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STATE OF WASHINGTON

Third Message
OF
Governor Roland H. Hartley
TO THE
State Legislature

Twentieth Session

January 10

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STATE OF WASHINGTON
EXECUTIVE DEPARTMENT

*To The Honorable, the Members of the Legislature of
the State of Washington.*

LADIES AND GENTLEMEN: The State Constitution imposes upon the governor the duty of communicating to every session of the legislature the condition of the affairs of the state. However, to avoid repetition, I shall not at this time attempt to discuss the state's finances. In the Governor's Budget, a copy of which will be supplied each member, there is to be found complete information relative to the state's whole financial system in detail by funds, departments, offices and institutions. It is my belief that a study of this information will justify the conclusion that in general the state's finances are in a healthy condition and its affairs are being conducted in a businesslike and economical manner.

Although the departmental requests submitted to the Extraordinary Session of the Legislature were, in the main, less than for the corresponding period of the previous biennium, expenditures have been held within appropriations and no deficiencies have been incurred. At the close of the present fiscal period reversions of unexpended balances will be smaller than for several years past. This is in keeping with sound business practice. It is as unwise and as unjustifiable for the state to levy upon the taxpayer in excess of its actual needs as it is to expend in excess of available income.

Overestimates are the open door to profligate expenditures. Consequently a careful budgeting of our requirements is as essential to economical government as is a rigid scrutiny of expenditures from available funds. Inaccuracy of estimates in the past has been due, in a measure, to the lack of adequate and readily accessible data, now made available by the Budget Law. Strict adherence to its provisions is imperative, and as it is given a more extended trial, its worth as a piece of really constructive legislation will become more apparent.

Attention is here called to the few variations between departmental requests and the governor's revised estimates in the present budget. This is due to an earnest attempt to harmonize differences and eliminate controversy in advance of the final draft of the budget. In this effort the governor has been accorded splendid cooperation. Departmental and institutional heads and elective officials have revised their preliminary requests to meet the combined judgments of the expending officials and the budget division; consequently, with few exceptions, the budget presents no controverted items. This effort has been put forth in order to facilitate the work of your honorable bodies in the final production of the appropriation measures.

INSTITUTIONS OF HIGHER LEARNING.

In this connection I wish to express an appreciation of the fine spirit of cooperation shown by the heads and governing boards of the Institutions of Higher Learning. While the budget does not, in every instance, present the maximum desires of these institutions, the ap-

propriations requested will be adequate to take care of their normal expansion and most pressing building needs during the next biennium and will enable them to carry on their educational work without curtailment or impairment of any essential functions. On the whole, the budgeted requests represent an agreement between the institutions and the administration, and leaves each satisfied that all have been fairly and equitably dealt with.

STATE INSTITUTIONS.

The time has arrived when the long delayed building program at the state's penal and eleemosynary institutions cannot longer be postponed. Substantial savings in operating costs have been made at these institutions during the biennium in spite of heavy outlays for long neglected repairs and reconditioning of buildings and equipment.

Patchwork and piecemeal construction always means waste. Increased population in these institutions demands enlarged and adequate housing facilities. There is no alternative. Some of these more pressing building needs were called to the attention of the 1923 Legislature by my predecessor, at which time he addressed a special communication calling attention to the then large surplus in the general fund, but no considerable building program was undertaken.

INSANE HOSPITALS.

During the two-year period ended September 30, 1926, population of the state's three insane hospitals increased 324. The present congestion in the two west-

side institutions will be temporarily relieved with the occupancy of the central dining hall and the two new wards, now nearing completion, at the Western State Hospital. However, the time will be short when these three hospitals again are crowded beyond normal capacity. To meet the expected demands of the biennium, it will be necessary to build two new ward buildings at the Northern State Hospital and remodel the last of the old Custodial buildings near the Eastern State Hospital for use as an insane ward.

STATE CUSTODIAL SCHOOL.

A modern fireproof building with accommodations for 150 girls has just been completed at the State Custodial School. With this expansion there is still a waiting list of commitments to this institution. To care for the most distressing cases, the construction of a male dormitory, similar to the building just completed, is necessary. This will bring the total capacity of this institution to 1,200, and no further expansion should be undertaken here.

DEAF SCHOOL.

The main building at the Deaf School was erected in 1885. Illy designed and poorly constructed, it was never suitable for the purposes for which it was intended. It has been patched, repaired and revamped, until today it offers no possibilities except for the wrecking irons. It should be replaced with a modern administration building equipped with kitchen and dining hall.

No major capital outlays are recommended at the Blind, the State Training, or the State Girl's Schools.

SOLDIERS' HOMES.

Except for a small sum for the purchase of additional lands at Retsil, no demands on state funds are made for capital outlays at the Veterans' or the Soldiers' Homes.

STATE PENITENTIARY.

The Penitentiary presents one of the state's most urgent building needs. The women's building is so crowded as to render the proper care or discipline of the inmates impossible. To overcome this congestion, a Women's Reformatory Ward in conjunction with the present women's building is recommended. By operating this new ward independently of the old building, except for general administration, a segregation of prisoners will be possible and special attention can be given to the reformation of young offenders. Under present conditions this is impossible.

This new building should be equipped with modern clinical facilities to meet the needs of such an institution.

STATE REFORMATORY.

The present cell block at the State Reformatory was designed to house 327 inmates. At times, as many as 600 have been incarcerated there and the present population is in excess of 500. This overcrowding makes it impossible to carry out the intent of the statute creating this institution. Segregation of inmates is impossible and the place is in fact a prison, rather than a reformatory.

The construction and complete equipment of another cell wing similar to the present one is recommended. If this is done and the age limit for commitment of first offenders to this institution is slightly raised, it will be possible to classify our penal population and differentiate between the real criminal and the unfortunate, protecting society against the viciousness of the one and salvaging the inherent manhood of the other.

PAROLE SYSTEM.

To accomplish this the more effectively, I wish again to recommend a change in the indeterminate sentence law and a reorganization of the present parole system.

Our penal registers are replete with glaring inequalities in the administration of justice. In many instances the hardened criminal of unquestioned guilt is serving a lighter sentence, for a similar offense, than a first offender of possible innocence. The one plead guilty before the court, the other unsuccessfully fought for his liberty before a jury. It is to correct these inequities that most executive paroles are granted, which too often bring down the unjust criticism of an unknowing and misinformed public. Our whole system of clemency is so cast in the realm of politics as to render it extremely difficult, if not impossible, to mete out equal and openhanded justice to those who transgress our criminal statutes.

Sentences should be for an indeterminate term, with a fixed maximum, but no minimum. At the institution to which commitment is made, a complete history of each case should be compiled, including the physical and moral

fitness of the prisoner, his past record, and all circumstances attending the commission of the crime. It would then become the duty of the parole board to classify him, fix the time when he may be paroled based upon a merit system and determined by fixed and definite rules and regulations, reserving to the governor the right of review in all cases. Such a system would be in keeping with the most advanced prison methods, would facilitate institutional discipline, hasten the reformation and rehabilitation of the prisoner, and relieve the executive and the prison and parole officials from the incessant and distressing demands for clemency.

PRISON INDUSTRIES.

Excellent progress is being made in working out a satisfactory industrial program at our penal institutions. In doing this, three main objectives are kept in view: first, the health and comfort of the inmate while employed and a training which will enable him to follow a gainful occupation after release; secondly, the manufacture of products which do not compete in the open markets with the state's free labor; and thirdly, a class of industries which do not entail elaborate and expensive equipment or heavy upkeep.

At the Penitentiary, a good start has been made toward not only providing employment for every inmate who is physically fit to labor, but for placing that institution upon an entirely self-supporting basis. This program can the better be carried forward by providing some means of compensating the inmate for his labor,

either in time allowance or in money derived from the proceeds of industrial operations.

Equally satisfactory progress is being made at the Reformatory. A more detailed discussion of this industrial program is to be found in the biennial report of the Department of Business Control.

We are living in an age of cold hearthstones and relaxed parental restraint; of bright lights and late nights; of jazz and joyriding; of haste and waste. We are reaping the harvest in the criminal, the insane and the defective. In everyday affairs we have opened wide the door to improvidence and extravagance, and wider spreads the way to the prison cell, the insane ward and the almshouse. As public officials, we cannot stay nor halt the procession. We must receive it. Our duty is plain. We must incarcerate, shelter, care for and protect, whatever the cost. I trust the requests for appropriations enumerated above may be granted.

PUBLIC WORKS.

Litigation already started or contemplated by the Interstate Commerce Commission vitally affects three of Washington's major industries, grain and milling, apple growing, and logging and lumbering. If the millions invested in these three great industries are to be amply protected and the commodities we produce held on a fair and even competitive plane with those from districts closer to eastern market centers, it is highly imperative that the State Department of Public Works undertake and vigorously prosecute a thorough investigation of freight rates. This will entail the determination of the

valuation of the railroads in the state, not only the proportionate value of the interstate systems, but of all railroads located within the state.

The department, in conjunction with the State Department of Agriculture, has started action on behalf of the apple industry which, if successful, will mean an annual saving to the growers of this state of approximately three million dollars in freight charges.

Docket No. 17000 of the Interstate Commerce Commission opens up an inquiry into the entire rate structure of the United States and one which threatens to work grave injustice to the state's grain industry unless we are prepared to meet any situation which may develop.

For many months the lumbering industry has been laboring under burdensome freight rates on logs. Already an investigation of log rates in the Grays Harbor territory is under way, and the growing dissatisfaction among other shippers indicates that a widespread investigation will be necessary.

Obviously, the department cannot carry on these additional activities and keep within its customary budget. Favorable consideration of this department's request for an increased appropriation is urged.

HIGHWAYS.

In my first message to the Extraordinary Session I expressed the belief that this state is expending too much money for highways and requested a reduction of the motor vehicle license fee.

I am still of the opinion that a smaller construction program can be carried on with better supervision, less

unit costs, and more satisfactory general results to the public. The time has arrived when public necessity can best be served by less speed ahead, rather than more, in road building as well as in other governmental expenditures.

However, I am submitting for your consideration a highway budget based upon present revenues and the present state highway system. It calls for the laying out and preparation of construction projects totalling in excess of \$17,000,000 and for the actual expenditure during the biennium of more than \$15,000,000 exclusive of maintenance costs and federal aid monies.

The detailed set-up, as printed in Part Two of the Governor's Budget, has been carefully worked out by the Highway Engineer and his assistants. It represents the combined best judgments of the district engineers and their chief, is based upon present highway conditions and traffic demands, and is intended to give the state a well-balanced, equitable construction program.

The department has been making a careful study of results obtained from oiling in other states, as well as conducting experimental tests of its own. In addition to 140 miles of new paving, the biennial program calls for 650 miles of oiled highways, which will provide two east and west dustless routes across the state.

The present highway over Snoqualmie Pass will be oiled, while a new grade of standard width will be constructed through the pass.

The necessity for developing some intermediate or semi-permanent type of highway to bridge the gap between the gravel road and the concrete pavement is every

year becoming more apparent. With the speeding up of a constantly increasing traffic, it has become almost impossible to maintain a gravelled highway during seasons of heavy travel. It is hoped that improved oil treatment will not only satisfactorily bridge this gap, but will ultimately speed up the paving program by lessening maintenance costs.

It will be noted that no provision is made in the budget for taking over the Snake River Bridge. Until such a time as the legislature has adopted a definite policy relative to toll bridges in the state highway system, it was deemed inadvisable to recommend the purchase of this bridge. Certainly no primary state highway should be handicapped by a toll bridge. The traveling public is paying enough for the use of the highways without being required to pay toll to cross rivers.

STATE TIMBER.

State timber is no new subject. It often has been before the state legislature. But each attempt to enact legislation to insure the state's receiving a fair value for its timber, has either been sidetracked or emasculated by the writing of some meaningless law on the statute books.

Back in 1910 we find a most interesting report filed by a legislative investigating committee composed of Pliny L. Allen, Chairman, H. O. Fishback, Howard D. Taylor, J. C. Hubbell and W. C. McMaster. After listing sale after sale to show the loss of millions in the disposal of state timber and timber lands, the committee concludes its report in the following language:

"The looseness and laxity of the land laws, the dishonesty, incompetency and inefficiency of cruisers, together with other conditions, convince the committee that the state has been for years systematically defrauded, and the people of the state have lost millions of dollars by the sale of state and timber lands for grossly and ridiculously inadequate consideration. Reliable cruises that have been made under our direction disclose that careless, inaccurate, and perhaps dishonest cruises, heretofore made by state cruisers, have resulted in the loss to the state of great amounts of money, running into incredible figures."

The same looseness and laxity of laws, the same inaccuracy of cruises, the same obscurity of sale, and the same lack of competition, exists today.

This committee criticized the personnel of the State Land Board and recommended that two of the ex-officio members be replaced by two to be appointed by the governor. It further recommended that logging roads or railroads holding grants of right of way be made common carriers for the purpose of transporting the timber cut from other state lands.

In his message to the 1911 Session of the Legislature, Governor M. E. Hay made a similar recommendation and there was passed a measure known as Chapter 109, Session Laws of 1911. It is this statute I wish rewritten and made to mean what it was intended to mean. The question of the constitutionality of such an act has been raised. If our constitution renders us powerless properly to protect and safeguard the great heritage of our school children and leaves us to sit idly by to watch certain great powerful timber interests gobble up sections 16 and 36 of each township in our forest areas, and whittle away piecemeal the state's great stand of Douglas fir on the Olympic Peninsula, then most certainly it is time to amend the constitution.

Again in 1923 this same issue was forced to the front in the legislature, this time by Representative Roth, of Whatcom County. He was stopped by a law which automatically wiped itself off the statute books July 1, 1925. While it was operative, not one stick of timber was sold under its provisions, nor was an effort made to sell any. And so ended another attempt to secure full market value for the state's timber, as provided in Section 1, Article 16, of the State Constitution.

I wish to renew my former recommendations that the same methods of sale be made applicable to all state timber and timber lands; that notice of sale be given wide publicity and include, in addition to the information now given, complete cruise data.

Investigation of timber sales has revealed that in some instances the property, after passing into private ownership, has not been placed upon the tax rolls, as provided by law. These instances may be numerous, and the state thereby may be losing thousands of dollars in taxes.

Before title to any state land, or any interest therein, is transferred into private ownership, the Land Commissioner should be required to certify the particulars of such transaction to the State Tax Commission and the commission's receipt therefor be made a part of the permanent record of the sale. Thereafter the commission should transmit to the County Assessor complete details of the transaction, giving sale price and, in the case of timber, the cruise, and require the assessor's certification that the property has been properly extended upon the rolls.

Since adjournment of the Extraordinary Session, a complete and detailed listing has been made of all timber sales of record in the office of the Land Commissioner. These data form the basis of a report, a synopsis of which will be transmitted to your honorable bodies at an early date.

EDUCATION.

Relative to the educational question, I wish to refer you to my messages to the Extraordinary Session under dates of November 9 and December 8, 1925.

In renewing my recommendation for a State Board of Education of nine lay members, I wish to make it plain that I am making no proposals and have no suggestions to offer as to the details of school finances or administration. I am dealing exclusively with the question of organization of the state's educational system.

The proposed board should be given general supervision and control over the higher educational institutions and the common schools. It should be empowered to engage a commissioner or chancellor of education and other experts, and unless or until the constitutional office of Superintendent of Public Instruction is abolished, that official should be an ex-officio member of this board.

This general plan is not new nor untried. Neither is it primarily of the governor's conception. It is the adaptation of recommendations of two commissions which have made comprehensive studies of this state's school system. It is in successful operation in other states and is contemplated in still others.

What can be considered as one of the latest authoritative documents on this question is a report by the United States Bureau of Education following a survey of Utah's educational system. This survey was made by eminent educators selected from different sections of the United States. They recommend unified control of the higher educational institutions by a board of nine, appointed by the governor, confirmed by the senate, serving without compensation for terms of nine years. They further recommend the appointment of the Superintendent of Public Instruction by the Board of Education or by the governor.

This report says:

"We are on the verge of a new educational era in the United States. Utah, as well as other states, must solve the problem of meeting the new requirements in funds, in equipment, in teachers, in pupil's achievements, but these problems must be met economically, with a view to resources and needs. After careful study, the staff has set forth a series of recommendations, with the idea that full accomplishment should extend over a period of years, with the idea of promoting economy of expenditure and securing full value for every educational dollar raised."

Recent press dispatches disclose that the Interim Tax Committee, following a comprehensive survey, will request the Wisconsin state legislature at its present session to adopt a plan which provides for one state board of education to replace the numerous boards and governing bodies now in charge of that state's educational system.

The maintenance of a system of free education is a responsibility imposed upon us by the Enabling Act and the Constitution. If our children are being poorly educated; if we are turning them out of our public educational

institutions unfitted for the struggles and hardships of everyday life; if we are extending our educational system beyond the people's ability to bear the financial burden, then we are building a commonwealth on an unsound foundation.

Every child in the state, regardless of station in life, should be provided at least with a good common school education—an education upon which they can build their future.

The cost of educating our children should be, and always will be, a secondary consideration. The first and most essential consideration is the quality of education, or the educational efficiency of our school system.

Neither economy nor efficiency in education can be accomplished by a continuation of the haphazard, Topsy-growing methods which have characterized the development of our educational system since territorial days.

The solution of our educational problem will be found when we start to build from the bottom, rather than the top; when we go forward with a unified, co-ordinated, and well-directed state program. The solution lies not in readjustment of funds, in special tax levies to relieve inequalities of the present system, in enlarged taxing units, or in other spasmodic corrective devices.

During the school year 1925-1926 the total expenditures of the common schools of the state were \$34,155,629.25, an increase of \$3,172,782.74 over the school year 1924-25. If the average rate of increase which has prevailed since statehood is maintained, our annual common school expenditures will be \$113,475,000 in twenty-five

years and our school indebtedness will have reached the total of \$48,420,000, upon which the annual interest charge will be in excess of \$2,500,000.

With this prospect in view, it behooves us to take inventory and determine whether we can continue to bear this increasing burden or are getting results commensurate with these vast expenditures.

That your executive is not necessarily an alarmist on this subject and that the problem is not a state, but a national one, is shown by the annual reports of the Carnegie Foundation for the Advancement of Teaching, one of the most reliable authoritative sources in the land. I quote from the Foundation's Seventeenth Annual Report, as follows:

"It is perfectly clear that if the demands of the schools continue to increase at the present rate, or, as seems more probable, at an increased rate, the financial inability of society to pay the cost will in a measurable time bring about radical curtailments. In no distant day we shall see, under these conditions, free public education endangered. Under the enormous load of taxation that society carries today, communities will rise against the burdensome cost of public school education. * * *

"It has been set forth in the preceding pages that this increase in cost is due in part to justifiable and necessary causes—the increase in numbers, the betterment of facilities, the improvement of teachers salaries. It has been pointed out, however, that a very large part of this rise is due to the change in the primary conception as to what the school is for and to the fact that it is no longer conceived as primarily an intellectual agency, but rather as an agency through which the child shall learn something of every form of knowledge in existence, and in which he is not only to absorb such a knowledge, but is to acquire the preparation for a trade or a profession. * * * The conception that the public school is an agency in which any child may be taught any subject is fundamentally unsound and leads to expense beyond any man's ability to estimate.

"As a result, the schools are overcrowded with ill-prepared pupils who think they are going to obtain something which the school cannot give them, and whose happiness and usefulness should be found through other means. Both financial necessity and educational sincerity require that those who are responsible for public school education shall return to a feasible and educationally sound conception of the school, that they shall frankly admit what it can do and what it ought not to attempt, and that they bend their efforts to carry out those things that are feasible and necessary. Financial solvency and educational sincerity are to be found along the same path.

"This reform cannot be effected in a day. The best that can be hoped is that within a reasonable time our faces may be set in this direction. Nor can this movement be brought about wholly by teachers themselves. The question of reform of public education lies in much the same situation as that of reform of the law. In the United States we have not only the national Congress, but every state legislature enacting statutes at a rate unprecedented in the history of the world. The law today is so complicated that the ablest legal minds find difficulty in tracing a right path through this maze of statutes. The administration of justice is more and more hampered by the great burden of legal enactments and of legal machinery. If justice and popular government are to endure, there must be found a way by which this mass of statutes and decisions may be placed in the background, the principles of justice made more clear, and the process of administration of justice made simpler, quicker, and less expensive. This reform is advocated today by the ablest and most patriotic members of the Bar, but it will require the cooperation of other citizens familiar with our politics and our history and cognizant of the general nature of the law and its working, if it is to be brought within reasonable time to accomplishment. In much the same way it is greatly to be desired that educated men outside the profession of the teacher shall interest themselves in the general policy of education and in the fundamental conception under which the schools are to be operated. Without the cooperation of such men, a fundamental reform in education will be slow and tedious."

It is to accomplish this—to enlist the cooperation of educated laymen in the organization, the supervision and

the development of a sound, economical and efficient state educational system,—that I am recommending the creation of one board of nine lay members.

Such a plan would coordinate the work of our higher educational institutions; would incorporate their needs in a common budget, reserving to each its own special funds; eliminate institutional and sectional rivalries both as to finances and courses of study; and would lift the whole system to a higher and more efficient educational plane.

This plan likewise would be conducive to equally beneficial results in the common schools by providing equity in the distribution of funds, and uniformity in the adoption and development of courses of study and methods of teaching. It would systematize the construction of plants and the purchase of supplies, and finally, it would furnish a guidance and direction which would advance and simplify, rather than weaken or destroy, local school administration and government.

I trust the proposal may receive your thoughtful and earnest consideration.

RECLAMATION.

Abandonment by the federal government of the attempt to require land settlement by the states, and the adoption of a comprehensive reclamation program which calls for construction of projects in order of their merit, places the State of Washington in an enviable position.

Our federal reclamation projects stand among the first in the nation in production and repayment records. Our arid areas offer great possibilities for the future and

there is little doubt but that their development will keep pace with the reasonable demands for increased agricultural production.

Progress has been made toward getting the state definitely out of the irrigation construction and land settlement business, but the task is not yet finished. In order that the state's investment in insolvent projects may be protected, additional legislation may be necessary and advisable. In this connection, attention is invited to the biennial report of the Department of Conservation and Development.

Inasmuch as there is credited to the reclamation revolving fund, an amount approximately the maximum allowable by law, while the cash balance in the fund is ample to meet all demands of existing problems, it is recommended that the reclamation levy of one-half mill be repealed.

GENERAL TAXATION.

In my inaugural message, the attention of the Nineteenth Legislature was called to the accumulation in the general fund. It was stated that this money should have been left with the taxpayers, rather than held inert in the state treasury. This accumulated surplus was due to a heavy general fund levy in 1920, followed by substantial levies in 1921, 1922 and 1923, to which was added in excess of \$3,000,000 of poll tax money. During both years of the current biennium the people have been relieved of general fund taxes. This surplus has been cut down now to a safe working balance and the State Board of Equalization has fixed a levy of

three mills to meet the estimated expenditures for the ensuing year.

The State Tax Commission, created at the last biennial session of the legislature, is now in the second year of its activities. Its work, for the most part, has been devoted to two major projects, to working out a fair and just equalization of assessed valuations on all taxable property throughout the state, and to a study of taxation systems of other states with a view to a general strengthening of our own. Encouraging progress has been made along both lines.

The Commission is renewing its request for the submission of a constitutional amendment to provide classification of property for taxation purposes. With the adoption of such an amendment and the enactment of proper legislation, much can be done to ease the burden upon property now overtaxed and to bring upon the tax rolls property not now taxed. Details of this and other suggested changes are set forth in the Commission's annual report.

I recommend the passage of a concurrent resolution requesting Congress to repeal the federal estates or inheritance tax and vacate this field as a source of revenue in times of peace.

LIBRARIES AND ARCHIVES.

I again recommend the abolition of the State Library and Traveling Library boards and the consolidation of these two libraries under the supervision of the State Law Librarian, as a step toward economical management.

Chaos is the only word appropriately descriptive of the State Archives. They are not a safe or fit place for the deposit of valuable state records which must be preserved. With the completion of the new capitol building, ample housing facilities can be afforded. An appropriation for proper cataloging and filing should be made. I recommend that the Archives Committee be abolished and the State Archives be made a department of the State Library.

My request for the establishment of an eight-hour work day in all state offices is renewed.

CONCLUSION.

As you begin your deliberations, please be assured of the executive's desire to accord you the fullest measure of cooperation. I have requested the heads of the several administrative code departments to hold themselves in readiness to respond to any call your committees may make and to render any other desired assistance or service.

We have but one duty to perform, to set ourselves diligently to the task of promoting the best interests of the commonwealth. That harmony may characterize our relations and success attend our common efforts, is my sincere desire.

Respectfully submitted,

ROLAND H. HARTLEY,

Governor.

January 10, 1927.