GOV. WILLIAMS' MESSAGE.

GENTLEMEN OF THE GENERAL ASSEMBLY: I cordially welcome you to the capital for the discharge of the important duties intrusted to you by the people. It will be my pleasure to aid you in learning the transactions of the executive department of our State Government during the past two years, and in providing for the needs of our community during the ensuing two years, for which we are together responsible.

The last General Assembly, having been convened in special session for the completion of important matters which had been inexcusably delayed until a late day of the regular session, adjourned March 15, 1877. The acts of the two sessions, in one volume with the "accurate statement of the receipts and expenditures of the public money" required by the constitution, were so "published and circulated in the several counties of the State by authority," that by the receipt and filing of the same in Pike county, they took effect July 2, 1877, as evidenced by my proclamation of July 5, 1877.

Joint resolutions proposing nine important amendments to the constitution were passed, and the proposed amendments, having been agreed to by a majority of the members elected to each of the two houses, were entered upon their journals and referred to the body now constituted of yourselves. It is desired that you take early action upon this pending business, that the proposed amendments, if agreed to by a majority of all the members elected to each house, may be at once submitted to the electors of the State, and, if ratified by them, be declared parts of our fundamental law upon which you may proceed to enact a series of wholesome laws now urgently demanded by the interest of our people.

I congratulate you that the instruction to our Senators and Representatives, conveyed by a joint resolution, requesting them "to use all lawful means to prevent the speedy enactment of a law of Congress restoring the legal-tender quality of the silver dollar of the coinage of 1792, and making the same legal tender for the payment of all debts, public and private, except as otherwise provided by law," has aided in the restoration of our original unit of value, by an act of Congress to which they gave their support. Sustained by its original double metallic standard, our financial system gives promise of greater stability than when deprived of its support.

The mandates of other resolutions addressed to ministerial officers have been obeyed, and you will be advised of the conclusions reached by them.

The act of March 7, 1877, providing Judges to preside at adjourned terms, and to try cases on change of venue from the Judge of a circuit, has been of advantage to litigants in securing a speedy trial, but the provision for compensation, made in section 5, has been so annulled by the later act making general appropriations that County Treasurers have been embarrassed in their efforts to comply with an appropriation so unusual and irregular. Gentlemen who have performed services await further legislation providing for their compensation.

The additional courts constituted for the counties of Marion, Allen, Cass, Vanderburg, Jackson, Washington and Wayne have been organized by the appointment and qualification and subsequent election of Judges.

The acts providing for the election of township officers were found to contain conflicting provisions, which must be harmonized by you.

The modification of the act defining larceny, and prescribing a punishment more within the discretion of the court than before, has served a good purpose. It may be well to revise other sections of the criminal code in the light of this experience.

The "act authorizing the acquisition of Green River Island, or to locate the true boundary line between the States on that said island," has been so far executed as to learn from the Governor of Kentucky that the action of the Commissioner appointed by that State to make the survey has been ratified and confirmed by the Legislature.

The attempted amendment of section 22 of the act for the incorporation of towns, conferring enlarged powers upon the Board of Trustees, has been held to be void because violating a well-settled rule for the amendment of statutes.

I appointed Messrs. Frank Emerson, John B. Hannah and Robert P. Haynes, three discreet persons, to settle and adjust the claims made against the State Prison South, payable out of the appropriation of $130,000 made by act of March 10, 1877. Their work was so discreetly and satisfactorily done, as shown by their records and papers filed with the Auditor of State, that a highly satisfactory adjustment and settlement was made of that very troublesome floating indebtedness.

EXECUTIVE AND ADMINISTRATIVE DUTIES.

The constitution, in dividing the powers of the Government, has vested "the legislative authority of the State" in yourselves, the "judicial power" in the courts, and the residue, "the executive, *including the administrative*," "in a Governor." The duties of the respective offices denominated "administrative" are "directed by law." The officers are the ministerial agents of the people upon whom duties are "enjoined by law" which must be literally and exactly performed. The Governor is charged with the duty "to execute the laws," "to suppress insurrection" and "to repel invasion," and is given ample military power. It is provided that "he shall from time to time give to the General Assembly information touching the condition of the State, and recommend such measures as he shall judge to be expedient." To do this, it is provided further that "the Governor shall transact all necessary business with the officers of Government, and may require information in writing from the officers of the administrative department upon any subject relating to the duties of their respective offices," and it is enjoined that "he shall take care that the laws be faithfully executed." He is given power in his discretion to control the execution of process upon criminal judgments and to modify fines and judgments rendered upon forfeited bonds. To avoid the consequences of vacancies in certain ministerial offices and in the General Assembly itself he is authorized to appoint to the one and "issue writs of election to fill" the other. He may convene the General Assembly at a place remote from the seat of government, and "may at any time by proclamation call a special session." His part in the business of legislation is such that he may return to the General Assembly for the reconsideration any bill for an act presented to him for approval and execution. It thus appears that the Governor is not a ministerial officer, but rather a supervisor of the transactions of others and possessed of discretionary powers peculiarly his own, and entitled to a respect equal to that accorded to each of the other departments. If so, much legislation heretofore enacted imposing laborious and responsible duties of a ministerial character upon the office has been justifiable simply because of the acquiescence of the incumbent in the will of the law-making body, and is not a good precedent to be followed. The duties incident to the establishment and management of Purdue University, the House of Refuge, the Orphans' Home, the Female Prison, the Insane Hospital, the State House, the valuation of property for taxation and sundry other boards of an administrative character, may be mentioned as examples of that disposition. With a few exceptions, the office which I have the honor to hold has been treated with marked respect by the administrative officers amenable to it under the constitution. The retiring State officers are entitled to great credit for the zeal, integrity and ability which they have displayed in the discharge of the duties of their several offices during their four years' occupancy thereof, and for the reforms which they have effected therein. Each has my grateful acknowledgments for his co-operation with me. One who will enter upon a further and unusual term of service has in his election thereto received a rare commendation from our appreciative people.

ANNUAL REPORTS, 1877.

An act approved Feb. 3, 1853, provides for annual reports of State officers and benevolent institutions, the same to be made to the Governor. Officers since created have, by executive requirement and implied legislative direction, reported in like manner. These reports for the year ending Oct. 31, 1877, fifteen in all, have been published in a volume of convenient form, entitled "Annual Reports of Indiana, 1877," and are laid before you for your information. The Secretary of State communicates a condensed report of the business of his office for the year, including a report of the proceedings of the administrative boards of which he is Secretary *ex officio*, a register of State and county officers, Commissioners of Deeds, Notaries Public, and Justices of the Peace, and others, to whom commissions have issued, a list of corporations and associations organized, and other matters pertaining to the office. The reports of the Auditor and Treasurer together constitute a complete showing of the transactions of the Treasury Department. Upon the enactment of the appropriation laws of March 10, 1877, the fiscal business was made to conform strictly to their requirements. The general fund had and received during the year $2,128,242.83, and disbursed $1,859,105.36, leaving October 31, 1877, $269,237.47. The receipts included $200,000 of the temporary loan, being the proceeds of a renewal at a less rate of interest of the part falling due Dec. 1, 1876, which appears to have been paid. Each disbursement account has its authority in those acts, so much as precedes April 1 being legalized by the third section of the first act, and the others limited by the express terms of its sections one and two. As the accounts of each institution were verified by the Auditor of State, they constitute exhibits in detail of the sums charged to them. They will be carefully examined by your appropriate committees.

The report from the Department of Public Instruction is brief. Its contents relate mostly to the enumeration and school attendance, and the school funds and revenues for the year, and will reach you in a revised and more comprehensive form in the biennial report.

ANNUAL REPORTS, 1878.

I respectfully transmit a report to you of "each case of reprieve, commutation, or pardon granted and, the name of all persons in whose favor remissions of fines and forfeitures have been made and the several amounts remitted during the years 1877 and 1878, by my predecessor in office and myself, as required by the constitution. Accompanying it are some tables approximating accuracy, and showing the growth of crime and punishment of criminals since the reorganization of the, first convict in the State prison. Imperfect as our criminal statistics are, they may afford valuable aid in legislating upon an important and troublesome matter. The constitution provides "that the General Assembly may by law constitute a council, to be composed of officers of State, without whose advice and consent the Governor shall not have power to grant pardons in any case except such as may by law be left to his sole power." In order to relieve the Executive of a great responsibility, I recommend a law in accordance with this proviso.

For your information as to the transactions of the Government during the year ending Oct. 31, 1878, I lay before you reports made to me by officers named as follows:

The Adjutant General.
The Quartermaster General.
The Secretary of State.
The Auditor of State.
The Treasurer of State.
The Attorney General.
The Superintendent of Public Instruction.
The State Librarian.
The Trustees of the Institute for the Education of the Blind.
The Trustees of the Institution for Educating the Deaf and Dumb.
The Trustees of the Soldiers' and Seamen's Orphans' Home.
The Trustees of the State Normal School.
The Trustees of Indiana University.
The Trustees of Purdue University.
The Directors of the State Prison South.
The Directors of the State Prison North.
The Commissioners of the House of Refuge.
The Managers of the Female Prison and Reformatory Institution.
The Board of State House Commissioners.
The Provisional Board of Commissioners for the Hospital for the Insane.
The State Board of Agriculture.
The State Horticultural Society.
The Commissioners of the Hospital for the Insane have preferred to follow the mandate of the act of 1852 providing for the government of the hospital rather than the act of 1853, providing for annual reports from the subordinate officers to the head of the executive service, and have made their report directly to you. It was received at my office Dec. 7, and, appearing not to be made to it, was delivered to the Secretary of State, to lay upon his organization of the House of Representatives he might deliver it to the Speaker.

MILITIA.

The act approved May 11, 1861, for the organization and regulation of the Indiana militia had so far become a forgotten relic of our civil war as to be omitted entirely from the last revision of the statutes. The constitution (article XII.) provides who shall be subject to military service and that "the General Assembly shall determine the method of dividing the militia into divisions, brigades, regiments, battalions and companies, and fix the rank of all staff officers," and divide it into classes of sedentary and active militia. These requirements are met by the act of 1861. It prescribes the manner of organizing and mustering a company into the active militia denominated "The Indiana Legion," and for the supply of arms and equipments, a system of instruction and encampments, courts-martial, courts of administration and courts-martial; calls into active service and resignations, dismissals and discharges. Until quite recently the last-named have been the most popular features of the law. Of the system a General officer, who observed its working while protecting the southern border of the State from invasion in 1862, wrote to his superior in command: "Much may be done to increase the efficiency of the Legion by proper amendments of the law. There must be some inducements to go into the companies, either by way of exemption from other burdens, or by bounty, or by both. Whatever the inducement may be, it must be a continuing one, so that it will have the effect not only to impel men to join the companies, but to continue in them and discharge the duties which result from membership. It cannot be expected that men will long give up their other employments and spend their money to get up and maintain military organizations without some inducement. * * The law should provide a short and efficient means of compelling attendance of members at drill, etc. Its provisions on this subject are circitous and inefficient. The law provides for swearing the members of the companies after the election and it is said, in many instances, that those who have signed the articles of association, not getting an office, have refused to take the oath. It is suggested to me that the oath should be administered first and the election held afterward. Other amendments might be suggested in regard to the organization of companies. The process ought to be greatly simplified.

The present Adjutant General has succeeded in securing the organization of twenty one companies, those forming the associations having been led to assume the burdens imposed by the law because of a generous rivalry between the lovers of military tactics and display in the leading cities and towns. You will be asked to add needed amendments to the existing statute, or to enact a new law affording as much encouragement to military organizations as do the laws of other States of equal rank.

Occasion for the use by civil authority of a well-drilled and well-disciplined body of troops may arise at any time in our populous localities, or even in remote districts where non-congregate who have little knowledge of our laws, and no respect for the peace and dignity of our State

On the 26th of July, 1877, I was officially informed by the Sheriff of Marion county that certain railway employes, because of a disagreement with their employers, had ceased from service, and by their inactivity had occasioned an interruption and delay of transportation across his county; that no breach of the peace had come under his observation, and no information of any had been received by him; that, with the exception of the detention of railway trains, there had been no forcible violation of the peace; and that no injury to person or property had been committed. He advised the issuance by me of a proclamation ordering all unlawful assemblages to disperse, cease their violence, and yield to the authority of law, expressing the opinion that such an order would command that respect which an officer occupying his position could not secure. In conclusion, he said: "Such a proclamation from you as I suggest might accomplish the desired result; but in my judgment persuasion will not avail anything. I have no organized force at my command of any description, but am utterly powerless in the event of a serious disturbance, unless you will at once furnish me an adequate force to maintain the law." I at once issued and caused to be published my proclamation of that date The organized companies in this county were ordered into camp at the United States Arsenal grounds, and the Adjutant General, assisted by prominent citizens of Indianapolis, constituting a "committee of safety," rapidly organized, mustered, officered and equipped other companies and caused them to encamp on the same grounds. I requested Gen. Ben. Harrison to assume command of the forces so organized. He replied, saying: "I am very much obliged for this expression of your confidence, but the committee of safety had recommended Gen. Dan Macauley for the place, and I would therefore ask you to commission him." He, however, took command of a company. Gen. Macauley was commissioned, and immediately took command and organized a staff, which was also commissioned and entered upon duty with him. By advice of the committee of safety, and especially of a member thereof, who is an experienced officer, and the commandant himself, to avoid the possible danger of a delay in transmitting formal requisitions to the Ordnance Department for ordnance stores due the State, I telegraphed the President, saying: "In view of threatened domestic violence growing out of the railroad strike, I request that authority be at once given to the commandant of the arsenal to render all the aid possible in preserving the public peace." Receiving at the same time and complying with requisitions for troops much less formal from the Governors of other States, and una are of the fact that our militia was encamped under the shadow of the arsenal buildings, and had good reasons to draw from their stores, the Secretary of War replied (July 27, p. m.) as follows: "I am directed by the President to say that, in the absence of a call upon him under the constitution and statute, for military aid in suppressing domestic violence, the Federal troops at Indianapolis can only be used in protecting property of the United States and enforcing process of Federal courts." It seems not to have occurred to the honorable Secretary that the arsenal was understood to be a depot of military stores, and not a garrison of men. Late in the night of that day, a Lieutenant Colonel of the United States army called upon me, saying: "I have been ordered to this city with 200 men to assist the civil authorities in preserving the peace and protecting property. I have the honor to report to you my arrival, and to ask if you have any instructions for me." Having made no requisition for troops, and having even been advised that my requisition for ordnance stores would not be complied with, I could then only reply to that effect. On the 28th, I was enabled to inform the Sheriff of Marion county that an adequate force had been organized in his county, and would be placed at his disposal upon his making formal requisition to the Adjutant General. Disturbances of a similar character arose in other localities, notably in Allen county, and like preparation was made. These preparations in aid of local authorities and the counsel of prudent citizens made the use of the force unnecessary, and it was disbanded. The expenditures were so carefully managed that, while the outlay of other States reached many thousands of dollars, our own were easily met by the limited appropriation for "military contingent expenses." Details will be communicated as required by law. I take occasion again to express my obligations to the citizens who promptly took up arms in support of the civil authorities, and especially to those wise counselors who were able by their coolness and reason to dissuade an extensive organization of determined men from rash purposes, and overcome the clamor of passionate men for vindictive measures. It is a source of great satisfaction to our citizens that we passed through an ordeal involving to other communities and threatening to us the most serious consequences, without the loss of a life, and with a small expenditure of the public funds. I am moved to so particular a statement of these occurrences, now long past, first, because prominent gentlemen on the floor of Congress, and in carefully-prepared addresses to our people, have manifested a disposition to distort their simple truth; and second, in order that you may provide in advance for such a possible emergency hereafter.

Other disturbances growing out of our unsettled labor question occurred in the mining region of Fountain county, with deplorable results. A want of due carefulness in the local authorities resulted in the issuance and charge to that county of arms which were received from it upon approved bond by persons unworthy of membership in a company of the militia. It became the duty of the State authorities to review these proceedings and secure a return of the arms to the State and a disbandment of the company. This delicate duty was satisfactorily discharged by the Adjutant General, whose report will more fully disclose its nature. At the request of the Judge of the Fountain Circuit Court troops were sent to and maintained in the county for some weeks to protect the lives and property of citizens, insure peace, and secure a prompt administration of justice to the offenders. The expenses of this call were met as before.

The Quartermaster General accounts for the military stores received, issued, and now held by him. The State yet has a credit of $7,205.08 upon her account with the General Government under the act for a distribution of arms to the States.

By my order, an experienced officer was detailed by the Adjutant General to inspect the arms belonging to the State. As this duty had not been performed for many years, it will be of interest to learn the exact quantity and condition of our munitions of war as disclosed by his report.

It is proper that I should say to you that companies have been called out and kept in camp several days, and many of the members who were labaring men suffered by loss of situations. Under section 33 of the law, they could receive only the small pay allowed to soldiers of the United States army, and the fund at my disposal would not admit of an additional allowance as bounty. I recommend an appropriation to pay them a reasonable compensation for their services.

THE BENEVOLENT INSTITUTIONS.

The constitution makes it the duty of the General Assembly to provide by law for the support of institutions for the education of the deaf and dumb and of the blind, and also for the treatment of the insane. At the date of its adoption, an institution had been provided for each of these classes, all having been founded about thirty years ago.

From an attendance in 1848 of ninety-two and an annual expenditure of $11,705.83, the attendance of the institution for the Deaf and Dumb has increased to 328 and the expenditure to $62,984.93. Twelve hundred and seven pupils have received instruction. The course of study has been enlarged and improved to correspond to the progress in the common-school education guaranteed to our children who have the use of their faculties. A table showing the comparative attendance and expenses of the institution since 1853 is given by the trustees in their report. More than 100 children having claim to an education cannot be received because of a lack of accommodations for them. You will be asked to provide for the construction of an addition to the present building.

The average attendance of pupils in the Institute for the Education of the Blind during the year was 108. Five hundred and ninety-eight pupils have received instruction since the opening of the Institute in 1847. The expenditures for the fiscal year were in the sum of $31,404.96, being $259.20 per annum for each pupil. The estimate for the ensuing two years is made upon an anticipated attendance of 120 pupils at $230 each per annum. Additional accommodations are asked.

Since Nov. 1, 1848, the Hospital for the Insane has received and treated 7,648 patients. During the past year 470 were admitted, and the same number discharged, leaving 614 remaining at the close of the year as at the beginning The expenditure was in the sum of 132,129.67. To provide for the large number of insane who need treatment, and several hundred who have been pronounced incurable and in need of the care and protection afforded by a State institution planned and constructed for the purpose, a new building, to be called the Department for Women, was authorized by an act approved March 11, 1875. Six hundred thousand dollars has been appropriated and nearly all of that amount expended. You will be asked to inspect the work done, and provide means for completing and furnishing the building for immediate use.

Since the transfer of the soldiers from the Soldiers' Home at Knightstown to the National Home at Dayton, the institution has been devoted to the orphans of deceased soldiers and seamen. The building was destroyed by fire on the night of Sept. 9, 1877. The trustees used the money received upon policies of insurance for the construction of a building much more suitable for the purpose than was the former, and applied an unexpended balance of the year's appropriation toward the payment of the additional expense, making $41,238.32 in all. You will be asked to reimburse the officers and teachers, and others for their losses of clothing and other effects by fire.

All superintendents, officers and employes, engaged in any of the benevolent institutions of the State, who are boarding or lodging in the institutions, should receive much less salaries than those who board and lodge themselves; and the superintendent or officer who has a family boarding in the institution should be required to pay board for any and all except himself and wife, unless employed as assistants.

EDUCATION.

Our educational interests have been under the careful supervision of an officer possessing the confidence of the people. His biennial report will give you in a comprehensive form a history of the recent progress and present condition of our common school system, and also of the institutions of a higher grade which have been the outgrowths of it. The reports of the Trustees of Indiana University, Purdue University and the State Normal School will disclose the fact that the higher education afforded by the State is given at an expense far beyond that of other institutions sustained by private contributions, and in excess of a just economy. The pupils who attend the Normal School do so to qualify themselves as teachers, the better to make a living thereafter. I am unable to see any good reason why they should not pay a reasonable tuition fee, thereby making the support of the school much less burdensome to the taxpayers, many of whom receive no direct benefit from it. The same rule could properly be applied to the two universities.

The law authorizing each county to send two students free of charge to each of the universities should be repealed, and all students should be required alike to pay a reasonable tuition fee.

Our school fund is now reported in the sum of $9,000,000, which perhaps equals that of any other State in the Union. It is constituted of the State's indebtedness (nearly $4,000,000), the common school fund held by the counties (about $2,500,000), and the Congressional township school fund (also about $2,500,000), each part requiring peculiar care in its management. I trust that it will be your pleasure to so administer this magnificent endowment as to produce the largest results in the interest of the rising generation.

THE STATE BOARD OF AGRICULTURE.

Your attention is called to the financial report of the officers of the State Board of Agriculture. The board owns thirty-six acres of land upon which their improvements are situated, and two acres east of the grounds, in all thirty-eight acres, upon which there is a mortgage of $60,000 drawing 8 per cent. interest. Fifteen thousand three hundred dollars is due the guarantors of the exposition fund. The State advanced $25,000 two years ago. It is for you to consider whether the State should pay $75,000 more, and take the property, or lose the amount so advanced. Although the last was a very successful fair, the net earnings would not pay the interest on the indebtedness. I trust you will give this subject a careful consideration.

HORTICULTURE.

The Horticultural Society has accounted for the small annual bounty of $500 appropriated for the encouragement of its work. You will be interested in the proceedings of its annual meetings, as reported by the Secretary and published by the State.

CRIME AND ITS PUNISHMENT.

Crime has steadily and rapidly increased. Our old prison for male convicts is greatly overcrowded, and the new has had use for the additional accommodations provided by the last Legislature.

The Female Prison has held more than three times the number (17) transferred to it when it was opened, in 1873. As required by the act of March 3, 1877, the Board of Managers was reorganized as thereby constituted, Mrs. Emily A. Roache, Mrs. Rhoda M. Coffin and Mrs. Eliza C. Hendricks receiving commissions for their respective terms and assuming the duties imposed upon them by law. Assisted by Mrs. Smith, the Superintendent, and others, they have, as shown by their two reports, trained the inmates of the institution to habits of industry, practiced a rigid economy in every department and kept their expenditures within the appropriations. Some indebtedness for the inclosure of the grounds should be provided for. The managers have had much trouble and annoyance because of bad sewerage. I recommend an appropriation of $4,000 to secure a permanent and reliable system in its stead, that being the amount of the estimate prepared.

The Prison North had at the beginning of the last year 646 and at its close 665 convicts, 295 having been received, 240 released, and the average being 619. The disbursements were $75,295.73, being $868.06 in excess of the earnings. This excess is explained by the additional accommodations provided for an expected increase in the number committed to the prison. The new cell-house and workshop authorized by the last Legislature were completed and a main sewer also built, leaving a balance of $19,666.08 of the $80,000 appropriated. This amount the Directors think could well be devoted to the construction of a new dwelling house for the Warden, some cells for the insane convicts and a solitary for disciplinary purposes. Additional shop room is asked. It is urged that the district of the prison be enlarged by the addition of one tier of counties next south of the line of demarcation, and that the good time of convicts be increased to twice that now allowed. In the education of the convicts required by law the moral instructor finds great necessity for proper text books, and asks that they and books for general reading that will inculcate correct sentiments be provided. The salary of the physician is regarded by the officers as quite too small for the services expected, and they ask that it be increased to the proper amount.

The Prison South had at the beginning of the last year 590 convicts, received 335, making 925 in all, and released 299, leaving 626 remaining at the close. The daily average during the year was 626. Since its establishment in 1822 it has received 6,526 convicts and released 5,900. More than two-thirds of those remaining are unmarried men. Less than one-third are over 30 years of age. Forty-four are sentenced for life. The expense of maintenance per man was $291.03, which was the lowest in ten years, being less than one-half the expenditure five years before. The total cost for the year was $72,733.19, being $28,539.53 in excess of the earnings. The report of the Directors is a careful review of the condition of the prison and the present needs of the inmates. But a little over one-half the convicts have been leased. The State receives 45 cents per man. It is supposed that the employment of four-fifths of the convicts would make the institution self-sustaining. The diverse but well-expressed views of the Directors and Warden as to the best means of discipline will demand your careful study. A better "good time" law is recommended by the Directors. Because of the great increase in his labors, they are of opinion that the physician should receive a salary sufficient to justify him in giving his whole attention to the prison sick. Better provision for the mental and moral instruction of the prisoners is asked. It is especially urged that opportunity be given for evening reading and study by the supply of a light in each cell. The Directors think the deprivation of light is an inhuman hardship which the General Assembly can not authorize. Longer notice of receipts is asked for the insane, numbering about fourteen. The prison has but one-half enough cells. More than 300 have had to be kept in the chapel and other rooms, at greatly increased expense. A new cell-house must be provided, or the surplus convicts transferred to the Prison North. It will be for you to determine what course will best provide for this great increase of convicts, and impose the least burden upon good citizens who must meet the expense of their safe-keeping within prison walls.

It is enjoined in the constitution "that the General Assembly shall provide houses of refuge for the correction and reformation of juvenile offenders." An institution for boys was established at Plainfield in 1867, and has been in operation eleven years. One thousand one hundred and twenty-eight boys have been admitted during that time. All cannot be classed as offenders. Many have been admitted for a reformation of their character, that they may be prevented from violating the laws. At the close of the last year 145 had been admitted and 383 remained, that being the greatest number in the institution at any one time. The Board of Commissioners have reduced the expenditures greatly below the amount appropriated, leaving the surplus in the treasury. Their estimates for subsequent years appear in a reduced form. They have added to the accommodations and reformatory influences of the institution, and report it in good condition.

Like provision for controlling the criminal inclinations of girls has been made in the reformatory department connected with the Female prison. Two hundred and ninety-six have been received since 1873.

THE STATE LIBRARY

was removed to the building rented for its accommodation, and has, by exchanges and purchases, received the usual additions to its shelves. The Librarian and his lady assistant have filled with credit their respective positions, as their careful preparations for your meeting will convince you. Hon. Horace P. Biddle, of our Supreme Court, who has devoted his life to general literature, as well as to that of his profession, has expressed to me a "desire to dispose of" his "library to the State of Indiana, to be kept as a part of the State library. It contains about 6,000 volumes, collected at a cost of over $10,000, and is the gradual accumulation of fifty years." He proposes "to sell to me in his library to the State for a nominal sum," retaining its possession and use during his life and providing for its delivery "by contract upon a consideration reaching each volume rather than by donation, that" he "may know the books will ultimately reach their destination." Recognizing the necessity for legislative action authorizing the Librarian to make such a contract, he holds himself in readiness at any convenient time to adjust the details.

NEW STATE HOUSE.

The last General Assembly, by act approved March 11, 1877, authorized and provided for the erection of a new State House, and for matters incident thereto. I appointed Gen. Thomas A. Morris and Gen. John Love, of Marion county; W. R. McKeene, Esq., of Vigo county, and Hon. I. D. G. Nelson, of Allen county, as prominent representatives of "the two leading political parties of the State," who should, together with myself, "constitute the Board of State House Commissioners." They at once qualified and each gave the required bond and entered upon the discharge of his duties. Mr. McKeene, on account of private business, resigned, and, of necessity, in January last, to tender his resignation, which was reluctantly accepted. I immediately appointed Hon. John Collett, of Vermillion county, as his successor. He accepted the office, qualified and gave bond, and still serves as a member of the board, which is otherwise unchanged. The Commissioners have pushed forward the work as fast as the means at their command would warrant. In addition to the quarterly reports made as required "for the use of the public," and containing "a synopsis of their proceedings and an account of their expend tures," I requested that they make their report for the last quarter so comprehensive as to include the documents and proceedings which are, in their opinion, important for your information. Such a detailed statement has been prepared, and is herewith submitted for your careful examination. The tax levy was, for the year 1877, 1 cent, and, for 1878, 2 cents, on the $100. At the close of the year ending Oct. 31, 1878, the proceeds of the tax had reached $42,023.56, most of which has been expended upon orders of the board. The proceeds of the current tax levy will perhaps reach, and need $150,000, which is not as much as ought to be and could be profitably expended during the year.

The constitution provides that "no law shall authorize any debt to be contracted on behalf of the State except in the following cases: to meet casual deficits in the revenue; to pay the interest on the State debt; to repel invasion, suppress insurrection, or, if hostilities be threatened, provide for the public defense." Our existing indebtedness has been justified in part by each of these provisions. Our heaviest interest charge, exceeding one-fourth of a million dollars per annum, is upon an indebtedness to the common-school fund caused by the use of its money for general expenses. In the absence of any provision for its payment, we may assume it to be the settled policy of the State to make the loan perpetual. If so, you can safely provide for a special annual levy of say five cents on the one hundred dollars to pay the interest upon our indebtedness and to gradually discharge the other claims growing out of a negligent administration of the school revenues in former years. The temporary loan largely represents the old indebtedness incurred by our system of internal improvements before the adoption of our present constitution, and reasonably included with our "State debt" referred to therein. Having made special provision for these extraordinary demands, by authorized loans and separate taxation, the revenues of the general fund at a greatly reduced rate, say seven cents, will be found adequate to meet the ordinary expenses of an economical administration of the State Government, and increase the means for the rapid prosecution of this work. The appropriation of a sum sufficient for the immediate completion and furnishing of the structure, while the times are so favorable to cheapness, would, perhaps, create such "a casual deficit" as would justify a loan. In my opinion, the advantages resulting from a speedy completion of the enterprise which we have begun would greatly overbalance the interest to be paid until our taxpayers shall have gained relief from their present heavy burden of local taxes.

I recommend that you do, at least, continue the present levy "of 2 cents upon each $100 worth of taxable property in the State" for the "new State House fund," in addition to any appropriation you may see cause to make from the "general fund."

UNITED STATES SENATOR.

Hon. Oliver P. Morton, our senior Senator in Congress, died at his home in this city, Nov. 1, 1877, worn out by a life of unusual activity in the public service. Thousands of our fellow citizens and many visitors from other States followed each other in solemn procession through the corridor of the building in which you are now met, viewing for the last time his familiar face as he lay in state, and afterward accompanying his mortal remains to their resting place in Crown Hill Cemetery, near where he made his last public address to the people. Having filled a prominent place in the affairs of our State and country, his public life is familiar to the present generation, and his acts have become a part of our history for the study of those who will come after us.

I appointed Hon. Daniel W. Voorhees to fill the office made vacant by his death. It will be your duty to elect a successor.

REPRESENTATION IN CONGRESS AND IN THE GENERAL ASSEMBLY.

My views upon the question of a reapportionment of the State for Congressional and legislative purposes have been frequently expressed and were communicated at length to the last General Assembly. The districts for the election of members of Congress are manifestly irregular in form and their population is out of due proportion to each other. The requirement that a Senatorial or Representative district, where constituted of more than one county, shall be composed of contiguous counties is literally disregarded, its spirit was grievously violated in essential features. Some of you have been elected by a voting population much less than the average, while others have a constituency greatly in excess. I recommend the enactment of a just law in each case, and such I will gladly approve. The Auditor of State reports the enumeration necessary for your information in making the apportionments.

OUR COUNTY SYSTEM.

While many of the older States were established upon "the town system," our own has grown up on the basis of "the county system," more suitable to the habits of our Western people. The Enabling act of April 19, 1816, recognized the thirteen existing counties, and they were represented in the convention forming our constitution. Ninety-two such subdivisions of our territory now exist, each for itself administering important local affairs at great expense to the people. Our Board of County Commissioners is, in legal contemplation, the county, and as such is declared to be a body corporate and politic, and intrusted with large powers of a local administrative character. Prohibited from passing local or special laws regulating county and township business, the election of county and township officers and their compensation, the General Assembly has for many years tried in vain to reduce the county business to a simple, economical and uniform system. I wish you better success. Recently a commission of experienced gentlemen, appointed by Marion county, has given the subject careful study and reduced the results to a form suitable for your consideration.

Our laws fixing the compensation of officers were enacted when times were flush, when the necessaries of life were high, and when labor received better compensation and was in greater demand than now. Therefore, I recommend a reduction of all fees and salaries in accordance with the times.

Our cities and towns should be reduced to a proper subordination to the counties of which they severally constitute parts. They are now almost independent of State supervision, and involve their citizens in needless expenses. The assessment and collection of their revenues alone, by one set of officers in a county, would result in a great saving, and is recommended

EXPERT EVIDENCE.

The statutes say that witnesses subpenaed to testify in the county where they reside shall not be entitled to demand and receive their fees in advance. I see that some gentlemen who had been subpenaed to testify as expert witnesses in an important criminal trial in progress in this county recently, refused to testify unless fees were paid in advance. I cannot see any good reason why one class of citizens shall be compelled to attend and testify under a penalty of fine and imprisonment, and another class embarrass the proceedings of a court because the party wanting their evidence is unable to pay them fees in advance. I recommend that you remedy this growing evil; for, if you have the right to pay or excuse one class, you have the right to pay or excuse all others in the same manner.

OUR JUDICIAL SYSTEM

needs your careful consideration and wise legislation. Too much of the time of our Circuit Courts is occupied with suits brought for small sums, especially by administrators, the costs of which equal the amount recovered. I recommend that you remedy this evil, and suggest the propriety of enlarging the jurisdiction of Justices of the Peace, so as to relieve the Circuit Courts of a great deal of business of a frivolous nature involving no unsettled questions of law or prac ice. At the same time you could perhaps relieve the Supreme Court in a great measure by a further limitation of its jurisdiction, and making judgments of certain classes final, without appeal therefrom. A speedy and economical administration of justice is demanded by the times.

LAWS AND JOURNALS.

Unnecessary delay has occurred for many years in publishing and circulating the laws and thereby putting them in force, and in printing and distributing the journals. I respectfully suggest that you provide for the printing of the journals at the close of each day's proceedings, that they may be carefully inspected and corrected the next morning by the members, thus securing accuracy, promptness and a great saving in the work and expense, and keeping yourselves and the people advised of the progress of your business. The acts should be printed in the order of their enactment, and, the financial statements being ready and appended, they could be given to the people at an early day after your adjournment. The Secretary of State makes some further recommendations which should receive your consideration.

THE STATE FINANCES.

The reports of the Treasury Department are full and complete. The last Legislature reduced the State tax from 4 cents to 2 cents on $100. The proceeds of that levy, with delinquent taxes, docket fees and taxes otherwise collected and amounts reimbursed by counties and received from prison contractors, have been sufficient to defray the expenses of the several departments and institutions to whose favor appropriations were made. I trust the same amount will be sufficient to pay the expenses for the next two years. It is not the State taxes but the county and township taxes and fees of officers that oppress the people. They are double and in many instances three times that of the State.

The general fund had and received during the last year.....$1,860,777.61
And disbursed.....1,497,356.20

Leaving, Oct. 31, 1878.....$ 363,421.41

The receipts and disbursements each include the $200,000 of temporary loan falling due April 1 and renewed.

The treasury statement for the month ending Dec. 31, 1878, shows the balance in that date of general fund in the sum of $636,931.52.

The public debt was at the close of the fiscal year $4,998,178.34, having been reduced in the sum of $4,360. Of this $1,033,395.12 is "foreign," and $3,904,783.22 "domestic," being evidenced by five non-negotiable bonds held by the school fund.

The total value of the taxable property was:

In 1877.....$855,190,125.00
In 1878.....850,616,987.60

The total number of taxable polls was:

In 1877.....997,931
In 1878.....300,000

Having through your committees gained information as to the correctness of the Auditor's detailed estimates of the expenditures to be defrayed from the treasury for the ensuing two years, it should be the work of but a few days to prepare and pass bills for appropriation laws and for a law fixing the rate of taxation and for renewing temporary loans.

I sincerely hope that, realizing the limited term for which you are convened, you may be able, at any early day, to consider the matters communicated to you, and that your most important business may not be delayed until the confusion incident to the closing hours of the session shall involve you in errors which you will afterward regret.

JAMES D. WILLIAMS.

EXECUTIVE DEPARTMENT, GOVERNOR'S OFFICE, Thursday, Jan. 9, 1879.

INDIANA LEGISLATURE.

THURSDAY, Jan. 9.—SENATE.—The Senate organized by resolution, declaring the following as the Senate's choice of officers: Daniel D. Dole (Democrat), Secretary; Charles W. Ward (National), Assistant Secretary; and Richard Hutcheson (Democrat), Doorkeeper. The Lieutenant Governor's vote was required to pass the resolution. Of three National Senators, Major voted with the Democrats, and Poindexter and Davis with the Republicans.... Bills were introduced fixing the rate of interest at 6 per cent; making grave-robbery a felony instead of a misdemeanor; providing for a new system of keeping public accounts; for the abolition of the Superior Court in Wayne County; and for providing medical colleges with subjects for dissection.

HOUSE.—The House organized by electing Henry S. Cauthorne (Democrat), as Speaker; Webster Dixon (Democrat), Clerk; D. B. Wilson (Democrat), Doorkeeper....A bill was introduced to fix the number of jurors at six instead of twelve.

FRIDAY, Jan. 10.—SENATE.—The Senate refused to ask the Attorney General for his opinion as to whether the sessions of the Legislature should or not extend over sixty-one working days....Most of the session was occupied in discussing the resolution to provide Senators with the statutes, which was finally adopted.... After the Governor read his message, the contest of J. W. Lansberry for the seat of Senator Smith, of Delaware and Madison, was referred to the regular Committee on Elections. A motion to refer to a special committee was lost—30 to 18.

HOUSE.—Bills were introduced: To abolish the office of Assessor in townships; for $1,000 homestead instead of $300; several to regulate the rate of interest, and one to apportion the State of Legislative and Congressional purposes.... When the Governor's message was read, a member attempted to have Washington's farewell address printed in connection with it, but, after an hour's humorous discussion, the motion was withdrawn.

MARRIED, at Mount Etna, Pa., Mr. Leonard Immel, aged 86, and Miss Sarah Keller, aged 87. The bridegroom was so happy that he distributed cash and other necessaries among the spectators in a lavish manner.

Suffering for a Life Time.

Persons afflicted with rheumatism often suffer for a life time, their tortures being almost without remission. The joints and muscles of such unfortunates are in most cases shockingly contorted and drawn out of shape. To afford them even temporary relief, the ordinary remedies often prove utterly useless. Hostetter's Stomach Bitters, on the other hand, is avouched, by persons who have used it, to be a genuine source of relief. It keeps the blood cool by promoting a regular habit of body, and removes from it impurities which, in the opinion of all rational pathologists, originate this agonizing complaint and its kindred malady, the gout. Besides this the Bitters remedy disorders of the stomach, liver and nerves, prevent and eradicate intermittent and remittent fevers, promote appetite and sleep