have been materially reduced since the present law became operative, saving to the people of the state several millions of dollars annually.

Certainly the statute, as it stands, is sufficiently ample in its provisions to admit of all reasonable and proper relief to the people.

In this connection, I wish to call attention to the suggestion of a gentleman whose practical knowledge of and ripe experience in connection with railroad and transportation matters entitles his opinion to consideration. It is evident that railroad managers are fully impressed with the fact that a general sentiment prevails among the people that railroads should be under the supervision of the state.



Referring to the inter-state commerce commission, and to the results sought to be obtained under the national law upon which its operations are based, and to the fact that the good work being done by it, is in a great measure nullified by those complex problems as to transportation and competition that practical railroad men have been unsuccessful in solving, he says, in effect, that if it was made the province of the inter-state commerce commission to simply fix the maximum rate for transportation of the various classes of freight, the difficulties attending the solution of the transportation problem would, almost, if not entirely, disappear. In fixing this rate it is contemplated to consider all competitive and special conditions, and then to permit the railroads to make such tariffs as they please within the maximum named. There seems to be much in this suggestion to commend, although in the endeavor to secure good results from a state law based thereon, it would be necessary to consider many causes that should influence rates as between specified points.

It must be borne in mind that powerful corporations are thoroughly equipped in the way of organization to protect themselves, as they have the advantages that always come to the concentration of capital; hence, while your board of commissioners should be a just and impartial umpire in passing judgment upon such issues as come before it, at the same time it becomes its province to supply, in itself, to the people of the state an organization worthy to combat that with which it comes in contact; and in such sense, and to that extent, the board of commissioners may be said to represent the state and to act in its interest.

It would hardly seem to be the desire of the people to needlessly harass or annoy the railroad companies, or put upon them burdens that would deprive them of reasonable return for services rendered, and we must not forget that they have been an important factor in building up the industries and developing the agricultural and other resources of our state.

New territory has been opened up by them, and it has been in great measure due to the influence they have brought to bear, and to the inducements offered by them, that settlers have come to occupy and improve it.

On the other hand, while mindful of the benefits we have received in consequence of the capital sent into the state for the purpose of constructing these railroads, and of all the advan-

tages that have accrued to us because of them, the people must be insured against undue discrimination or excessive charges.

One of the principal objections to the law as it now stands is the limited period of service allotted each member of the board of commissioners. In view of the knowledge required to properly comprehend the complex questions arising in connection with a proper administration of the duties of the commission it might be well to lengthen the term of office. It can at once be understood how valuable a factor experience becomes in work of this nature; and it has been suggested that the time of service of each commissioner be increased to six (6) years instead of being limited to three (3) as at present, one member of the board to retire every second year. This would undoubtedly have the effect that invariably follows familiarity with duties assumed, viz., better and more efficient service.

In this connection I wish to say that I regard the compensation of the railroad and warehouse commissioners of our state, as fixed by law, inadequate and not at all commensurate with the trust reposed in them and the grave responsibilities they assume. To be able to deal justly with the great interests involved, and to impartially and properly pass upon the important issues that arise, each member of the board should be the peer of any man in the state, in judgment, experience and business ability. It is requiring too much of men of this stamp to ask them to resign lucrative positions or neglect a profitable business to accept this honorable trust, while the remuneration remains so small.

Let this whole question be met in that broad spirit of honorable dealing which seeks to fairly consider the great interests at stake, administering justice as far as possible to the railroads and at the same time protecting the people from unreasonable demands of every kind.

#### REAPPORTIONMENT.

The feeling has been growing of late years that a new apportionment bill should be passed, giving a fuller representation in our senate and house of representatives to those parts of the state in which the population has so largely increased.

This increase has been more marked in the counties of Hennepin and Ramsey and in those lying in the fifth congressional

district, that have been most benefited by the large immigration with which we have been favored.

It is evidently no more than fair that the parts of the state named should receive considerate treatment in this matter, and I commend it to your attention as one worthy of prompt action.

#### THE ELECTIVE SYSTEM.

For the first time the election law passed at the last session of our legislature, and known as the Whiteman law, was given a thorough trial, and it was found that it possessed much to commend it to thinking people. It is certainly a great improvement over all previous statutes affecting our elections.

One of the great evils of our elective system has been the fraud and corruption that has been possible under the enactments that have previously governed the franchise, and which the new law seeks to obviate. In a measure it seems to accomplish the purpose, although in some respects it is cumbersome, and in its practical operation in the large cities, exceedingly expensive.

Its provisions require that, in all cities of over 12,000 inhabitants, separate ballot-boxes are to be provided for the deposit of national, state, congressional, judicial, legislative, county and city ballots. It would seem as if the ballots of the candidates for the various offices could be concentrated to an extent that would save both annoyance and expense.

It would be well, in my opinion, to change the hours for voting, so that the polls could be opened at 6 o'clock A. M., instead of 9 o'clock, and close at 5 o'clock instead of 7 o'clock P. M., thus giving to those who go to their work at an early hour an opportunity to first deposit their ballot.

Many have complained because of the fact that voters are not permitted to register as late as the Saturday preceding election day, and think that some additional opportunity should be afforded for this purpose.

As at present provided, the registration days are so long prior to the day upon which the election is held, that many forget or neglect to register until reminded of the duty by the near approach of election day, and when it is too late.

In any modification of the present law it would seem to be advisable to provide at least one or two days for registration immediately preceding the Sunday before election, to cover such cases as are above referred to, as well as instances where

voters have been absent from home upon the registration days as now set apart.

Any changes that you may decide to make in the law should be with the view to practicability; that in operation it may thoroughly accomplish the purposes required of it.

#### REFORM SCHOOL.

At the legislative session of 1887 a law was enacted creating a commission to decide upon a new site for a reform school, and a location was determined upon near the city of Red Wing, but for some reason the members of the reform school board have taken no further action.

The citizens of Goodhue county feel that steps should at once be taken in accordance with the spirit of the law as enacted.

I am sure that, in this matter, the people of that section of the state are entitled to consideration at your hands, and that you will regard it as your duty to see that the law is carried into effect by the reform school board without further delay.

If additional legislation is necessary to accomplish the intent of the enactment, it would be manifestly proper to have it submitted to your consideration at the earliest practicable moment.

#### THE CAPITOL SITE.

Some years since, about 6,400 acres of land situated in Kandiyohi county were set apart, to the state, as a site for a state capitol, in case it was ever decided by the people to change the seat of government.

As there seems to be a well settled feeling that the present location of the state house is satisfactory, and that the lands in Kandiyohi county will not be required for the purpose for which they were selected, it would appear to be wise to enact a law directing the state auditor to sell them and apply the proceeds to the general revenue fund of the state.

These lands are very desirable, lying in the centre of one of the most populous counties in the state, and would command a ready sale at an excellent price. The people of Kandiyohi county very properly wish the lands sold, that they might have the benefit of the taxes thereon that would then accrue to that county.

Several attempts have been made, at the different sessions of the legislature, to make some final and satisfactory disposition

of this matter, and it would seem as if there should be no further delay in taking such action as will mutually benefit the state and Kandiyohi county.

It is estimated that the sum of seventy-five thousand dollars (\$75,000) could be obtained from this source.

#### SOLDIERS HOME.

Among the very excellent laws enacted at the last session was one creating a commission to select a site for a home for the old soldiers in the state, and appropriating a reasonable sum for the purchase of the same and construction of proper buildings.

The commission has issued a report showing in detail the results of their work, and which contains suggestions as to future needs.

To my mind the state has done a very wise and humane act in providing a suitable and comfortable home for the soldiers who took part in the war for the defense of the Union. Certainly it is as little as a grateful people can do for those that survive of the loyal defenders of the country to see that they are placed beyond want. To allow any of those who fought their country's battles to die in county almshouses is neither creditable nor praiseworthy.

In a few years the last of the survivors of the war will have passed to their final rest, and we owe it to such of them as require aid to see that it is provided.

I recommend to those interested the very able report submitted by the board for fuller information as to the work that has been accomplished during the past two years.

#### DAIRY INTERESTS.

The dairy commissioner submits a very complete report, giving full details of the work in this department during the past two years. Excellent results have accrued to the people through the establishment of a commission to protect this important industry.

From a wheat growing country we are fast developing into one in which all the important agricultural pursuits have place.

Many of our farmers are devoting special attention to dairy products, and no measures should be spared to protect the in-

dustry from the adulterated and spurious articles that have been put upon the market in such quantities.

It has been suggested that the duties of the dairy commissioner be enlarged so as to include the right to examine all food products, and, where adulteration is discovered, to have the power to cause such articles to be destroyed. There is a question, however, in the minds of some, whether the general government should not enact laws upon this subject, as it is doubtful whether it would be practicable to prohibit the importation and manufacturing of adulterated food products, by mere local legislation.

Should additional duties be assumed by the commissioner for the purposes named, some changes in the present law would be necessary, and further appropriations required.

The matter is one worthy of attention, and it would be well to ascertain such facts in regard to it as can be furnished by the dairy commissioner.

#### THE STATE UNIVERSITY.

Of our state university, I have no words to utter which are not laudatory in the highest degree of the excellent work of the president and board of regents in building up and fostering this most important factor in the development and prosperity of our state.

Too high praise can not be accorded to the faithfulness and loyalty of the gentlemen who have given so much valuable time and thought to the prosecution of this great work of higher education.

The citizens of Minnesota may well be proud of an institution that has attained such a degree of excellence, and reflects so much credit upon the commonwealth.

In a very full and exhaustive report an accurate account of the work of the board of regents for the past two years can be ascertained.

Careful attention to the needs of the university, as indicated in the report, should be given by those of your number who will have in charge legislation relating thereto.

The rapid growth in population in our state has had the natural tendency to increase the number of students, and this increase makes necessary additional facilities of various kinds.

## TECHNOLOGICAL INSTITUTE.

In the message to the last legislature by Gov. McGill it was recommended that a training or industrial school be established in or near the city of Duluth. In view of the very good and sufficient reasons given by Gov. McGill why this should be done, and because of the fact that the city of Duluth is rapidly growing in size and importance and is adjacent to the mining industries of the state, it would seem eminently proper to locate a technological institution at that point.

## STATE BOARD OF HEALTH.

I wish to call your attention to the value of the supervisory work being done by the state board of health in caring for and checking epidemic diseases, such as small-pox, diphtheria, etc.; in providing for the examination of the various water supplies of the state and in assisting the local boards of health in general sanitary work. The board should be encouraged in its labors and if it requires additional aid or equipment it is manifestly your duty to provide it.

## GAME LAWS.

The game laws of the state seem to have become almost a dead letter, and it is required that they have very careful revision and be strictly enforced, not only that the killing of game out of season may be prohibited, but that its indiscriminate slaughter for shipment out of the state by those interested in the matter in a mercantile way simply, be stopped if possible. I would suggest that the duties of the game warden be more strictly defined and that a proper compensation attach to the office.

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In addition to the few issues in regard to which it has been my privilege to address you, many others will come before you for deliberative action during your session.

All will be more or less important to the people of our state, and some, in even greater degree, will affect its destiny, and the moral, social and material welfare of those who are to come after

us. If in the laws you modify or enact, it shall be your purpose, above all else, to benefit your fellow man, and to aid him to secure the best results from honest toil and endeavor, then will you not only have served well your great constituency, the people of our state, but you will have laid an acceptable and worthy foundation upon which the law makers of the future, who are now your children, may safely build.

In the laws of the world that have been written since records have been kept, may be read the best history of progress in human thought and of the development within man of those germs of mercy and justice that were embedded in human hearts and finite minds by an all-wise Providence.

In these laws we may best read of that growth, which, unable yet to comprehend, is more and more seeking to copy the one law that is perfect in conception, and equally merciful as it is just in its administration—the infinite law that governs all peoples and all worlds.

We might take the history of Minnesota and make its recitals the foundation for a fabric of future probabilities that would seem impossible for human minds and human hands to build; and yet there is no limit to the achievements the future may realize; no limit to the development of our educational system that is year by year leading us up to a better and still better civilization, and no bounds to our growth in wealth and power, if those who make and administer our laws seek to fully know and conscientiously perform their solemn and responsible duties.

Let the fame of Minnesota still further spread; further and wider let it become known that her laws are humane and just; that her educational and civilizing influences are carefully guarded and fostered; that her people, as individuals, are amply protected in their homes and in their vocations; that industries, manufactories and corporate enterprises are heartily encouraged, yet firmly held within those limits beyond which they become oppressive, and the future we hope for is assured to us.