

INAUGURAL ADDRESS

OF

BERYL F. CARROLL

GOVERNOR OF THE STATE OF IOWA

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INAUGURAL ADDRESS OF GOVERNOR CARROLL.

Members of the Thirty-third General Assembly and Fellow Citizens of Iowa:

Conscious of the great responsibility that has been placed upon me by having been elected as your chief executive, I have taken this most solemn obligation required by our constitution and laws, and through the help of Divine Providence and by your aid and assistance I shall endeavor to fulfill it to the utmost of my ability. Fully realizing that to assume the duties of governor of our state is no light or trivial undertaking, I most solemnly implore the guidance of an over-ruling Providence and earnestly request the cooperation of all the people of our commonwealth to the end that I may succeed in giving you an administration that shall result in the greatest good to our citizens, and in promoting and advancing the many interests of our state. Notwithstanding the duties and responsibilities that must be assumed, I am, nevertheless, profoundly grateful for the high honor that has been conferred upon me.

It is not my purpose, in the short time that I shall detain you, to enter into a general discussion of all the various interests of the state which it might be proper to consider or review in a message to your honorable body, but I shall refer to some of them specifically and join most heartily with our retiring chief executive in recommending for your careful consideration the splendid and thoughtful message which he, in accordance with the laws and customs of our state, transmitted to you day before yesterday. In his review of the affairs of the state he has pointed out the various subjects which in his judgment require the greater attention. I trust that you will consider most carefully and thoughtfully each and every suggestion which he has made, as his close connection with the affairs of the state, for many years, has given him a broad and comprehensive view of its needs and requirements and renders his opinions of great value.

TAKE NO BACKWARD STEPS.

We are just now passing through a period of public awakening that not only tries the metal, but tests the judgment of men. The final result of it all must be either the success or the failure of the

nation in its efforts to regulate and control large aggregations of capital and to establish a higher standard of political ethics. Some years ago the nation, and our state as well, were engaged in an effort to establish such industries and enterprises in our midst as were necessary to meet the needs and requirements of our people. In order to accomplish the undertaking we were ready to offer every inducement possible, even to the extent of giving large bonuses, land grants and special privileges. Today we are engaged in an effort to regulate and control these same concerns. The last task is no less difficult nor important than the first. I believe you will agree with me that it is a more delicate, if indeed not a more difficult, undertaking because there is a double responsibility, that of protecting the interests of the public and also maintaining, uninjured, the concerns we are seeking to regulate and control.

That great and substantial progress has been made in the direction of corporation regulation, I believe all will agree, but there is much yet to be done. There is, however, in all reform as in all periods of unusual prosperity, great danger of reaction. What shall we have accomplished it after all the effort that has been put forth, both by the state and the nation, to bring about reforms along the lines suggested, with all the attendant agitation and interference with business conditions necessarily resulting therefrom, we are to slacken our energy or lessen our efforts to secure better regulation and control of corporate interests?

The question of the right and duty of the state to regulate and control, not only its own corporations, but those seeking to do business within its borders, is so well established as not to need any argument in its support. I do not now refer to interstate business. Accepting this as the correct rule, the responsibility for action rests upon you as a body, and as individuals, representing a constituency of more than two and one-quarter millions of people who have empowered and authorized you to do all which they in person might direct you to do. This thought, however, should always be kept in mind, that corporations are entitled to the same fair and just treatment that should be given to individuals and no law should be passed or even proposed as to such interests unless its enactment is really necessary and its operations when enacted will better existing conditions. Constant agitation is always harmful. However, there is one thing in particular to which I want to call your attention, that is the necessity for holding on to all the good that has been accomplished by legislation and adding to it rather than receding from it. I do not mean to be understood as saying that you should

not thoroughly scrutinize the legislation of the past for the purpose of detecting and correcting any errors that may have been made, for it is my purpose to point out at least a few things which in my judgment should be corrected. In doing so I have in mind the importance of perfecting and perpetuating such laws as will best protect the interests of our people and of adding to or enacting such other laws as necessity may require rather than that any backward steps shall be taken or that there shall be any waning of interest.

HOW TO AMEND THE LAWS.

We have recently had all of the laws passed since 1897 codified and printed in the form of a Supplement to the Code. This codification reveals the fact that in a number of instances amendments to the laws were attempted, which by reason of improper references, are of questionable validity. It, also, reveals the fact that in many instances numerous amendments have been made to various sections of the Code and that without having the same codified it becomes a very difficult matter for one to know what the law really is and in order to determine the question as to what constitutes the law it becomes necessary to examine not only the Code and the Code Supplement, but all of the session laws made since the last codification and then engraft in or upon the original section all changes that may have been made. I desire to submit for your consideration the inquiry as to whether it would not be wise and desirable in amending any section of the law that the section be rewritten as it would appear when amended. By this means there is, in reality, a codification of the laws brought down to date of last amendment. There can then be no question as to what constitutes the law and the legislature will have a full understanding as to the effect of any proposed changes. This method of amending laws is in vogue in many other states and in my judgment is very much more satisfactory than our present method.

PRIMARY ELECTION LAW.

The last regular session of the General Assembly enacted a law providing that all nominations for state, congressional, legislative and county offices, except for judges of the various courts, shall be made by a vote of the people at a primary election to be held in the month of June of the year in which a general election is to be held. Under the provisions of this law, nominations for offices to be filled at the last general election were made. The working of the law was

perhaps as satisfactory as could have been expected, but some weaknesses were apparent, which, in my judgment, should be considered by you at the present session. Before passing any criticism upon the statute, I want to assure you that I am in full sympathy with the principle of the primary and am of the opinion that no radical departure from the general plan of the law should be made at this time, but the weak places should be strengthened and the law should be given a fair test.

There is one thing, however, that causes me to fear that the statute may not meet with final approval, that is, the apparent inability of the voter to acquaint himself with the candidates, especially for the minor state offices and those below the head of the ticket. There seems to be a prevalent belief that the candidate whose name heads the list thereby secures an advantage over his opponent. This has led many individuals to believe that the alphabetic arrangement of names should be abandoned and that names should be rotated upon the ballot. I have hesitated to suggest an amendment touching this point because such a provision must necessarily presume upon either the indifference of our people or their inability to acquaint themselves with candidates, either of which reflects mildly at least, upon the intelligence of the voter.

But there seems to be some grounds for the belief that the candidate whose name appears first among the list of candidate does secure some advantage over others. If this be true and a reasonable means can be found whereby to obviate the difficulty it should be done, as all candidates should so far as is possible, stand upon absolutely equal footing.

There is another amendment which the experience of the executive council, in passing upon claims, in my judgment, demonstrates beyond question should be adopted, that is, the elimination of that provision which requires the state to pay one-half of the expense of holding the primary election. Each county should meet the expense of its own primary the same as it does the expense of the general election. By such means better economy will be observed and less friction in the payment of claims will follow. The present plan is practically equivalent to the state's collecting the money necessary to meet its portion of the expenses from the counties and then turning it back to them. In addition to this needless requirement, which of itself adds to the expense of the primary, there cannot but be a conflict of opinion, if not of authority, between the various boards of supervisors and the executive council as to the amount that should be paid for various items of expense incur-

red by the counties. Perhaps the most frequent sources of disagreement are as to the amount that should be allowed for printing the ballots and publishing the notices. As to the last item, it is my judgment that the most satisfactory way to handle that is for the legislature to fix a specific amount that shall be allowed for these publications, which amount should of course be reasonable.

I am impressed with the idea, also, that perhaps June is not the best month in the year for holding the primary. It is a month in which the farmers of necessity must be engaged in their farm work. No later date would obviate this difficulty unless it be some time after harvest and that, in my opinion, would bring the primary too near the date of the general election. I am inclined to believe that March would be a more satisfactory time. In your review of this very important measure, you will doubtless find many other features of it which should receive your careful consideration.

SIMPLIFY THE BALLOT.

In 1892 what is known as the Australian ballot system was adopted in this state. As originally adopted four methods of voting were provided. A straight ticket could be voted by placing a cross in the circle at the head of the ticket or by leaving the circle unmarked and placing a cross in the square in front of the name of each candidate of the party. A mixed ticket could be voted by placing a cross in the circle at the head of any party ticket and then placing a cross in the square in front of the name of any candidate for whom it was desired to vote on any other ticket. Or a mixed ticket could be voted by omitting to mark the circle and by placing a cross in the square in front of the name of every candidate for whom it was desired to vote. The newness of the plan and the different methods of marking resulted in the making of many mistakes and led to a considerable demand for the removal of the circle. I must confess that the suggestion appealed very strongly to me as it did, also, to many others. The matter was taken up by the extra session of the Twenty-sixth General Assembly and the law was so modified that the circle was to be used for straight voting only. In my judgment this last method was reasonable and should have remained the law. However, the demand for the removal of the circle continued until the Thirty-first General Assembly removed it.

We have now voted two or more times under each of the three methods above referred to and by comparison should be able to judge as to which is the better and more satisfactory. I have looked

with some care as to the results under each of the plans and am thoroughly convinced that the present method does not afford sufficient ease with which to vote a straight party ticket, and by reason of this fact a loss of voters occurs to all candidates below the head of the ticket. This was not true under either of the former methods, or if true the loss was very much less. As proof of the correctness of this statement let me call your attention to the fact that in 1892 when the marking of the ballots was according to the original plan provided for under the Australian system, the combined vote of the republican and democratic parties for president was 416,162 and for secretary of state it was 416,147 or a difference of only 15 votes. In 1896 under the same method of marking the vote for president was 513,034, while for secretary of state it was 513,527 or 493 more votes for secretary of state than for president. In 1900, under the second method provided, but while the circle was still upon the ballot, the combined vote of the two parties for president, was 516,964 while for secretary of state it was 515,454, or only 1,510 more votes for president than for secretary of state. Again, in 1904, under the same method, the combined vote for president was 457,048 and for secretary of state it was 455,280 or only 1,768 difference. But in 1906, the first election held after the circle was removed from the ballot, the combined vote of the two parties for governor was 413,161, while for secretary of state it was only 392,071, or a loss of 21,090 votes, being a loss of more than one vote in every twenty cast for governor, and were the comparison made on some other office than that of secretary of state, the difference would be still greater. Likewise in the recent election, there were 475,981 votes cast for president and only 448,056 for secretary of state, or 27,925 more votes cast for president than for secretary of state, being a loss of about one vote in every seventeen cast for president. This loss of votes is, in my judgment, directly due to the removal of the circle from the ballot. The figures do not indicate that there would be any particular advantage to either party should the circle be restored, but I believe that an easier and quicker method should be provided for the man who wants to vote a straight ticket than that he should be compelled to mark each one of the forty or fifty candidates as he is required to do under the present plan. The law now recognizes the use of the voting machine and the machine provides an easy method for straight voting. Why, therefore, should not the voter who uses a ballot instead of a machine have the same privilege?

It will doubtless be true for all time that some people will think that so long as the names of candidates for president and vice-president of the United States are printed upon the ballot the voter should in some way indicate his preference of candidates for these positions. I am reliably informed that many hundreds, possibly thousands, of ballots were thrown out, not counted, that were cast at the recent election, because the voter had placed a cross in front of the name of the candidate for president. A citizen might as well be denied the right to vote at all as that his ballot should be rejected when his intention is so clearly expressed. I am not saying that under the law as it now exists, a ballot so marked should or should not be counted. I am only trying to convey the idea that the law should be changed so as to avoid a recurrence of so gross an injustice both to the voter and the candidate for whom he intended to and in fact did vote. The intention of the voter, especially where there can be no question about it, should far outweigh the remote possibility of the use of some irregular mark as a means of identification and if the law is in effect defeating innocent and honest voters of the right to cast a ballot and have it counted the law should be amended.

In short, I believe the method of voting should be such that it can be accomplished with ease rather than with effort and that every voter should decide for himself as to whether he desires to vote a straight or a mixed ticket, and once having decided the question should be enabled to carry out his wishes in the easiest and most expeditious manner. I know of no way to provide him such means better than to restore the circle to the ballot.

TARIFF REVISION.

There was written into the recent national platform of each of the leading political parties, a declaration in favor of a revision of the tariff. I believe that our people without regard to political affiliation and almost without exception want to see the platform promise faithfully kept, not only in spirit, but to the letter, and desire that such a revision be given us as will meet the necessities and requirements of the times. The present law, which is the greatest measure of its kind that has ever been enacted, should form the basis for the new law, adding to or deducting from the rate of duty provided in the various schedules as may seem proper. But that other declaration contained in the platform, viz.: The declaration for the maintenance of the protective principle, should be just as faith-

fully kept as should the declaration in favor of revision. This nation has attained its present greatness largely as a result of the application of the principle of protection and any abandonment of the principle now would, in my judgment, be as great a mistake as it would have been a half century ago.

Our people are not only in harmony with the declaration of the party platform upon the subject of tariff, but they are in accord with the president and with congress in the enactment of the many reform measures that have found their way into the statute books of the nation in recent years, and there is a sincere desire that such additional laws be enacted as are necessary to make these statutes more effective. While we look with fear and disfavor upon any reckless or untimely legislation pertaining to the corporate interests of the country, there is, nevertheless, an earnest desire to see both congress and the various legislatures, in a careful and conservative manner, continue the efforts that have already been put forth to the end that such interests, everywhere, whether large or small shall be made to respect and obey the law and regard the rights not only of the public, but of the individual.

PROTECT OUR RESOURCES.

On the 13th day of May, last, there convened at the White House in Washington, in response to an invitation from the president, the governors and other prominent citizens of the various states, to discuss and consider the question of the conservation and use of the natural resources of the nation. The president in his address of welcome to the gathering declared the question which he had brought his distinguished visitors together to consider, to be "the weightiest problem now before the nation." If he is correct in his estimate of the importance of the matter, we can well afford to pause for a moment to consider how it affects us and what relation it bears to our commonwealth. In his discussion of the conservation and use of natural resources, the president divides them into two classes, viz: Those which can and those which cannot be restored or renewed when once they are exhausted. He declares that:

"We have become great by the lavish use of our resources and we have just reason to be proud of our growth. But the time has come to inquire seriously what will happen when our forests are gone; when the coal, the iron, the oil and gas are exhausted, when the soil shall have become still further impoverished and washed into the navigation. These questions do not relate only to next century or the next generation. It is time for us now, as a nation, to exercise the same reasonable fore-

sight in dealing with our great natural resources that would be shown by any prudent man in conserving and wisely using the property that contains the assurance of well-being for himself and his children."

It is possible that our people, without stopping to consider the matter, do not fully realize the relation of our state to this very important and far reaching subject and its bearing upon our future welfare. We have well nigh reached the period already at which our forests are gone. Our supply of coal, while apparently almost inexhaustible, is being mined at an enormous rate and it is apparent that in some parts of the state, at least, the soil is not being protected as it should. I presume that few, if any, would argue that fertile land, such as is found in most parts of our state, should be devoted extensively to the growth of forests or timber and yet it might be well for us to consider whether it would not be wise and profitable if our people would devote a portion of the land skirting the rivers and lakes of the state and that which is least suitable for cultivation to the growth of such varieties of timber as do best in this climate and as will be in demand for future use. Forests fall within the class of natural resources which the president refers to as being capable of restoration, even though it would require a number of years to grow timber of sufficient size as to be of commercial value. It requires no great stretch of the imagination, however, for one to reach the conclusion that future generations may be driven to the growing of timber for fuel when once the supply of coal, oil and gas shall have become exhausted, as is reasonable to assume will occur somewhere down the ages.

Were there an effort made to curtail the output of coal in the state in order that the time at which it shall have become exhausted may be pushed ahead by some years it would necessarily have to be done, to some degree at least, at the expense of present business enterprise and activity, unless present activities shall be turned to other channels. But there is a line of thought and action which we may pursue that is not only in accord with present business enterprise, but which would greatly add to the productive resources of the state if properly observed, that is, the building up and husbanding of the soil. So long as present prices of lands obtain the necessity for building up or even maintaining the productiveness of the soil does not seem so important, but the time is approaching when the necessity will be more apparent. While our people are to be highly commended for the great growth and progress which has been made in the way of better farming it is my judgment that the time will come when our farms will be made to produce, per

acre, far in excess of what they now produce.

However, the waste of the soil itself is scarcely more subject to criticism than is the waste of the products of the soil. Frugality and the absence of it clearly mark the difference between the successful and the unsuccessful man. Especially is this true of those who reside upon the farms. The farmer who ploughs the corners, cultivates the fence rows, houses the machinery, shelters the live stock and leaves no forage or grain to waste in the fields is the man who usually has a bank account. Our people will have learned a great lesson, taken a great step in advance when they shall have reached the conclusion that it is more profitable to farm fewer acres and do it better. Landlordism is no particular advantage to our country. While there can be no objection to a man who does not reside upon a farm owning a reasonable number of acres, the owning of the farm by the man who tills it should be encouraged. The market improvement, however, in farming and all kinds of agricultural pursuits in recent years is very gratifying and furnishes ample proof of the fact that there are still greater things in store for the future.

A COMMISSION ON CONSERVATION OF NATURAL RESOURCES.

It has been suggested that a commission be created for the purpose of studying the natural resources of the state and recommending to the people such means as may be employed to conserve those which are in danger of being exhausted and to develop those whose power and usefulness have remained latent, but which by proper effort might be brought into use. Especially is it desirable that careful consideration be given to the possibility of utilizing some of the larger streams of the state as a means of transportation and for furnishing power for the generating of electricity and the running of machinery thereby serving the double purpose of not only furnishing power and convenience in transportation, but also, indirectly protecting the coal fields and other natural resources of the state. Those who have suggested the creation of such a commission believe that it could be maintained without expense to the state, that is, that persons could be found who would gladly meet their own expense in connection with their services as members of such commission. Personally, I am of the opinion that such an arrangement would perhaps fail to accomplish the best results. I do believe, however, that the commercial organizations of the various cities of the state which have already taken up the study of the conservation and development of our natural resources,

would be glad to concentrate their efforts and contribute of their funds toward the maintenance of such a commission if the state will lend its moral influence and support to the proposition. It has, therefore, occurred to me that it might be profitable to consider the creation of a commission or conservation and development of natural resources, which should consist of at least five members, each of the five largest commercial clubs or business men's associations of the various cities of the state naming one member, the expense of the members and of the commission to be borne by the association represented, or it might be advisable to permit each club of the state desiring membership in such commission to name one member, if the club is willing to bear its share of the expenses as above provided. I would not, however, deem it wise that the membership of the commission exceed ten or fifteen at most. The state should issue a commission to each of the persons named in accordance with the above suggestions and it should be known as "The Iowa Conservation Commission," thereby giving the state's support and influence to the work contemplated.

A MERCHANT MARINE.

In my judgment our nation needs to be thoroughly aroused to the necessity for the re-establishment of a merchant marine. While we have been making great and rapid progress in almost every line or branch of trade, industry or business enterprise, we have signally failed as to a merchant marine. Some obvious reason must exist why this nation has not been able to compete with other nations in the matter of shipping upon the high seas. I do not pretend to understand fully what this cause is, but it seems to me that several elements enter into and effect it. First, let us look at the course of our foreign carrying trade in recent years. Statistics show that a change adverse to our interests has been going on almost constantly since 1860. During that year the value of our foreign carrying trade, carried in American vessels, was more than \$507,000,000, which was substantially two-thirds of the value of our entire foreign carrying trade for the year. This percentage has never been reached since that date and there has been a gradual falling off until in 1898 the value of our foreign trade carried in American vessels was only \$161,000,000, or only a trifle more than nine per cent of the whole, and was only about thirty per cent of the value of the trade in 1860 carried in American vessels. For the year 1907 only about ten and one-half per cent of our foreign trade was carried in American vessels.

Such a showing for the greatest commercial nation of the globe is anything but complimentary. To say that such a condition ought not to continue is but to voice the feelings and sentiments of every loyal American citizen who rejoices in the greatness and the success of his country. This is not simply a matter of sentiment nor of choice as to whose vessels shall carry our products consigned to foreign markets. It is a question of vital importance to our nation. American labor is entitled to its share of the wages paid for handling the products of other American labor. American capital is entitled to invest in this great branch of business. But you may say there is nothing to prevent capital from so investing. That is true, but it must be admitted that foreign shipping has proven unprofitable for the investment of American capital or such investment would be made, as capital is always seeking profitable investments. The difficulty seems to be largely that of wages and subsidies.

Under a law enacted many years ago the coastwise trade between American ports is given exclusively to American vessels. The average wages paid to American seamen, we are informed, is \$25.00 per month and to firemen \$35.00 to \$40.00 per month. At Liverpool seamen are paid an average of \$18.00 per month and firemen \$20.00 per month. Add to this difference in cost of labor the amount paid to the English shipman by his government, as subsidies, and it can readily be seen what has driven our ships from the seas. There should be no thought to reduce the wages paid to American laborers to a level with that of the labor of other countries, consequently some other means must be found whereby the advantage in the cost of labor and of subsidies to the foreign shipper can be met. Congress alone can deal with this question, but it is entirely proper that an interest be taken in it by a thinking public.

It is not only labor and capital that are interested in the establishment of trans-oceanic shipping, but the security of the nation itself is involved. It is a regrettable fact that in recent years when the consequences of war made it necessary that our troops be transported, the ships of other nations had to be procured. What a spectacle indeed, it is to see the army of a great nation of ninety millions of people carried from place to place under the flags of other nations. It is freely asserted that in the event of a foreign war this nation could not supply sufficient sea going vessels to act as auxiliaries to our navy much less to transport troops. Other nations assist in the building of ships and by so doing are able to call them into service in times of war. With no merchant marine we employ no labor upon the seas, we invest no capital in ocean ship-

ping, we train no sailors, we have no transports, we are at the mercy of others. How long will our nation permit itself to remain thus? I am not arguing for ship subsidies. I hope some other solution to the question can be found. The necessity for the establishment of this great enterprises is all that I am considering.

DOMESTIC COMMERCE.

In discussing questions of national interest we are liable to forget those things closer to ourselves and with which we as individuals should deal. The question of domestic transportation is of great importance to our state. I refer now more especially to railway transportation. It is not only a question as to the cost of transportation, either passenger or freight, but more particularly a question as to discriminations against our state and in favor of other states, or against cities of our state as compared with other cities. I want to commend the action of the commercial clubs, not only of our capital city, but of other cities of the state, in their efforts to learn the facts as to such discriminations and to remove any existing disadvantages to our people. I trust that you, as members of the General Assembly, will interest yourselves in these matters and if you find additional legislation needed to protect our interests along the lines above suggested, such legislation should be promptly enacted.

PUBLIC UTILITIES COMMISSION.

The question of the establishment of a commission to regulate and control the public utilities of the state has been discussed to a greater or less extent by some of our people and is, in my judgment, a subject worthy of your careful consideration. Such a system has been adopted in several of the older and in some of the newer states. Just how to harmonize our present statutes to such a system I am not prepared to say. In the various states the power of the commission differs. The scope of the power in some states at least embraces railways, street railways, telephone lines, electric light plants, gas and water plants and possibly other interests. The commission is given authority to regulate the issue of stocks and bonds, the making of rates, the methods of accounting, has power to inspect, etc. The authority granted to the commission in other states is, in this state, lodged with various officials, viz.: The executive council of the state, the railway commission, the city councils and the people of cities by the granting of franchises. It would perhaps be more satisfactory if the exercise of these various powers

were lodged with a single board or commission to be known as a "Public Utilities Commission." This might be done by the creation of an entirely new commission, by enlarging the powers of the railway commission or by converting the railway commission into a public utilities commission. Should this last suggestion be adopted I think it might be advisable to increase the membership of the commission to five. In such an event I believe that the additional members should be appointed by the governor and confirmed by the senate and as the terms of the present commissioners expire, their successors should be appointed and confirmed as above suggested. Should an entirely new commission be created, it should be placed in office by appointment and confirmation.

The fact that ours is a comparatively young state and has few large cities may lead to the conclusion that the same necessity for legislation along the lines above suggested does not exist as in older states, but it should be remembered that we legislate for the future as well as for the present. We have already enacted laws with reference to public weighing places in order that those who have commodities to sell may not be taken advantage of by those who buy. Is it not just as necessary that those who will buy shall not be wholly at the mercy of those whose have to sell, especially where there can be no choice of places of buying, such is in the purchase of water, gas and electricity, and is it not just as proper that the meters through which the measurements are made should be tested and read by a public official or employe who is in no way influenced by the corporation selling the commodity as it is that there be a public weighmaster to stand between the buyer and the seller of commodities disposed of by weight? The cities of the state perhaps have authority over most of these matters now, but local influences are often such that the exercise of authorities granted is very meager.

This whole subject is one far reaching in its effect and of great importance to all of our people. In my judgment its consideration cannot and should not be long deferred. I believe that it is entitled now to your most thoughtful consideration.

A REVENUE COMMISSION.

There has been inaugurated in our state, as in many other states, a movement in favor of a general revision of our revenue laws. This is, in my opinion, one of the very important subjects that you will be called upon to consider at this session. There is perhaps no other chapter in the entire code that so directly effects all of the people of the state as the chapter pertaining to the taxation of prop-

erty. Neither is there another chapter more difficult to frame so as to meet with general approval. That there are many provisions in the present law which are both inequitable and indefensible cannot be denied, neither is it probable that any law will ever be enacted, which is not, to a greater or less degree, subject to these criticisms. But, it is desirable that such conditions be avoided, so far as is possible. Neither can it be denied that in some respects at least our tax laws are not up to date as compared with the laws of some other states.

It is proposed that a commission be appointed for the purpose of making a study of the question of revenues and taxation, which commission shall report to the next session of the General Assembly a bill embodying a proposed new law upon the question of taxation. Our past experience with such a commission has not been very satisfactory, the report of one or more such commissions having been rejected by the legislature, but the magnitude and importance of an attempted revision of the revenue laws is such that in my judgment it could not, with satisfaction, be accomplished during a regular session of the legislature unless the preparation of the bill is made during a recess. The last revision of the revenue laws was made at a special session of the legislature, that is, at the extra session of the Twenty-sixth General Assembly, and that after the Code commission had reported a bill and it had been worked upon by the Ways and Means committee of the preceding regular session. I believe that if a revision of the revenue laws of the state is deemed by you to be desirable, a commission, either composed of members of two houses, to be appointed by the presiding officers thereof, or of other persons to be selected in such manner as you may determine should be created for the purpose. The commission should be given power to make a thorough and searching inquiry and investigation into the laws of other states and should be given abundant time to complete its work and make its report sufficiently early to enable the legislature and the people to give it a thorough study before the meeting of the session of the Thirty-fourth General Assembly.

REVISION OF SCHOOL LAWS.

The Thirty-second General Assembly created a commission to consider and report to this session of the legislature, a proposed revision of the entire school laws of the state. The work has been done and the report is now before you for consideration. I need not say to you that the importance of the measure is such as to re-

quire your best thought and attention. There are many provisions of the proposed law which are a wide departure from the present statute pertaining to schools. Indeed there are some very radical changes proposed. The fact that this wide difference between the two measures exists should neither condemn the proposed law nor commend it to you. It should only cause you to give it the more thoughtful consideration. Personally, I am favorably impressed with many features of the bill that is up for consideration. It must be admitted by all that there is much need of a change in our present school code. It has not been my privilege to study the proposed law sufficiently to feel warranted in passing criticism upon it, but I feel that the importance of the work cannot be overestimated.

THE AUDITOR'S OFFICE.

Having recently retired from the office of auditor of state, I trust that you will not deem it improper if I make a few observations as to the affairs of that office. It is generally recognized not only by our own people, but by all those who are acquainted with the various interests now supervised by the auditor, as being one of the very important offices of the state. I know from experience, that the enormous amount of work connected with the various departments makes it almost impossible for any one to familiarize himself with all the details of the office and with the law with reference thereto, so as to know when the several departments are being properly managed and supervised.

I have called attention, through my published reports, to the necessity for relieving the auditor of some portion of the work now enjoined upon him, and now that I am no longer directly connected with the office I can speak with more freedom and with much less embarrassment. I can say to you with assurance that I know whereof I speak, that neither time nor human endurance makes it possible for any man to personally supervise the auditing department, the revenue department, the insurance department, the banking department, the municipal accounting department and to serve as a member of the executive council with the enormous amount of business now connected with each of these branches of the auditor's office and the rapid increase in the business of each and all of them. I say it is impossible for any man to do all of the above without great injustice to himself or to some of the various interests of the state entrusted to his care. I do not now care to pursue this discussion to the extent of suggesting how relief should

be given to this department of our state government. That I shall leave for you to consider, but I am deeply in earnest as to the necessity for some action to be taken with reference thereto.

FEES AND PER DIEM.

I wish, also, to suggest to you one other matter which touches, in a way, several departments of the state's business, that is, the question of fees and per diem. I have for a long time believed that in so far as it becomes possible the per diem and fee systems of compensation should be abolished. The more I observe the workings of each the more thoroughly I become convinced that they are wrong. Especially is the per diem system objectionable where the official who is compensated for his services upon a per diem basis is not under the direction or control of some other official whose compensation is a fixed amount and is in no way effected by the per diem. I believe that in almost every instance where the per diem system now prevails the scope of the work to be performed is such that it can readily be determined what would be a reasonable compensation therefor and that in all such cases a fixed salary should be provided.

DOCUMENTS AND PRINTING.

In my judgment, your committee on printing should look carefully into the question of the number of reports and documents that are now provided for in order to determine whether or not an unnecessarily large number of some of them is not now printed also, to see if the demand for some kinds of reports and documents may not have increased so as to make it desirable that a larger number be supplied. The value and demand for some of the reports depends very largely upon the time at which they are ready for distribution. In the past the date at which some of these reports were ready for the public has been so late that many of them remain in the storage rooms of the state. I believe that the executive council should be clothed with some additional authority in the matter of printing and where it becomes apparent to the council that the state printer will be unable to furnish the work within the proper time, the council should have authority to place it elsewhere at the price now allowed the state printer or upon competitive bids.

LAW ENFORCEMENT.

Events which transpired in comparatively recent months caused much comment and brought forth a demand for better enforcement of laws. There should be no division of sentiment among us upon

the question of law enforcement. All good citizens ought to agree as to the necessity for proper respect for and compliance with the laws. The agitation referred to arose largely over matters pertaining to violations of the liquor statutes of the state. It is not my purpose here to discuss the provisions of our liquor laws nor to offer, except in a general way, a remedy for their violation. That which may be said as to the necessity for enforcement of the liquor statutes may also be said in favor of the enforcement of all laws. No law is self enforcing. The fact that a law is not enforced may be due either to a lack of proper provision for its enforcement or to neglect upon the part of officials enjoined with the duty of seeing that the laws are obeyed. If it be due to the former cause there should be better provision made for enforcement, and if to dereliction to duty then the means whereby neglectful officials can be punished or deposed should be made easy and effective. While the official who fails to do his duty as to the enforcement of the liquor statutes of the state is deserving of criticism, the official who fails to perform his duty as to the enforcement of other laws is equally entitled to public censure. There is a constant plea for liberality in the construction of statutes, especially of criminal statutes, which within reasonable limits perhaps ought not to be criticised, but such construction at times becomes almost if not quite equivalent to a disregard for the spirit of the law. Laws ought to be enforced, they should be strictly enforced. If perchance they be too drastic let them be amended but let them at all times be obeyed. Laxness in law enforcement leads to a disregard for the law itself and to disrespect for and distrust of public officials. In the main, I believe the people will be given just such official service as they demand. There may be, in fact there is, great difference between public officials as to their natural inclinations toward strict construction and enforcement of laws, but I believe that there are few men in official positions but what will respond to demand from the people. Therefore, I say to you, not as members of the legislature, but as citizens of our state and through you to all the citizens of the state, fix your own standard of official service, let your public servants know what you expect and require of them and he who fails to respond will soon find his official career at an end.

It is perhaps true that the liquor laws of the state are more difficult of enforcement than most other statutes, but in my opinion it is due rather to local influences than to the weakness of the law itself. A district judge and a county attorney fearless in the per-

formance of duty, with a sheriff or constable of like character, will find little difficulty in commanding respect, not only for the liquor statutes, but for all laws of the state. I have said that in my opinion local influences have much bearing upon the situation. If it be that local officials will not require obedience to the statutes, then the power and authority to enforce the laws should be lodged with officials removed from these local influences, but if that be deemed necessary there should also be a provision requiring such local officials as fail to perform their duty to step aside and give place to others who will see that the laws are enforced and the means whereby this can be brought about should be effective.

I am not pleading for any particular statute nor for any particular plan. I am only saying what I believe every good citizen of the state will endorse and that is, that lawlessness ought not to and must *not* be permitted in our commonwealth.

LEGISLATIVE RESPONSIBILITY.

Members of the General Assembly, in closing I want to **assure** you that I fully appreciate the important position of the legislator, as I have been privileged to occupy a seat in your honorable body. No greater responsibility rests upon any official than the responsibility resting upon the men who make the laws. The executive or administrative officer who is faithful to duty will carry into effect the laws which he finds upon the statute books. Therefore, the responsibility of determining the effect of a statute should rest with the legislature. You alone can determine the character of our laws. Others may suggest, others may assist, others may influence the course of legislation, but you alone can act or refuse to act. I want to assure you of my hearty co-operation in everything and in every way which my judgment leads me to believe to be for the best interests of the state. I have but one object in view and that is to see Iowa become a greater and grander state. Its advancement has been marvelous. We have it from so good authority as Hon. Samuel Merrill, a former governor of our state, that at the time of his inauguration in 1868 there were only twelve hundred miles of railroad in our state and only one-sixth of our lands were then enclosed. We have, since that date, brought the remaining five-sixths of our lands into cultivation and have built fully nine thousand miles of railroad. These are mere suggestions as to the possibilities of our state. We have not yet even approached the limit of its greatness. With united effort and continued co-operation we shall still see greater ac-

accomplishments along the lines of agricultural and commercial attainments, intellectual advancement and moral strength and courage. But, I cannot close without referring to one other subject, that is, to our state institutions. Especially do I want to recommend for them the most liberal treatment consistent with the condition of our public finances and a reasonable levy for state purposes. There is a universal desire that our educational institutions continue to furnish for our youth and young men and young women every possible opportunity for educational and intellectual advancement, and that eleemosynary and penal institutions continue to provide for those who find lodgment within their confines, the best possible means of care and improvement.

Our people are justly proud of our state and of its institutions and we should write it upon the tablets of our hearts and emblazon it upon our banners that in comparison with other states and with the institutions of other states there shall be none better than our own.