A GREAT MESSAGE.

Continued from Third Page.

boycots. It will, therefore, be seen that if any measure is advanced which will tend to lessen evils so apparent from these distrubances, we should advocate them in common interest. Therefore, I recommend friendly arbitration as a means to be employed for a settlement of all industrial disputes arising between capital and labor in West Virginia.

EIGHT HOUR LAW.

In view of the large number of men employed in West Virginia and in all of the states of the Union, and owing to the large number of labor-saving machines now in active operation, and many other well known causes, which are constantly reducing the opportunities for the employment of our people, whereby they can earn an honest living by honest toil, I most earnestly recommend the enactment of a law by which eight hours shall be regarded as a *working day throughout the state of* West Virginia.

MINING INDUSTRIES.

The growth of the mining industry in this state during the past sixteen years has been so rapid that the public mind has barely kept abreast of the phenomenal development in the staple commerce of this state. Since the establishment of this department, the state's annual product of coal has increased over 11,000,000 tons; 200 more mines have been opened, and 17,000 more men find employement at the mines.

With this increased tonnage, and with 24,000 men now employed, it is but a natural course in events that many persons will be both injured and killed. The records confirm this, and to an alarming extent. In 1883, 6,000 men were employed and 2,805,566 tons of coal were dug with a loss of twenty men, or one man for each 140,278 tons of coal produced; in 1890, 11,300 men were employed in the production of 4,183,286 tons of coal, with a loss of thirteen men, or one man for each 321,791 tons. In 1893 the mines had increased in number to 200, and 17,000 men were employed in the production of 9,758,992 tons of coal with loss of seventy-two men killed, or one man for each 135,542 tons produced. In 1895, the number of men killed was eighty-three, or one for each 119,013 tons of coal mined; in 1896, there were sixty-four men killed, or one man for each 188,476 tons of coal mined; in 1897, sixty-two men were killed, or one for each 186,643 tons, and in 1898, there were eighty-seven men killed, in the production from over 300 mines of 14,294,865 tons of coal, or one man killed for each 164,308 tons of coal produced. In fact, during the past six years, 427 men have found death at the mines in this state, and the records show that a great many of these might have been prevented had certain regulations been observed.

The mines in the state now number over 300, and their combined capacity is 20,000,000 tons of coal per year.

A careful study has been made of the causes of accidents, as may be observed from the two reports made to me by *the chief mine inspector*, whose opinion is, as well as the opinion of each of the district inspectors, that it is necessary to enact some specific laws regulating the conduct of persons employed in the mines of this state, in order to further add to the safety of the men, and reduce the number of fatalities.

During the past two years, the chief mine inspector informs me, there have been nine accidents due to carelessness in handling powder in the mines; 100 accidents by the mine cars, killing eighteen men; 179 accidents due to falls of slate, killing eighty-two men, and one fatality by a gas explosion. Of the eighty-seven persons killed the past year, there were only seven inquests held in the state. Inquests should always be held upon each death resulting from accident in the mines.

The four district inspectors have each about seventy-five mines to inspect, and to visit each mine four times per year, occupies all of their time. Many suggestions are made by the inspectors for the prevention of accidents, but by reason of there being no law to enforce such suggestions, they are infrequently complied with.

The ventilation of some of the mines is defective, and to remedy this, I am informed, the break-throughs in the mines should be placed with more regularity, and at some specified distance.

The oil used in many mines, the chief inspector informs me, produces excessive volumes of smoke, much to the discomfort of the miners.

The method of timbering in many mines is also defective, and needs adjustment.

It is believed that the condition of the mines and the welfare of the employes will be much improved by amending certain sections of our mining laws, and by adding a few new sections.

There are working in small mines in this state upwards of five hundred *men, who do not have the protection of* mine laws. This apears to be class legislation, and the laws should include all mines in which men risk their lives.

To accomplish the desired results, the chief mine inspector has framed a few amendments to our present laws in the nature of specific laws or rules, which it is believed will very materially add to the safety of the mines, and promote the health of the men working in the mines, and at the same time entail no unnecessary expense upon the miners or operators. Such amendments as have been referred to above, may be found in detail in the chief mine inspector's report, and I urge their adoption.

The contingencies of this department require a more liberal appropriation in order to properly execute the laws and to place this department on a par with similar departments of other states. At this writing, there are no funds available for any of the expenses of this department, and it has been necessary for the chief and the district inspectors to use their private funds in order to comply with the duties required of them by the law; and the chief mine inspector has had to give his personal note for funds which were esential to meet the emergencies of this department.

Shall our state's greatest industry be permitted to longer suffer? The legislature alone can answer this important question.

GAME AND FISH LAWS.

The last session of the legislature wisely enacted a law for the proper preservation of the game and fish of the state; but the warden has been unable properly to enforce it on account of several existing weaknesses or deficiencies, which I trust may be provided during the present session. On the whole the law is a good one, and compares favorably with similar laws in other states.

The state of New York appropriates from $60,000 to $75,000 annually for the propagation of fishes and game, and their protection. Pennsylvania, Michigan and Ohio nearly as much. West Virginia has appropriated comparatively nothing for this purpose; and yet the natural adaptation of this state for game and fish is not excelled by any other state in the Union. For a satisfactory execution of our game and fish laws, the office of game and fish warden *should be made a salaried office*, with actual traveling expenses, with power to deputize at his pleasure wherever needed. The jurisdiction of his deputies should extend only to their respective counties, and their pay should come from convictions secured by them, and they should be required to make to the warden verified reports.

The existing laws should, I beg to suggest, be changed and modified as follows:

1. A law should be passed, prohibiting the emptying or throwing of saw-dust, or any other poisonous or deleterious substance destructive to fish, into any of the waters of this state.

2. The penalty for dynamiting should be changed to fine or imprisonment, instead of "fine and imprisonment," as it now reads.

3. By an oversight in drafting Section 11 of Chapter 3, of the Acts of 1897, quail, or Virginia partridges, are not protected at any time of the year after the interdicted period of two years, which ends July 22, 1899. This should be remedied.

Valuable services were rendered by Captain E. F. Smith, *former fish and* game warden, practically without compensation. A statement of time given to this work, and expenses necessarily paid out by him, while in the line of duty, will be presented to you, with a view of asking a special appropriation to pay him for services rendered. Of my own knowledge, I can assure you that he rendered faithful and valuable service to the state, for which he received no compensation. The same is in all respects true of Frank Lively, esq., the present warden. He, too should be paid a reasonable compensation for his work in enforcing this particular law.

NECESSITY FOR A FIRE-PROOF BUILDING.

I am impressed with the necessity of greater security for the preservation of our state records than we now possess. While it is true that our present capitol building *is comparatively new*, yet, no one will presume to claim that it is at all secure from the ravages of fire. Every state officer has an alleged fire-proof vault connected with his office; and yet, if the building were to burn, it is more than likely that these so-called fire proof rooms would prove inadequate to stand against the pressure of the flames.

The records in the offices of the auditor and treasurer are of incalculable value to the people of the state, and I am perfectly confident that these records would be totally destroyed, or at best, would be so injured and defaced as to render them worthless, if the building were burned.

The state library and the books, records and curios in the Historical Society could not possibly be saved in the emergency of a fire. Even if only a partial or ordinary fire should occur in the building, the loss from water alone would produce a total loss of the library, and the valuable effects now contained in the Historical Society of the state.

Another fact is also patent to all who are familiar with the situation in the capitol building, namely: There is scarcely an office in the building that is not cramped. The state is growing rapidly, and the business connected therewith is increasing proportionately. More room for each of the state officials, in a very short period, will be an absolute necessity. It is, therefore, important to begin preparations for this emergency; and it impresses me that early preparations should be made in this direction. Moreover, we owe it to the people to immediately take proper steps to provide against possible losses of our records by fire.

I therefore recommend the purchase of a lot of ground, of suitable dimensions, upon which a three-story fire-proof building can be erected, for the *use of the auditor and treasurer's* offices on the first floor; the law library and supreme court judges on the second floor and the Historical Society on the third floor.

Real estate is now quite low in value in Charleston, and building materials and labor can be commanded at astonishingly cheap figures. Such a building and grounds can be procured at a sum not exceeding $50,000, which would be a credit to the state, and which cost would be an insignificant sum when compared with the security and advantage it will bring to all concerned.

I trust, therefore, that you will take this matter under serious consideration. Many of the states have provided fire-proof buildings of this character, independent of their capitols, wholly as precautionary measures to preserve valuable records in case of unexpected conflagrations.

THE W. VA. HISTORICAL AND ANTIQUARIAN SOCIETY.

This institution deserves the favorable consideration and liberal support of your body.

The organization of the society, in 1891, relieved the state from the odium of being the, then, only state in the Union without a historical society.

The beginning was small, and the progress at first necessarily slow. The members contributed a little money and a few books, relics, curios, etc., from their own private libraries and cabinets; and they were given the use, temporarily, of one of the committee rooms in this building.

When the state exhibits at Chicago were brought back here they were turned over to the care and keeping of this society; and the legislature put in their charge a number of valuable government books, state reports, etc., for which there was no room in the state library building.

With these valuable acquisitions the society was given the use of the largest room in the building, formerly used as an armory.

For several years past your body has voted them certain sums of money for current expenses, and to aid in purchasing books, relics, etc., and carrying out the general purposes of the society. The members and executive officers of the society have worked *"con amore." No salaries have been* paid except a moderate one for librarian.

The state has reserved title to everything it has turned over to the society, and the society has formally conveyed to the state their title to all their present collection of whatever kind, (except loans made to the society), everything they may hereafter acquire (except loans), so that, whatever your body may do for the society, you will be doing virtually *for the state, as the state* is the sole and entire owner of everything the society now has or may hereafter acquire, (except loans).

Those who have not been familiar with the growth of the society's collection, will, upon visiting their room now, be surprised to see what the energy and activity of the society has accomplished.

Their collection is now an exceedingly varied, interesting and valuable one. It has filled their large room to overflowing, and the crowded condition of their present exhibits and the constant accessions being made, render the necessity for more room imperative.

The present quarters are entirely unsuitable in many respects, for the great and growing importance of this society, its work and its collections. The room is on the third floor and is accessible with more or less difficulty and labor, and as this building is by no means, a fire-proof structure, the whole collection is in constant danger of destruction by fire; and this danger is all the more felt from the fact that the most valuable articles in the collection are of such a character that no satisfactory insurance can be had upon them. Insurance companies pay losses on intrinsic values; but how would you fix the intrinsic value of an autograph of Washington, Jefferson, Madison, Monroe, LaFayette, Ben Franklin, Daniel Boone and others of like character, or *of old and valuable books, maps, etc.*, out of print, and not to be had at any price, or interesting relics and curios, impossible to replace?

Few of these things have much of what the insurance companies call intrinsic value, but their sentimental and aesthetic value is very great. To illustrate:

A year or so ago, a gentleman from Kentucky, and a member of the Kentucky Historical Society, was in the rooms of our historical society, and saw an autograph report of a survey made by Daniel Boone, in this valley in 1791. Wishing his society to possess so interesting a relic of the brave old pioneer who founded the great state of Kentucky, this gentleman asked if our society would part with relic; he was told no, that it was not for sale. Pressing the matter, he asked if we would take $100 for it; again he was assured that it was not on the market. He then asked if $200 would tempt us, and when the answer was the same he said: "Well, if you will make me an offer at, not exceeding $1,000, and give me a ten days option, to see and consult our society, I think we would buy it;" but he had to leave without the option. An insurance company might, possibly, be willing to pay five cents as the intrinsic value of this report, signature, frame and glass.

In view of the valuable work the society has done, is doing, and is expected to do in the future, in the interests of the state; in view of their urgent need of more accessible, roomy and better arranged quarters, and in view of the constant danger to which their valuable library and general museum are now exposed, I recommend that your body adopt the suggestion I have made to erect a fire-proof building for the occupancy, uses and purposes of this society, and for other purposes therein stated.

The importance and necessities of the case justify such an appropriation; the condition of our treasury fully warrants it, and I feel sure the public will appreciate it.

A BOARD OF PARDONS.

The state has become too populous for the pardoning power to be lodged wholly in one man. There should be a board of pardons, with the governor as final arbiter, as in the older and more populous states. The constitution of our state lodges the pardoning power wholly with the governor, and it is contended by some that the creating by the legislature of a board of pardons, would, therefore, be unconstitutional. To follow the strict letter, and not the spirit of the constitution, such conclusion might be tenable. But a bill can be so framed, I am inclined to believe, that will not be unconstitutional. If a pardon board were created, the governor could be made the final arbiter, so that no pardon could be granted by the governor, and thus, in point of fact, he would still hold complete control over any and all pardons which might be recommended by the board.

If such a law were enacted, it would relieve the governor of a vast amount of work and responsibility, and I am sure would prove more satisfactory to the people.

No one, unless he has passed through the ordeal of hearing pardon arguments, and being forced under existing law to pass upon all applications for executive clemency, can appreciate this matter. However careful, honest and judicious an executive may be, he is invariably attacked for whatever he may do, and his motives are often impugned. This is unjust and wrong, and the only relief that I can conceive of lies in a legal board of pardons.

While it is true that I have extended clemency to quite a goodly number of unfortunates, it is also a fact that I reject ten, or more, applicants for every one who receives recognition. I have released no one from the penitentiary except upon the most careful examination of all the facts involved in each case, and thus fully satisfied my mind that relief should be granted. I have been amazed in many instances, by a careful examination of the evidence, to find men incarcerated in our state penitentiary upon evidence, which in my judgment, was wholly insufficient to convict them. Under such circumstances, I have invariably granted prompt relief.

There is also another class of cases, which lawyers and courts class as "close cases." These cases require much earnest work by a governor who is, as in our state, the sole pardoning power. The evidence must be carefully gone over, and the judges and prosecuting attorneys must be consulted. In no instance have I ever granted clemency in cases of this sort, without the unqualified recommendations of the *judges and state prosecutors. Indeed*, I may add, that I have never, except in very few instances, pardoned any one unless his application was indorsed by the judge, prosecuting attorney and jury who convicted him. I regard this as a safe rule to be governed by, and I have rarely deviated from it. The judge and prosecuting attorney and jury who tried the case certainly should know more about the real merits of it than I could possibly acquire; consequently I depend almost wholly upon them to guide me in my action in granting pardons.

There is still another class of cases which frequently come before me, namely, where new and important evidence has been discovered after the trials took place. If this "newly discovered evidence," as the law books term it, had been introduced at the trials, the verdicts doubtless would have been different. Such evidence comes before me in the form of affidavits, and after satisfying myself that the affiants are responsible persons, I receive them as proper evidence in the cases, and give them due weight and consideration. This, of itself, often brings undue criticism upon the pardoning power. A newspaper representative may be present at a trial, and the case is a plain one. The party is convicted, and he is subsequently pardoned. His pardon is based wholly upon newly discovered evidence, but no consideration is given to this fact, because it is unknown to the public; yet the pardoning power is grossly and improperly censured, and a false motive is impugned for the release of the party.

The best way out of all this trouble, is the creation of a board of pardons, which I trust, can be done without undue infringement upon the constitution of the state, because, as I have said before, the approval of the governor will still be essential to give force and effect to the action of the board, and the governor, therefore, will still hold, in effect, the power to pardon, as required by the plain provisions of the constitution.

EXPENSE OF EXTRADITING PRISONERS.

No little confusion has arisen the past year over the payment of the extradition expenses of persons fleeing from justice to other states. The cus*tom for many years past has been to* pay bills of this sort out of the general criminal fund; but the law is indefinite on this matter. The law simply states that the governor "may pay such expenses out of his civil contingent fund." This would be all right, if said fund was large enough to meet this outlay, along with the other necessary demands upon it. If your honorable body adopts my suggestions to make a definite appropriation to pay the capitol labor force, this civil contingent fund can be used in payment of the expenses incurred in bringing fugitives back to West Virginia to be tried for crimes committed. If, however, this is done, the law should nevertheless be amended so as to pay all extradition expenses out of the general criminal fund.

CHAPLAIN TO THE PENITENTIARY.

I desire to call your attention to the needs of a regular chaplain to our state prison. Hitherto, the local ministers of the city of Moundsville have kindly served the prison as best they could, in the way of preaching to the prisoners, advising them as to their spiritual interests, administering the rite of baptism, and in a general way urging them to reform and live better lives. But, in my judgment, the state ought to employ a regular chaplain for the prison. Other progressive states have such an officer—one who is always present, and with whom the prisoners can freely converse. We should have such an officer, who will give his entire time to this important work; and in the interest of good morals, good government and religion, such an officer should be provided by law. His salary need not be large. The state is fully able to meet this small expense in order to keep itself abreast of the times, and do its full duty in imparting moral and spiritual information to its criminal classes.

PROVISIONS FOR INDIGENT CHILDREN.

I think it is apparent to everyone that our state is deficient in its provisions for the care of indigent and helpless children. We have no "children's home" for this purpose. There is a chartered institution of a state character, which attempts, at private expense, to meet this want. But it cannot be as effective as it ought to be without some sort of state backing. Its purpose is to find homes for orphans and such other children as may need the aid of charitably disposed people. Our eleemosynary institutions, such as poor houses, which we have in all of our counties, are crude and in most cases, antiquated and poorly kept; and as a general rule, all those who by misfor*tune or disease* are compelled to seek their forbidding and inhospitable shelter, are compelled to leave all hope behind. In nearly every poor house in the state are bright, happy children, who have the blood and material in them to make useful citizens if they were removed from the corrupting and debasing influences of their surroundings; but they are too young and tender to be self-supporting, and yet old enough to receive the impressions always gotten in the haunts of misery and dens of vice.

The remedy that I have in mind is the enactment of a statute empowering the county courts or county commissioners of the various counties, to place with the Children's Home Society, or some similarly planned organization of the state, to be provided for in the Act, all children under the age of twelve years, who are of sound bodies and minds; requiring said society, or its properly authorized agents, to place and procure for each child in a certain specified time, a proper and suitable home in some good family, who may, if desired, adopt it, and empowering said court or commissioners to pay said society reasonable charges and expenses, for procuring such home. This, I believe would not only be a great saving to the various counties, but would also be the means of lifting many a helpless one from misery, degradation and shame to a position, possibly, of comparative usefulness and happiness for the future.

CRIMINAL SLANDER AND LIBEL.

I hope your honorable body will not misconstrue my motive in calling your *attention to the fact that West Virginia* should have a clearly defined statute on the subjects of slander and libel. Many of the states made deliberate assassination of personal character a criminal offense. This should, in my opinion, be the law of all the states. One's good name, personal reputation and private character, should be classed on a level with his life. The law of all the states says the assassin shall be prosecuted criminally. The same law should say that the assassin of character ought also to be prosecuted criminally. It is not my purpose to infringe in the least, upon the rights of free speech and a free press. This is a free country, and every citizen should be allowed to express himself freely, either viva voce, or in print. But there should be a law in every state preventing everyone from wilfully and deliberately attacking the private, personal character of another, *without just cause. As the law now* stands, there is no remedy for these attacks, except in the civil courts. In most instances, this is no remedy at all, for the reason that the majority of the persons who indulge in wholesale, unjustifiable and uncalled for abuse of another, are without financial responsibility, and a civil suit for damages would necessarily prove futile.

Men in public positions are just subjects for criticism. The genius of our free institutions rightly allows such procedure. When a public officer neglects or exceeds his authority, he ought to be criticised and held to public scorn. No one will dare to withhold this right from private individuals or public newspapers. In fact, it is their duty thus to act. But when an individual or a newspaper deliberately and wilfully attempts, without cause, to assassinate the character of an officer or a private citizen, there should be a law which fixes criminal responsibility upon him *for such act. A law of this sort* can result in harming no well meaning citizen, and it certainly will protect the public generally from the machinations of ill disposed, irresponsible individuals. I hope, therefore, that it will be your pleasure to give thoughtful consideration to this, as I view it, important suggestion.

THE ELECTION LAW.

The present election law needs radical amendment. The purpose of a ballot is to aid the voter in the expression of his choice for public officers and upon public questions; but the ballot provided by law as it now is, results in the practical disfranchisement of hundreds of voters; and these are by no means ignorant voters. The method of preparing the ballot is illogical. Re-counts by county courts should be stopped, and many other features of our present law need amendment. I beg especially to call *your attention to senate bill No. 161*, introduced into the senate of the last legislature, as, in the main, a wise measure. It was very carefully prepared, and thoroughly considered by several very capable gentlemen. It is based largely on the very excellent laws of Ohio and New York. Among its provisions are a simple and plain ballot, the provisions for more parties on election boards at each precinct, and at each county seat, as well as the burning of the ballots after they are counted by the precinct election officers. This latter provision will stop the recounts by county courts, which have disgraced the state in the past.

IRREDUCIBLE SCHOOL FUND.

Under our present constitution a special fund was set apart for educational purposes, known as the "irreducible school fund." This fund has been made up mainly out of the sales of school lands, or rather public lands, belonging to the state, which, when sold, the proceeds must be applied to the enlargement of this fund. It is also provided that the interest only shall be used for educational purposes. The fund now amounts to $927,993 21, $656,800, of which has been invested by the board of the school fund, on 5 and 6 per cent interest bearing securities, and $271,193 21 now remains in state bank depositories, which bears interest at the rate of 3 per cent per annum.

As the constitution now stands, the principal of this fund can never be used for any purpose. The object in establishing this particular fund, seems to have been to lay up money for the education of children of coming generations of West Virginians. I have never been able to comprehend why we should lay aside money to educate the children of the future. When we compare the advantages in education which *we enjoyed twenty-five years ago*, with those now enjoyed by our children, we are struck with absolute amazement over the headway we have made in educational work. We have every reason to believe that the next twenty-five years will bring with them still greater facilities and greater progress along these lines. Each succeeding generation will, as a matter of course, be better prepared to provide for itself in educational matters than the present and the past have done. Why, then, shall we pile up money by present taxation to educate coming generations? This, to my mind, is not only improper, but it seems to me ridiculous. It appears to me that all the available funds within our reach should be used in educating our present youth. Let each succeeding generation provide for itself. This impresses me as the common sense course to pursue.

I, therefore, earnestly recommend your honorable body to submit to the people an amendment to our constitution, directing the distribution of this large fund, in reasonable annual installments, until the same is consumed. If this were done, it will increase the school period from one to two months in every school district within the state and will necessarily be of great advantage to our children who are now of the proper age to attend the public schools.

IMMIGRATION.

When I consider the natural advantages our state can offer to the settler in an agricultural way, as well as in the vastness of our minerals and other resources, I cannot but feel that we make a mistake in not having a thoroughly equipped immigration bureau, with a well paid officer in charge of the same. We have a state immigration agent, but no appropriation has hitherto been made, either for his salary or expenses, and the result is that he has been of but little value to the state in inviting settlers to come among us, notwithstanding the fact that he has done the best he could under the circumstances that surrounded him. I hope the law will be so amended as to render this office of real value to the state.

A STATE COMMISSIONER OF REVENUE.

Every thinking citizen knows that West Virginia is annually defrauded out of tens of thousands of dollars of revenue, from improper reports of her property owners in their returns to county assessors. This should be remedied. There should be a uniform assessments upon all grades of personal property. Everyone knows that this is not done. It can be done, and ought to be done. Our present law upon this matter is ineffective, because all informers are classed as detectives and their reports meet with almost univer*sal disfavor. It seems to me that the* remedy lies in the creation of an officer known as a "state commission of revenue," whose duty it shall be to canvass the state, confer with assessors and see that all personal effects of every citizen are properly assessed. Such officer can earn ten or twenty times his salary by requiring proper returns of personal property to be made to assessors for taxation.

THE POINT PLEASANT MONUMENT.

In February, 1875, the sum of $3,500 was appropriated for the erection of a monument in commemoration of the battle of Point Pleasant, fought between General Andrew Lewis and the Indians in 1775. During your session of 1897, a joint resolution was passed, directing the governor to appoint three commissioners, whose duty it shall be to take charge of said appropriation, and any other donations which may have been made for that purpose, and proceed to construct said monument.

In accordance with said joint resolution, I appointed Hon. John W. English, one of the judges of the supreme court of appeals, Hon. F. A. Guiarle, judge of the Seventh judicial circuit, and Dr. A. R. Barbee, of Point Pleasant, as said commission. I have received a report from these honorable *gentlemen*, in which they state they have not undertaken the erection of the monument, mainly for the reason that it is believed that the fund at their disposal is not large enough to construct such a monument as they think should be erected.

They report, moreover, that the fund, which had grown to $7,848 33, was loaned at 6 per cent interest for the period of three years, on June 1, 1896, which was prior to the passage of the joint *resolution above referred to. They fur*ther report that there is an additional fund of between $800 and $1,000, which is also bearing 6 per cent interest. These two amounts, adding interest, now aggregate about $10,000, which amount will construct only an ordinary monument.

The commissioners, in their report to me, suggest that an appeal be made to the legislatures of Virginia, Ohio and Kentucky for appropriations to aid in this work, for the reason that many of the descendents of those who are engaged in that important battle have made their homes in those states.

While I fully agree with the commissioners that the present fund is not sufficient to construct a very commanding structure, yet, it seems to me, that the suggestion they submit will be very difficult to carry into effect.

I have submitted the facts to you so you can take such steps as you may deem proper in the premises.

STATE PROPERTY AT BERKELEY SPRINGS.

Under an act of the house of burgesses of Virginia, passed in 1776, the wonderful springs at the town of Berkeley Springs, became the property of the state, in trust. For some reason, this property has never been properly cared for and developed.

A law should be enacted, by which the intentions and plans of Lord Fairfax should be successfully carried out.

It is admitted by scientists and experts of all parts of this great country of ours, that these springs have natural advantages unsurpassed, if equalled, in any other state, and they are held in trust by the state and I may say that it is a grave and sacred trust. This trust is now held by a board of directors, who have had it in charge for many years past. Somehow, the property had not developed, at least as I feel that it should have done, when I take into consideration the marvelous medicinal qualities of the water. The great drawback, in my judgment, is the board of directors is too large and too unwieldly.

I, therefore, recommend that the statute be amended, fixing the number of the board at five—one from each congressional district and one at large; or if you deem it better, its management can be transferred to the state board of public works.

At all events, there should be a radical change in its supervision, if it is expected that the property shall reach the standard which Lord Fairfax anticipated, when he donated it to the mother commonwealth one hundred and twenty-two years ago.

PORTRAITS OF GOVERNORS.

The portraits of governors of this state, now suspended in the governor's reception room, are of a very inferior character, and are by no means creditable to the state, as to their style and execution. West Virginia is able to pay the necessary expense of having life-sized oil portraits of its governors, and I have no hesitancy in saying that it ought to be done. I, therefore, ask that an appropriation be made for this purpose, and that a committee be appointed—two from the house and one from the senate, to carry it into effect; and that the work be done as soon as possible after the adjournment of the legislature.

CAPITOL LABOR FORCE.

It requires in the neighborhood of $6,000 a year to pay the salaries of the men necessary to keep up the building and grounds, and to take proper care of the different offices in the building. The rule has hitherto been to pay these bills out of the governor's civil contin*gent fund.*

I beg to suggest that an appropriation should be made to pay the necessary salaries of these men, the same as other legitimate expenses of the state, and that the same be paid out upon the approval of the board of public works, or, if you prefer, upon the recommendation of the governor, as it is now done.

The state house needs a general repairing from cellar to dome. New carpets are necessary in the halls of every story of the building. Other improvements are also necessary to properly preserve the building. A largely increased appropriation for these purposes is an absolute necessity. I respectfully ask the appointment of a joint committee to thoroughly look into this matter, and report thereon.

ELECTRIC LIGHT PLANT.

I recommend the purchase and construction of an electric light plant for the use of the capitol building and governor's mansion. Such a plant will not cost over $7,000 to $8,000. The cost of lighting of the capitol building amounts to nearly $4,000 a year. If the state owned its own electric plant, it would cost nothing additional to operate it, and it will pay for itself in, perhaps less than two years, and at the same time the offices of the building will be much better lighted than they now are. Moreover, a large arc light could be *placed at the front* entrance of the building, without expense to the state, which light is badly needed, and ought to be established, whether the state does or does not own its own electric appliances.

NEW BOILERS FOR CAPITOL BUILDING.

The boilers in the capitol building have been in constant use for twelve years, and they are practically exhausted. When new, these boilers were made of plates one-quarter inch in thickness. They are insured, and are inspected every few months. They were carefully inspected but a few weeks since, and the inspector informed me that they are well nigh exhausted. He advises that a new outfit should be purchased, as a guaranty of safety to the capitol building. If new boilers are not purchased, the present ones must be repaired at heavy expense, which, if done, will cost in the neighborhood of the price of new ones. To furnish new ones you will have to appropriate the sum of $3,000. It seems to me that economy requires new boilers, instead of repairing the old ones, and incurring the risk of fires, which necessarily result from explosions.

FOUNTAIN FOR CAPITOL BUILDING.

It is apparent to every one who visits *the capitol grounds* that there should be a large fountain midway between the capitol building and the street on the west side. The walk way is sufficiently wide to admit of it without in any way interfering with the ingress and egress of pedestrians. Such an appliance would add greatly to the appearance and real value of the property.

I do not ask the legislature to make an appropriation for this purpose, but I mention it with the hope that someone of our wealthy citizens will see fit to perpetuate his memory by erecting a monument of this character. I sincerely hope that before your body convenes again you will be cheered and greeted by an ever-flowing fountain, whose spray will be the delight and comfort of those who may pass it in the dark as in the light.

MANSION PROPERTY.

The governor's mansion and grounds are valuable property, and are steadily increasing in value every year. I found it necessary, in order to get the lot in proper shape, to purchase a parcel of ground, 32 feet front, on Summers stret, extending eastward toward the mansion, for which I paid $50 per front foot, or $2,600 for the lot—or rather I agreed to pay that sum. I paid $600 in cash on the purchase out of the governor's contingent fund, and have paid out of said fund $120 interest on the defered payment. The value of said lot was fixed, at my request, by ex-Governor W. A. MacCorkle, Malcolm Johnson and Neil Robinson, and it is believed by them, and by others, also, to be a reasonable and proper price for the property. It was absolutely essential to have this lot of ground to square up the mansion property, and I accordingly assumed the responsibility of purchasing it. There remains due upon *this purchase* the sum of $2,000 with one year's interest at the rate of 6 per cent, for which I respectfully ask a special appropriation.

In this connection, I desire to suggest the purchase of thirty-five feet more land, fronting on Capitol street, immediately south of the mansion, and extending westward to Summers street. If this purchase were made the lot would be in better shape, and would become much more desirable and valuable as well. In my judgment, this purchase should be made at the present session of the legislature.

I also desire to call attention to the great necessity of *enlarging the* governor's mansion. I had a competent architect prepare a plan with this object in view. The plan will add four large rooms to the building, at a cost of $1,800. Should you direct this to be done, the Summers street front of the mansion will be much handsomer than the present front on Capitol street. The building is entirely inadequate for present needs. Moreover, the expenditure of $1,800 upon the building will increase the actual saleable value of the property more than that amount, so that the state will gain, in the end, by the expenditure, instead of losing by the outlay.

I expended the entire sum allowed by the last legislature, ($5,000), in furniture for and improvements of the mansion property. The building was supplied with new furniture, electric appliances were added, the grounds were carefully graded and a large number of forest trees were planted upon the lawn. The property has been greatly improved, and is now one of the most attractive residences in the city. If the size of the lot were increased thirty-five feet, as before suggested, and the addition made on Summers street, it would be among the most valuable and attractive dwellings in the state.

PARIS EXPOSITION.

There will be held in the city of Paris, during the year 1900, an exhibition of the world's products. This exposition will offer to the states of the American republic an opportunity to display to the world their natural resources, which they can ill afford not to avail themselves of. Besides assisting individual exhibitors or corporations at this great exposition, it has been arranged by the management to give special attention to a general exposi*tion of each and every state of our* great republic.

West Virginia cannot well afford to be without representation at this great exposition. One or more commissioners, it seems to me, should be sent from our state, and an appropriation should be made for their expenses and the expense also of sending to Paris a proper and creditable exhibit of our wonderful resources.

The dignity and importance of the United States in arts, science and manufactures should be accurately reflected in the character of the exhibits which are to be displayed in the American section of this great international exposition, and with this object in view you are respectfully invited to promote such interest therein as will tend to insure among the American exhibits the best representation of the industries and institutions of the state of West Virginia.

OHIO CENTENNIAL EXPOSITION.

There will be held in the city of Toledo, in 1903, a centennial exposition of the origin, growth and commerce of this great sister state. Inasmuch as this state borders on West Virginia for 329 miles, and is separated from it only by the Ohio river, which tells, in its meandering way to the sea, the story of two great states of the foremost republic on the earth, it is not too soon to take proper action to make a proper showing in this proposed exposition. I believe that our West Virginia people have in them the spirit of progress which, if rightly used and conserved, will make the Ohio valley the greatest valley in the world, and the states bordering upon it the conspicuous states of the republic. In location, climate, natural resources and possibilities, the states watered by the Ohio river are bound to be, in the near future, the heart of our great government of, for and by the people.

This proposed exposition must, of necessity, be a truly great affair. We, as a state, should arrange to share in it. I call your attention to the matter thus early, so that our people may be educated to properly share in the coming event.

MARKING LINE BETWEEN WEST VIRGINIA, MARYLAND AND PENNSYLVANIA.

My attention has been called by the governor of the state of Maryland to the necessity for a re-erection and re-establishment of the boundary monuments of the "Mason's and Dixon's Line," between the states of Pennsylvania, West Virginia and Maryland.

Prof. Henry S. Mitchell, of the United States Coast and Geodetic Survey, after an investigation of the question and of existing documents on file in his office, states, under date of November 26th, 1893,—"This evidence shows that the original plan of marking the line by stones, carefully cut and prepared in England, was not carried out. That instead, on the western portion other cut stones were planted and mounds of loose stones were piled around them; that subsequently many of the monuments were displaced, possibly by searchers after treasure. In all likelihood a great many will be found in place. To re-examine and re-establish the old line would be a task of some magnitude, but need not be a very expensive one. It should only be entrusted to persons versed in the higher branches of surveying, and acting under joint authority of the adjoining states, that is, West Virginia, Pennsylvania and Maryland. While the maintenance of boundary marks once established might be entrusted to county authorities, their re-location by such irresponsible authority would hardly be acceptable to the authorities of a different state."

It seems necessary, to my mind, that ther should be an examination of the condition of the boundary marks on Mason's and Dixon's line.

It would be most economical to combine, under joint states' authority, with such an examination, the re-placing of old marks where necessary, or the substitution of new ones where the old ones are in a state of decay. An en-

The Ills of Children.

Dr. Hartman offers his advice to parents on the treatment of coughs and colds.

LEARN to guard against colds. Nearly all the ills of children begin with taking cold. If your child catches cold don't wait a moment before attacking that cold.

To the ignorance or neglect of parents is due the fatal termination of many children's complaints.

If you are not informed as to the proper course to pursue to drive off a child's cold, write to Dr. Hartman, president of the Surgical Hotel, Columbus, O., for advice, and ask for some of his free books which contain the most pertinent facts about colds and coughs and all catarrhal diseases.

Pe-ru-na, Dr. Hartman's great prescription, is wholly vegetable. It wards off colds entirely if taken at the beginning in proper doses. It breaks up settled colds quickly; it is scientific and safe; there is no mystery about it. Dr. Hartman's books tell just how it acts and why. All druggists sell it.

Mrs. C. T. Rogers, Elgin, Ill., says: *Dr. S. B. Hartman, Columbus, O.*

DEAR SIR:—"Your medicine saved my baby's life. We stopped all treatment but yours, and now he is a beautiful boy. It was certainly a miracle."

Mrs. Becking, East Toledo, O., writes to the Pe-ru-na Medicine Co.:

DEAR SIRS:—"Pe-ru-na is the best medicine I ever had in my house. My children had a bad cough, and one of them had the lung fever. I cured them all with Pe-ru-na."

Proper knowledge of the treatment of coughs and colds is of the first importance to parents. This knowledge is offered free. All catarrhal diseases succumb to Pe-ru-na.