

# SMITH WILL READ HIS ANNUAL MESSAGE

## Governor-Elect Determined That Legislators Shall Listen to His Program.

### TRANSIT MEASURE RADICAL

#### Gives Far-Reaching Powers to Cities in Acquiring or Build- ing Public Utilities.

*Special to The New York Times.*

ALBANY, Dec. 29.—It is almost certain that when Alfred E. Smith becomes Governor he will abandon the time-honored practice of delivering his annual message to the Legislature in writing, and there is every likelihood that when the new Senate and Assembly meet next Wednesday in joint session they will hear the message read by the new Governor in person from the rostrum which he once occupied as Speaker of the Assembly. Such a proceeding at the State Capitol will be a distinct innovation.

From his long experience in the Legislature the Governor-elect is well aware that little attention is paid to a message from the Governor, no matter how important the topics dealt with, when the message is read in the usual lackadaisical, somnolent fashion by the Clerk of the Senate or Assembly, whose sole object appears to be to have it over with as quickly as possible. Not only are the personal note and all emphasis lacking, but important passages are frequently slurred, if not actually omitted, to save time. Within the personal recollection of the Governor-elect there was one Clerk in the Assembly who made it a rule never to allow more than ten minutes to the reading of any message from the Governor, whether it contained 1,000 words or 10,000.

The rule has been that at the very moment the reading of a message started the exodus of Senators and Assemblymen to lobbies and lounging rooms began and the seats were not filled again until the reading was ended. For all the attention the reading of a Governor's message receives from those to whom it is addressed, the Governor sending it might as well beg leave to print. With a Governor appearing in person to read his message the lawmakers, the assumption is, would feel under the obligation, dictated by ordinary courtesy, of remaining in their seats throughout the reading.

Much of the progressive legislation to be recommended in the new Governor's message will be ready for introduction at a very early stage of the session. Some of the measures, including a series of welfare bills, such as the minimum wage bill and the bill limiting to eight hours the daily period of employment for women and minors in industry have already been drafted.

#### New Transit Measure Radical.

The principal features of the municipal ownership measure which the Smith Administration will father became known tonight. It is one of the most radical ever considered and is far reaching in its bestowal of power on municipalities. It provides that municipalities may acquire, through purchase or otherwise, transit lines or other public utilities, existing or non-existent, and operate them. In the acquisition of public utilities already in existence condemnation proceedings might be invoked to settle differences regarding valuation that could not be bridged through negotiations. A referendum is provided to decide questions involving the acquisition of such utilities, the initiative being through petitions signed by 10 per cent. of the voters.

The bill vests in municipal authorities power to issue interest-bearing public utility certificates backed by the municipal credit and exempt from the constitutional debt limit, and to dispose of these to investors to raise the necessary funds for acquiring public utilities, already in operation or to launch new enterprises.

The bill is permissive and will apply to all municipalities throughout the State. A special bill to meet the New York City transit situation and take the place of the present Transit Commission law is being prepared under the supervision of Senator James J. Walker, prospective President pro tem. of the Senate, and Assemblyman Charles B. Donohue, who will be leader of the Democratic forces in the lower house.

#### Contest Over Offices Expected.

A lively fight is expected at the caucus of Democratic Senators on Tuesday evening to make nominations for officers, especially in regard to the Clerk of the Senate. For this place there are three candidates—Edward L. Stanton, who for many years has been the clerk of Senator Walker and appears to be in the lead; former Senator Walter R. Herrick, an active Tammany Democrat and half brother of former Judge D. Cady Herrick, of Albany, and Joseph Zenger, chief lieutenant of William H. Fitz-

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patrick, Democratic leader of Erie County.

The Democratic organization of Albany County is opposed to Stanton on the ground that he has not been an active aid in Democratic politics locally. The proposal to appoint him was one of several subjects about which Edwin Corning, the Democratic leader of Albany, went to New York yesterday for consultation with Tammany Leader Murphy. He brought word back that Murphy thought it best to let the Democratic Senators fight it out in caucus. Former Senator Herrick, originally an Albany boy, has strong Tammany backing. Zenger has the support of Western New York Democrats. The place pays \$3,500 salary, but there are perquisites which bring the total up to twice or three times that amount. In addition there is a lot of petty patronage, in all about 120 jobs, within the gift of the Senate clerk.

Governor-Elect Smith spent a quiet day at the Executive Mansion with his family in preparation for the celebration of his forty-ninth birthday tomorrow. He arose at 11 after getting the twelve hours' sleep he had been clamoring for. Part of the day he was at work reading the proofs of and making final changes in his annual message. His only official caller was Lieutenant-Governor-elect George R. Lunn.

"How does it feel to be back at the Mansion?" the Governor-elect was asked when he talked to the newspaper correspondents this afternoon.

"You know," he replied, "I hardly thought it was true that I was back again until I went upstairs and found everything just as I left it two years ago. Governor and Mrs. Miller were here to receive us and make us feel at home the moment we crossed the threshold of the Executive Mansion."

The Governor-elect will spend a quiet birthday with his family tomorrow. In the evening he and Mrs. Smith will be guests at a private dinner given for them by friends at the Wolferts Roost Country Club, and later in the evening they will attend the inaugural ball at the Tenth Regiment Armory.

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