

## GOV. HOVEY'S MESSAGE

TRANSMITTED TO THE INDIANA LEGISLATURE.

The Election Law—Fees and Salaries—Township Trustees—Common Schools—Apportionment—Soldiers' and Sailors' Monument—The World's Columbian Exposition.

Gentlemen of the Senate and House of Representatives:

As directed by the Constitution, it is my duty to give you such information as I may deem necessary in regard to the condition of the State, and to recommend such measures of legislation as I may judge expedient.

### THE ELECTION LAW.

The act concerning elections, passed at the last session, in my opinion, contains some valuable provisions, and some that are very objectionable. In approving that law I used the following language:

"Approved because it may tend to purify our elections, but I am afraid it will be found in practice, intricate, obscure and expensive. Without the enactment of a registration law, as demanded by our Constitution, our elections will remain open to corruption and fraud."

I did not, at that time, consider the question as to the constitutionality of any of its provisions.

It has been seriously doubted by the Governors of New York and New Jersey whether confining the elector to the "public ballot," and to nominations made by political parties, before the election, is constitutional. The right to vote for any man for any office in this State, whether the person voted for was nominated or not, has never been controverted from the organization of the State in 1816 until the passage of the present election law, which makes the right to vote equivalent to the right to nominate or elect by conventions that nominate all the candidates. The conventions must first elect or nominate the candidate, and then the elector may be permitted to vote, if he votes at all, for such candidates as have been nominated and no one else. This robs the elector of his constitutional right, and is neither Democratic nor Republican in principle, and might lead to very grave consequences. Whether the objection to the "public ballot" is well taken or not, it will not be difficult to obviate it by amending the law, and making the ballot free, as it always has been.

If possible, our elections should be made less expensive. The cost of the last is enormous, not falling short of \$300,000. The assessment of candidates for office by political committees, which has prevailed in many States for the last twenty years, is infamous, and it is generally believed that a large portion of the money contributed is not used for legitimate purposes. Where such practices are resorted to, few, except those who have any chance of nominations to offices, those who are unwilling or unable to pay, would seldom be selected by those who attend conventions. You can not lay your hand too heavily on such offenders, and I recommend that such practices be made criminal. The crime of bribery, and of ballot corruption, became so great in the State of New York, that on the 4th of April, 1890, the General Assembly of that State passed a law making bribery an infamous crime, and also provided that "every candidate who is voted for at any public election held within this State, shall, within ten days after such election, file an itemized statement, showing in detail all the money contributed or expended by him, directly or indirectly, by himself or through any other person, in aid of his election. Such statement shall give the names of the various persons who received such moneys, the specific nature of each item, and the purpose for which it was expended or contributed."

Such statement must be sworn to and the affidavit must show "that the statement is true in all respects, true, and that the same is full and detail statement of all moneys so contributed or expended by him, directly or indirectly, by himself or through any other person, in aid of his election." A failure to file such statement subjects the offender to punishment of fine, imprisonment, disfranchisement for five years, and a forfeiture of office.

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### FEES AND SALARIES.

There is a great dissatisfaction by all parties and all classes in the State in regard to our laws relating to fees and salaries. Some of our county officers are paid too much, and some of our superior officers are paid too little. It looks strange to see some of our clerks, sheriffs, auditors, and prosecuting attorneys, receiving from five to twenty thousand dollars a year, and the judges of our circuit courts, two thousand five hundred, and the judges of the Supreme Court only four thousand per annum. If all these fees and salaries of all State officers could be added to the legal fees collected by the State and county officers, the amount would make a fund that would liberally pay every officer in the State, and in my opinion, leave at least \$100,000 to be paid into the Treasury of the State. With salaries attached to all our offices, and the fees paid into the treasury, there would be no inducement to collect "constructive fees," or more plainly speaking, there would be no inducement to put out the wholesale extortion now practiced in the counties in the State. I earnestly recommend that all the fee bills of officers, and all accounts against decedent's estates shall be required to be itemized and sworn to before they are allowed by the courts.

Such a reform is needed now. To allow the present office-holders to exact the exorbitant fees until their successors are elected is but to continue this unjust burden upon the people. The law is plain. All officers and their offices and their burdens, subject to be changed by the law, are, except those whose salaries cannot be changed during their terms, as provided in the Constitution. Any other view of the fee and salary law is a deception and a sham. It will never be changed if we depend upon a sliding scale to meet the future, two and four years hence.

### TOWNSHIP TRUSTEES.

The almost unlimited power of Township Trustees, under section 6006, R. S. 1881, in making contracts should be curtailed.

This section gives the Trustees the right to make contracts to the amount of all cash on hand, and to anticipate all taxes assessed against the township, for the year in which the debt is contracted. I recommend that said section be amended, so that all contracts, whose aggregate amount shall be in excess of one hundred dollars, shall not be made by a Trustee until he procures an order from the Board of Commissioners of the county in which such township is situated, authorizing him to make such contract.

### CORPORATE SCHOOLS.

The cost of common school books has been greatly reduced, in consequence of the contract made by the State, under the act of March 2, 1889.

Our common schools are now open to all classes, and only need that the text-books and school books be made free to all pupils, as recommended in my message to the last General Assembly.

I recommend that an act be passed, to place in the hands of every pupil, rich or poor, free of all costs, the text-books necessary for use in our common schools.

It is a mockery to say that our schools are free, as long as our pupils are compelled to pay for any part of a common school education.

### APPORTIONMENT.

In compliance with the acts of Congress, Indiana will be entitled to elect thirteen members to the House of Representatives of the United States, and districts will have to be established, in which such representatives are to be elected. The State should also be districted, and the counties

designated, in which elections will be held, to elect State Senators and representatives.

Our Government was established upon the fundamental principle that a majority should rule, and I trust such an apportionment may be made, that this great constitutional right may be fully and fairly sustained.

### RAILROAD COMMISSIONERS.

There is a great necessity for the enactment of the law providing for the establishment of a board of railroad commissioners for the State, who may have the general supervision of all railroads operated in the State, with power to inquire into all questions of neglect or violation of the law by said roads, with reference to business and public safety. Such commissioners should also be authorized to make all necessary investigations, to ascertain the amount of business done by said roads, and their value for taxation. Many of the States of the Union have enacted laws on this subject, with most beneficial results, and I commend the same to your careful consideration.

### ROADS AND HIGHWAYS.

There is nothing more imperatively needed in this State than good, passable roads and highways. For months, in many counties, our roads are absolutely impassable with loaded teams. This not only affects the farmer, but every town and city in this State. It depreciates the value of land, and causes the farmer, his hands and his team, to remain idle for many weeks, in the year, and oftentimes deprives him of the best markets for his produce. Our legislators have been fully aware of the importance of this subject, and have made many efforts to remedy the evil, but so far with no great success. The labor which may be called out annually, and the amount of money paid for road taxes by the several counties, would keep our highways in a far better condition, if that labor and tax were intelligently used and expended. That the labor is not called out as it should be, and that our roads are worked by men who do not understand such labor, is denied.

### SOLDIERS' AND SAILORS' MONUMENT.

Owing to reasons which are fully explained by the contractor for the superstructure of the State Soldiers' and Sailors' Monument, the Board of Commissioners, he having been unable to complete his work upon the structure the past year, and announces that it will probably require until the first day of next August to do so. Nothing is lost, however, from this cause, as the decorations for this great work of art require time for their conception and treatment, if they are expected to possess that merit which will give fame to Indiana as possessing the finest monument in America. It also insures greater perfection in the materials and mechanics of the work, as it has progressed.

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