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Biennial Message
of
Governor James B. Orman

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Inaugural Address

of
Governor James H. Peabody

to the
Fourteenth General Assembly
of the State of Colorado

OF THE
CITY OF DENVER.
1903



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Biennial Message

of

His Excellency

James B. Orman

Governor

to the

Fourteenth General Assembly

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State of Colorado

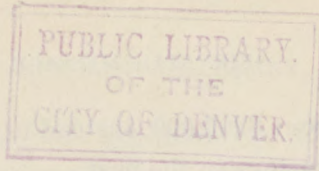
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Biennial Message *of*
Governor James B. Orman

In making this report to the general assembly pursuant to the constitutional provision, making it the duty of the Governor to inform you as to the present condition and future needs of the state institutions, and also to make such recommendations as are, in his opinion, matters of importance to the welfare of the people of the state in general, I have endeavored to be as brief as possible, but find so many matters of grave importance to deal with, requiring great detail, that I am afraid I shall perhaps weary you.

I am gratified beyond measure to say to you that since the last regular session of the general assembly, at which many wise and effective laws were enacted, great improvement has been made in our financial condition, which has placed all of our state institutions on a much better basis. For the first time since Colorado was admitted into the Union, all legislative appropriations have been either placed to the credit of the recipient, or have been actually paid, leaving a

surplus of about \$200,000, instead of large deficits, as has been customary in the past.

This splendid condition of affairs has not been brought about without much painstaking labor and thought on the part of the members of the last general assembly and the present state officials, who have at all times been zealous of the welfare of the state and its institutions.

The affairs of state in the past were in such an unsatisfactory condition that action was imperative, and the legislature, aroused to a sense of its duty, enacted a revenue law that has indeed brought order out of chaos, and while it is true that our institutions are now in the best condition they have ever been, still much remains to be done. The fact of the matter is, owing to the lack of funds, our institutions were unable to keep up with the necessities of a rapidly growing state, and now large sums of money are needed for additions and improvements to place them where they properly belong.

A great many of our institutions have for years been over-crowded; have lacked the proper facilities for operation, and have been unable to receive sufficient funds for their maintenance. I am glad to say, however, that a brighter dawn is before us, the clouds of difficulty have rolled away and we now stand in the clear sunlight of prosperity.

While I shall hereafter call your attention to the needs of the various institutions in detail, showing

the estimated amounts required for additions and improvements, I regret to say I know the revenues of the state for the next two years will not be sufficient to give them all that is desired. Much can be done, however, and it will become your duty to select the most urgent cases before you for prompt attention.

There is one matter of great importance to which I desire to call your attention, and which should be attended to at the earliest possible moment, and that is the payment of the deficiency vouchers issued by the former administration, as follows:

For the Asylum for the Insane.....	\$ 25,000
The Penitentiary	25,000
Soldiers' and Sailors' Home.....	20,000
The University	70,000
	<hr/>
A total of.....	\$140,000

This money was advanced by the Clearing House Association and by private individuals at a time when the state was in great need and financial distress. While it may be contended that the last legislature made an appropriation for the payment of this indebtedness, I am compelled to say it was done in such a manner as to make the payment illegal. I do not at this time care to go into the question of the law on the subject, other than to say that the best legal advice obtainable was to the effect that the officials making such payment would be liable therefor. The state

would have been glad to have made such payment, if possible, believing it to be a debt of honor, but it could not be done in the manner provided.

Relative to the indebtedness of the university, I beg to inform you that the holders of these certificates of indebtedness, in many instances, are individuals who can ill afford to carry them, but whose patriotism was such that they could not see the university in such dire distress without coming to its assistance.

I earnestly recommend that you make an appropriation at once, paying this indebtedness out of the surplus revenues of the last biennial period, when it will become immediately available and payment can be at once made.

Besides the above, there are some deficiency vouchers of former administrations, and a deficiency of about \$6,000 for the penitentiary of this administration, the payment of which should be provided for.

A great deal has been said during the past few years as to outstanding warrants of prior years, and the matter has even been submitted to the people for the purpose of issuing bonds for their payment, but was defeated, principally, I believe, from the fact that the question was not well understood. The opinion has prevailed, to a greater or less extent, that these warrants were not legal. In a technical sense, in a few cases, that may be true, yet the larger portion of them are legal obligations. They include the salaries of justices of the Supreme Court, of state officers and

for clerical services. The work represented by these warrants was actually performed. I believe the time has now arrived when the state can begin to provide for their payment out of the excess revenues. The incoming administration should have, from a conservative estimate, at least \$300,000 excess revenue which could be applied to the redemption of these warrants. The outstanding warrants for the years 1891, 1892, 1893, 1894 and 1897 amount to almost \$50,000, which, with accrued interest, would make approximately \$75,000; at least it would amount to that much by the time the warrants could be paid. There is now on hand, of the revenues of those years, a little over \$1,500. It must be distinctly remembered that the most of these warrants are held by the school fund, and our public schools are being deprived of the income.

I believe that everyone recognizes the fact that our past obligations should be met as rapidly as possible. The fair name and credit of the state has been impaired, and every legal and moral means should be used to regain that which we have lost.

But one matter of paramount importance is the restitution to the school fund of \$488,633.44 and accrued interest, making the total amount now due over \$900,000. This sum is tied up in the so-called excess warrants of the years 1887, 1888 and 1889. The duty of the state in this regard is clear and explicit. The Constitution provides that the school fund of the state

shall forever remain inviolate and intact, *and that the state shall supply all losses thereof that may, in any manner, occur.*

For years the school fund has been deprived of the use of the interest on this large sum of money, in direct violation of the Constitution. It should not longer be tolerated or permitted. I trust that immediate steps may be taken to at once remedy the evil. Patriotism and honesty demands it.

The State Treasurer reports as having

received from his predecessor	\$1,881,716.20
Received from all other sources	4,038,572.65
	<hr/>
Making a total of	\$5,920,288.85
Disbursements	\$3,833,294.27
	<hr/>
Leaving a balance of	\$2,086,994.58

He reports the collection of interest on state funds as being \$29,670.57; for liquor licenses, \$105,350, and upon court and license fees, \$28,302.65.

The reduction of the interest on the general revenue warrants from 6 to 4 per cent., and on the Capitol building warrants from 6 to 5 per cent., has resulted in a saving to the state of about \$35,000. Not only has this saving been effected, but it has enabled the State Treasurer to invest larger sums of money belonging to the public school and other funds,

in warrants, where they would earn a fair rate of interest. Heretofore, private investors have bought up large amounts of these warrants, thereby depriving the Treasurer of the opportunity of applying the public school funds to this purpose, and the interest earned thereon, instead of accruing to the benefit of our public schools, was placed in the hands of private parties, compelling the money belonging to the school funds to remain in the bank at a low rate of interest.

While I am on this subject, it might be well to refer to the fact that the Treasurer is the sole custodian of the school funds when turned over to him, and, by the law, he is only authorized to invest them in the bonds and warrants of the state. It occurs to me that the time is not far distant when the opportunity for investments of this character will be extremely limited, and that some other method will have to be adopted for the purpose of keeping this money invested in such a way as to earn a fair rate of interest. I have no particular recommendations to make in the matter, but simply call your attention to it as one of the probabilities of the future. However, I am of the opinion that the field for safe investments of this fund could be enlarged without in any way disturbing the standing of said funds, by providing for their investment in school, county and municipal bonds. But should this be done, I believe that the State Board of Land Commissioners should have a voice in such invest-

ments, great care, of course, having to be exercised in the selection of such bonds for investment.

During the tenure of office of the present Treasurer he caused a very careful investigation to be made as to the disbursement of the money turned over to him by his predecessor from the revenues of 1889. After a full discussion of the matter, and in accordance with the instructions received from the committee appointed by the legislature to investigate the advisability of such payment, the amount was disbursed, the state saving by this transaction over \$3,200 per year in interest.

The Secretary of State shows receipts of \$367,027.25, a most gratifying increase of \$125,284.60 over the preceding period. This is largely accounted for, however, by the provisions of the new law relating to fees, and the natural increase of business. The receipts in this office will doubtless continue to increase as the state develops.

The Auditor of State reports the collection of flat tax fees, under the provisions of the new revenue law, of a little over \$58,000. The fees received through the Insurance Department amount to almost \$260,000, being a very large increase over the preceding period.

A vast fund of information is to be obtained from the reports of the respective state officers. They also contain many recommendations. From the knowledge they have derived from the conduct of the office, these

recommendations should be given great weight. They are given to you through the experience of practical operations which have been gained day by day. Being familiar with any defect in the existing law, they are naturally desirous of having it corrected, and I believe the recommendations so made, if enacted into law, would operate to the advantage of the department making the recommendation. As they have given them in detail, I feel that it would be needless for me to do more than call your attention to them, feeling sure they will receive that careful consideration they deserve.

This administration has been compelled, on account of the many emergencies that have arisen, to go to more than ordinary expense in protecting the state's interests. I can say without the slightest fear of contradiction, that no previous administration in the history of the State of Colorado has had so many important and complicated problems to solve, as has the present. While, of course, the Attorney General is the adviser of the state in all legal matters, from the large amount of business to transact it was simply impossible for him and his office force to handle the large volume of important business pending, and the numerous cases on the docket for his attention, without the possibility of the state's interests suffering. The Attorney General has had active charge of all the state's cases, but in some instances it was nec-

essary to employ assistant counsel to assist him in the work.

The litigation over the revenue measure was expensive, but was absolutely necessary, and there is no patriotic citizen of the state but what would approve of it. After many years' work, the result of which was the enactment of the wisest and best revenue law the state ever had, it was attacked in the courts on a constitutional question. The litigation, however, was so long drawn out and so many complications arose, in which it was feared that the state's revenues would be depleted, that it was deemed expedient to call an extra session of the legislature for the re-enactment of the law, which was accordingly done. The law has thus far stood the test. It has not been in operation a sufficient length of time to pass judgment upon all of its provisions. It may be possible that some of its measures might be improved upon, but I sincerely trust it may not be tampered with.

The case of *Kansas vs. Colorado*, is, of course, still pending in the United States Supreme Court. I believe you are all familiar with the objects and purposes to be attained by the state of Kansas. This suit has also caused considerable unexpected expense to the state. The gravity of the situation necessarily compelled the employment of able counsel to assist in the defense. Should the state of Kansas be successful in this litigation, it would work untold injury to Col-

orado in her agricultural resources. The work and expenditures of years would be lost.

But this would not be the end, should the state of Kansas be successful in its contention. The state of Nebraska would come in and inhibit the state of Colorado from using any of the waters of the Platte or its tributaries. It would, indeed, be a great calamity should Colorado be precluded from the privileges now enjoyed.

As I said before, this suit is still pending. You will have an opportunity to assist in the defense now being made by Colorado, by making a liberal appropriation for the purpose of paying the extra expense entailed and for paying the attorneys employed. I would recommend that at least ten thousand dollars be appropriated for this purpose. I have been informed that Kansas is preparing to make a bitter contest and we should not be unprepared.

Our higher educational institutions have shown marked progress in all directions, and will, by reason of such growth, require larger expenditures in the future, if their present efficiency is to be maintained. We should never go backward, but always forward.

The State University needs \$120,000 for the completion of the library building, an auditorium and additions to the chemistry and engineering buildings. Besides this, a considerable sum is needed for other improvements, estimates for which have not been furnished. For maintenance, the sum of \$100,000 per

year is desired. This sum, however, includes the amount which will be derived from the one-fifth mill levy.

You may be called upon to consider the advisability of increasing the mill levy of the University to two-fifths mills. Should this be done, it would certainly place this institution in a position where it would not be necessary for it to call on the legislature every two years for assistance. Our loyalty to our higher educational institutions demands that they be supported in a befitting manner.

The State School of Mines, under its efficient president, Dr. Palmer, is in a flourishing condition. This school is one that is closely allied with the development of the state. It bears the reputation of being one of the best technical schools in the United States, but if it is to maintain that standard it will need assistance. Lately the construction of the Stratton building was commenced. The state owes a debt of gratitude to Hon. W. S. Stratton for his generous gift, coming at a time when most needed. The completion of this building will give much needed facilities for the operations of the school. The enrollment of the school is 212, and already numerous applications have been received for admission in 1903. This school, like the University, receives a one-fifth mill levy, but this is not nearly sufficient to defray the cost of its maintenance and the equipment necessary to conduct it in a proper manner.

The State Agricultural College, like the School of Mines, is closely identified with the development of the state, its particular sphere of usefulness being, as its name implies, the training of those desirous of engaging in agricultural pursuits. As this pursuit is one that is rapidly extending in all directions, it should receive encouragement. This college was established in 1879, with three teachers and forty-four students, and had in 1902, eighteen teachers and 448 students. Great economy has prevailed in all expenditures made, but even with this rigid economy, many needed improvements were made. A number of experimental stations at different locations in the state are proving to be of great value in the matter of investigating the difficult problems surrounding agricultural and irrigational questions. The college farm has been brought under a high state of cultivation, an inspection of which is in of itself an education. A liberal appropriation should be made for this college.

The State Normal School was established by an act of the legislature in 1889, the first school year beginning in October, 1890. During the twelve years of its operation it has had in attendance 2,500 students and has graduated 543, the larger per cent. of whom are now teaching in our public schools. The total enrollment during the past year, in all departments, was 678.

The direct influence of this school is more perceptible throughout the state than that of any other.

state institution, because in it is where our teachers are trained for their work, and its influence must, through the pupil, be felt in almost every home in the state. It affords those who desire to teach the opportunity of receiving an education especially fitting them for the work, and our teachers have not been slow in availing themselves of the advantages to be derived from this institution. I feel sure that this school has done much towards bringing about that high standard of efficiency now found in the teachers in our public schools. It has awakened a desire on the part of those who teach for advancement and improvement.

This school has been hampered in its growth by reason of the fact that it has outgrown its accommodations. While the school reaps the benefit of a one-fifth mill levy, the amount derived therefrom is not sufficient to permit of much enlargement. Its needs are urgent. The west wing of the building should be finished and furnished, at a cost of \$25,000. Besides this, a new building should be constructed, containing an assembly hall, library and gymnasium, the approximate cost of which would be \$50,000.

AGRICULTURE.

At no time in the history of Colorado has its agricultural interests been so pronounced as the present. Those engaged in this pursuit have been generally

prosperous, and while there was a shortage of water during the past season in some sections of the state, as a rule prices for the products of the farm have ranged high. The shortage of water has aroused a deeper interest in the question as to its proper application and the best methods of saving and storing the waste waters.

Another thing that has awakened great interest in agriculture in this state, is the attitude taken by the general government in the matter of government aid for the building of reservoirs for the storage of water. When this undertaking is an accomplished fact, it will open up vast tracts of now undeveloped farming lands, and our agricultural interests will receive new vigor. Every encouragement should be offered to induce people to engage in this pursuit. While it is true that the government is going to assist in the matter of irrigation, I believe the state should take steps to construct reservoirs and ditches for the benefit of the land owned by the state, which will greatly add to its value, both for leasing and selling purposes. The state should not delay in this matter until all the suitable reservoir sites have been taken.

One great industry, which is quite new, and which is attracting much attention, is that of sugar beet culture. It has been a success from the time of its beginning and promises to be an industry of large proportions. The raising of beets and the making of sugar is an industry that is not alone helpful to the

farming interests, but is a welcome addition to our cities and towns.

The report of the state engineer shows that there are now, in round numbers, 3,000,000 acres of land under ditch. He also furnishes some interesting figures on the matter of irrigation. There are now in Colorado 4,500 ditches, fifty-one canals over twenty miles long, and ten canals over fifty miles long, besides several hundred reservoirs.

This important department of the state government is one that is almost lost sight of. The amount of business transacted by the engineering department is enormous. The state engineer needs more assistance to enable him to properly attend to his duties, in order that a more satisfactory administration may be made possible to the irrigator and those having business with the department. Oftentimes both the engineer and his assistants are required to be in remote parts of the state at the same time, and during such time a large amount of office and routine work accumulates. By the addition of an office assistant the work could be much more effectively performed. Now that the government has shown a disposition to take hold of the question of irrigation, the importance of this office is largely increased, and as well the duties devolving upon him.

I do not believe that it is generally understood what the duties of the state engineer are, and in order

that they may be better understood, will call your attention to a few of them.

He has supervision over the waters of the state; to make careful measurements of the flow of the public streams from which water is diverted for any purpose; to collect all necessary data and information regarding snow-fall in the mountains; to approve designs and plans for construction, repair, etc., of all dams within the state above the height of ten feet, and shall act as consulting engineer of the same; to determine annually the amount of water which each reservoir shall be permitted to hold; to have general charge over the work of the different superintendents and water commissioners, and furnish data for an intelligent discharge of their duties; to have supervision of all the works of construction on roads and bridges under the internal improvements, etc. From the above, it can be readily seen that the engineer and his assistant are constantly employed.

He has had at all times the hearty co-operation and assistance of the employes of the United States Geological Survey, who have at all times shown a readiness and willingness to be of service to the state in any way possible.

STATE CAPITOL BUILDING.

The capitol building was practically completed during the administration of Governor Thomas, who prosecuted the work with great vigor. However, there

still remained considerable work to be done in the way of finishing touches. This building now represents a cost of \$2,593,768.13.

The members of the board of capitol managers are all men of exceptional ability, and while all are engaged in the active professions and pursuits of life, requiring the larger part of their time, yet they have found opportunity to give the state a portion of their valuable time, without remuneration, for the purpose of looking after the interests of the building.

The strictest economy has prevailed in the conduct of the affairs of the building. All bills were audited and allowed by the board before payment, and where improvements were required, where the labor and material exceeded the sum of \$500, in every instance bids were advertised for and the work let to the lowest bidder, if such bid was consistent with good workmanship, and the board was satisfied that the bidder could perform the work in accordance with the specifications.

It has become necessary, during the past two years, to make a large number of improvements on and about the building.

A contract was entered into with The Modern Machinery and Electrical Company for an additional electric lighting plant, complete, for \$4,993. This plant is now in operation, and will, in conjunction with the one installed in 1896, furnish all the light

that will ever be required for the use of the building and grounds.

In 1898, the board of public works re-established the grades on the streets adjacent to the building and ordered a re-adjustment of the grounds in order to conform to the re-established grade. It was estimated that it would require \$4,000 to properly do the work. Bids were advertised for but none received. The board of managers then received a proposition from The Colorado Paving Company, the late contractors for paving the walks and drive-ways on the grounds, to the effect that it would do the work of taking up and re-laying all the pavement necessary in the walks and drives to conform to the present grade, and would also reset the curb free of cost to the state, it being mutually agreed that the performance of such work should be in full justification and satisfaction of the company's bond. The board concluded to accept the proposition and the work was performed in accordance therewith.

The entire exterior granite walls were cleaned and all joints filled and painted, at a cost of \$2,800.

A matter that was given considerable attention by the Board was the painting of the dome, from the slate roof up to the copper covering of the bell of the dome. Bids were advertised for and received, but after a discussion of the matter by the Board, it was decided to reject all bids for the present.

Nearly the entire floor of the sub-basement has been concreted and is now available for storage purposes. It became necessary to do this work for the reason that many of the departments were being cumbered by surplus reports and records, which are constantly accumulating and which must be preserved. This work was done at a cost of \$3,368.

The heating plant first installed in the building has proven very unsatisfactory for the last few years. A contract was made for the purpose of changing the system, which will effect a great saving to the state in the cost of fuel, and will also be much more satisfactory as a heating plant. The cost of making this change was \$6,281.

A contract was also made for frescoing and decorating all first-story vestibules and corridors, the interior of the dome from the first floor to the top, and the assembly halls of the house and senate, at a cost of \$17,000. The board received bids for this work from all parts of the United States, but, after mature deliberation, concluded to award the contract to a local firm. This work is still in progress.

In addition to the above, numerous smaller improvements have been made in the various departments and on the grounds.

In my judgment, it is a matter of supreme importance that a fund be provided for contingencies which are continually arising. It is impossible to foretell at what moment something may occur that

will require the expenditure of some money, and the Board should have at its disposal a fund of this character to be used in such emergencies. It would greatly facilitate the work of maintaining the building and would materially lessen the expense, for the reason that immediate steps could be taken which would prevent excessive damage which might accrue when the Board is compelled to await the convening of the legislature and its pleasure in the matter of appropriations.

LAND BOARD.

The State Board of Land Commissioners is by far the most important board under the administration of the state government. It has under its control that vast acreage granted by the United States government to the state of Colorado for the purpose of promoting general education and for public school purposes. That it was a wise gift will be conceded by all. The trust imposed grows greater year by year. Every possible safeguard should be thrown around it. The rapidity with which the business of this office has grown demands that many radical changes be made as to its future management.

This board has under its control almost 4,000,000 acres of land, constantly increasing in value, of which acreage there is now approximately 1,784,974 acres under lease, the present Board having granted leases for 533,203 acres of land. It has also sold 9,586 acres.

The total income from all sources during the biennial period was \$372,372.88, an increase of \$17,066.91 over the preceding period.

The present board, believing that the interests of the public schools would be best subserved by leasing the state lands, adopted that policy, and so far it has proven the right course to pursue. I believe that so long as the state can lease its lands to an advantage, it is much better than to sell it and be compelled to derive the revenue from other sources; that is, by investing the purchase money so received in bonds and warrants. We already have an experience of that kind to deal with. However, many changes could be made in the law to make the leasing system more effective. A change should be made extending the rental period, with five or ten year periods of re-appraisal. It is believed that such a change would be conducive to higher rentals, that better improvements would be made and the land would be brought into a higher state of cultivation. The question of increasing the rental period on land lying within or adjacent to cities of the first and second class, is one that has been called to the attention of previous general assemblies, but as yet no action has been taken thereon. I believe that the minimum rental period should be increased, the income to the school fund being materially increased thereby.

This board has discouraged the sale of lands to a large extent, and I believe this policy should be con-

tinued. When sales are made, they should be confined to small tracts, not exceeding 160 acres, and then only when it has been conclusively demonstrated that such sale will materially enhance the value of the surrounding state land, such as the establishment of manufacturing plants, for the construction of reservoirs, or something that will make a demand for the other land at a higher rate of rental than can now be secured.

The register of the land board has prepared some recommendations concerning the sale of state and school lands which meet with my hearty approval, and I believe their enactment into law would be the part of wisdom. No better safeguard could be thrown around our school system than that of placing a rigid restriction on the sale of school lands.

I believe that the business of the land department has grown to such an extent that it would now be advisable to divide the work into departments, having mineral, agricultural and grazing departments. This would largely minimize the work, and the revenues derived through the different departments would be largely increased, by reason of the fact that whoever was in charge of the department could devote his whole attention to it. It would not be necessary to neglect any portion of the work and the rentals and royalties could be promptly collected.

Another matter of importance to this department is a classification of the lands, in order to know just what the real and true rental and selling value of the

land is. As it is now, the board has but little actual knowledge as to what the true value may be, and oftentimes it may be imposed upon. These lands should be classified as agricultural, grazing, timber and mineral, and the mineral again subdivided as to the class of mineral it contains. Then the board could establish a minimum rental and selling value, and no land could be sold for less than that minimum. I believe that the law relative to the mineral lands of the state should be revised, so that the development of this land could be encouraged.

The work of selecting school indemnity lands in lieu of school sections 16 and 36, lost to the state by reason of being located within forest reserves, Indian reservations, etc., has been carried on with great vigor, nearly 60,000 acres having been selected. Also the work of securing patents from the government for lands heretofore selected has not been neglected, patents having issued for 62,225 acres. The area embraced in indemnity selections now pending in the land department at Washington, for action, now amounts to about 200,000 acres. This work should not be neglected. It is necessary, from time to time, to furnish the government with additional proof, and some means should be provided for paying the expense of the state in furnishing such proof.

The Thirteenth General Assembly enacted a law for the preservation of the forests in the state. This law was a step in the right direction, but the results

obtained from its operation were not so satisfactory as hoped for, one reason, however, being that no appropriation was made for the payment of the inspectors to be employed. Two timber inspectors were employed, who worked under the State Board of Land Commissioners. During 1902 forty-three square miles of forests were destroyed. One reason for so many destructive fires was on account of the dryness of the season. This law should be amended, providing strict penalties for a violation thereof, and also an appropriation should be made providing for the payment of those employed in the work.

The business of the State Board of Land Commissioners has reached such proportions that I am constrained to add my earnest endorsement to that of the other members of the board, and earnestly urge upon you the submission to the people of a constitutional amendment, providing for the creation of a State Board of Land Commissioners, to be composed of three members, two of whom shall be elected, with a term of office of four years, one member to be elected every two years, the third member of the board to be the State Superintendent of Public Instruction, who, by virtue of the office, represents the public school interests of the state, and who should at all times have a voice in the management of the school lands of the state.

This board should be non-partisan in character, and should receive such compensation as would insure

the obtaining of competent persons for the work. Civil service should control in the appointment of all other positions.

The creation of this board would greatly relieve the other state officers from a large volume of business, largely routine, enabling them to devote more time to the affairs of state, for which they were primarily elected.

I desire to commend to you the report of the Register for your consideration. It has been prepared with great thought and care as to the future needs of the board, and as to the policy that should be outlined. The enactment of many of his recommendations into law will redound to the credit of this department in the future, and will add materially to the efficiency of our public school system.

STATE INSANE ASYLUM.

The report of the State Board of Lunacy Commissioners and of the Superintendent of the State Insane Asylum is complete, covering in the smallest detail the receipts and expenditures of that institution, and also valuable recommendations as to the future needs of the asylum.

A large amount of work has been performed during the two years, and the condition of the property is in most excellent shape. The difficulty before the management of this institution is the same as has been staring us in the face for the past several biennial

periods, and it now seems to me that its needs are imperative and that the necessary relief can not longer be postponed.

For many years the facilities for the proper care of the insane in this state has been entirely too limited. Appeal after appeal has been made, but the condition of the state's finances were such that the legislature could not grant the relief, or even if the appropriations had been made, there was no revenue from which to make payment.

The last legislature did make some appropriations for repairs to the buildings, fire escapes, laundry, etc., and the work has practically all been completed. But now that great improvement has been made in the state's finances, it appears to me that it is the plain duty of this assembly to further supplement the good work already done, and provide ample means for caring for this most unfortunate class of people.

As the finances now stand there is a deficit of approximately \$15,000 for the years 1897, 1898, 1899 and 1900, which should be taken care of. This does not include, however, the amount of \$25,000 procured for this institution from the clearing house banks in 1900. There is no deficit for the past fiscal period.

Probably the greatest present necessity is more buildings to accommodate the insane persons now scattered over the state, there being three hundred over and above the number now cared for in the asy-

lum, which should receive the care of the state. These are now kept in jails, almshouses and county hospitals, where they do not receive the proper treatment, and when at last they are admitted into the asylum their cases have become incurable.

In my opinion, the best way of relieving the overcrowded condition of the asylum would be the construction of an entirely new plant, to be located on a farm of some size, removed from the noise of a city or of railroads, so that the occupants could have that peace and quiet so essential for patients of this character, and where they could have plenty of freedom for outdoor exercise. This institution should be known as the State Hospital, at which curable insane patients could be cared for, utilizing the present institution for the incurable insane. There should be some means of separation for the two classes, in order to obtain the best results. Personally, I am inclined to greatly favor the hospital plan as affording the best means of relief.

The matters suggested by the report submitted on behalf of the Insane Asylum are of such a character and of such a grave nature that I trust you will give it such consideration as it deserves. One urgent recommendation is for an electric lighting plant, which should by all means be established at the earliest date practicable, in order to avoid as much as possible danger by fire. While it is true that the most perfected fire escapes have been built for the protection of the

inmates, nevertheless it is essential that every known means be employed which guarantees safety.

STATE PENITENTIARY.

The population of the prison on November 30, 1902, was 621, an increase of 107 over the number reported two years ago. There have been discharged by expiration of sentence 195, pardoned 26 (up to November 30), paroled 193, died 12, escaped 23, transferred to Insane Asylum 1, to Reformatory 3, discharged by order of court 13. The earnings of this institution for the fiscal period was \$40,511.89. The appropriation for maintenance was \$195,000, which, with the cash earnings, was not quite sufficient to defray the operating expenses, leaving a deficit of \$5,974.12, which provision must be made for. The increase in the cost of maintenance is largely due to the increased number of prisoners.

A large number of repairs and improvements are needed, such as a new cell house, a hospital and woman's department, washing machinery and baths, and repairs to the water works, which will cost approximately \$40,000. A new lighting and heating plant is an imperative necessity, which will cost probably \$30,000. Two years ago Governor Thomas said: "The heating and lighting apparatus is in a deplorable condition. It is worn out and liable to result in a serious casualty at any time. It has been made available the last two years by dint of constant atten-

tion and repairs, but the days of its usefulness are over." Since that time it has been made to answer the purpose, by more patching, until now hardly any of the original apparatus remains. Provision should be made for a new plant to be located outside of the prison walls.

A constant source of difficulty is the care of the insane convicts. As has been customary in the past, they have been transferred to the Insane Asylum at Pueblo, when room was available, but the crowded condition of that institution has made it impossible to transfer the number desired. But this is hardly right. The convict insane should not be allowed to mingle with the non-criminal insane. By the expenditure of a small sum of money, a place could be provided at the Penitentiary for insane convicts, where they could be placed under the care of the prison physician, where they would receive the proper attention.

Probably the most vexatious question confronting the management of the Penitentiary is that of giving the convicts employment. This state is not the only one that has found this a difficult problem to solve. As a matter of fact, in most of the states it is still unsettled, so that we have not the experience of other states to guide us, except in so far as those occupations they have tried and in many instances abandoned. From the history of penal institutions generally it would seem that almost everything has been tried at one time or another. The reports of some of

the penal institutions show them to be on a self-sustaining basis, but the manner in which it is brought about is not at all suitable to our conditions. It appears to me to be reasonable that an institution of this kind should be largely self-supporting. It is imperative that the prisoners be employed, and profitably employed; that is, it should be something that the prisoner could see growing and developing; something that increases in value under his workmanship. To require a person to do something and then do it over again, just for the sake of doing something, such as piling and re-piling rock, tends, rather, to demoralize than to reform, and does not have the effect of training the prisoner in the ways of thrift.

Our prisoners have heretofore been largely employed in the manufacture of lime and brick, but a ban was placed on the brick and that avenue of employment is now gone. The lime business was fairly prosperous, but the quarries have been practically exhausted, so that, if this work is to be continued, new quarries will have to be purchased. It has been suggested that they might be profitably employed in coal mining, on state land, but, indeed, if this was done the only sale of the product of the mines that could be made would be to state institutions, and the cost of producing such a small amount of coal as would be required would make it cost more than it is worth.

The experiment of farming was not entirely satisfactory, neither was it entirely unsatisfactory. The

most of the land was leased, and the larger part of it was not adjacent to the Penitentiary buildings, so that it was a difficult matter to carry on the operations without great expense. I am of the opinion that if a branch prison was located on a large farm, in one of our agricultural valleys, that it could be conducted in such a way as to balance accounts at the end of the year, or at least if there was a deficit it would be small. Farming appears to be about the only remedy available, unless some way can be devised to give them employment inside of the prison walls, which will not come in conflict with free labor.

The State Board of Charities and Correction have given this matter considerable thought, and I believe have some recommendations concerning the subject, which I trust you will be able to give such attention as the necessity of the occasion demands. Some way must be devised for giving employment to our prisoners.

The amount required for maintenance for the coming two years is \$225,000.

STATE REFORMATORY.

The Reformatory has a capacity of 108. There have been times during the past two years when it had a population of 125, compelling the placing of two prisoners in one cell, which is injurious both to health and discipline.

The last general assembly made an appropriation of \$3,000 for the purpose of installing a steam heating plant, which appropriation did not become available until about one year ago. Estimates were at once obtained as to the cost of the material necessary, when it was found that the amount designated was entirely too small. For that reason the board deemed it unwise to commence the construction of the plant until it had in its possession sufficient money to complete it. It will require about \$3,000 additional to do the work thoroughly, but, when it is done, it will effect a saving of at least a thousand dollars per year in the way of fuel.

This institution is also in need of improvements. The cell house should be completed, a dining room and additional sleeping rooms should be built, and a chapel. To do this work will require \$63,000.

This institution has been efficiently managed and was never in better physical condition. Great care has always been used to keep the prison and its surroundings in a most sanitary condition.

The cost of maintenance for the biennial period was \$78,216.15, and \$95,000 is asked for the coming two years.

NATIONAL GUARD.

The National Guard of Colorado is, at the present time, in a high state of proficiency. Under the able leadership of the adjutant general, the work of main-

taining the guard has progressed very satisfactorily, and he has had at all times that hearty support and co-operation of all the officers and men subordinate to him that tends to effectiveness and from which the best results are obtainable. The standard of discipline has at all times been maintained.

The guard consists of two regiments of infantry, one squadron of cavalry, one battery of artillery, one signal corps and medical department. The total number of men, members of the guard, including officers, is one thousand one hundred and eleven. The number of persons in the state subject to military duty, as nearly as can be ascertained, is 70,000.

The guard is generally well equipped, with the exception of the artillery, the guns used by it being of an old, out-of-date pattern, and, although still effective, are not such as would be desired in case of an emergency. The two old Napoleons now used by the artillery should be replaced by modern, breech-loading cannon.

During the months of September and October of the year just closed, a portion of the officers and enlisted men of the guard were permitted to go to Fort Riley, Kansas, and take part in the field maneuvers provided by the United States government, which, from the reports, proved to be very beneficial to all, by bringing the officers and men into contact with the regular army officers and soldiers, from whom they learned much as to the tactics employed in actual

warfare, and while it is hoped that it may be a long time before they will be required to put the knowledge thus attained to the real test, still it is one of the maxims of the country, "In time of peace prepare for war." A warm friendship was cemented between the officers of the Colorado guard and of the United States army, and every courtesy, assistance and attention was shown our officers.

A troop of cavalry was organized at Meeker, Colorado. It has long been needed. The depredations committed by the Indians from the reservation in Utah have become of so frequent occurrence that it was absolutely necessary to take this action, for the peace and safety of the residents of that part of the state, who were being constantly alarmed by the invasion of the Indians for the purpose of killing game. This troop should be of great assistance to the game wardens in protecting the game interests of the state in that vicinity.

I am glad to say that during my administration the necessity of calling out the guard has not arisen, although at one time it was barely averted. This was the occasion of the strike on the Smuggler-Union.

On July 3, 1901, I received a telegram from the sheriff of San Miguel county, to the effect that the strike situation at Telluride was beyond his control, and requesting troops to assist in quieting trouble. At the same time I received information from the most reliable source that the difficulty was not so serious

as was at first reported, and, although there was serious danger of an outbreak, everything was quiet.

I immediately appointed a committee, consisting of Hon. D. C. Coates, Judge Theron Stevens and John H. Murphy, Esq., to proceed at once to the seat of the trouble, make an investigation and report to me the exact condition of affairs, and also to endeavor to adjust the differences existing between the management and the men. This they did, and the judgment and diplomacy displayed by them resulted in an adjustment of the grievances and settlement of the strike, thus happily averting serious difficulty and the probable destruction of a vast amount of property and many lives.

STATE BUREAU OF MINES.

The report of the commissioner of mines shows that Colorado still leads all other states and territories in the production of the precious metals, which, indeed, should be very gratifying to the people of the state. The number of men employed in mining in 1901 was 37,260, and in 1902, 35,118, being a slight decrease in the number of men employed, but the general results have been magnificent. The number of fatal accidents was materially reduced during the year 1902, there being 81, as against 121 for the year 1901. There was also a slight decrease in the number of non-fatal accidents, there being 561 in 1902, as against 633 in 1901.

We all recognize that the business of mining is extremely hazardous, and it is necessary that every safeguard possible be employed to prevent accidents. The fundamental cause for many of the accidents, as generalized in the report of the commissioner, is incompetent management, incompetent miners, lack of rigid discipline and carelessness. Of course, we all recognize that men who are constantly surrounded by danger heed it the least. They can not be impressed too much with the knowledge that their carelessness, while it may not fall directly upon themselves, may cause the death or permanent injury of some innocent party. Managers should never be employed who are incompetent or who do not understand the work of mining in every detail.

The transition of Colorado from the leading silver state of the Union to the leading gold state, is, indeed, remarkable. We believed that in the demonetization of silver we were practically ruined; and while it was, indeed, a sad blow to one of our chiefest industries, we have forged ahead and adjusted ourselves to the conditions brought upon us. We have survived, and will continue to survive. We have overcome the depression of 1893, and now stand upon the pinnacle of fame as a gold producing state.

The prospects for the future are bright and encouraging, although the price of silver was within the past few weeks the lowest in its history, and it is only with the greatest economy and under the most favor-

able conditions that a silver mine can be operated at all. In consequence of this great depreciation, some localities of our state, where silver ores predominate, have suffered severely, and it will probably be some time before they again reach their normal condition, if ever. On the other hand, other districts throughout the state are continually growing and expanding, covering new areas, and new properties are being continually added to the list of producers and dividend payers.

While the growth in our mining industry in the past ten or fifteen years has been remarkable, I sincerely believe it is but a beginning, and that in fifteen or twenty years from now we will look back in wonder at the primitive methods now employed. The ablest scientific men of the world are giving this subject grave deliberation, and I doubt not that in a few years it will be revolutionized.

Colorado yet contains many highly mineralized localities, which as yet have hardly felt the tread of man, and which will undoubtedly in the future greatly enhance our material prosperity and wealth. Again, other localities are so unfavorably situated, there being no transportation facilities, that it has kept them from development. In time, this difficulty will be overcome.

The affairs of the Bureau of Mines have been conducted wisely and economically. The relationship between this department and the mine owners and miners has always been friendly.

STATE INDUSTRIAL SCHOOL FOR BOYS.

This school, November 30, 1902, had a population of 198. There were received during the term, 249; 186 were paroled, 7 pardoned, 22 discharged, 1 died, 3 escaped, and 14 were discharged by expiration of their term. The largest number in the school at one time was 213, and the smallest number 178, making the average number present during the term 187; so it can be readily seen that the demands made upon the state for the sustenance of this school can not be lightly estimated.

The Thirteenth General Assembly appropriated \$90,000 for the maintenance of this institution, for the period of two years, together with the cash receipts, which, according to the report, amounted to \$4,634.99. By economical management this school was sustained in a substantial manner, and the board was enabled to make a large number of permanent improvements, such as the building of a detention hospital, a carpenter shop, and the equipping of the machine shop with modern machinery; also other minor improvements. The balance at the close of the period was two cents, which clearly demonstrates that some good financiering was done on the part of the board of control and of those in charge of the school.

This institution needs \$90,000 for maintenance, and \$35,300 for improvements, as itemized in the report, some of which are imperative; for instance, dor-

mitories, chapel, etc. From my personal knowledge of the status of affairs at this school, I know that this estimate is placed at a very close margin, and that the board has asked only for necessities. However, if the legislature can see its way clear to grant them this appropriation, in my opinion, it will place the institution on a good working basis for some time to come.

In this connection, I desire to call attention to the report of the Juvenile Division of the County Court of Denver. No more effective work has been performed than that of Judge Lindsey in behalf of the juvenile delinquents of the city of Denver.

While we have no juvenile law on our statute books, the judge of the County Court has, through the co-operation of the district attorney, and a liberal construction of the present law, been able to accomplish about all the results that would have obtained through the operations of a special juvenile law. However, there is no reason why we should further delay its enactment, and especially now that we have before us an example of what the practical workings of such a law would be were it in active operation throughout the whole state. It is far better and much less expensive to train the future citizens of the state right in their earlier years, than to provide for their subjugation and correction after they have arrived at mature years and have become habitual criminals.

A large percentage of the cases brought before the juvenile court for attention are permanently corrected. They are instilled with higher ideals, and taught the beauties of a life of morality. They are placed upon their honor, and not dealt with as criminal offenders. In most instances it has not only been a help to the child, but has worked for the upliftment of the home, by causing the removal of the evil environments surrounding the child.

If such a law is enacted, and I sincerely hope it will be, I believe that some amendments should be made in the compulsory educational law of the state, by extending the age limit, and also by removing the minimum period of attendance. This should be done for the reason that a child may be deficient in his studies, and to assure him a proper education, he should be compelled to attend school during the entire school year. The judge before whom the case is brought is better able to judge of this than any one else, and should have full authority in the matter. The enactment of this law will receive the hearty support of all the educators of the state.

STATE INDUSTRIAL SCHOOL FOR GIRLS.

The long unsettled condition of this school worked great injury and hardship on the inmates and those in charge, from the time of its establishment until within a short time ago. It is now established in a permanent home, and is rapidly approaching that

state of excellence which is desired in all state institutions. There are now 37 inmates, besides a large number who have been paroled, but who are still under the immediate supervision and control of the board. The population of an institution of this kind is constantly changing, occasioned by the fact that as the inmates reach a position of trust they are paroled.

This institution is supported by the counties committing the girls, each county paying fifty cents per day for each girl, for maintenance. Within the last year a contention has arisen between some of the counties and the board over the payment of this sum, the contention of the county commissioners being that when an inmate has been paroled the payment of this sum for maintenance is no longer a necessity and that they should not be required to make such payment. This difficulty has in some measure depleted the treasury, and as a result the institution closed the biennial period with a small deficit, practically just the sum that should have been realized from the different counties had the payment been made. However, I am strongly of the opinion that an appropriation should be made by the state for the maintenance of this school, the same as for other state institutions. It would relieve the board of control of a great deal of work, and would also put the institution on a basis whereby it could do more effective work.

If the present system is maintained, I heartily agree with the board of control that a law should be enacted explicitly defining the powers of the board in the matter of collecting the per diem from the counties for girls who have been paroled. These girls have not been discharged from the institution, but are still under its care and protection. They may be returned at any time, and it seems to me that the institution is entitled to such compensation so long as the girl remains under the jurisdiction of the board. In any event, the amount paid is exceedingly small, and would not pay the actual cost of subsistence, were it not for the fact that the school is now so situated as to reduce the actual cost of living to a minimum.

I also heartily concur in the other recommendations of the board of control as to needed changes in the law, which are specifically set out in the report of the board.

During the past biennial period a new cottage was constructed at a cost of \$16,572, which includes the sum of \$997.50 expended for furnishing the same. It contains accommodations for forty girls. It is completely modern with the exception of lights. It should by all means be electric lighted, to avoid as much as possible the danger of fire, which, should it occur, would practically destroy the whole institution, besides endangering human lives.

There yet remains an indebtedness on the purchase price, including interest, of \$4,700. This

amount should be provided for at once. For the construction of a dining room, school room, additional cottage, laundry and barn, the sum of \$25,000 is needed. The school room now used is a flimsy, unplastered structure, entirely unfitted for the purpose. One of the primary objects of this school is to give the inmates an opportunity for an education, and to do so it must have proper facilities.

Too much can not be said in commendation of the objects and purposes of this school. It has been conducted in a highly efficient manner, reflecting great credit upon the board of control and the superintendent in charge. The state can not afford to neglect the opportunity of giving this misguided and unfortunate class the benefit of a chance to reform and lead a happy, useful life. It is the duty of the state to throw every safeguard around its erring citizens, and if possible to reclaim them. Our duty is not done until we have at least made the attempt.

MUTE AND BLIND SCHOOL.

During the past fiscal period the high standard and efficiency of this school has been maintained. Its financial affairs have been conducted economically and wisely. For the first time in twelve years it closes the biennial period out of debt, having paid a deficit of \$8,047.34, which is a most remarkable showing when it is considered that the school has been con-

stantly increasing in numbers and the cost of living has materially advanced.

The total enrollment for the past two years has been 212, the number enrolled on November 30 last being 151, as against 137 for the same date in 1900. This increased attendance has, of course, entailed larger expenditures for the maintenance of the institution, in the employment of additional teachers, trained in the work. However, we are glad that the usefulness of this school has been increased, affording to a larger number of an extremely unfortunate class of our citizens the means of procuring a liberal education, which will enable them to more cheerfully endure the trial placed upon them, and which will more effectively enable them to earn a livelihood.

The members of the board of trustees and the superintendent of the institution are broad-minded, liberal and progressive. Great progress has been made in all directions, and the changes and improvements are everywhere apparent. The buildings have been overhauled and repaired, and are now in most excellent condition.

The needs of this school are carefully set out in its report, one of its greatest needs being more ground room. This matter was called to the attention of the last general assembly, but for reasons then existing no action was taken. The wisdom of such action can not be questioned when it is considered that the value of the proposed purchase is constantly increasing.

The estimate placed by the board of trustees as to the cost of the needed improvements and additions, including gymnasium apparatus, in addition to the mill levy and appropriation of two years ago, is \$59,500. I sincerely trust that this institution will receive liberal treatment at your hands.

The late Mr. Stratton, during the last few years of his life, was greatly interested in the work of this school, and for a number of years before his death made annual donations for prizes in the blind department. His will contains a clause bequeathing to the trustees of the school the sum of \$25,000 out of the proceeds of his estate, in trust, to be invested in good, safe, interest-bearing securities, the interest derived from which is to be distributed among the pupils as rewards for such excellence in scholarship or demeanor, or both, as may be prescribed by the board of trustees.

As Mr. Stratton's will is now in litigation, it may be some time before the bequest is available, but the trustees have assurances that his wish in this regard will be eventually complied with.

STATE HOME FOR DEPENDENT AND NEGLECTED CHILDREN.

There is probably no sight so pathetic as that of a homeless child, and no object more worthy of sympathy and help. The state has undertaken to provide a home for the dependent, neglected and maltreated children of Colorado, removing them from their evil

environments and placing them where they may at least receive a common school education and industrial training, uplifting them to a higher plane of thought and living and preparing them for good citizenship. The success thus far attained in the adventure, this institution having been in existence but seven years, demonstrates the wisdom of such a course.

Until quite recently this home was without a permanent abiding place. Fortunately an appropriation made by the Twelfth General Assembly became available, and the board of control was fortunate enough to procure a most excellent location for this home, comprising forty acres of land in the suburbs of Denver, upon which was a large stone building, suitable, with some alterations and improvements, for the requirements of the school. However, the needs of the home are numerous, and now that it is permanently established, it should be given proper support.

As yet only temporary dormitories for the boys have been built. They are of such a character as to be practically useless during the cold, winter months, being simply tent cottages, which will require a large amount of fuel if kept comfortable. One of the imperative needs is the completion of the school building, which will cost in the neighborhood of \$10,000. The total estimate placed by the board of control for new buildings, additions and equipment is \$71,500, and for the maintenance of the home for the present biennial period, \$50,000 will be required.

The average daily attendance, at the close of the period, was 128, and the probabilities are that this number will be greatly increased during the coming two years.

SOLDIERS' AND SAILORS' HOME.

The Soldiers' and Sailors' Home, like some of the other state institutions, has outgrown its present quarters, and many worthy veterans have been denied admission because of lack of facilities.

The number of soldiers and sailors in the home November 30, was 145, an increase of six over two years ago.

A careful study of the receipts and disbursements of this institution shows that its managers have been faithful to the trust reposed in them, great economy having been practiced in all directions.

During the past year many needed improvements have been made. The home is now in better condition than ever before. These improvements were a necessity and will do much toward making those heroes who fought and bled that this nation might be preserved, more comfortable in their declining years. These men who gallantly offered their lives to their country in its hour of need should have our heartiest sympathy and support, and it is with a regret that I am unable to express that I am compelled to say that the managers of this institution were forced to deny admission to those who were deserving of its cherishment.

The appropriation of \$10,000, made by the Thirteenth General Assembly, having become available, permitted the commissioners to build an addition to the hospital and assembly hall, and to make many needed repairs and improvements, but from a perusal of the report you will find there is much yet to be done. I earnestly recommend that this institution be taken care of in a manner befitting its character. An appropriation is particularly desired for the purpose of raising the bank around the lake, so that a larger supply of water may be stored, preventing its becoming stagnant.

STATE BOARD OF HEALTH.

Probably no state board has done more efficient work, with the means at its disposal, than has the State Board of Health.

This board sustained a great loss in the death of its secretary, Dr. George E. Tyler, under whose able administration the affairs of the board had been so extensively conducted. Much credit is due to his untiring efforts and zeal in the prosecution of the work, which covered a wide field.

By referring to the pages of this report you will be enabled to better comprehend the vastness and scope of the work already accomplished, which would be impossible for me to describe in a message of this character.

The work of compiling the vital statistics has been enormous, and the clerical work has been extremely

limited. I sincerely trust that an ample appropriation will be made for conducting the affairs of this board on a basis at least in some degree equal with its usefulness. The importance of the work performed by this board in the restriction and prevention of disease, particularly contagious diseases, has not as yet been fully realized, but a glance at the report will clearly prove that it should not be impeded in its kindly work for humanity, but should rather be fostered and encouraged.

STATE BOARD OF PARDONS.

The report of the State Board of Pardons shows a vast amount of work performed, which would, without the assistance of a board of this kind, entail much routine work upon the executive. Its members, serving without pay, have always cheerfully performed every task assigned to them, and have been of the utmost assistance to me in every possible way.

During the past two years, thirty-two meetings of this board have been held, for the purpose of considering pardons, besides a large number of adjourned meetings for the consideration of paroles. During my administration, 330 cases for pardon were considered. Of this number, twenty-five pardons and forty-four commutations of sentence were recommended. The board also recommended 180 cases of parole and refused 195. In addition to the above, one Thanksgiving pardon was extended.

Under the parole rules by which the board is governed, a prisoner who has been denied a parole is again eligible for consideration at the expiration of six months, and many applications previously refused were later favorably recommended by the board.

STATE BOARD OF ARBITRATION.

The work of this board during the past biennial period, while zealously carried on, has not been so satisfactory as is contemplated by the provisions of the law creating the board, but the fault has not been with the board itself, but is rather a defect in the law.

In the report of the board will be found an opinion written by the Attorney General, relative to the jurisdiction and power of the board to issue subpoenas and administer oaths, in which it is held that they have no power to compel the attendance of witnesses before it in an investigation for the purpose of giving testimony concerning difficulties arising between employer and employes, thus destroying in large measure the effectiveness of the work to be performed by the board.

This board has at all times displayed a willingness to arbitrate and otherwise assist in the determination and settlement of all questions submitted, and are entitled to much credit for the efficient manner in which the affairs of the board have been conducted.

I recommend a careful reading of the report submitted, and a compliance insofar as possible with the

recommendations therein made relative to matters properly a subject for legislation, to the end that the board may be placed in a position to render such services as was contemplated when the law creating the board was enacted. This board should certainly receive the benefit of wisely enacted laws at your hands.

STATE BOARD OF STOCK INSPECTION COMMISSIONERS.

The work of the commissioners and of the inspectors has been very effectively performed, 784,126 head of cattle and 26,971 head of horses and mules having been inspected from December 15, 1900, to November 15, 1902, a period of twenty-three months.

For a great many years the work of this board has been curtailed by reason of the fact that under the law only ten inspectors can be employed, one of whom is detailed to perform the duties as secretary of the board. This lack of inspectors often entails delay and works a hardship on the shippers of cattle, because, when ready to ship, the inspector is unable to be present and shippers are compelled to await his arrival, causing great inconvenience and sometimes actual loss. When the law was first created years ago, undoubtedly this number was sufficient to satisfactorily do the work, but the large growth in the live stock industry, it being now one of the most important and profitable of our many pursuits, makes it now absolutely necessary that the number of inspectors be increased. At least twenty inspectors could be con-

stantly and profitably engaged in the work of inspection. The law should also be changed in some particulars, vesting more power and authority in the board, so that the board could compel a compliance with the provisions of the law. The demands made upon the state by the stock interests in the past have certainly not been burdensome, and I cheerfully recommend that steps be taken to place this board on a more substantial and effective basis.

The inspectors have been instrumental in the arrest and conviction of a number of noted cattle and horse thieves, and have been of valued assistance to peace officers in the prosecution of such offenders.

The secretary reports receipts from the sale of estrays and other sources as being \$22,747.44, disbursements \$19,792.70, leaving a balance of \$8,568.83, there having been a balance of \$5,614.09 on hand December 15, 1900.

STATE VETERINARY SANITARY BOARD.

This report is a most excellent one, and is one that will strongly appeal to the stock growers of the state. It is replete with valuable information and suggestions, describing minutely some of the contagious diseases prevalent among cattle. It will be the means of spreading much valuable information among the live stock men of Colorado, and I believe it will be of material assistance to them in the prevention and stamping out of disease among cattle.

This board has at all times worked in harmony with the United States Bureau of Animal Industry, and has also had the hearty co-operation and support of the stock men themselves, who recognize in this board and the methods adopted by it, a firm ally and friend, all working for one purpose, namely, the suppression of diseases common to cattle and sheep.

During the past two years 368,602 southern cattle and 645,099 sheep were inspected.

The board has issued certificates for condemned stock amounting to \$645, which, with the certificates issued in past years, makes a total amount of \$1,222.50, which should, if possible, be paid.

STATE GAME AND FISH DEPARTMENT.

As in times past, the commissioner has met with considerable opposition from some quarters in maintaining the game laws. A large number of suits have been brought against violators, with varying success, it being very difficult to secure convictions in some parts of the state. I believe the law should be changed, giving the state the right of appeal to higher courts. The usual difficulty with the Indians occurred but so far as known no casualties were reported.

From the hatcheries an increased number of fry were distributed, a majority of the streams being well stocked.

The commissioner, in his report, recommends a number of changes in the law, which would undoubtedly be beneficial to the department.

STATE DAIRY COMMISSIONER.

The report of the State Dairy Commissioner shows a steady improvement in the development of the dairy interests of the state, prices having ruled high with an enlarged demand for the product. The outlook is indeed encouraging to those engaged in the business, and splendid returns are assured to those desiring to engage in the business, the supply being entirely too small for the demand, compelling wholesale dealers to import a much less desirable article than is produced at home. The total value of the dairy products of the state, as given by the Commissioner for the past year, is \$6,629,988.

I am of the opinion that the interests of the people of Colorado would be wisely subserved by the enactment of an entirely new pure food law. Of late years great advancement has been made in this direction by practically all of the states in the Union. Colorado, importing large quantities of all kinds of food articles, should not be behind others in this regard. Large amounts of adulterated food finds its way into our markets, and no effective provision has as yet been made to correct the evil. I believe that the State Dairy Commissioner could as well look after the state's interests in this matter as not, being known as

the State Dairy and Pure Food Commissioner. Wise legislation in this direction would surely prove beneficial.

STATE BOARD OF CHARITIES AND CORRECTION.

The work of this board has been entirely satisfactory, the members at all times manifesting great interest in the work and conduct of the state institutions. They have at all times given wise counsel to the management of the various institutions, when desired, and have been of much assistance to me in matters pertaining to the management of the institutions.

I desire to commend the report of this board to your notice. In it you will find concise statements as to the requirements of each institution, and many recommendations, which, if carried out, I am sure will inure to the betterment of present conditions. This board having kept in close touch with all institutions is able to wisely report as to conditions and needs.

HORTICULTURE.

The horticultural industry has continued to grow, great activity being displayed by those engaged in the business. The board has used every means within its power to uphold the laws enacted for the protection of the industry, with more or less success.

STATE BOILER INSPECTION.

The fees received by the State Boiler Inspector have been sufficient to defray the expenses of his of-

rice, including salaries, leaving a surplus of \$1,501.05, a most gratifying showing. Nearly two thousand boilers were examined during the biennial period, nine were condemned from further use and repairs were ordered on 327, 103 of which were dangerous. Two explosions occurred, which seem to have been caused by allowing the water to get too low and then forcing cold water into the boilers.

OTHER BOARDS.

As I have already consumed more time than I at first anticipated, I will not weary you with details concerning the minor boards, such as the Dental Board, Board of Pharmacy, Board of Medical Examiners, etc., but will simply say that the members of all these boards have worked faithfully and diligently in the discharge of their duties.

LABOR.

The past two years has shown a gratifying improvement in the condition of labor throughout the state. Labor has been better employed, more prosperous and more active in organizing than ever before. The labor census shows a higher average of wages than has been known in ten years. In every department of industry activity has been apparent. The practice of issuing a Labor day proclamation has been continued and very properly so. It is well to call at-

tention to Labor day by a special proclamation and to give due notice of an event which is growing in importance every year, and it is consistent with the dignity of those who toil. The prosperity in which we all share rests in large part in the work of the toilers of this commonwealth, and any measures tending to better their condition and elevate their citizenship will uplift the state.

UNITED STATES GEOLOGICAL SURVEY.

In times past the employes of the United States Geological Survey have experienced considerable embarrassment and delay in the prosecution of their work, caused by individuals refusing to grant them permission to enter upon their premises. As we all know, the character of the work performed by this department of the United States government is of great importance and of much value to this state.

I would recommend, therefore, the passage of an act authorizing any person employed under and by virtue of an act of congress of the United States relating to the surveys of the Geological Survey of the United States, making it lawful for the persons so employed in making such surveys to enter upon the lands within the boundaries of this state, but provision should also be made so that the act could not in any sense be construed as granting or authorizing any unnecessary interference with private rights.

A number of states have already enacted such a law, and with the view of avoiding any difficulty which might arise, and also for the purpose of expediting the business of the United States in the matter of its scientific research and engineering work, this suggestion is submitted to you with the hope that it will receive your early and favorable attention.

COLLECTION OF DELINQUENT TAX INTEREST.

When I commenced the administration I found that it had been the custom of nearly all of the counties, in making remittances of state taxes collected by the county treasurers, to send only the principal of such tax and to retain and use for county purposes the interest which had been collected under the statute from the taxpayer upon state taxes which had become delinquent.

I was satisfied that the interest collected upon delinquent taxes, under the law, should be paid into the same fund that the tax itself belonged to; that is, that interest collected upon delinquent state taxes should be paid to the state as a part of the state funds.

An estimate based upon accurate figures obtained from some counties showed that the various counties of the state had, in the past, collected of such interest and appropriated to county purposes about two hundred and twenty-five thousand dollars which belonged to the state, and should have been paid into the state

treasury with the rest of the tax. This was true of all the counties with but very few exceptions.

Under my direction, suit was brought against the county of Prowers for the purpose of determining the legal question as to whether or not such interest did properly belong to the state. The suit was determined in the lower court in favor of the state, and upon an appeal by the county the judgment was affirmed by the court of appeals. Judgment has also been obtained against Pueblo and Otero counties. Much of the routine work, such as the examination of the books and the filing of the claims against the counties, has been done.

The work has necessarily been attended with some expense, but, considering the amount which will be realized, the number of debtors from whom the claims had to be recovered and the length of time which the investigation covered, the amount of the expense is fortunately very small.

LOUISIANA PURCHASE EXPOSITION.

The Louisiana Exposition, in commemoration of the purchase of that vast territory known as the Louisiana Purchase, to be opened in St. Louis on May 1, 1904, will be the greatest exposition ever held in the United States or any other country. I would recommend, therefore, that this honorable body make a very liberal appropriation to assist the commissioners of

Colorado in making a thorough and complete exhibit of the great and varied resources of our state. The commissioners of Colorado have secured ample space in all the different buildings being constructed on the exposition grounds, and the plans already made, if sufficient funds are had to carry them to a successful termination, will reflect great credit upon our state. The resources of Colorado are beyond question far in excess of any other state in the Union, and this exposition affords a most excellent opportunity to display the same.

The work of the commissioners since the organization of the board on the 15th day of June, 1902, has been devoted principally to securing the aid and assistance of the counties, in interesting the people generally in the project, and in the organization of auxiliary boards for the purpose of taking care of special features and exhibits. An exposition of the magnitude of the coming one requires much faithful and patient work. The concessions granted this state are considered to be among the most valuable, and particularly is this true of the site procured for our state building.

One of the features will be an irrigated farm, conducted by some irrigation expert, which should do much toward educating the people as to our method of irrigation and should awaken a deep interest in our agricultural resources.

The results which will flow to Colorado from this exposition are very numerous, provided we grasp the present opportunity and make available sufficient money with which to carry on the plans now formulated.

TORRENS SYSTEM OF REGISTERING TITLE TO LAND.

The Thirteenth General Assembly appointed several committees, composed of hold-over senators, for the purpose of investigating different subjects, and to make report of their findings to the Fourteenth General Assembly. One of the committees so appointed was to investigate and report on the Torrens system of registering title to land, and I presume the chairman of that committee will be ready to report to you, with whatever recommendations he may have to make.

While this system is practically new in the United States, those states which have adopted it are so emphatic as to its many virtues over the old system, we should have no hesitancy whatever in giving it our approval. Whatever tends to simplify, make safe and add to public convenience is what we desire in our laws, and that is what the Torrens system does. With that system in operation, when a party has secured his title he is secure in his possessions. It effectively settles titles and simplifies transfer, doing away with the records and abstracts of the old system, thus removing a burden from owners of real estate, and ef-

fects a great saving in the expense of having abstracts examined and continued every time a transfer is made.

This subject is one that is receiving the attention of nearly all the states, and I believe the time is not far distant when it will be universally recognized. The need of a change from the present cumbersome system is generally recognized by the leading attorneys and real estate men of the country.

I do not believe it is necessary for me to go into a discussion of the merits of this system. We will recognize them at a glance if we will but give the subject a moment's consideration. I do not believe there is anything in the Constitution of our state prohibitive of the enactment of such a law, neither does it in any way conflict with the Constitution of the United States. I feel sure you will take favorable action upon the subject when you have thoroughly investigated it.

PRIMARY ELECTION LAW.

Our government is popularly supposed to be a government of the people, but in some particulars I fear we have strayed away from our first principles. Therefore, I desire to urge upon you the wisdom of enacting a primary law which shall put the nominating power solely in the hands of the people. If the people are able to govern themselves, they are able to say as to whom they want to represent them, but as primaries are now conducted the people have but little to say.

Probably the most satisfactory primary law now in operation is the Minnesota law, and after having made a careful study of its provisions I commend it to you.

COURT OF APPEALS.

For the last several years the question as to the wisdom of abolishing the Court of Appeals and the enlargement of the Supreme Court, has been under advisement, and has always met with the hearty approval of the bar of the state. To make this change will require the submission of a constitutional amendment, and while I do not believe we can be too careful in making changes in our fundamental law, I am strongly convinced that this is a much needed change. The number of justices should not be less than five nor more than seven, and in my judgment the term of office should not exceed twelve years. Public policy forbids a longer term than this.

THREE-FOURTHS JURY LAW.

I desire to renew my recommendation of two years ago, relative to the submission of a constitutional amendment, providing that in all civil cases in courts of record, tried by a jury, that three-fourths of the number of jurors may concur and return a verdict. This would, if adopted, in my judgment, effect a great saving to the people, besides expediting litigation. I am of the opinion that this change would not

in any way work a hardship upon litigants. As the matter has been thoroughly discussed heretofore, I shall not consume your time by going into what I consider to be the merits of such an amendment, but I do hope that you will be able to submit the question to the people for their final determination.

PROBATE LAWS.

The County Judges' Association has spent much painstaking labor in revising the present probate laws of this state, and I believe the result they have attained will prove to be a welcome addition to our probate laws. As I understand it, no sweeping changes are contemplated, but a revision of the law now covering the subject, into one consistent, harmonious chapter. Some troublesome matters are cleared up and corrected. The principal object has been to condense the law and to cure the defects and conflicts found therein. I take pleasure in commending the work of this committee to you. The bar of the state is in accord with the objects to be attained, believing that such legislation will prove very beneficial to the people of the state.

STATE BOARD OF EQUALIZATION.

The work of the State Board of Equalization, in the matter of the assessment of corporate property, has been trying and difficult. The board endeavored to arrive at the full value of the property before it for

assessment, and I believe that every member of the board acted in accordance with his honest belief and best judgment.

The law provides several ways of finding the value of a railroad, namely: stocks and bonds, earnings, cost of duplication, etc., and in each instance all these elements of value, where such existed, were taken into consideration.

I believe that no other property in the state is returned so fairly, honestly or accurately as is the property that is returned to the State Board of Equalization.

One great difficulty before the board in making a determination, is the fact that it is largely unacquainted with the property, its physical condition, etc., and has not the time at its disposal to make such personal investigation as should be made to guide it intelligently. Of course there may be portions of a railroad with which the individual members of the board may be acquainted, but as a matter of fact that particular portion may be the best piece of property owned by the corporation, and the earnings of that line may have to be contributed to weaker parts of the system for the payment of operating expenses. The relative proportion that the corporate property, as assessed by the board, bears to the balance of the property of the state, as assessed by local authorities, is about one-seventh. I do not believe it can be consistently contended that, as now constituted, it should

bear a greater proportion. However, the assessment was not based on such proportion, but is the result as shown by the figures.

The attempt to equalize between the counties is of but little avail. The hands of the board are so effectively tied that it is impossible to do this work with any kind of justice or satisfaction to the members of the board or of the counties, and the attempt might as well be left undone. The board has no power or authority to equalize particular kinds or classes of property as between the several counties. All they can do is to raise or lower the aggregate. For instance, a particular county may have an assessment that on all classes of property, with but one exception, is altogether too high. The board wants to reduce it to the same basis as other counties. In doing so, under the law and the decisions of the courts, it necessarily is compelled to reduce the aggregate, making the same percentum of reduction on the property already too low as is made on the property assessed too high. The same rule works both ways. In attempting to raise property that is assessed too low, the board is also compelled to add the increase to the property which may be assessed at its full cash value.

This method of equalization also works great hardship on the counties, by reason of the fact that it requires a change in the whole assessment at great expense, whereas, if the board had the power to raise or lower that particular class of property to a uniform

basis, it would only require a change in the books of the county of those items so changed.

However, this is a matter that will require a constitutional amendment, as the Supreme Court has already held that the Board of Equalization has no other alternative in the matter of equalization between the counties. It is so manifestly unjust and unfair that I consider it to be worthy of your attention and remedy.

Considering that there is the above difficulty in the way of securing a uniform assessment throughout the state, and also considering the fact that heretofore there has been a great deal of dissatisfaction among the people, (which, however, I do not believe to be well founded), as to the work of the Board of Equalization in the assessments placed upon corporate property, I deem it advisable that a constitutional amendment be submitted to the people, creating a tax commission, to be composed of three members, with a term of office of six years, one member to be elected by the people every two years, whose duty it shall be to assess the corporate property within the state now assessed by the state board of equalization, and who shall also have power to equalize between the counties on an equitable and fair basis.

A number of states have such a commission, which I believe has proven entirely satisfactory to the people. A commission of this kind should be enabled to perform the duties of assessment in a more satisfactory manner than can a board consisting of state

officers, who are only able to devote a small portion of their time to a consideration of the question, and who, when the work is in actual progress, are compelled to attend to this duty amidst constant interruptions, which, to say the least, are not conducive to the best results. The members of a tax commission would not be impeded in this way, but could give the matter that calm deliberation which it deserves.

The continued growth of this state, with the enlarged duties thereby entailed upon state officers, demands that some relief be afforded. I believe that one of the wisest and best things you can do will be the submission of an amendment as above outlined.

CONCLUSION.

In conclusion I desire to express my thanks to all the state officers who have so ably assisted me by their wise counsel and help at all times in governmental affairs. I appreciate the high honor conferred upon me by the people of this state, and in closing my administration I desire to say that I have endeavored to be true to the trust reposed in me and have discharged the duties devolving upon me in a conscientious manner. But to you who are the representatives of the people, entrusted with that sacred law making power, I have but one word of advice, and that is, always remember that what is needed is not more laws, but better and wiser laws; laws that shall work for the betterment of the people and not for their downtrodding.

The history of the United States is a story of growth and change. It begins with the first settlers who came to the shores of North America. These early explorers and settlers found a land of vast natural resources and a people with a rich and diverse culture. Over the years, the United States has grown from a small collection of colonies to a powerful nation that has shaped the world. The story of the United States is a story of the struggle for freedom and the pursuit of the American dream. It is a story of the challenges we have faced and the triumphs we have achieved. The history of the United States is a story that continues to unfold, and it is a story that we all share.

Inaugural Address

of

Governor James H. Peabody

before the

Fourteenth General Assembly
of the State of Colorado

1903

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Inaugural Address of
Governor James H. Peabody

Senators and Representatives of the Fourteenth General Assembly:

In assuming the duties of chief executive of this great state I do so with a full realization of the responsibilities of the office, a fixed determination to impartially administer and enforce the laws, and a pledge to faithfully and impartially discharge all duties of a public nature which may devolve upon me, relying for wisdom, courage and guidance in the discharge of these duties upon the Supreme Ruler of all nations, states and peoples, whose aid, in behalf of myself and of this General Assembly, I, at this time, humbly invoke.

Let us not flatter ourselves with the thought that the people of this state have elected us to our respective offices on account of any personal popularity or pre-eminent fitness for the discharge of our respective governmental functions, and that therefore they will be satisfied with anything which we may do,

but rather let us be actuated by the conviction that the people are desirous of a return to honest, economical, common sense and conservative government, and that they will be satisfied with nothing less, and to this end let us devote our best endeavors.

The people of the state have delegated to you the important duty of enacting their laws and of providing means for their enforcement; and it is well to bear in mind that the quality rather than the quantity of legislation indicates a duty well performed.

Hasty, ill-advised, unwise and immature legislation leads to confusion, uncertainty, needless litigation and a consequent disrespect for all law.

Nothing is more detrimental and retarding to the prosperity of a nation or state than the uncertainty of legislation; and if it be a fact that Colorado to-day is not participating to the fullest extent, as it should, in the prosperity of the nation, this condition is largely due to the fact, in my judgment, that previous General Assemblies have done too much "tinkering" with Constitution and laws. I therefore strongly urge the most rigid scrutiny of all bills introduced, to the end that only such be enacted into laws as the requirements of the people demand.

Radical and far-reaching legislation, fundamental changes in our laws, with resultant doubt, uncertainty, litigation and chaos, have been the affliction under which the people of this state have existed during several administrations last past, until the

time has arrived when the people of this state demand, in no uncertain terms, a period of rest, so that they may familiarize themselves with the laws and adapt their interests to the existing conditions.

Legislators seem, too often, to be imbued with the idea that their only duty is to introduce bills and enact laws; whereas, the chief duty of a wise and conservative legislator is to prevent all legislation which will have a tendency to unsettle conditions or result in radical changes.

My confidence in the patriotism of this General Assembly is so great that I take it for granted that, uninfluenced by political affiliations or partisan predilections, in all matters of legislation the best interests of all the people of the state will be controlling, and only such laws will be enacted as are demanded for the promotion of the welfare and happiness of all the people. Nothing short of this will meet the approbation of your constituents and merit for you the consciousness of having faithfully discharged the duties for which you were elected.

The close of the first quarter century of the history of this state marks a period of the greatest prosperity in all industrial enterprises in which the citizens of the state have been engaged; a material advance along the lines of moral, intellectual and social improvement, and is full of promise for the future. And while it may be true that certain localities, owing to peculiar conditions, are not enjoying the greatest

degree of prosperity, yet the state as a whole during the past two years has advanced beyond the wildest hopes of the most sanguine enthusiast, and has entered upon an era of material development of our immense latent resources which will place it in the front rank of the great commonwealths of the nation.

Too much praise can not be accorded to those of our own citizens who have been and are directly instrumental in opening up and developing the comparatively unknown and undeveloped empire of wealth within our borders.

While nature has done much for Colorado, the development and utilization of the raw material of prosperity and growth so abundantly supplied very largely depend upon the efforts of intelligent, enterprising and progressive men, who should be encouraged by wise and liberal legislation, to the end that all the people of the state may be benefited.

Pursuant to an established custom, it is my duty and privilege to present to you at this time some suggestions as to needed legislation, not unmindful of what has already been said, and embarrassed somewhat by the many recommendations of my immediate predecessor, some of which I heartily approve, and others of which I can not approve, as hereinafter indicated; at the same time trusting to your superior wisdom to sift the good suggestions from the bad.

For the first time in many years, the fiscal officers of the state, in their biennial reports, with which

you are doubtless familiar, report a surplus revenue of about \$200,000. This is certainly a most gratifying condition of affairs and relieves us of the many serious embarrassments which have beset previous administrations; but at the same time this condition carries with it an element of great danger, for the reason that in times of plenty and prosperity the temptation to extravagance of expenditure and carelessness in appropriation is great, and for that reason greater watchfulness and closer scrutiny of all appropriations is demanded, to the end that we may not squander the people's money or be induced to enter upon undertakings which may involve large future expenditures, simply because we have the funds in hand. I, therefore, most urgently urge the most rigid examination of all requests and demands for appropriations and the allowance of only such as shall meet the expense of the various departments and state institutions, administered upon the most economical basis possible, consistent with the accomplishment of the very best results.

I do not advocate a parsimonious policy in dealing with our various state institutions, which would only result in unnecessary inefficiency of service, and subsequent increased expenditure, to remedy the lack of needed present facilities.

From my personal acquaintance with most of the members of this General Assembly, I have every reason to believe, and do believe, that a fixed determina-

tion upon your part to apply the same business principles to the administration of the affairs of the state which you apply to your own affairs will yield results in every way satisfactory to the citizens and taxpayers of the state. Anything short of this will not fulfill the solemn promises which we have made.

It has frequently been stated, and widely published, that, owing to the uncertainty in the enforcement of the law of Colorado, it was becoming an unsafe place for the investment of capital. These statements have been given prominence, and, as a result, it is claimed capital is avoiding Colorado, and seeking investment elsewhere. Primarily, the first duty of government is to protect life and property, and, under these circumstances, I deem it proper to say that all the power and authority vested in me by law will be used to accomplish that end.

REVENUE LAW.

As the result of the labor of two sessions of the Thirteenth General Assembly a revenue law was enacted, and went into effect in March, 1902, which, in many respects, seems to meet the demands of the situation, so far as the state's financial condition is concerned. There may be, and possibly are, defects of a more or less serious nature in the revenue act of 1902. The wisdom of man has not devised, and in my judgment never will devise, a perfect system of taxation, or a system which will be satisfactory to all

classes of tax-paying citizens. In the very nature of things, such a law is an impossibility, for the reason that all sorts and conditions of men, the wealthy, the middle class, and the poor, alike are opposed to all forms of taxation, and resort to all forms of evasion to escape a just and fair contribution to the expense of government.

In my judgment, sufficient time has not elapsed since the present revenue law went into effect to enable us to determine from experience the defects in the law, which should be remedied by legislation; and I therefore feel warranted in urging that this General Assembly refrain from any amendments of the law, firmly believing that future legislatures will be more competent to deal with this question, and that any attempt at this time to legislate upon this most important subject would, inevitably, lead to a more unsettled condition of fiscal affairs than has existed during the past two years, which is certainly to be avoided, if possible.

OUTSTANDING CERTIFICATES OF INDEBTEDNESS AND
EXCESS WARRANTS.

The Constitution of this state limits the tax levy for ordinary state purposes to four mills; prohibits the making of appropriations and expenditures in excess of the amount of revenue raised by the tax levy in any fiscal year, and provides that no bill shall be passed providing for the payment of any claims against the state without previous authority of law.

The above provisions are salutary and wise, for, otherwise, the state might be plunged into debt by extravagant and reckless appropriations, far in excess of any possible revenue to meet the same.

Acting under authority assumed or presumed to be granted by section 4112, Mills' Annotated Statutes, some of my predecessors, by executive order, have authorized various state institutions to issue certificates of indebtedness, to meet absolutely necessary expenditures for the maintenance and support of such institutions.

At the present time these outstanding certificates of indebtedness amount to about \$260,000, and are held by the Denver clearing house and the friends of the institutions issuing the same, whose public spirit and patriotism induced them to advance the necessary funds to prevent the closing of these institutions.

Under the above cited constitutional provisions the Supreme Court of this state has repeatedly decided that the General Assembly is absolutely and positively inhibited from making appropriations or authorizing the expenditures for the ordinary expenses of the state government, in excess of the total revenue then provided by law, and applicable to such appropriations and expenditures, unless the legislature at the same time shall provide for levying a sufficient tax to pay the same within such fiscal period, and within the constitutional limit of four mills.

It has also been held by the Supreme Court that such excess appropriations and expenditures are absolutely void, and "that they create no indebtedness against the state, and entail no obligation, legal or moral, upon the people, or upon any future General Assembly."

It follows that the certificates of indebtedness above referred to were issued contrary to the express inhibition of the Constitution, and such indebtedness so contracted, under the Constitution as it stands, is absolutely void, and no General Assembly can pass a constitutional relief bill for the purpose of paying such certificates of indebtedness.

In addition to these certificates of indebtedness there are outstanding what are commonly called "excess warrants" to the amount of over \$1,500, with accumulated interest.

It is undisputed that these certificates of indebtedness represent actual value received by the state, and that a very large proportion of the so-called "excess warrants" are of equal validity; and, while they may not, in the language of the Supreme Court, constitute a legal or moral obligation upon the people of this state, they certainly should be considered and treated as a debt of honor by the people of this state, and should be paid without further delay.

I am opposed to any attempt to meet and discharge these obligations by attempted evasion of the constitutional provisions relating to the same, and,

therefore, earnestly urge the adoption of a bill to submit to the people a constitutional amendment providing for the funding of these certificates of indebtedness and excess warrants, confident that the fair-minded, honest and intelligent people of this state, when placed in possession of all the facts of the case, will overwhelmingly be in favor of providing means for the discharge of our debts of honor and thereby firmly establish the credit of the state.

This recommendation should especially appeal to you, and to the people of the state, when it is recalled that about half a million dollars of the school fund is invested in this dishonored paper, which, with accrued interest, amounts to about \$900,000.

In this connection I would recommend the appointment of a committee or commission to investigate and report upon the validity of the excess warrants, to the end that the people may be fully advised upon this subject.

For the reasons above stated, I do not concur in the recommendation of the late State Treasurer and my immediate predecessor that all surplus money from the revenue of the last biennial period, and subsequent surplus moneys, be appropriated to the payment of outstanding deficiency claims, certificates of indebtedness, and excess warrants, for I believe that any attempt made to apply the surplus revenue in any such manner will be held unconstitutional by the Supreme Court of this state.

I am aware that twice have the people of this state rejected a constitutional amendment for the funding of these warrants, but I am led to believe that such rejection was due to circumstances which do not prevail at the present time, and under a misapprehension of the facts.

At any rate, I believe that it is our solemn duty to do everything within our power to remove the blot which now exists against the honor, integrity and credit of our beloved state.

KANSAS-COLORADO SUIT.

I desire to call especial attention to the suit of the state of Kansas against the state of Colorado, now pending in the Supreme Court of the United States. Some months ago the demurrer which had been filed to the complaint of the state of Kansas was overruled, and the defendant ordered to answer. An answer has been filed, and it has therefore become urgently necessary that, in addition to the work already done, a great deal of work be undertaken and carried forward in the defense of the state of Colorado. Though it was originally thought that the case might be determined upon purely legal questions, it has now assumed a more threatening aspect, and it is necessary to meet important issues of fact, with the issues of law still undetermined.

While the litigation is a direct attack upon the Colorado use of the waters of the Arkansas river, it is

at the same time, and in almost as direct a manner, an attack upon our whole system of irrigation.

It is the contention of the state of Kansas that Colorado ditches have diminished the flow of the Arkansas river, and that they can not legally withdraw the waters of a Colorado river for irrigation if that act diminishes the flow of the stream over Kansas lands; and that, too, regardless of any question as to whether the Kansas lands require irrigation.

In other words, Kansas is asserting the common law doctrine of riparian rights as against our well known irrigation user.

The question at issue affects all of our streams crossing a state line as much as it affects the Arkansas river, and the suit now pending is therefore a direct attack upon the system which is the foundation of the agricultural prosperity of the people of the state of Colorado.

In addition, the state of Kansas, by its suit, seeks to control the legislative and executive action of the state of Colorado.

Under such circumstances it is hardly necessary that I should direct your attention to the vital importance of taking every proper step in defending the suit. Testimony must be gathered and presented, extensive engineering and other investigations conducted and legal expenses defrayed, and, in general, the state should be in a position to take prompt and efficient action of defense without delay or embarrassment.

It goes without saying that these matters require attention, services and expenditures for which the departments of the state government are not sufficiently provided. I therefore recommend that the General Assembly take prompt steps looking to the passage of a special and liberal appropriation bill, creating a fund, to be disbursed under such supervision as the assembly may direct, for the payment of such services and expenses as have already been or may hereafter be rendered or incurred in the conduct of the defense of the suit.

CIVIL SERVICE.

The business of of the state should be administered upon business principles, and to the accomplishment of this end I know of no method or means which would more effectually bring about this result than the establishment and enforcement of civil service rules in all departments of the state government where the same can be applied.

Wherever civil service has been adopted it has attracted to the service of the government persons of superior capacity and character, and has tended to exclude unworthy persons; it has developed more energy in the discharge of duty, and more ambition to attain proficiency upon the part of those in the service; it has relieved the appointing power of the pressure brought to bear by applicants and their friends for positions, and the consequent expense of time and

energy which should be devoted to more important matters and to the discharge of official duties; it has greatly reduced the power of the executive, or appointing power, to use the patronage of the office for ulterior political purposes.

In whatever department of national, state or municipal government civil service has been adopted, it has abundantly justified the claims of its advocates, has improved the public service, and has grown in public favor.

There are many departments of the public service of this state, notably our penal, reformatory and charitable institutions, and other departments, where civil service could be adopted to great advantage, to the improvement of the administration of such departments, and with resultant economy.

Governor Adams, in his biennial message to the Twelfth General Assembly, said:

“If the servants of the state would give the same number of hours of competent service that are required of the employes of Daniels & Fisher, Morey Mercantile Company, Tritch Hardware Company, and others of the mercantile establishments of Denver and other cities, I am of the opinion that in most departments the work could be done with half the present force. In saying this I have no criticism for the employes of the state house; there never was a more worthy or deserving set of assistants; they do well and

promptly what is assigned them, and are not to blame if the yoke is easy and the burden is light."

It may be true that the *employes* are not to blame for such a condition of affairs, but what can be said of *employers*, or of the *system* which permits such a wasteful expenditure of the people's money? The blame must rest with either the employers (the heads of the departments) or the system.

And again Governor Adams says:

"I think I am within bounds when I state that the average day's work by heads of departments and employes in this capitol, from dome to basement, will not exceed six hours."

Speaking for myself, and the other officers-elect of the executive department, I assure you that it will be our endeavor to see to it that "the servants of the state" give the state the same amount of competent service that employes of mercantile and industrial establishments give, and, in this connection, I would suggest that you only employ such clerks and assistants in the discharge of your labors as may be absolutely necessary to perform the work in hand. There is no good reason why the legislature should require as many clerks and assistants in the discharge of its duties as there are members of both houses; and the placing upon the pay roll of a single clerk or other assistant simply for the purpose of giving a personal or political friend a "job" is entirely indefensible.

What has been said of the civil service of the state applies with equal and greater force to all departments of our county and municipal governments.

I believe that the people of this state demand and expect, in the administration of their affairs, in state, county and municipality, a change, to the end that greater efficiency be attained at a reduction of expense; they demand civil service because it will attain this end, and restore to them a common right whereof they have been deprived by a dangerous and privileged class, to wit, those who have perpetuated themselves in office by virtue of political influence rather than fitness or competency.

The Civil Service Reform Association of Denver will present its bill for your consideration, which, I trust, will lead to legislation along the lines therein set forth.

PURE FOOD.

Chapter I of Mills' Annotated Statutes, entitled "Adulterations," as amended by subsequent acts of the legislature, seems to be an attempt to provide what is commonly known as a pure food law for this state.

An examination of the existing laws upon this subject discloses the fact that while severe penalties are provided for the adulteration of food and drink, no officer is charged with the duty of, and invested with the authority to, enforce the law, and, as is too

often the result in such cases, the law has been a dead letter.

The above chapter also includes the law relating to the Dairy Commissioner, and prescribes his duties and authority in the matter of adulteration of dairy products.

As affecting the health of the people, and especially the common people, no subject is of more vital importance than pure food, owing to the almost limitless adulterations, counterfeits and shams which are on the market as foods.

It seems to me that it should be quite desirable to enact legislation providing for the appointment of a commission or commissioner, whose duties should combine that of Dairy Commissioner and other departments relating to the public health with the duty of enforcing the existing laws relating to the adulteration of food and drink, with such amendments thereto as wisdom might suggest.

Other states have enacted such legislation with very beneficial results, and, profiting by their experience, a law could be framed which would accomplish the desired end.

The House of Representatives of the Congress of the United States has recently passed a "pure food" law, which deals with the subject so far as the same relates to interstate commerce; which law, to accomplish the best results, should be supplemented by state legislation along the same lines.

BOARD OF PARDONS.

Under the Constitution the executive is vested with the power of granting pardons, and must, necessarily, assume all final responsibility for the exercise of this power.

In my judgment, no effort to divide responsibility accomplishes the desired results, and especially is this true in matters of this character, for the reason that sentiment is too apt to be controlling when we have under consideration appeals for clemency.

The Board of Pardons, as constituted, is simply advisory to the executive, who is, *ex officio*, a member and president of the board, and is, necessarily, in attendance at all meetings of the board, hears the testimony and arguments in behalf of the petitioner, participates in the discussions of the board, receives and considers the recommendations of the board, and finally decides the matter.

From the foregoing it will be seen that the duties imposed upon the executive by the existing law increase, rather than diminish, the burdens resting upon him, and, as he is the final arbiter, the responsibility of final action is his.

What has been said is without any intention of reflecting upon the efficiency, disinterested devotion to duty and patriotism of the present or previous boards, but simply to call attention to the law as it exists, with the recommendation that the Board of

Pardons be either given final authority in the matter of pardons; that its conclusions be made binding upon the executive, and that it be charged with full responsibility, or that the existing law be repealed.

In my judgment, the mere fact of the existence of a Board of Pardons is an invitation to those confined in penal institutions to make frequent applications for pardon, which are wholly without merit, with a resultant unrest on the part of the applicants, which is highly detrimental to that strict discipline so absolutely necessary in almost all such institutions.

I am also persuaded that the indeterminate sentence law has failed of accomplishing any good results, and that a return to the old system would be desirable.

If the criminal classes can be made to know that conviction, sentence and punishment are sure, speedy and certain, without hope of pardon, reprieve, commutation of sentence, or parole, except in clearly meritorious cases, a large falling off in crimes of all descriptions would be immediately noticeable.

CHARITIES AND CORRECTION.

The Board of Charities and Correction, serving as it does without compensation, except as to its secretary, is so hedged about by restrictions and limitations in the act creating it as to make its labors unproductive of practical results. Its duties are purely visitatorial and supervisory, without authority to en-

force or carry into effect any of its recommendations.

The act creating it seems to be an attempt to create a board which shall have some sort of *control* over the various penal, correctional and charitable institutions of the state, but, if such was the intention of the act, it falls far short of accomplishing any such result.

It has been recommended to previous legislatures that a board of control be established, which should have full control and custody of all such institutions, both as to their management and financial affairs. The creation of such a board would not fail to accomplish better results and a more economical administration of the affairs of these various institutions, as it is clearly shown by the reports of similar boards in other states.

My recommendation is that the Board of Charities and Correction be reorganized along the lines above suggested, or that the act creating it be repealed, thereby saving the expense of maintaining it under the present law.

PUBLIC PRINTING.

Chapter CIII, Mills' Annotated Statutes, "Public Printing," is greatly in need of revision and amendment.

Many of the scandals connected with the administration of county and state affairs seem to be connected with public printing and stationery supplies,

due to the fact that the present laws upon this subject provide no competent official who shall have charge of these matters.

No reflection is intended to be cast upon any official of preceding administrations, but from the very nature of the case (printing being a technical art), abuses have crept into this branch of the public service, and as a result great extravagance, to say the least, prevails in all departments requiring printing and stationery supplies, as may readily be seen by a simple reference to the annual appropriations and expenditures for these items.

My recommendation is that the office of supervisor of printing and stationery supplies be created, providing for the appointment of a practical and competent printer, who shall be under bond, with a salary commensurate with the importance of the office, confident in the belief that a saving of many times the salary and expenses of the office would result.

PENITENTIARY.

My personal and intimate knowledge of the affairs and present conditions at the State Penitentiary impel me to suggest a possible remedy for the evil of keeping the convicts there confined, in enforced idleness.

The experiment of employing convicts in the raising of farm products during the past few years has not proved successful from any point of view, for

reasons unnecessary to state. The prevailing sentiment against convict-made goods and material renders it impossible to utilize the convicts in these branches of work, while every consideration of humanity demands that these unfortunates be given steady employment of some kind.

State Canal No. 1 is an enterprise upon which the state has already expended more than \$200,000 in cash and labor, which sum of money represents an actual loss to the state, and will so continue unless some plan can be devised to complete the canal to the Arkansas river and utilize it for the purpose of irrigating the more than 30,000 acres of school and other lands which lie under it.

Work upon this canal was suspended many years ago for the reason that its completion, as an irrigating canal simply, would result in no benefit to the state, as all the waters flowing in the Arkansas river during the irrigating season were subject to prior appropriations.

My recommendation is that the canal be completed to its in-take at the Arkansas river, and that it be made the feeder to a chain of reservoirs extending from the Grand canon of the Arkansas river to a terminus at the Fountain river, and which might, and I have no doubt would, be ultimately extended to the eastern boundaries of our state.

These reservoirs could be filled during the flood seasons, without in any way interfering with prior

appropriations; the water thus stored to be available during the irrigating season, thus bringing into cultivation the large tracts of arid land belonging to the school fund, as well as other lands, from which the state would derive a revenue in land and water rental, and taxes, thereby converting an unprofitable investment into an income producer.

The labor necessary for the completion of the canal, and the construction of the reservoirs, could be supplied from the convicts in the State Penitentiary, this affording steady and healthful employment to these unfortunate beings, and ultimately furnishing the state with a site for the establishment of a convict farm, where the labor of the convicts could be made profitable, would be permanent, and eventually the State Penitentiary might become self-sustaining.

I submit this matter for your consideration, hoping that you will deem it wise to make such appropriation as will pay for the necessary surveying, tools, powder, transportation and extra guards as may be required in the prosecution of this work. I am advised that there is a balance of the last appropriation made for this canal which might be utilized for the above purpose by the appropriate legislation.

In view of the fact that the national government has taken up the subject of irrigation, and that, sooner or later, every available reservoir site in the arid region will be utilized, it would seem that this is a propitious time for the state to make some movement along the lines indicated.

STATE BOARD OF ARBITRATION.

The Eleventh General Assembly created a State Board of Arbitration, provided the manner in which its members should be appointed, the duties of the board, its powers, and the compensation of its members.

The annual reports of this board, submitted to the Governor, as required by the law, show that during the six years of its existence it has investigated nine strikes, in six of which settlements have been arrived at, presumably due to the good offices of the board.

The appropriations for salaries, expenses, etc., of the board, during the six years of its existence, have amounted to the sum of \$16,800, of which amount about \$3,300 has been turned back into the treasury, making the total expense of the board about \$13,500.

The Board of Arbitration, in its last annual report to my predecessor, concedes its inefficiency to accomplish results of a definite nature, attributing its weakness in this respect to defects in the existing law, and suggests certain amendments to the law, which, it is claimed, will invest the board with the authority desired and necessary to make it efficient.

A careful examination of the proposed amendments to the law, and the opinion of the Attorney General of the state, quoted in full in the report, leads me to the conclusion that, under our Constitution, no legislation can be enacted which will materially change the present status and authority of this board.

Conceding the force of every argument which can be advanced in favor of the arbitration of differences which may arise between employer and employe, and which has my hearty support and approval, yet it seems to me that the expense to the state on account of this board is out of all proportion to the results accomplished, and for that reason I would advise that the act creating this board be repealed, and its duties and powers, by appropriate legislation, be conferred upon the Labor Commissioner.

I am urged to this conclusion, in great measure, by the fact that, under our Constitution, compulsory arbitration can not be enforced, and in any event, the duties of the board, as constituted, are simply advisory; its conclusions and suggestions may be accepted and acted upon by the parties in interest, or rejected, as they may elect.

PUBLIC INSTITUTIONS.

The biennial reports of the several boards and commissioners of our educational, charitable, penal and correctional institutions all indicate most satisfactory results in their several branches of work, with the facilities which have been available, with the largely increased and rapidly increasing demands upon their resources, and, in many instances, urgent calls for larger and more efficient accommodations.

These reports should receive your careful and thoughtful consideration, and such response should be

made to their applications for appropriations as the facts in each case may warrant and justify; always bearing in mind the fact that the true glory of a state is manifest in its public educational, charitable and correctional institutions.

Time will not permit me to enter into a detailed discussion or presentation of the facts and conditions set forth in the reports above referred to; and I therefore content myself at this time with commending these reports to your best judgment.

NATIONAL GUARD.

I believe that domestic tranquility will be conserved and promoted by an efficient, well-equipped and well-disciplined national guard, and am pleased to note that the reorganization of the state's militia undertaken during the Spanish-American war, made necessary by the absence of our troops in the service of the nation, has been carried forward efficiently and successfully.

The national guard is supported by the military poll tax, which yields a revenue of about \$40,000 per annum, with an estimated uncollected poll tax of about \$20,000 per annum. This form of taxation is peculiarly offensive to many taxpayers, and its collection is often resisted. It might be well to abolish the military poll tax, and provide for the maintenance of the national guard by a levy for that purpose.

On account of the probable passage of what is known as the "Dick" bill by the national Congress,

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which will bring the regular army and the national guard into close association, it seems wise that the organization of the national guard of Colorado should be changed so as to conform, as nearly as possible, to that of the regular army.

It is, of course, recognized that it would not be advisable to create such a preponderance of officers as is found necessary in the United States army, for the duties of the two forces on a peace basis are different, in many respects. Discretionary power should, however, be given to the Governor of the state, upon the recommendation of the Military Board, to alter the organization of the national guard of Colorado in such a manner that it may be so closely conformed to similar units in the regular establishment that when our state force is mobilized with the regular army, the care and handling of the troops may proceed without embarrassment to either force.

Considerably more than one-third of the total amount of the military fund is yearly expended for armory rent. There seems to be no provision under the law by which the Military Board has the right to build or purchase armories.

It is recommended that section five, of article IV, of the laws and regulations for the government of the national guard of Colorado be so amended that the Governor be authorized, upon the recommendation of the Military Board, to purchase or construct suitable buildings for armories and arsenals.

GAME AND FISH.

One of the most valuable assets of the state is the game and fish, and strenuous efforts should be made to preserve and protect this asset.

I am not unmindful of the fact that the enforcement of the law is more important than the amendment of the law, and, for this reason, strenuously urge the establishment of a State Board of Game and Fish Commissioners, which shall be non-partisan in composition, with authority to establish a civil service system in the department, thus removing this department from political influences, thereby securing more efficient and economical service.

I believe that an equitable schedule of licenses, for resident and non-resident hunters and fishermen, guides, taxidermists and importers of game and fish, would yield a sufficient revenue to make this department more than self-sustaining and result in a better enforcement of the law and greater protection to the game and fish.

Other states have enacted the above suggestions into laws with very beneficial and satisfactory results, and if Colorado ever intends to take decisive steps for the protection of the game and fish of the state, the time is at hand when it should be done, or it will be too late.

LOUISIANA PURCHASE EXPOSITION.

It appears by the report on file with my predecessor that the St. Louis World's Fair Commission proposes to erect a permanent building, composed of Colorado material only, upon a site secured for that purpose.

While I am in favor of taking advantage, to the fullest extent within our means, of the opportunity afforded by this exposition, to advertise the varied resources of Colorado, I very much doubt the propriety or expediency of investing in a permanent building at St. Louis for this purpose, and especially at a time when many of our state institutions are asking for appropriations for permanent buildings and improvements of a permanent character, beyond our ability to grant.

Expositions are of an ephemeral nature, and what might to-day be considered a monument to our enterprise, would in a few short years lapse into a monument of our folly, as is shown by the permanent buildings erected on the site of the Chicago World's Fair.

JUVENILE COURTS.

The County Judges' Association, composed of all the county judges of the state, with painstaking care and much labor, has prepared and will submit to this assembly "A bill for an act to regulate the treatment and control of delinquent children," which I recommend to your serious consideration.

An eminent authority on criminology has well said:

“Neglected childhood is the great cause of crime, for neglected childhood means neglected character, and at a time when character is still plastic.”

Only a very small proportion of those children who subsequently grow up into criminals are criminals by instinct, and would develop into criminals, no matter what their environment. They are bred into criminals in nearly every instance through idleness and lack of home training and influence. Divorces, drunkenness, parental incapacity and indifference to the welfare of the child mark the initial stages.

These naturally lead to idleness on the part of the child, and evil associations and courses. The start once made, the first arrest soon follows. The child who has never been taught any better is locked up, oftentimes with hardened criminals, is tried and practically railroaded to one of the reform schools. His status in the world is officially thrust upon him; he is a criminal. After a few years in the reform school he emerges with nothing to do and nowhere to go. He naturally falls in with his old companions and into his old ways. Another arrest soon follows, and in the course of time society forces him into the professional criminal class, and makes him an outcast.

The bill, as framed, is based upon similar laws in other states and the experience of the County Court of Arapahoe county.

As an illustration of the practical results accomplished for the taxpayer, it may be stated that the cost of trial, conviction and maintenance at Golden or Buena Vista of fifteen average juvenile criminals, as shown by the records of Arapahoe county, is \$227.92.

During eighteen months 454 juvenile delinquents were tried in the County Court and put on probation, at an average expense of \$11.89, resulting in a saving to the county and state of \$88,827.68.

In addition to this, these juvenile delinquents, with scarcely an exception, have been turned into the right path and give every indication of becoming upright, honorable citizens.

I believe that no bill which you may be called upon to consider will be of greater importance than this, and if enacted into law, the good results which will be accomplished under it will be far-reaching.

The County Judges' Association has also prepared, and will submit for your consideration, a compilation or revision of the probate and kindred laws of the state, which is an effort to harmonize, simplify and codify all laws relating to the subject of estates of every description, without material changes in the existing laws upon these subjects.

I believe that a revision of all the statutes of this state would be advisable, as this work has not been undertaken by the state since the publication of the Revised Statutes of 1883.

COURTS.

With practical unanimity, the members of the legal profession, through the State Bar Association and local associations, for a number of years have advocated the abolishment of the Court of Appeals and an increase in the number of the justices of the Supreme Court, and several attempts have been made to

My three immediate predecessors have strongly advocated this measure, and it is unnecessary for me to reiterate the convincing arguments presented by them in their messages in support of the desired change. Suffice it to say, that I believe the proposition would meet with the approval of the people.

I am also of the opinion that a reduction of the number of District Courts is desirable from every point of view.

ELECTION LAWS.

Recent events seem to justify the conclusion that radical changes are necessary in our registration and election laws, if we intend to preserve a form of government "of the people, by the people, and for the people."

Under our present law, in cities of the first class, there seems to be no limit to false registrations and illegal and fraudulent voting, all parties charging the others with equal guilt, as the opportunities present themselves. Such conditions are intolerable, and rem-

edies must be provided, or the elective franchise will become a farce.

Various remedies for the betterment of the existing condition of affairs will doubtless be suggested by those who have given the subject more thought than I have been able to, and I sincerely trust that your deliberations and actions will accomplish the much desired result.

CONCLUSION.

Many other subjects present themselves for consideration, but I have already exceeded the limit of your patience.

I have not referred in detail to the various state institutions, as these matters have been fully and ably presented to you by my predecessor. The flourishing condition of these institutions, the improved financial condition of the state, and the great and increasing prosperity of our people are certainly causes for congratulation.

Upon us rests the great responsibility of so administering our several functions as not to impede, but rather promote, the prosperity, welfare and happiness of all the people of this great commonwealth. Let us resolve to merit, by our acts, the confidence and hopes which have been reposed in us; let us harmoniously co-operate for the accomplishment of results for the permanent good of Colorado.

