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GOVERNOR'S MESSAGE.

Governor Aycock's annual message to theG eneral Assembly was read in both branches of that body Wednesday, the 7th inst., and the reading was followed with deep interst. It is an unusually strong State document, dealing with many momentous issues. The message in part follows:

The Honorable, the General Assembly:

I welcome you with much pleasure to the capital of the State. With the beginning of your labors my own are appreciably lessened. You come to your work fresh from the people with a knowledge of their wishes and with a sincere desire to meet their just expectations and demands. The year just passed has been one of great prosperity to the people of the state. Farmers have produced good crops and received reasonable prices for them. Industries have increased and manufacturers have been kept busy. Labor has had steady employment at fair wages and the State has probably never enjoyed a period of more general success. The State government, however, has been embarrassed by a want of sufficient revenue to meet the appropriations provided for by the last General Assembly. It will be one of your first duties to devise means by which the expenditures of the State will come within the revenue. I am of the opinion that the Revenue Law now in force under the new assessments which will be made next June will supply all the demands for current expenses. The Revenue and Machinery Acts of the last Legislature were much criticised at the time of their passage, but experience has shown that with a few modifications they are perhaps as good good as can be made under our Constitution. The adjustment of taxation so that the burden shall fall equally upon all and in proportion to the ability to pay is one of extreme difficulty; if indeed it is not altogether impossible There has been much complaint of the inequality of assessments in our State. Farmers and merchants complain that the corporatious do not pay their proper part of the taxes for the support of the government, while some of the corporations insist that they are taxed in excess of the taxes levied upon other property. The laws now in the statute books provide for equality of assessment but by equality of assessment it is not understood that those who have secured franchises from the State and thereby enjoy special privileges should be exempt from payment of taxes on the value of the franchises and privileges which they enjoy. Mr. Justice Miller, in a case before the Supreme Court of the United States, declared that "it has been a desideratum, perhaps not yet fully attained, to find a method of taxing this species of property which will be at the same time just to the owners of it, equal and fair in its relations to taxes on other property, and which will enforce the just contribution that such property should pay for the benefits which were more than property generally, it receives at the hands of government."

The law now on our statute books for the taxation of railroads follows the line of this decision. That law provides the method of ascertaining the value of the property of the railroads, and the method provided seems to be fair and just. This law has the advantage of having been passed upon by the Supreme Court of the United States. Much of the value of corporations is intangible and no tax law which ignores this intangible property is just to the owners of tangible property assessat its true value. The law now in force recognizes this fact and provides for the assessment of this intangible property and lays down rules by which it can be done with reasonable accuracy. These rules proceed upon the idea that "whatever property is worth for the purposes of income and sale it is also worth for taxation." No just man demands more than this and no fair-minded man can justify anything less.

There is much property other than railroad property undervalued for taxation. When the law says that property shall be assessed at its value in money any system or rule of assessing it at less than its true value ought to be abandoned. Obedience to the law by these charged with its execution is essential to the maintenance of good government, by obedience in matters of assessment of all property ample revenue will come to the State for every legitimate purpose, and those who are already paying upon full value will enjoy that equality which by right belongs to every citizen in bearing the burdens of government. The Machinery Act passed by the last Legislature makes ample provision for securing this end. I, therefore, recommend that both the Revenue and Machinery Acts now constituting our law in reference to taxation shall remain as they are with the modifications recommended by the Treasurer and Auditor. Much time is consumed by each Legislature in passing a new Revenue and Machinery Act. Before the people become accustomed to the new law another is enacted, creating constant uneasiness, misapprehension, and criticism. The officers and people alike begin now to clearly understand the present law. It is wise, therefore, as a matter of economy of time to the Legislature and for the benefit of taxpayers to make few changes in the existing law.

THE SOUTH DAKOTA SUIT.

The Governor says: The principle involved, is of serious importance, not only to this, but to all of the States of the Union, and if the suit can be maintained it will be a dangerous departure and one seriously infringing upon the sovereignty of the States. I have employed counsel for the State who in conjunction with our able Attorney General are representing.

DEPARTMENT OF STATE.

The report of the Secretary of State is a very valuable document and I commend the recommendations contained therein to your most careful consideration. It appears from that report that grants were issued during the two years ending December 1, 1902, to the number of seven hundred and thirty-two, for which the State received $6,911,-22 at 12½ cents per acre. It is doubtful if the State owns any land subject to grant and many of these grants are taken out for the purpose of clearing the title of the true owner and in order to force a payment of money by him to the person taking out the grant. Under the law as it now stands the Secretary of State is compelled to issue the grant even though he is certain that the State owns no land covered by the grant. This ought to be changed and certainly there can be no reason offered for the sale of land if owned by the State for less than fifty cents an acre. I recommend that all vacant lands belonging to the State be transferred to the State Board of Education to be sold for the highess price obtainable, but in no case for less than 50 cents an acre, the sale to be approved by the State Board of Education before the grant is issued.

Under the law as it now stands the office of Enrolling Clerk has been abolished and the Secretary of State is charged with the supervision of the enrollment of bills. The Act provides for the employment of only one assistant together with such cobyists as may be needed. It is impossible for the work to be done by the Secretary of State without more than one assistant. I suggest that the law be so amended as to allow him to employ all needed assistants and copyists. He wil not employ more than are necessary. The work done by the Secretary of State in the past is a guarantee that any additional duty devolved upon him will be done, and well done, at the very lowest possible cost to the State. This fact is made patent when we learn that the general index of grants in his office has been brought up from 1883 without extra cost to the State. The State for several years pasc has been compelled to rent storage room for documents, records, manuscripts and other papers of much value. During this year for unsuitable and inconvenient rooms for this purpose the State has paid $444 and for insurance on the Supreme Court reports stored therein $447.75, making an outlay of $891.75. The cost the previous year for the same was $904. We are, therefore, paying annunlly interest on a sum of money which would be adequate for building a suitable hall of records. The State owns a lot on the northwest corner of Salisbury and Morgan streets, 52½ by 100 feet and I recommend that an appropriation be made for building thereon a substantial three story, fire proof building at a cost to be limited by the Act. If such building is constructed the office for the Commissioner of Labor and Printing and for the Adjutant General should be transferred to that building. The State Library now needs the room occupied by the Commissioner of Labor and Printing.

Under our election law provision is made for the certification by the Clerks of the Superior Courts to the Secretary of State of the permanent roll of registered voters, and it requires this roll to be copied alphabetically by townships in the Secretary of State's office. The Secretary of State in sending out books and blanks to the Clerks of the Superior Courts for the list of registered voters had the books arranged by townships and the certified lists returned to him are arranged alphabetically by townships in each county. It would seem to be unnecessary to require these list to be copied in Secretary of State's office. To copy them would cost between $1,500 and $2,000. I recommend, therefore, that the law be so amended as to make the certified list now in the Secretary of State's office the permanent roll of registered voters without requiring the same to be copied. I concur in the other recommendations made by Secretary of State.

THE STATE TREASURY DEPARTMENT.

The report of the State Treasurer accompanying the document will give you full information as to the condition of the Treasury; its receipts and disbursements. Soon after the present Treasurer came into office he discovered that the institutional clerk of his predecessor was embezzling the funds of the State.

The last General Assembly appointed a committee to make a thorough investigation. This committee ascertained that the amount embezzled was $16,060.04 under Mr Worth's sadministration, $374.84 under Mr. Lacy's. To be more explicit $1,249.52 was taken after January 15 1901, but to balance the Deaf and Dumb Institution's account, Mr. Martin deposited $759.03 of that money to the credit of that institution. He also paid prison warrants out of the same money, to the amount of $115.65. This shows that Mr Worth should pay $16,060.04, and Mr. Lacy $374.84 Mr Worth has made good the full amount of the defalcation under his administration The present Treasurer was both by custom and necessity led to keep the old clerks until the new clerks under him could be trained. He was in no way to blame for the loss which he suffered nor could he by any foresight and care have prevented it. Indeed his watchfulness was so thorough that he detected it immediately after it occurred, and thereby saved to the State the sum which heretofore had been taken. In view of this fact it appears to me that Mr. Lacy should be relieved from the payment of the sum taken during his term of office.

STATE AUDITOR'S DEPARTMENT.

The reports of the Auditor for the State accompanyiny this document furnishing complete information as to the sources of our revenue, the purpose for which collected and the amount and purpose of the expenditures, together with the recommendations which appear to him ot be wise after his experience in his office I commend his reports to your most careful consideration. I concur in the Auditor's recommendations.

THE BOARD OF AGRICULTURE.

This Board has done excellent work during ihe past two years extending the scope of its usefulness as the needs of the State manifest themselves. I transmit herewith the report of the Commissioner of Agriculture and commend the same to your careful consideration. I concur in the recommendations therein made.

THE CORPORATION COMMISSION.

This Commission is doing work of far more value to the State than is generally understood and its beneficial results would be greatly enlarged if the people in the State understood that all complaints made to the Commission in reference to any matter in regard to transportation whether of persons or of property will receive a prompt and careful investigation. If those who are disposed to complain about Corporation Commission would complain to it much good would be done. During the past year the passenger rate was made the same on the branch lines of the Southern, Atlantic Coast Line and the Seaboard Air Line Railroads as theretofore existed on the main lines. This reduction in itself amounts to a considerable sum to the travelling public. The reports accompanying this message set out in detail the work of the Commisson for the past two years.

THE PENITENTIARY.

It is gratifying to be able to report to your Honorable Body that the Penitentiary is self-sustaining and will need no appropriation. By reference to the report of the Board of Directors it will be found that when they took charge of that institution there was on hand the sum of $33,877.80 with outstanding debts amounting to $33,262.69. Their report shows in hand as of the first of January of this year $23,994.23. In addition to the money on hand the Penitentiary has available assets in the form of surplus crops which will hereafter be sold amounting to $36,005.36. Some years ago the authorities of the Penitentiary leased a considerable body of land in Anson county which they worked at an annual loss in addition to the rents which the State was paying for the leased property. Finding this to be the experience of all the different managers of the Penitentiary the Board of Directors compromised with the owners of the property by surrendering the lands to them and paying the owners $2,587.72. This sum has been paid. In addition to this expenditure the State's prison has paid out of its earnings $1,216.61 for the capture of escaped convicts, an expenditure which under the immediately preceding administration was paid out of the general fund.

Early in the spring of 1901 a great freshet in the Roanoke river swept away the dikes which protected the State farm and caused damage to the amount of $30,000. During the summer this dike was replaced but was subsequently swept away by another freshet. Notwithstanding the loss incident to this freshet the directors by most careful management have been able to show a balance in their favor. It is their purpose the coming year to reconstruct the dike, but at a greater distance from the river so as to give the water larger room and lessen the pressure upon the dike.

At present the dangerous insane are under the management of the Penitentiary. Insane people, whether dangerous or otherwise ought not to be kept in the Penitentiary, but seperate provisionought to be made for them. If the dangerous insane department is to remain under the management of the State's prison an appropriation of $5,000 a year will be required for its support, and there ought to be an additional appropriation of $1,000 for the improvement of the system of heating.

SALE AND MANUFACTURE OF LIQUOR.

For many years the Legislature of this State has step by step narrowed the limits in which liquor could be sold and manufactured until at the present time this business cannot be carried on in half of the counties of the State, while more than two-thirds of the counties have either by county or legislative action restricted the sale to incorporated towns. No good reason is apparent why the Legislature should not in all the counties apply the restriction which exists in more than two-thirds of them. This should be done for the reason that in the country there is no police supervision of the business. Those who live in the country have no protection from the evil results growing out of the manufacture and the sale of liquor. In many places the lawlessness due to this business has driven good people who preferred to live on their farms into towns for safety. I recommend, therefore, that a general law be passed prohibiting the manufacture and sale of liquor throughout the State save in incorporated towns. The manufacture of liquor even in incorporated towns should be subject to the same restrictions that now apply to the sale. If your honorable body should pass this law I believe that you would see good result from it in the near future and your action would meet with the approval of the best citizens of the State. In passing a statute on this subject care should be taken to avoid restoring the manufacture and sale of liquor where it is now prohibited by law. Stringent provisions should be made to prevent the operation of blockade stills. The State should no longer depend upon the Federal Government to suppress this evil business.

STATE INDEBTEDNESS.

The total deficit in the treasury of the State on the first of December, 1902, amounted to $319,409,-41. It is regretable, of course, that this indebtedness should have come about, but the State has had full value for it. The appropriations made by the the last General Assembly exceeded the estimated income and even where the appropriations were paid it was found by most of the institutions of the State, on account of their increased attendance and by reason of unforseen accidents that they could not conduct their business upon the appropriations made. There is in almost every institution a deficit for maintenance due not only to increased attendance, but to the higher prices paid for all articles consumed. The cost of living has increased in every private family and the State has felt the effect of the high prices quite as much as the individual. Our assessments of property were made before the high prices and at a time when business and agriculture were much depressed. Hence the revenue fell far short of the amount anticipated by the last General Assembly. In consequence of these facts it became certain early in last year that the appropriation could not be met. Upon this being made to appear I called the Council of State in consultation and upon their advice I invited many prominent, responsible, and wise men from different sections of the State to meet with me and the Council of State in my office for consultation. After viewing the situation from all possible standpoints it was finally determined that we should borrow for the State the sum of two hundred thousand dollars. Either one of three courses might have been pursued. First, withhold the appropriations for the enlargement of the asylum and refuse to pay the one hundaed thousand ($100,000) dollars appropriated for bringing the public schools up to the constitutional requirement of four months in each district. Second; call the legislature together in special session and let it take the responsibility of repealing the appropriations or making provision for meeting them. Third: pay the appropriations and issue bonds at six cent for fifty years with which to meet the interest on the public debt. It did not seem to us wise in view of our repeated pledges to the people to provide for the insane and for the education of the children to withhold these appropriations. To

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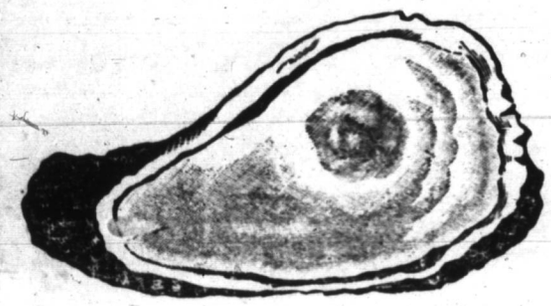

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