

BIENNIAL MESSAGE

DELIVERED TO THE

IOWA GENERAL ASSEMBLY,

IN

REGULAR SESSION,

BY

GOVERNOR S. J. KIRKWOOD,

TUESDAY, JANUARY 14, 1862.

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DES MOINES:

F. W. PALMER, STATE PRINTER.

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## GOVERNOR'S MESSAGE.

*Gentlemen of the Senate, and House of Representatives:*

You have had conferred upon you and you have accepted the duty of caring for, guarding, and promoting the interest of the State. This duty, at all times responsible, is at present much more than ordinarily so, for the reason that the Nation of which we are a part is engaged in Civil War, most wantonly and wickedly thrust upon us by bad and designing men. I doubt not you will address yourselves to the discharge of this duty calmly and earnestly, seeking wisdom and strength from Him who is King of Kings and Lord of Lords.

The Constitution requires that I shall communicate to you the condition of the State, and recommend such matters as I may deem expedient, and I now proceed to the performance of that duty.

### REVENUE AND TAXATION.

The expenditures of the last two years for all State purposes have been about \$300,000, for each year. This includes both ordinary and extraordinary expenditures—the amounts expended for the Insane Asylum, the Penitentiary, the Blind Asylum at Vinton, the printing of the Revised Statutes, and other extraordinary objects, as well as the amounts expended in carrying on the ordinary operations of the State Government. The expenditure has not in any case been permitted to exceed the appropriation, and is materially less both for the Penitentiary and Insane Asylum, and has in all cases that have come under my observation been carefully and economically made. In my judgment, there is not another State in the Union in which the protection of Government is extended to as large a population, so widely scattered, more economically than in our own. But while this is true, it is equally true that our finances are not in a healthy condition. The Report of the Auditor of State discloses the somewhat startling fact that of the State tax for 1860, and preceding years, there was at the date of his Report (the 4th day of Nov., 1861) delinquent and unpaid the large sum of about \$400,000—a sum more than sufficient to cover the entire expenses of our State Government for one year. This large delinquency has occurred mainly within the last four years and the same Report shows there were at the same date warrants drawn on the Treasury to the amount of \$103,645, which were unpaid for want of funds, most of which were drawing interest at the rate of eight per cent per annum.

From these facts the following conclusions are inevitable: 1st., That during the last four years there has been levied a State tax larger by about \$300,000, than the necessities of the State required. 2nd., That this was rendered necessary by the fact that only a portion of our people paid the tax due the State. 3rd., That the State has been compelled yearly to pay large sums by way of interest on warrants



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prices than if it had had the cash to pay. 5th., That the tax-paying portion of our people have thus been compelled to pay not only their proper share of the public burthens, but also the share of those who did not pay their taxes, increased by interest and high prices. These things should not be so. They reflect discredit not only on those of our citizens who seek to avoid their just share of those burdens which are imposed upon all for the benefit of all, but also upon the laws which permit them to do so with impunity. I therefore very earnestly recommend to your attention a careful examination of our revenue laws for the purpose of ascertaining if they can be made more effective in enforcing the prompt payment of taxes.

The leading features of a good revenue law in my judgment are: 1st The imposition of such penalty for the non-payment of taxes when due as will make it unmistakeably the interest of every tax payer to pay promptly. 2d. The assurance to the purchaser of property at tax sale of a valid title at the expiration of a fixed time. There is in my opinion much misapprehension in the minds of many persons on this subject. Some seem to think they receive no value for the money paid by them as taxes, and that they are therefore not culpable in avoiding payment if they can. Others, whilst they admit there is some kind of doubtful obligation upon them to pay their taxes, if convenient, yet insist that any stringency in the laws to compel payment would be unjust and oppressive, and that not greater penalty should be imposed for non-payment than the interest allowed by law between citizens. These are radical errors. Every citizen is protected by the State, in life, liberty and property in all he has and in all he may acquire, and in all his honest efforts for further acquisition, and in return, he is bound as a good citizen to render obedience to the laws, to pay promptly his share of the taxes necessary for the support of government and in time of war, if need be to defend the government with his life. If he fails to perform either of these duties of a good citizen, he is liable to punishment, and the amount added to his taxes for failure of payment at the time fixed by law is not the interest due upon a debt, but a fine or penalty for the non-performance of a duty. Nor can any one justly complain of this. Why should any one of our people claim that he should enjoy all the benefits of civil government and be exempt from its burthens; that he should have all these advantages at the expense of his neighbors?

It may be said that some are unable to pay their taxes. This, it seems to me, is erroneous. The amount of tax each one has to pay is in proportion to the property he has, the greater the tax, the greater the amount of property from which to raise means of payment. I am well convinced that taxes are paid most promptly by our farmers and by men of comparatively small means, and that there are very few of us who do not spend yearly for articles of luxury which do not promote either our health, our prosperity, or our happiness, more than the sum required from us as taxes for the support of the government that protects us. The subject of revenue and taxation assumes a graver interest and importance at this time for the reason that our State is called upon for the first time since its admission to pay a direct tax for the support of the General Government. We may expect to be called on to pay during the present year a Federal tax of from \$600,000 to \$700,000. This is rendered necessary by the heavy expenditures incurred by the General Government in preparing to put down the Rebellion in certain States of the Union.

A resort to loans has been and must continue to be necessary to meet these expenses, and prudence and sound economy require that the General Government shall not be compelled to borrow money to pay the interest accruing upon its loans. The interest upon loans made and to be made must be met by actual payment, and not by incurring further indebtedness. The capitalists of the country have thus far responded nobly to the calls made upon them by the Government, and have given it assistance and support as necessary as that rendered by the soldiers in the field. Six hundred thousand gallant men, of whom twenty thousand are from our own State, are in arms, giving their labor, their health, and their lives, for the country, and now the call comes to us who are at home, and we are asked to give a little of our substance to the same good cause.

I have caused to be prepared from documents in the office of the Auditor of State a table, hereto appended, giving some interesting information touching the taxes paid by our people. It will perhaps be a matter of surprise to many that the taxes for the support of the State Government bear so small a proportion to the entire amount of taxes paid. It appears from this table that the whole amount of taxes for all purposes for 1861 was \$1,700,000 and that of this amount only \$300,000 was expended from the State Treasury for State purposes while \$1,400,000 were expended from the several county Treasuries for county and other purposes. I regard this table as useful, for this, among other reasons, viz: that the people have been led to believe that the great bulk of our taxes was caused by the expenditures of the State Government under appropriations made by the General Assembly and they have been taught to look to a reduction of State expenses as the means of relief from taxation. This table shows clearly and conclusively that of every \$5.66 paid by the people of the State as taxes, but one dollar reaches the State Treasury or is used for State purposes, while the other \$4.66 are retained in the counties and used for county and other purposes. I would not desire our people to relax their vigilant supervision of State expenses, but I am of opinion this information may lead them to give as vigilant supervision to the expenditures of their respective Counties, where equal vigilance is, in my judgment, equally needed. It is evident from an inspection of the table, showing the amount of taxes paid and the purposes for which paid, that if it be deemed desirable to decrease our present expenditures by an amount equal or approximating to the amount of taxes required by the General Government, much the greater amount of such reduction must be made in the taxes levied for other than State purposes.

In some particulars the expenses of the State may be materially less for the next than for the last two years. The appropriation of \$19,500, for the Revised Statutes was temporary and will not be again required. The amount appropriated for past indebtedness of the Penitentiary, \$38,500, has nearly paid that indebtedness, and but a nominal sum will be needed for that purpose. The amount appropriated for the general support of the Prison has been so well managed that the amount thereof unexpended is deemed by the Warden sufficient for the next two years, so that the amount of \$35,000, appropriated at the last regular session for that purpose need not be renewed in whole or in part. Of the amount of \$75,000, appropriated at the last session for finishing and furnishing the Centre and East wing of the Insane Asylum, about \$18,000 remain unexpended, which balance with \$20,000, now asked for is deemed sufficient to complete the whole building. So that the appropriation needed for construction account in that institution may be \$55,000 less than at the last session. The Blind Asylum at Vinton is now under



cover, and not liable to injury from the weather, and if you should deem it advisable not to make any appropriation for its present completion, \$10,000 may be deducted from the amount of the appropriation of the present session as compared with that of the last. There has been paid during the last two years to Agricultural Societies the sum of about \$18,000. If you think it advisable to withhold any appropriation for this purpose for the next two years this sum may be saved. The foregoing sums amounting in the aggregate to \$176,000 are the expenditures for the objects named for two years, and if withheld will be a saving of \$88,000 per annum from the amount of state taxes. This amount, I doubt not, may be increased by a careful examination of our State expenditures and strict economy, to \$100,000, and if a proportionate reduction of county and township expenses can be made, the entire amount of the tax required by the General Government can be raised without increasing our present taxation. I commend the matter to your most earnest and careful examination.

In order to make the revenue of the State more certain, I recommend that the County Treasurers be required by law to pay the State Treasurer, at fixed times, certain proportions of the amount of revenue due to the State, until the entire sum for each year is paid, whether the County Treasurers have received the entire amount of State tax or not. At present the State is wholly helpless as to its revenue. It has to depend wholly upon the officers of Counties for its collection and transmission, and if the county officers are inefficient, the State is remediless. Each County is now liable by law to the State for the amount of State tax assessed in it, but this liability, without any means of making it practically effective, is useless. If the counties were required to pay the revenue due the State, whether collected or not, the county Supervisors would be stimulated to require of the Treasurer a strict performance of his duties; and if, in addition, you should so change the present law as to give County Treasurers, in lieu of salary, a per centum on the amount of money collected and disbursed, or provide for township collectors, to be paid in the same way, our taxes would, in my opinion, be more punctually paid.

I also recommend that it be made the duty of the Board of Supervisors of each County, to employ a competent accountant once in each year to examine the accounts of each county officer, and state an account between each officer and his county, and between officer and officer, and also that County Treasurers and all other persons who receive public moneys be prohibited, under severe penalties, from using them in any way or placing them with others to be used for their private benefit.

The law of Congress imposing a direct tax for the support of the General Government gives to any State the privilege of collecting the amount of tax assessed upon its people, and allows such State to retain fifteen per cent of the amount, on condition the State shall assume the payment of the balance of the tax. Thereupon arises the important question: What shall the State do in the premises? It must be remembered that if the State assumes the tax, the entire amount, less fifteen per cent, must be paid by the State, whether the State collects the tax or not. Keeping this in recollection, let us ascertain as nearly as may be our precise position. This State has expended for the General Government about \$450,000, and has been repaid the sum of \$80,000. The State has sold her bonds to the amount of about \$200,000. The proceeds of said sale \$184,000, and the \$80,000 received from the General Government have been applied to paying the expenses incurred by the State, leaving unpaid and due wholly, I believe, to our own

people, about \$186,000, for which they hold or can receive warrants drawn on the War and Defense Fund. If the amount expended by the State, which is to be reimbursed by the General Government, be \$450,000, there is now due the State \$370,000, and if the Federal tax should be \$650,000, and the State should assume it, there would be due the General Government the sum of \$182,500, being the entire amount of the tax, less the amount now due the State, and the fifteen per cent. for assumption and collection which must be assessed upon and paid by our people.

But we must provide also for the payment of the amount due our own citizens. This must be done by assessing the amount as a tax and by either actually collecting the money and paying it to the holders of the warrants, or by authorizing those holding warrants to surrender them to the Auditor, and receive in lieu of them other warrants of the amount of five dollars each, which shall be receivable in payment of the Federal Tax. These warrants being of small amounts, and being all receivable during the present year for taxes, would be nearly or quite at par, and would be much more valuable to the holders than the present ones. Should this course be deemed advisable, it will be necessary, in order to meet the demand made upon us by the Federal Government, to levy a tax of about \$368,500, of which \$182,500 must be collected in money, and \$186,000 may be paid in the warrants outstanding against the War and Defense Fund. Our State debt will have been increased by \$200,000, and we will not have any money in our Treasury wherewith to meet further military expenses, should they be necessary. It will be observed that the sums given are generally estimated. Absolute precision could not in some cases be arrived at, but it will be found the estimates approximate very nearly the truth. If this should not be deemed advisable, we can present our claim against the General Government, receive the amount due the State, pay the outstanding warrants in the hands of our people, and either collect in money the Federal Tax and pay it to the General Government, retaining the fifteen per cent. for so doing, or allow the General Government to collect the whole without interference on our part. In view of the actual condition of our affairs and the want of promptitude with which our taxes are paid, I am inclined to favor the plan first recommended. If I had assurance that our taxes would be paid as they should be, I would much prefer the second.

Intimately connected with the subject of taxation and revenue, is the question as to the kind of money which shall be received for taxes. Under our present laws, specie only is receivable for public dues. In view of the recent suspension of specie payments by the General Government and the Banks of the Eastern States, it becomes a question of great importance whether we can collect our revenue in coin. I do not believe we can, and I urgently recommend to you such change in our law as will allow the payment of taxes with United States Treasury notes and the notes of the State Bank of Iowa. It is true the United States Treasury notes are not payable in specie, but it is the interest of all loyal States and of all loyal citizens to keep them at par, and the receipt of them for taxes by the loyal States would tend much to that end. The State Bank of Iowa is required by the law creating it, at all times, to redeem its circulation in coin, and I believe it expects and is fully prepared to meet that requisition. If, as it seems to me we must and should receive for revenue the United States Treasury notes not redeemable in specie, I cannot see the wisdom or justice of refusing to receive the notes of our own Banks, that are so redeemable, especially when by so doing, we make the payment of taxes more easy to our people and more certain to the State, and



at the same time aid to some extent in keeping in circulation among us a currency which has, and in my judgment, deserves the confidence of the people.

#### MILITARY AFFAIRS.

The report of the Adjutant General, herewith submitted, shows the number and description of troops raised in this State for United States service to be Sixteen Regiments of Infantry, Four of Cavalry, Three Batteries of Artillery and one Independent Company of Cavalry for frontier service. Of these the fifteenth and sixteenth Regiments of Infantry are not fully organized. In addition, Col. Koch and Col. Rankin are engaged in raising Regiments of Infantry, which if completed, will make the Seventeenth and Eighteenth Regiments of that arm of the service.

It is a matter of much gratification to me that our State has thus promptly responded to the demands made upon it by the United States for aid in this perilous crisis of our country's history, and it is also a matter of great pride to me that the troops of our State, whether tried in the exhausting service of the camp, the march, or in the fiery ordeal of the battle-field have never been found wanting, but have by their cheerful endurance of unaccustomed hardship and their indomitable valor won for themselves and our State a name which may well cause us to feel an honest pride in claiming in any part of our broad land, that our homes are in Iowa.

At the Extra Session of 1861 what was supposed ample provision was made to furnish the necessary funds for raising, clothing and equipping the Volunteers that might be required from this State, by authorizing the issue and sale of our State bonds. Immediately after the close of that session, the necessary steps were taken to put our bonds in market, but before they could be offered in New York the faith and credit of our State were most wantonly and unjustly attacked by certain papers in that City, so that when, under the law, the bonds were offered for sale, it was found entirely impossible to effect sales at the prices fixed by the Board of Commissioners appointed for that purpose, or which would not have been ruinous to the State. No sales were therefore made in New York, and an appeal was made to our own people to take the bonds and furnish the means necessary to meet the large expenses consequent upon raising the troops called for from this State. The report of the Loan Agents herewith submitted will show you the amount of bonds sold by them in the State, and the amount of money received therefor. It will be seen that much the larger proportion of the bonds was taken by persons to whom the State was indebted and that but a small share was sold for cash. The result was that the officers charged with the duty of raising troops as required by the General Government were much embarrassed for want of means, being compelled to operate wholly upon credit, consequently to great disadvantage. Whatever could be furnished by our people was promptly furnished on the credit of the State, but without means it was impossible to procure arms, clothing, and such other articles as our own people did not produce. After providing clothing for the 1st, 2nd, and 3rd Regiments, I found it utterly impossible to provide for those subsequently raised, and was compelled to rely upon the General Government for that purpose, and although it was a matter of much mortification to me, to be compelled to allow our troops to leave our State un-uniformed and un-armed, yet I am induced to believe the result has been as well for the troops and for the Government. The troops who left our State without uniform, left at a season of the year when but little clothing was needed for comfort, and they were provided with uniforms in Missouri as speedily and more cheaply than I could have pro-

vided for them. The Regiments which have left the State more recently have been furnished with good clothing by the General Government before leaving. I have not purchased for the State the arms contemplated by the law passed at the Extra Session, for the reason that arms could be had only for money, and I had not the money wherewith to pay. Some arms have been furnished by the General Government, but not sufficient for the security of the State, and I recommend the subject to your careful consideration.

On several occasions during the past season, when the Rebels had or appeared likely to get control in Northern Missouri, much uneasiness existed along our Southern border lest they should attempt an invasion of our State, which, for want of arms, our people were not properly prepared to resist. Immediately after the close of the Extra Session of the General Assembly, I appointed Col. John Edwards and Col. Cyrus Bussey my Aids, with large discretionary powers, to act for the preservation of tranquility in the Southern border counties. I was well satisfied the peace of our State would be more easily preserved by preventing invasion than by repelling it, and therefore while I could not order our State troops beyond our State line, instructed Colonels Edwards and Bussey, and through them the troops under their command, that if at any time the loyal men of Northern Missouri were in peril and called upon them for assistance, they had as full authority as I could give them to lead their men into Missouri to the aid of the loyal men there, and my promise upon their return that my power should be used to the utmost extent to protect them if called in question for so doing. Under these circumstances, and in some cases at the instance of officers of the United States, Col's. Edwards and Bussey, and Col. Morledge of Page county, at different times led bodies of Iowa troops into Missouri and kept them in service there until their presence was no longer needed, and I am well assured their services were highly valuable, not only in preserving the peace of our border and protecting our own people, but in supporting and strengthening the Union men of Missouri. The expenses incurred in these expeditions are, in my judgement, properly chargeable to the General Government, and I am now seeking their reimbursement.

Great uneasiness also existed on our Western and Northern border lest the Indians in Dacotah and Minnesota might be led by designing men to take advantage of the troubled state of public affairs, and commit depredations on our people in that region. The great distance of that part of the State from the place where my other duties compel me to keep my head quarters, and the want of the means of speedy communication therewith either by railroad or telegraph, rendered it in my judgment absolutely necessary that I should confer on suitable persons the power to act for me promptly in case of emergency as fully as if I were present to act in person. I accordingly conferred such authority on Hon. Caleb Baldwin of Council Bluffs, and Hon. A. W. Hubbard, of Sioux City. Under this authority bodies of mounted men were called into service at different times for short periods and I am happy to be able to state the tranquility of that portion of our State has been preserved.

I cannot permit this occasion to pass without thanking Messrs. Edwards, Bussey, Morledge, Baldwin and Hubbard, for their efficient and valuable services.

At my request the Secretary of War authorized the enlistment of a company of Cavalry in the service of the United States, especially for the protection of the north-western border. This company has been recruited and mustered in, and I hope will be sufficient for the protection of that portion of our State.

Our troops in Missouri have suffered greatly from sickness. To some extent this



is perhaps attributable to the want of care and prudence among the men themselves, to a change in their mode of life, to their eating badly cooked food, and to the fatigue and exposure of hard labor and severe marches, and to a much greater extent to the want of proper hospitals, proper comforts for the sick, proper nurses, and sufficient medical aid. Doubtless experience in camp life will convince our troops of the necessity of guarding their health, adapt them to their new circumstances and will make them better cooks; and I ardently hope the time will soon come when those who have the power so to do will provide that the labor which has prostrated so many of them shall be done by the slaves of those who have forced this war upon the country. Proper hospitals are now provided, and the women of our State, following their womanly instinct to care for the suffering, have been and are engaged in making and forwarding to our troops those delicacies and comforts not provided by the regulations, but so necessary and so cheering to the sick. I am decidedly of the opinion that female nurses in our hospitals would render invaluable service; and I earnestly recommend that provision be made for securing such service for the benefit of our sick and wounded soldiers.

I am well convinced that the medical staff (a Surgeon and Assistant Surgeon,) now allowed by law to each Regiment, is insufficient, and I have been corresponding with the proper authorities for the purpose of effecting a change in the law. I recommend that power be given the Governor to appoint an additional Assistant Surgeon for each of our Regiments in service, to be paid by the State in case Congress shall not by law make the necessary provision.

The law passed at the Extra Session for the organization of the Militia, is in many respects defective and has been in my judgment a hindrance instead of an aid in raising troops for the service of the United States. If the organization of the Militia is to be provided for by State law, a more full and perfect system must be devised. But the Congress of the United States has power "to provide for organizing, arming, and disciplining the Militia, \* \* \* reserving to the States respectively the appointment of officers, and the authority of training the Militia according to the discipline prescribed by Congress." It is probable that Congress will at the present Session, in view of the necessities of the country, provide a complete system of military organization for all the States, to the extent of the power thus conferred. It may be well to await such action until near the close of your session, and conform your action to such provision, if made.

#### SCHOOL AND UNIVERSITY FUNDS.

The School and University funds require your careful and earnest attention. A large portion of both these funds has been lent to individuals in different parts of the State. Most of the loans were made before the monetary crisis of 1857, and the securities taken for their repayment were in many cases insufficient originally and have become much less valuable since, by reason of the general depreciation of the value of real estate; many of the borrowers have ceased to pay the interest as it falls due, and the results are a rapidly increasing debt with a greatly diminished security, and an increased taxation upon our people to supply the deficiency in the school fund caused by the non-payment of interest. More than this: under our Constitution, all losses to the permanent School and University Fund which shall have been occasioned by the defalcation, mismanagement, or fraud of the agents or officers controlling and managing the same, become a permanent debt against the State. Large losses to both these funds have already occurred, and the amount

is steadily increasing, for want of proper attention and proper laws. The responsibility for these losses rests with the law-making power of the State; and the responsibility for all further losses must rest there until by the enactment of proper laws, that responsibility is placed elsewhere. I recommend that provision be made requiring the prompt closing up of all loans which are insufficiently secured, or on which the interest has not been paid within a reasonable time, unless the borrowers shall entitle themselves to further time by giving further securities, or payment of the interest due. I also recommend that where loans are now sufficiently secured and the interest paid, an extension of time be given to the borrowers, if desired, under proper limitations; that no new loans be made; and that sums of the principal of either of said funds that may be paid, shall either be paid into the State Treasury and used as other State funds, the State paying interest thereon, or invested for the support of the proper fund either in the stocks of the United States or of this State.

The State University is now in successful operation, although much embarrassed for want of means arising from the non-payment of interest due on loans of its permanent fund. The enactment of laws requiring the more prompt payment of interest, and for the safety and better investment of the permanent fund as above suggested, will enable the Trustees and Faculty to extend the usefulness of the institution. I am decidedly of opinion that not only the interest of the institution, but also the interest of the State require, that you should provide a Military Department of the University, and should establish a Military Professorship therein. The sad experience of the last few months has shown us the necessity of military knowledge among our people. By giving to the young men who may attend the University, military instruction and training, we will not only greatly benefit them, but will also have made provision for what our present experience shows may at any moment become a necessity to our people. The Board of Education at their recent session directed the Trustees of the University to make provision for a Military Department therein as soon as the General Assembly should make the necessary appropriations therefor, and I earnestly recommend the subject to your favorable consideration.

#### THE PENITENTIARY.

The affairs of the Penitentiary have been well conducted during the last two years. Its present faithful and efficient officers, although laboring under many difficulties, have, by their careful and skillful management, maintained excellent discipline, preserved, in a remarkable degree, the health of the convicts, and have so economized its expenses, that of the sum appropriated at the last Regular Session for the general support of the Prison, there remains unexpended an amount so large, that, in the opinion of the Warden, no appropriation for that purpose will be needed at the present Session. These officers, however, as well as those in charge of the Insane Asylum, the Asylums for the Deaf & Dumb, and the Blind, and all others who have been charged with the duty of procuring for the State either labor, materials, or merchandise of any kind for ordinary State purposes, have been continually embarrassed for the want of money, and have been compelled to carry on their operations, and make their purchases at great disadvantage with warrants on the Treasury. Of course they have been compelled to pay higher prices in warrants than they would have had to pay in cash. As soon as these warrants are delivered, they are presented at the treasury, and endorsed unpaid for want of funds, and from that time draw eight per cent. interest, so



that the excess of price and interest are so much clear loss to the State that might be saved if our taxes were promptly paid. Neither States nor individuals can manage their affairs in this manner without serious present embarrassment and great ultimate loss, and in my judgment it is clearly your duty, as guardians of the public welfare, to see to it that this state of affairs shall not continue. The reports of the officers of the Penitentiary show the sums, which, in their opinion, should be appropriated by you, and the objects for which they are needed. Whilst I am satisfied that all these objects are legitimate and that the accomplishment of them would add much to the safety and completeness of the Prison. I cannot in the present condition of our finances recommend appropriations for all. The completion of the third tier of cells, additional accommodations for the hospital additional shop-room, and a new cistern, are perhaps indispensable and should be provided for.

The suit pending for some years between the Warden and the contractors, for the labor of the convicts, has been decided, and in my judgment, very unfavorably to the State. In view of this decision, it will be necessary that considerable additions be made to the present shop-room in the prison yard, unless it be determined to feed and clothe the convicts at the expense of the State, and furnish their labor and shop room for them gratuitously. I recommend that a Special Committee be sent to examine what further shops may be needed and what steps can be taken to protect the interests of the State in this particular. The present contract for convict labor will expire on the 1st day of June 1864. In order to have fair competition for the reletting of that labor at the expiration of the present contract, provision therefor should be made at the present Session, and if possible, such provision should be made by law as will prevent, under a new contract, the heavy losses the State has sustained under the present one.

#### CHARITABLE INSTITUTIONS.

The Reports of the proper officers of the Deaf and Dumb and Blind Asylums are herewith submitted. These institutions appeal so strongly to our better feelings and the necessities of those for whose benefit they are intended, are so peculiar and so urgent, that I cannot withhold my recommendation that the usual appropriations be made for their support. The appropriation made at the last regular session for the new building for the Blind at Vinton has been expended in the manner required by law. The building is now enclosed and is not, as I understand, liable to injury by exposure to the weather, and I submit whether it is not advisable, in our present financial condition, to withhold the appropriation necessary to complete it until the next session of the General Assembly. The failure to make this appropriation will not prevent the proper care and instruction of the pupils, in the meantime, as they can be well provided for in the building now occupied by them. You will learn by the Reports of the officers of the Insane Asylum that that institution, so long and so much needed, has been for some months in successful operation. The appropriation made at the last regular session for finishing and furnishing the center and east wing of the building has proved to be more than sufficient for that purpose, and there is a considerable balance unexpended. The number of patients now in the institution is nearly or quite sufficient to fill all the finished portion of the building, and much inconvenience arises from the fact that patients of both sexes are confined in the same wing. This fact, with the additional one that before the next session a large por-

tion of the now unfinished part of the building will in all probability be needed for the reception of patients, induces me to recommend, as I earnestly do, that an appropriation be now made which, with the unexpended balance of the last appropriation, will be sufficient to finish and furnish the west wing. Every one who has witnessed the misery and degradation and knows the hopelessness of the cure of those poor unfortunates when confined in the cells of our county jails, and has also witnessed their comparative happiness and comfort, and knows the prospect for their restoration in the Asylum, will insist that the most terrible diseases shall no longer be treated as a crime and that the State shall do her duty by providing and caring for these, the most helpless and most unfortunate of her people. An abundant and unfailing supply of water is absolutely essential to the successful operation of an institution of this kind. A reliance for such supply upon cisterns and common wells would be uncertain and unsafe, and as these were the only resources heretofore provided, the Trustees and Commissioners, in order to remove the difficulty, have undertaken the digging of an Artesian well. The details of the work for this purpose thus far will be found in the reports, and I recommend that a sufficient appropriation be made to complete it or to show its impracticability. I also recommend that the law requiring the several Counties of the State to pay for the support of their own Pauper Insane, be so changed as to require such payment to be made in advance. In this way only will such payment be prompt and reliable and the State be relieved practically from the burthen of supporting the Institution. I cannot perceive the necessity for the two Boards of Trustees and Commissioners. Either of the Boards can easily perform in addition to its present duties the duties of the other Board and by the consolidation possible conflicts of authority would be avoided, as well as considerable expense.

#### RECLAMATION OF FUGITIVES FROM JUSTICE.

The law in regard to the reclamation of fugitives from justice is indefinite as to the amount of fees to be paid to agents of this State, who bring back such fugitives, and as to whether it is the duty of the Census Board to pay such expenses in all cases. It is desirable that the uncertainty on these points should be removed.

#### AGRICULTURE.

Agriculture is, and for many years must continue, to be the leading interest in our State; and any fair and legitimate aid that can be given thereto will tend to promote the public good. With this object the State has for some years paid considerable sums yearly to aid the Agricultural Societies of the State and counties. Whether the benefits that have resulted from this expenditure will justify its continuance during our present difficulties and embarrassments, you must decide. This great interest of our State may in my judgment be aided by legislation in a new direction. Hitherto our great staples for export have been wheat, corn, cattle and hogs. The prices paid for the transportation of these articles to New York form a large portion of their value at that point. Indeed, wheat and corn will not bear transportation to that market during the season when the navigation of the lakes is closed. Experience has, I think, conclusively shown that our State is admirably adapted to sheep-grazing, and the value of wool in proportion to its bulk and weight, is much greater, and the price of its transportation to New York in proportion to its value, much less than that of our present staples.

A great drawback upon the growing of wool is that large numbers of sheep are annually killed by dogs. I therefore recommend that a tax be levied on all dogs



in the State, and that the proceeds of the tax be applied to paying to owners of sheep killed by dogs, the value of the sheep thus killed. I would go further than this—I would exempt from taxation for a period of five years all sheep not exceeding fifty, owned by any resident of the State, and would also exempt from taxation for the same time all capital invested in the State in the manufacture of woolen goods.

I am well satisfied that the cultivation of flax can be successfully and profitably introduced in our State. It is valuable not only for the seed, but for the lint which under a new process, is converted into what is called Flax Cotton. I am well assured that before the commencement of the Rebellion, a remunerative price could be paid in our State for the flax straw, which has heretofore been an entire loss to the farmer, the fibre separated from the wood, and the tow transported to Boston and manufactured into Flax Cotton, which could fairly compete in price and usefulness with the cotton of the Southern States. In order to stimulate our people to examine the question carefully, and if possible, introduce among us a new and profitable branch of Industry, I recommend that all capital invested in the manufacture of linseed oil or the conversion of flax straw into flax cotton, be exempted from taxation for five years.

If our industry were more diversified, we would suffer less from fluctuations of prices of particular articles, and if as necessity requires and opportunity offers, we become manufacturers as well as producers, we will increase our wealth and independence.

The report of the Secretary of the Agricultural College shows the action of the Board of Trustees since your last Session. I would gladly recommend liberal appropriations for the erection of the necessary College and other buildings, if the condition of our finances would allow, but I cannot now do so. The farm and buildings are in such condition that a failure to make appropriations will not necessarily work any injury to them. The only unfavorable result will be delay, and to that we must submit until our national difficulties are removed. I heartily approve of the policy adopted by the trustees of reserving the lands donated by the State and by individuals, and the bonds of Story County to endow the institution, trusting to the liberality of the State and of individuals in more prosperous times for the erection of the necessary buildings.

#### LAND GRANT.

The Report of the Register of the State Land Office shows the condition of the various grants of land made by the Congress of the United States to this State.

Very serious and embarrassing questions have arisen from the conflicting interests and claims of some of the Land Grant Rail Road Companies and the Des Moines Navigation and Rail Road Company. There have been much vacillation and conflict of opinion and action among the heads of the Department of the Interior in regard to the extent of the Des Moines River Land Grant. That Grant has been held by one Secretary to extend only to the forks of the River at Des Moines City; by another to extend to the sources of the River in Minnesota, and by another to extend only to the North boundary of our state. One or more of the Secretaries certified to the State as part of this Grant large bodies of land lying above the forks of the River within the limits of the State, and the State subsequently sold and conveyed many of these lands to individuals. Afterward the State contracted with the Des Moines Navigation and Rail Road Company to prosecute the work of improving the Des Moines River, agreeing to convey to said

Company the title of the State to portions of the lands so certified to the State for that purpose, as rapidly as the work progressed. Under this arrangement the title of the State to many of these lands was conveyed to the Des Moines Navigation and Rail Road Company. Subsequently by settlement with the Des Moines Navigation and Rail Road Company the State conveyed to said Company the title of the State to the remainder of the lands which had been certified to the State by the Secretary of the Interior, and at the same time conveyed to the Keokuk Ft. Des Moines, and Minnesota Rail Road Company its title to all the lands of said grant which had not been certified to the State by the Secretary of the Interior, except fifty thousand acres reserved for certain purposes. The Des Moines Navigation & Rail Road Company have conveyed to individuals large bodies of the lands thus conveyed to them. The lines of three of the Land Grant Rail Roads, (the Dubuque & Sioux City, the Cedar Rapids & Missouri, and the Mississippi & Missouri,) cross the Des Moines River above its forks, and hence arises a conflict between these companies and the companies and their grantees, and the grantees of the State who hold portions of those lands as part of the original Des Moines River Grant. These Rail Road Companies claim that the Des Moines River Grant never really extended above the forks of the River at Des Moines and that consequently all conveyances made by the State of lands above that point, as Des Moines River Grant Lands are invalid, and that by virtue of the Rail Road Land Grant they acquired a title to all such lands lying within the limits of their respective grants.

The State having only conveyed what title it had to these lands may not be legally liable to make good any loss that may result to others from a failure of that title, but certainly is morally bound, at the least, to do what maybe reasonably and fairly done to protect the rights and interests of those threatened with such loss. When the State granted to the Rail Road Companies the lands granted to the State by Congress for Rail Road purposes, it was not contemplated by the parties, certainly it was not contemplated by the State, that it was granting to these Companies lands previously conveyed by the State to others, and if since the making of these grants the Companies who are to receive the benefit of them have discovered that by strict legal construction they are entitled to more than was contemplated, either by themselves or by the State, and are disposed to enforce strictly these legal rights, to the injury of innocent purchasers from the State; the State may, and I think should, hold these Companies in all things to a strict compliance with the terms of the grants made to them. If these companies are now in default, and ask the indulgence and clemency of the State, it seems to me the State may very properly, before extending such indulgence and clemency, enquire and know what indulgence and clemency these Companies will extend to the unfortunate holders of these lands, and make for the one with the other such terms and conditions as may be equitable and just to all.

In selecting the lands for the five hundred thousand acre grant, so called, by some mistake the agents of the State selected and the officers of the General Government certified to the State several thousand acres more than were covered by the terms of the grant. This mistake being discovered, application was made to my immediate predecessor by the Commissioner of the U. S. General Land Office to re-convey to the United States this excess of land. Upon examination it was found that part of the land had been already sold and conveyed by the State, so that all could not be re-conveyed. Under these circumstances it was agreed between Governor Lowe and the Commissioner of the General Land Office



that the unsold portion of this excess of land should be re-conveyed, and that the United States should retain of the five per cent. fund coming to this State enough to pay for such of said lands as could not be re-conveyed by reason of their sale at the rate of one dollar and twenty-five cents per acre. Unfortunately, at the time this agreement was made, the then unsold portion of the lands was not withdrawn from market and since then still other portions have been sold. Governor Lowe by letter relinquished the title of the State in these lands, but quite recently the Commissioner of the General Land Office has applied to me for a formal deed of conveyance. I at once caused the remaining unsold portion of the lands to be withdrawn from market, and would at once have re-conveyed them, but have serious doubt whether the Executive can without your authority divest the State of title to land which has been once vested in the State, whether by mistake or otherwise.

I recommend that authority be conferred to settle and adjust this matter on the terms proposed by Governor Lowe, and also to reconvey to the United States any portion of said excess of lands yet remaining unsold.

The swamp land grant is being slowly adjusted with the General Land Office at Washington City. By the terms of the law making this grant, this State will be entitled to receive from the United States in lieu of swamp lands that had been entered with land warrants, land scrip entitling the State to locate a "quantity of like amount upon any of the public lands subject to entry at one dollar and a quarter per acre or less."

The Commissioner of the U. S. General Land Office has so construed this law as to require the State to select the lands to which it may be entitled thereunder from the lands of the United States, subject to entry, at one dollar and a quarter an acre, lying within this State. The law will not, in my opinion, bear this construction, and I am endeavoring to have it set aside, so as to allow the selection of the lands to which the State may be entitled to be made in this State or in any other State or Territory where public lands may be found subject to entry, at one dollar and a quarter per acre.

It will be necessary that an Agent or Agents be appointed to make these selections, and you should make some provision for such appointment. The lands thus to be selected will, by the laws of this State, belong to the Counties within which the lands in lieu of which they may be selected were originally located. The United States however recognize only the State as the recipient of the grant, and will probably recognize only the Agent or Agents of the State in making these selections, but as the benefits of the selections enure to the Counties, it would be just and proper that the Counties should bear or refund to the State the expense of the agency.

I have thus endeavored to place before you the condition of the State, so far, as in my judgment, your action is needed for its improvement. Your wisdom will doubtless discover some, perhaps many, particulars in which legislation will be necessary, that have been overlooked by me.

The year which has just closed, has brought to our people a new experience, new trials, new responsibilities, and new duties, Let us continue to meet them as we have thus far met them, with neither an overweening confidence in, and reliance upon our own strength, nor an unmanly and craven fear for ourselves, or of the hardships we may endure before we win by deserving success, but with patience, calmness, unflinching courage, and an abiding faith in God.

SAMUEL J. KIRKWOOD.

# ABSTRACT

OF THE VALUATION OF PROPERTY AND THE AMOUNT OF TAXES LEVIED IN THE SEVERAL COUNTIES FOR THE YEAR 1861.

COUNTIES.	Value of Land.	Value of Town Property.	Personality.	Total Valuation.	State Tax.	County Tax.	School Tax.	School Tax, Co. and District.	School House Tax.	Road Tax.	Bridge Tax, &c.	Court House & City Tax.	Total Taxes.
Adair.....	971,819	15,045	\$4,372	\$1,020,736	\$2,047.27	\$3,056.35	\$6,432.04	19,486.01	1,131.28	2,024.66	3,149.83		13,560.32
Adams.....	797,289	48,338	88,486	934,113	1,890.49	2,325.61	1,956.44	15,890.55		1,369.56			8,673.38
Alamakee.....	1,578,717	211,656	350,871	2,140,794	4,281.94	9,527.00	12,268.58	6,751.23					261,227.44
Appanoose.....	342,737	5,769	32,562	381,068	763.16	696.35	727.07	19,486.01	161.03	341.53	691.56	42,031.60	2,629.14
Audubon.....	2,189,501	117,012	377,468	2,684,031	5,377.02	11,474.87	19,486.01	15,890.55		2,380.86	2,392.67		42,441.92
Benton.....	1,710,735	337,056	342,432	2,390,223	4,780.49	10,333.74	6,751.23	15,890.55		2,541.33			35,908.78
Black Hawk.....	1,244,689	82,296	179,871	1,506,856	3,279.09	6,367.90	6,751.23	4,887.49	3,756.93	1,339.63	497.00	1,056.95	18,447.86
Boone.....	1,092,436	86,033	186,307	1,364,776	2,729.53	5,459.06	4,887.49	12,377.24	1,002.57	2,524.81			19,736.59
Bremer.....	1,767,438	305,173	279,992	2,352,603	4,705.21	5,594.21	12,377.24	19,486.01					26,204.04
Buchanan.....	657,390	2,138	4,850	664,378	1,328.64	2,676.32	1,039.78	1,039.78	1,079.75	2,215.76			7,250.50
Butler.....	473,599	1,982	11,900	486,481	975.63	1,939.21	1,031.75	13,405.76		1,309.50			6,285.99
Calhoun.....	779,593	35,065	75,860	890,518	1,869.83	3,712.32	4,427.11	13,405.76	7,020.88	1,584.69			10,098.76
Cass.....	2,344,342	230,523	619,544	3,194,410	6,377.94	13,792.95	5,431.35	13,405.76		458.90	936.68	917.80	42,191.52
Cedar.....	837,569	23,863	32,010	903,442	1,700.41	3,895.00	5,431.35	7,854.88					11,016.76
Cerro Gordo.....	147,587	3,050	2,080	152,617	305.95	611.87	332.42	7,854.88					2,676.94
Cherokee.....	928,219	54,666	122,491	1,105,375	2,220.82	4,414.81							1,547.19
Chickasaw.....													
Clarke.....													
Clay.....	2,265,073	682,702	810,708	3,758,483	7,555.04	15,051.42	22,969.15	10,428.52	10,588.21	5,724.01		1,953.69	41,329.62
Clayton.....	2,539,066	882,369	887,865	4,309,300	9,324.71	15,099.58	10,428.52	588.77	3,233.67	1,319.86		330.41	47,694.91
Crawford.....	537,337	16,535	16,286	569,958	1,177.14	2,354.02	588.77	3,898.11		1,143.17		186.17	9,323.68
Dallas.....	1,444,964	57,251	212,737	1,714,952	3,504.61	4,841.66	3,898.11	2,434.27					16,785.82
Davis.....	1,618,536	101,889	313,899	2,034,324	4,868.54	9,434.27	2,434.27	5,515.98					10,954.22
Decatur.....	1,398,911	67,386	311,372	1,777,669	3,197.78	5,515.98	5,515.98	15,030.79					17,270.43
Delaware.....	1,765,934	139,532	493,691	2,399,157	4,660.33	10,559.57	15,030.79			1,611.65	2,339.19		24,198.53



## ABSTRACT—CONTINUED.

	\$ 2,040,855	\$ 1,190,472	\$ 1,263,547	\$ 5,254,874	\$ 12,744 05	\$ 12,744 05	\$ 19,405 28	\$ 450 84	\$ 1,741 00	\$	\$ 47,114 78
Des Moines.....											
Dickinson.....											
Dubuque.....											
Emmett.....	1,844,195	195,531	871,980	2,414,426	4,802 12	9,604 67	16,415 82	1,835 70	8,384 57	86,282 88	
Fayette.....	788,405	104,600	127,688	970,643	1,943 30	3 61	7,047 81	1,831 20		10,874 51	
Floyd.....											
Franklin.....	960,866	9,487	46,196	1,006,669	2,044 88	4,007 00	8,045 50	1,778 12		10,867 45	
Fremont.....											
Greene.....	715,353	2,835	81,475	750,183	1,503 09	2,734 05	2,406 98	1,506 42		11,815 64	
Grundy.....	963,844	27,065	154,902	1,145,251	2,200 60	3,436 05	4,363 72	3,102 90		13,003 25	
Guthrie.....											
Hamilton.....	638,694	1,064	7,455	692,218	1,384 43	4,153 28	2,140 42	1,746 30	692 22	10,114 55	
Hancock.....											
Hardin.....	1,154,404	108,092	161,601	1,424,257	2,517 91	7,533 11	10,593 71	1,705 66	1,405 82	23,067 71	
Harrison.....	841,106	86,977	151,158	1,029,241	2,038 48	8,387 72	1,543 56	975 20		6,690 06	
Henry.....	1,971,268	492,818	869,538	3,833,699	6,090 06	8,465 00	17,256 14			33,221 07	
Howard.....											
Humboldt.....	233,413	3,026	13,044	299,433	598 97	1,197 92	1,151 90	598 97	299 48	3,847 25	
Ida.....											
Iowa.....	2,015,349	212,301	622,584	2,850,228	5,841 74	9,685 89	8,053 68	5,917 61		29,755 83	
Jackson.....	2,226,521	332,849	691,447	3,250,817	7,133 17	15,280 95	10,269 18	254 66		83,638 25	
Jasper.....											
Jefferson.....	1,905,899	904,218	690,836	2,871,003	5,811 18	10,182 48	8,445 57	10,151 69	3,384 36	2,258 78	
Johanson.....	2,516,137	685,551	1,310,873	4,512,559	9,024 70	19,302 39	10,904 35				
Jones.....	1,892,401	123,510	509,741	2,524,652	5,097 10	10,195 49	17,688 68				
Kearney.....	1,895,708	143,596	670,136	2,619,430	5,241 93	9,225 49	7,703 40				
Kearney.....	1,895,708	143,596	670,136	2,619,430	5,241 93	9,225 49	7,703 40				
Kossuth.....	2,308,402	16,284	13,737	2,338,423	676 64	1,346 00	1,420 16				
Lee.....	2,704,667	2,873,068	1,781,712	7,450,043	14,000 54	19,802 08	11,122 21	7,450 23	1,727 52	73,275 06	
Linn.....	3,293,904	751,854	967,148	4,952,906	9,963 85	20,840 40	27,778 70	2,475 51		67,039 26	
Louisia.....											
Lucas.....	1,185,095	289,209	57,451	1,574,012	3,143 06	4,718 95	5,166 89	1,487 82	504 00	10,224 17	
Madison.....	1,325,219	130,704	309,644	1,854,267	3,767 27	6,442 65	11,486 90	2,652 92	484 76	17,801 96	
Manitowish.....	2,319,590	845,284	385,326	3,550,190	6,384 63	8,609 58	11,212 74	947 07	610 48	33,443 49	
Marion.....	2,072,480	316,959	775,716	3,165,155	6,327 30	6,327 30	15,436 98	1,109 40	3,360 99	82,956 67	
Marshall.....	1,497,796	282,004	149,847	1,929,697	3,987 21	7,731 33	6,244 36	2,384 59	1,580 41	29,640 14	
Mills.....	825,587	118,890	280,966	1,195,443	2,572 31	4,883 93	5,964 70	1,658 24		15,029 28	
Monroe.....	570,356	57,451	44,060	665,867	1,333 85	2,781 97	4,106 14	1,287 49		9,351 25	
Monroe.....	1,831,890	102,872	440,777	1,874,979	3,757 27	6,442 65	11,486 90			17,801 96	
Montgomery.....	534,914	16,309	59,257	610,480	1,223 86	2,441 24	3,809 78			9,089 58	
Muscataine.....	2,923,142	1,096,195	100,117	4,224,454	9,205 02	12,417 01	19,146 88			41,068 35	
O'Brien.....	447,591	747		448,444	598 37	1,347 17	1,796 25	898 27	449 08	5,389 04	
Page.....	1,658,619	57,747	228,387	1,944,053	2,684 38	4,982 53	5,627 99	1,201 33	466 50	19,802 21	
Palo Alto.....	46,619									380 51	
Plymouth.....	96,157	10,835	5,678	104,670	217 07	443 13	595 02	80 20		1,840 42	
Pocahontas.....	228,550		531,800	329,650	507 83			421 24	403 66	4,372 87	

Pottawattamie.....	1,313,183	840,277	839,728	2,490,188	5,024 50	9,969 12	6,184 94	5,773 47	2,053 90	29,501 93	
Poweshiek.....	1,525,517	115,664	264,207	1,905,388	3,810 88	6,373 97	6,979 23	5,000 48		23,164 56	
Ringold.....	1,061,642	18,688	83,614	1,163,894	2,342 00	3,519 01	3,189 68			7,050 70	
Sac.....	949,655	11,405	7,507	968,570	397 14	1,096 83	560 79	687 49	1,921 88	5,173 08	
Scott.....	2,399,461	2,640,154	1,058,859	6,091,474	12,182 05	24,365 89	26,738 08	7,151 09	615 58	70,753 01	
Shelby.....	546,808	15,891	41,517	604,216	1,231 69	2,305 04	1,500 70	1,183 41		7,072 72	
Sioux.....	938,848	49,441	121,759	1,125,045	2,245 15	2,522 63	3,968 27	1,959 52	1,169 91	14,394 23	
Tama.....	1,846,677	90,766	201,087	2,138,510	4,246 48	8,522 73	15,590 64	2,626 04		30,985 89	
Taylor.....	945,629	40,250	163,738	1,157,637	2,316 43	4,037 39	3,024 11			13,160 50	
Union.....	732,180	29,444	105,154	876,778	1,749 34	3,041 78	2,184 27	699 32		11,083 24	
Van Buren.....	2,304,888	435,129	878,750	3,505,467	7,011 22	12,277 60	12,314 86	5,137 01		86,740 69	
Wapello.....	1,841,843	630,919	912,841	3,385,603	6,564 29	14,259 97	11,228 05	282 74		82,335 05	
Warren.....	2,029,845	188,448	347,001	2,734,794	5,501 31	10,396 88	8,083 69	1,614 71		29,718 85	
Washington.....	335,538		975,736	3,845,732	7,696 98	15,002 21	9,009 89			31,700 03	
Wayne.....											
Webster.....											
Winnebago.....	1,757,892	156,871	499,627	2,443,790	4,882 59	8,414 05	13,009 90	1,187 70		26,494 25	
Winneblesh.....	531,743	218,553	103,930	850,526	1,708 70	3,073 89	3,299 02	1,151 91	870 52	10,620 04	
Woodbury.....	505,198	8,748	28,416	622,359	1,244 72	2,459 44	1,767 93	2,900 58	622 36	9,910 23	
Wright.....	888,243	16,127	10,394	915,367	1,865 32	3,761 84	2,177 24	962 97	1,740 88	11,980 88	
Totals.....	\$ 99,703,138	\$ 19,957,977	\$ 26,545,910	\$ 146,237,023	\$ 298,214 60	\$ 554,726 51	\$ 587,593 46	\$ 110,358 57	\$ 51,436 37	\$ 59,850 06	\$ 1,731,555,94