MERRIAM'S MESSAGE

Gov. Merriam Delivers His Biennial Message to the Legislature.

He Reviews the Work of the last Two Years and Makes Some Suggestions.

Gentlemen of the Senate and House of Representatives:

Constitutional enactment permits me the opportunity of submitting to this body such facts and suggestions affecting the present condition of state affairs as are deemed worthy of consideration. Availing myself of this privilege, I shall first call attention to matters pertaining to general legislation, and later refer more specifically to such items as I regard of special importance. Permit me to reiterate the sentiment expressed in a communication to the legislature assembled two years ago as to the desirability of a careful scrutiny of all bills, the purposes and requirements of which call for the expenditure of public moneys. Too much care cannot be exercised in this direction. Let the taxes be kept at the lowest point consistent with prudent and wise administration. The penal and charitable institutions, as well as our public school system, should be supported in a manner worthy of the state and its citizens, but every demand for increased facilities, or enlarged expenses, should be carefully considered and aid only extended when absolutely needed. Further on I shall take the liberty of expressing my views as to what sums should be allowed the different institutions. The opinions offered are based upon a careful computation of the revenues to be derived from various sources during the coming two years.

Allow me to say that I regard as a great and growing evil, in connection with all legal enactments, both state and national, the tendency toward class legislation. It is too common an occurrence for localities, and for individuals, to demand of the law-making power action that will tend to their exclusive benefit. Laws should be passed that will bear upon and benefit equally all citizens, and the greatest care should be exercised that no advantage of any kind or character to the detriment of the general public be given to any special class, or to any particular locality. It is quite the custom among the many well-meaning citizens to ask of the legislature relief from every trouble, imaginary or real, many of the difficulties being from causes beyond its curative resources. All should be protected in their personal and property rights. Discrimination of any character that is to the advantage of one citizen and works injury to another should be studiously avoided as unfair, and not in accord with the spirit of free institutions. In this connection, too, I regard paternalism, so-called, in government, as an evil that will ultimately result in great trouble and endless confusion. It is a malady that seems to be spreading, and carried to its logical and legitimate conclusion will end in the building up of favored classes and localities, to the detriment of the great masses of the people. Your responsibilities in this direction are important, and I commend to your consideration the necessity of avoiding all legislation of the character I have noted.

RAILROAD AND WAREHOUSE COMMISSION.

The report of the railroad and warehouse commission gives full insight into the work that has been accomplished under the direction of that body during the past two years.

Since the passage of the law creating the present board the records will clearly demonstrate the fact that much has been accomplished that has been of direct benefit to the general public. Among other things, and important, has been the gradual but material reduction in transportation rates for freight and passengers, and such action as has resulted in requiring of the railroad companies equal consideration for all classes of shippers. We must not forget, however, that competition, improved methods in handling trains, newer and better macoinery, lower grades, and the reduced cost of transacting business, aided by a continually growing traffic, have all assisted in making lighter the burdens of transportation. To my mind one of the greatest evils incident to railroad management is the pernicious habit indulged in by too many railroad officials of discriminating in favor of certain patrons and against others. It is an abuse over which the public feel justly incensed. So manifestly unfair is it to give one shipper any advantage over another that, in calling attention to the matter, to simply state that the practice exists seems to be all that is necessary at this time. The penalties for disobedience of the section of the law referring to discrimination should be so severe as to administer a lesson to him who breaks it that they will not soon be forgotten. The commission, in its reports of 1885, and of later dates, speaks of a certain form of discrimination that is worthy of your consideration. I quote from these reports relative to the system so common among railroad managers of bestowing free passes: "It is the conviction of this commission that the issuing of free passes as now practiced in this state is an unjust discrimination as against every passenger that pays, and thus opposed to the spirit of the act passed for the regulation of common carriers; that it is a fruitful source of corruption; that it is injurious alike to public and private interests, and to the interest of the companies themselves, and that it is one of the chief obstacles in the way of proper and necessary reform in railway management and the control thereof under authority of the state." The present law regulating common carriers especially permits the issuance of passes for the free transportation of passengers, although all other discrimination is prohibited under severe penalties. Comment is unnecessary.

It is gratifying to state that those sections of the law requiring that cars shall be furnished to individual shippers have been carried into effect more fully during the last two years than at any time heretofore. While there have been individual cases where the railroad managers have been derelict in their duty in this respect, yet on the whole the spirit of the law has been met, and its provisions generally complied with.

The decision rendered in March last by the supreme court of the United States, holding that certain provisions of the act of 1887 regulating common carriers are not in harmony with the federal constitution, will make necessary some changes in our laws in this regard. It was generally understood when the law of 1887 was enacted, that while the railroads were entitled to receive reasonable rates for service rendered, the legislature was the sole arbiter as to what rates were reasonable. It was also generally admitted that this power could be delegated by the legislature to a board of commissioners. With this in view, the law of 1887, as interpreted by the supreme court of the United States, delegated this power to the board of railroad and warehouse commissioners, and provided no means for a review of its action. The court of last resort has determined that action upon such matters is not final, either in a commission or in the legislature itself. The power of the legislature to make reasonable rates for common carriers is not denied, but whether a given rate so made is reasonable is a judicial question, and must be settled as other matters of law and fact are determined, through the medium of the courts. The statutory provision of 1887 should be so amended as to provide a plain, direct and speedy method of review of the orders of the commission, either through the medium of appeals or by direct proceedings on application of the board, or of any party or corporation interested, to the supreme court of the state. Much can be done in the direction of reducing the cost of marketing our principal cereal at the terminal points when the amendment suggested is carried into effect.

GRAIN INSPECTION.

One of the important interests entrusted to the board of railroad and warehouse commissioners is the inspection and weighing of grain. I confess to approaching this subject with diffidence, as I am not entirely positive whether our present system is all that can be desired. The grading of wheat is not an exact science, but is largely a matter of individual judgment. Grain experts will not always agree, and as a result there is frequently a divergence of opinion between inspectors in the country and at terminal points of so marked a character as to produce much confusion and often dissatisfaction. I have addressed communications to many of the leading farmers of the state, as well as to some of the prominent receivers of wheat, and with practical unanimity they concur in the opinion that the law, in its present form, with possibly some slight amendments, is as effective as any enactment that can be devised for the purposes intended. Some suggest that a board of appeal be provided at each terminal point to adjust any question of grades arising in connection with inspectiom. This I deem to be a wise suggestion. The problem of grading at local stations is more difficult to solve. It would be impracticable to maintain state inspection at the thousand and one points throughout the state where grain is bought, and therefore it would seem as if the small shipper must avail himself of the right to ship his wheat direct to the receiving points and demand state inspection and weights in case he is dissatisfied with the inspection of the local elevator agent. I am well aware that many hardships arise from undergrading at country stations, but I see no way whereby this difficulty can be overcome save in the manner indicated.

AUSTRALIAN SYSTEM OF VOTING.

The last legislature enacted a law relating to the manner of voting and the holding of primaries in cities in this state containing 10,000 people or more, and a test of the plan (known generally as the Australian system) was made at the last general election. The law in the main worked satisfactorily, some minor changes being apparently necessary to perfect it. In my judgment the statute should be so amended as to make it applicable to the entire state, and I suggest for your consideration the desirability of causing such additions to the present laws as will accomplish that result. Public sentiment is fully alive to the necessity of throwing such safeguard about the ballot box as will insure purity in elections. No means should be spared to prevent fraud, intimidation, or corruption at the polls.

EDUCATIONAL SYSTEM.

Our whole educational system is so excellent, and rests upon so secure a foundation, that I hardly deem it necessary to enlarge upon it particularly. The excellent character of the work being done in the university, in the normal schools and in the high schools, is so generally known and appreciated as to require but little comment, other than words of highest praise. Some changes are needed in the direction of the management of the high schools of the state, as well as some additional appropriation to meet the natural growth incident to a rapidly increasing population. It would be well to enlarge the present high school board, consisting of three members, to five, the two additional to be selected, one by the board of regents, and one by the normal school board. The employment of a special secretary, who would devote his time to the inspection and improvement of the high and graded schools seems to me desirable.

Quite a number of graded schools might rank as high schools if the appropriation was increased $8,000 per year, and thus a very desirable result would follow a moderate additional expenditure. The sum of $400 is allowed each high school under certain conditions, and at this time the appropriation only provides for sixty. At least twenty-five additional schools should receive the aid of $400, as by this assistance they would grow into excellent institutions, and raise the standard of education in the counties where the are situated.

INSPECTION OF ILLUMINATING OILS.

At the last session of the legislature the law concerning the inspection of illuminating oils was amended, whereby the fee system was abolished and the position of inspector of oils made a salaried office, all emoluments arising from inspection being covered monthly into the state treasury. No appropriation having been made to pay his salary, the inspector deducted the amount due him under the provisions of the law each month from the fees collected. In March last, however, in a suit brought in the district court of Hennepin county by a company dealing in illuminating oils against the deputy oil inspector in that county, it was decided that the term "package" as used in the statute might refer to a receptacle for oil of any size, and that the vendor of oil was not compelled to submit to inspection by the barrel unless he so elected. The practical effect of the decision was such as to render it impossible to procure an inspector to serve who would be willing to accept the legal compensation for inspecting a "package" containing one hunhundred or more barrels at the rate of 40 cents, that being the maximum sum allowed by the statute. As a result, and if other temporary measures had not been taken, illuminating oils would have been sold broadcast over the state without inspection, endangering, possibly, human life and property. After consultation with the attorney general and the representatives of the large dealers in illuminating oils an arrangement was made whereby the companies dealing in and distributing oil agreed to pay the salaries of three inspectors until such time as the law could be amended to meet the case involved. This was undoubtedly the best plan that could be devised to meet the emergency. I respectfully urge upon you the necessity of prompt legislation in connection with this matter. Illuminating oil is very generally in use throughout the state, and provision should be at once made to avoid any calamity that might occur from a neglect to rigidly inspect the same. It might be well to consider the desirability of returning to the fee system, reducing the amount per barrel to ten (10) cents in accordance with the law in neighboring states. The public will be better served, and the perquisites after deducting the sum necessary to provide deputies to strictly enforce the law would not aggregate an excessive amount in view of the labor performed. From such information as I have at hand the number of barrels that are likely to be subject to inspection will not exceed 80,000 per annum in the cities of St. Paul and Minneapolis. There would perhaps be 25,000 to 30,000 barrels to be inspected in other parts of the state, to be handled by local inspectors. After deducting necessary expenses of rigorous inspection in the two cities, it would leave between $3,000 and $4,000 as a salary to the chief inspector. Should it be deemed advisable to continue to pay a salary to the inspector, the amount should be provided for in the general appropriation bill.

THE NATIONAL GUARD.

I desire especially to call your attention to the efficiency and excellence of the National Guard. It is composed largely of young men from all parts of the state, many of them from the agricultural districts, who are devoting themselves with great earnestness and faithfulness to the manual training necessary to develops them into soldiers equal to any emergency. The reports of the adjutant general indicate a constant improvement in point of proficiency and drill and the other requisites for military service. It is well to have bodies of trained men for the purpose of protecting life and property should exigencies arise in the way of local disturbance; and in case of war with foreign countries, well trained officers could be selected as the basis of material for organizing an army from the ranks of the national guard. At present no provision has been made to furnish overcoats or blankets to the men, for use in case they are ordered out on duty in extreme weather. An appropriation for this purpose is manifestly a proper one, the articles purchased to remain the property of the state.

THE WORLD'S FAIR.

The world's fair to be held in Chicago in 1893 will be an event of national importance, and proper steps should be taken by the legislature to insure a full exhibit of the resources of our state upon that occasion. No means should be omitted to have the various advantages of Minnesota made known to the thousands who will visit the greatest exposition of modern times. It will be necessary in order that we may receive the attention commensurate with our wealth and population to make an appropriation adequate to the proper representation of our vast agricultural and mineral products, and to formulate such plans as will call the attention of visitors to our matchless climate, our educational system, and our manifold advantages in all that pertains to industrial and social life and development. It may be deemed wise to create a commission into whose charge this whole matter shall be entrusted. I consider this of special importance, and trust no means will be omitted to provide for a full and complete exhibit, as the results that will accrue cannot fail to be of lasting benefit.

WAR HISTORY OF MINNESOTA TROOPS.

The commission appointed under the act of April 16, 1889, to collate the history of Minnesota troops engaged in the late war, as well as the Indian war of 1862, has reported in full as to the work delegated to their care. The results of its labors have been eminently successful. The book published under its supervision has been largely circulated in accordance with the enactment. I desire to embrace this opportunity to express the obligations of our citizens for the faithfulness and diligence shown by the members of the commission in the fulfilment of a work of such interest to the people of our state.

SWAMP LAND GRANTS.

I respectfully urge upon this body the desirability of disposing of several unsettled swamp land grants. The state has granted from time to time, during the last twenty-five years, quite an amount of swamp lands to aid in the construction of various railroads. Some of the roads have selected nearly or quite the number of acres to which they are entitled. Others have preferred to delay, for one cause or another, until a large amount of unfinished business has accumulated in the land office, necessitating the employment of extra clerks and causing more or less expense. Some of the grants have have been forfeited by non performance of contract, while others await further legislation to determine rights. A sufficient number of acres have been deeded to the state by the general government to fill the grants to railroads (saving possibly one road), and state institutions whose rights have been fully determined. The time has now come for the lands to be deeded to the proper parties, and the state relieved of further annoyance and care. To that end I suggest that a law be enacted directing the parties entitled to land to select the same within a reasonable time, say three or five years, and after the expiration of that time to provide that all grants, of every kind and nature, be declared absolutely forfeited.

KANDIYOHI COUNTY PUBLIC LANDS.

Permit me for the second time to call the attention of the legislature to the necessity of making some disposition of the public lands in Kandiyohi county, amounting to some 6,400 acres, held for a capitol site. These lands should be sold and the proceeds turned over to the treasurer for the purpose of defraying the expenses of the state. There can be no possible advantage in retaining the lands longer and much benefit will result to the citizens of Kandiyohi county if these acres are made subject to taxation. Several attempts have been made to dispose of the matter, but all have been futile. The sum of $75,000 would be realized, it is estimated, from this source.

THE BANK EXAMINER.

The report of the public examiner gives in detail the result of the work accomplished in his department. Under the provisions of an act passed by the last legislature a large amount of work has been entailed upon the bank examiner in connection with the building and loan associations. I doubt very much the desirability of placing the various loan and building societies under state management unless the laws under which they are organized and regulated are uniform and more strict. It is an impossibility for state officers to properly look after institutions formed upon a business basis so insecure and be officially responsible to those who invest their savings. Many of the associations guarantee profits that are not obtainable if ordinary business methods are pursued, and proper care exercised in the way of prudent investments and economy in management. Building societies, founded upon right principles and conducted upon a safe and prudent basis, have proved remunerative investments, and in many instances have been of advantage to the community, but institutions organized for the purpose of providing large salaries for officers and directors, and conducted upon plans utterly foreign to well-known commercial rules, result in final disaster and loss to unsuspecting stockholders. If the state is to assume the guardianship of institutions of this kind let the law be so amended as to give the fullest opportunity to protect the public by means of ordinary safeguards. The work entailed upon this department is increasing so rapidly that some means must be devised to defray the expense of further clerical help. In order to meet this additional sum it would be well to collect of every bank, trust company or building and loan association a fee commensurate with the capital invested, to be paid into the state treasury. Quite an amount would be thus obtained to defray the expense of maintaining the office of examiner.

THE STATE FINANCES.

It is estimated that the excess of receipts over disbursements for the years 1892-93 will approximate $700,000. This sum will be available for purposes of enlarging and improving state institutions, and for other and necessary objects. The various boards and commissions have suggested expenditures that, if made, would involve an outlay of about $1,500,000. It will be impossible, under existing circumstances, in my judgment, to provide so large a sum of money. We are forbidden by law to create any further bonded debt, and it would be extremely unwise to increase the tax levy at this time. The times are not propitious for any additional burden in the way of direct taxes. I venture to suggest for your consideration the desirability of confining all appropriations for building purposes or extraordinary expenses to the sum above noted—$700,000. Attached to this paper is a full statement of the revenues to be derived from all sources for the next two years, as well as probable ordinary expenses. After a careful consideration of the demands made by the authorized boards representing the different penal, charitable and educational institutions I have indicated the direction, to the best of my judgment, all things taken under advisement, in which the money should be expended.

I need hardly refer, in conclusion, to your responsibility as the representatives of the people. You have accepted from the citizens of a great commonwealth no ordinary trust, and are charged with duties of the highest order. Not as individuals, but as the chosen servants of the people, you are to devise and formulate laws that will adequately protect the vast interests of the state. Permit me to express the hope that the results of your labors will prove of permanent value to the citizens of Minnesota.

WILLIAM R. MERRIAM.

Executive Office,
St. Paul, Minn., Jan. 9, 1891.

WORK OF CONGRESS.

Proceedings of Both Branches of the National Legislature.

Saturday Jan. 10.

SENATE.

A bill was passed extending the time for entry of lands under the forfeiture bill of last session. The report on the bill to carry out the act to devide the Sioux reservation was agreed to. Debate on the financial bill was continued, Mr. Morgan concluding his speech.

The vice-president laid before the senate the protest of 23 members of the Idaho legislature against allowing Mr. Dubois to take his seat.

After some minor miscellaneous business the senate resumed consideration of the election's bill, Mr. Morgan speaking.

HOUSE.

In the house the army appropriation bill was made the subject of political speeches and was debated at length without action. Eulogies on the late Representative Walker of Missouri consumed part of the afternoon.

Tuesday, Jan 13

SENATE.

The senate resumed the consideration of the financial bill and was addressed by Mr. Sherman.

After speaking nearly four hours Mr. Sherman resumed his seat amid considerable applause.

Mr. Morgan, on behalf of Mr. Colquitt, gave notice of an amendment to the financial bill, abolishing the tax on state banks.

Senator McConnell of Idaho made his maiden speech in the senate to-day and, of course favored free coinage. As a speaker he made a very favorable impression. He said that the people of the East must not look upon the Western men and Western representatives as enemies; that they were the brothers and sons of their constituents and were of the same general stock. He described the prosperity of his state and said the one thing lacking was money—money to move the products of their fields, forests and mines, and he believed that free coinage would be a movement in the right direction.

HOUSE.

The sub-committee on commerce had a hearing on the bill to regulate the size and running of rafts on the rivers connecting the big lakes which annually damage the navigation of these waters. The committee has agreed on a bill which will be reported in a few days that is believed will give satisfaction to all interested.

Mr. Demo of Houston moved that a committee of five on mileage be appointed, and the motion being carried, the speaker appointed Messrs. Greer of Wabasha, Bjorge of Otter Tail, Sikorski of Winona, Chesley of Norman and Currier of Blue Earth.

Wednesday, Jan. 14.

SENATE.

The senate received one of the greatest surprises it has ever had. At nearly 12 o'clock, after a long tedious discussion during the day, after voting on the various amendments to the financial bill and after the bill as amended had been reported to the senate and agreed to, Mr. Vest presented a free coinage bill pure and simple, as a substitute, and it was passed—29 to 27.

Both Senator Davis and Senator Washburn voted in the negative. Before the senate had fairly recovered from the surprise Mr. Hoar called up the elections bill in order to make it the unfinished business for to-morrow. The vote on this was a tie, and the viec president cast his vote in its favor. Senator Davis voted in the affirmative and Senator Washburn in the negative.

HOUSE.

The house passed the army appropriatio bill amended so as to provide that lan great railroads shall receive for army transportation but 50 per cent. of the price paid to them by private parties for similar services. The District of Columbia appropriation bill was carried into the committtee of the whole and debate agreed upon, pending which the house adjourned.

Thursday, Jan. 15.

SENATE.

The silver bill as passed by the senate is a free coinage measure pure and simple, free from all the national bank and bond legislation contained in the financial bill.

The senate disposed of considerable routine business, after which the election bill was taken up and Mr. Evarts spoke in advocacy of it. He sent to the clerk's desk and had read an extract from a speech made by Judge B. B. Chriman, in the Mississippi constitutional convention last September, denouncing the election methods as carried on in that state. That speech, he said showed that there was in Mississippi a prevalence of subversion of law. The constitution of Mississippi (he understood) provided that elections for, the lower branch of the legislature should be held once in four years—thus accustoming voters to the disuse of the suffrage. What Democratic commuuity of the north would submit to that?

HOUSE.

Mr. Milliken, of Maine, submitted reports on the bills providing for the erection of buildings at Sioux Falls, S. D., and Portland, Oregon, which were agreed to.

The speaker announced the appointment of the special committee to investigate the "silver pool" question as follows: Messrs. Dingley, Paine, Rowell, Dockery and Oates. Mr. Dockery, however, has resigned, and Mr. Peel, of Arkansas, has been appointed in his place.

The conference report on the Mankato, Minn., bill was after debate agreed to. A message from the senate was received announcing the passage of the financial bill with a free coinage substitute. The reception of this message by the Democratic side was cordial and effusive, and Mr. Bland, of Missouri, expressed the hope that early action would be had upon the measure.

Friday Jan. 16.

SENATE.

WASHINGTON, Jan. 17.—The fight over the election bill is now on in earnest in the senate.

Mr. Pasco started the ball to-day in a long speech against the bill and was followed by Messrs. Berry, Jones of Arkansas, Hampton and Reagan against the bill and Mr. Dixon in its favor.

Mr. Pasco gave notice of an amendment which he would offer, to punish bribery by the payment of money, or by the promise of procuring employment for voters, and to punish the use of pay envelopes intended to influence workingmen.

HOUSE.

WASHINGTON, Jan. 16.—Representative Carter of Montana, from the committee on mines and mining, to-day reported to the house with amendments the senate bill to cure defects in existing law with relation to mineral lands, etc.

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