Mr. Lewis, from the committee appointed to wait upon His Excellency, the GOVERNOR, reported that they had performed that duty, and received from him a message in writing, which was as follows:

*Gentlemen of the Senate, and*

*House of Representatives:*

Since the close of the last session of the General Assembly, it can with propriety be said that, as a people, we have enjoyed the blessing of general health. It is true, some portions of our State have, for a short period, been visited by a malignant disease, which, in other States of our confederacy, has carried thousands to the tomb, yet within our own borders, through the mercy of the sovereign Ruler of the Universe, its fierce ravages have been stayed, and but a small number of our people have fallen victims before the destroyer; though that number, small as it was, embraced some of our most prominent and distinguished citizens. While we deeply sympathize with those who are filled with sorrow for the loss of relatives and friends, our hearts should overflow with gratitude to Him who directs the pestilence, for the evidence he has given us of his kind care and consideration, and for the many and great blessings which he has showered upon our State and country.

Notwithstanding the prevalence of the disease as above mentioned, Iowa has steadily increased in population and wealth; her energies have been strengthened; her resources are being constantly developed; emigration is rapidly pouring in upon and spreading over her broad and fertile domain; and the evidence of enterprise and prosperity can be seen on every hand. Should we continue to be blessed by the smiles of Providence, we have every reason to believe that our course will continue to be onward and upward.

The following statement exhibits the amount of the receipts and disbursements of the Treasury, from the report of the Treasurer, bearing date October 31, 1848, up to November 4th, 1850.

Receipts. Payments.

Amount in Treasury October 31, 1848, $1,394 40

Amount received up to March 5th 1849, 24,924 47

Amount disbursed up to March 5th, 1849, $22,976 55

Amount received up to June 4th, 1849, 18,281 32

Amount disbursed up to June 4th, 1849, 15,890 89

Amount received up to November 5th, 1849, 7,067 85

Amount disbursed up to November 5th, 1849, 13,280 19

Amount received up to March 4th, 1850, 30,689 60

.Amount disbursed up to March 4th, 1850, 26,108 63

Amount received up to September 2d, 1850, 7,666 94

Amount disbursed up to September 2d, 1850, 11,586 74

Amount received up to November 4th, 1850, 429 75

Amount disbursed up to November 11th, 1850, 599 94

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Total amount of receipts and disbursements

to November 4th, 1850, $90,444 33 $90,442 94

Balance in the Treasury, 1 39

By the Auditors Report of December 4th, 1848, it will be seen that the liabilities of the State on outstanding warrants, at that time amounted to $22,651 62. From that period up to November 30th 1850, the receipts of the treasury were $90,444 12, and the expenditures $90,442 94. This latter sum embraces the interest paid on the State loan, and $11,685 75 of the liabilities on the 4th of December, 1848; thus decreasing our liabilities on outstanding warrants, on the 30th of November, 1850, to $10,965 87. The resources to discharge these liabilities, and to meet the expenses of the coming year, are 24,154 83, due from the counties, prior to the year 1850, and the revenue assessed in 1850, amounting to $56,538 33. The revenue for State purposes in 1848, amounted to $36,129 05, consequently, the assessment of 1850, shows an increase of the revenue from taxable property within the State, of $20,409 28. Should the revenue continue to increase in the same proportion, we may reasonably expect that our State will, in a few years, be freed from all incumbrances. For further information in regard to our financial condition, I respectfully refer you to the Auditor’s Report.

By an act approved Jan. 16th 1847, I was authorized to agree with the State of Missouri, for the commencement and termination of such suit as might be necessary to procure a final decision by the Supreme Court of the United States, in regard to the southern boundary line of the State; and I was also required to employ counsel to conduct the suit on our part, and to do whatever might be necessary to maintain our rights in the premises. In pursuance of the authority thus granted, I did, in the following February, appoint the Hon. Charles Mason of Burlington, to act as counsel on behalf of the State; and I also immediately afterwards notified the Governor of Missouri of the passage of the above mentioned act, and of the appointment of Mr. Mason. On the 2nd Monday in June, 1847, the counsel on both sides met and agreed to institute an amicable suit. The cause come on for argument before the Supreme Court in February, 1849. It appears from the fact set forth in the decree of the Court, that in 1816, the United States caused to be run and marked two lines as part of a boundary between the United States and the Great and Little Osage Nations of Indians; the first line beginning on the eastern bank of the Missouri river, opposite the middle of the mouth of the Kansas river, and extending north one hundred miles, where a corner was made by Mr. Sullivan, the surveyor acting on behalf of the United States, and the Osage Nations, that from that comer a second line was then run and marked by the Surveyor, which was intended to be run due east, on a parallel of latitude, but which, by mistake, varied about two and one-half degrees towards the north of a due east and west line; that that portion of territory west of Sullivan’s first line, and between the same and the Missouri river, was added to Missouri by an act of Congress of June 7th, 1836; and the court accordingly decreed that “the true and proper northern boundary line of the State of Missouri, and the true southern boundary of the State of Iowa, is the line run and marked in 1816, by John C. Sullivan, as the Indian boundary, from the north-west corner made by Sullivan, extending eastwardly, as he run and marked the said line, to the middle of the Des Moines river, and that a line run due west, from said north-west corner to the middle of the Missouri river, is the proper dividing line between said State west of the aforesaid corner; and that the States of Missouri and Iowa are bound to conform their jurisdiction up to said line on their respective sides thereof, from the river Des Moines to the river Missouri.”

Our State now embraces the territory lying between the line run by Missouri in 1837, as her northern boundary line, from the river Des Moines due west to the Missouri river, and the line established by the decree. Every citizen of the State must feel gratified that the vexatious question concerning our southern boundary, is at length settled. The condition and wants of the territory acquired will, I trust, receive your early and earnest attention.

Joseph C. Brown of the State of Missouri, and Henry B. Hendershott of the State of Iowa, were appointed Commissioners by the United States Supreme Court, to survey and mark the line fixed by the decree, and make returns to the Court on or before the first day of January, 1850. Mr. Brown having died previous to executing his duties, Robert W. Wells, of Missouri, was appointed in his place. The Commissioners were further ordered by the Court, to correspond with the Chief Magistrate of Missouri and Iowa, and request the cooperation and assistance of the State authorities, in the performance of their duties.

In a communication received by me from Mr. Hendershott, under date of May 57th, 1848, he suggested the propriety of the authorities of Iowa and Missouri immediately making some arrangements by which the Commissioners would be furnished funds to enable them speedily to prosecute their duties. The suggestion appeared to me both reasonable and proper; and as the legislature had made no provision for such services—as the Commissioners had been ordered by the Court to request the aid of the State authorities—and as it was of the highest importance that the boundary line should be marked as speedily as possible, I conceived it my duty to furnish Mr. Hendershott with a portion of the means necessary to prosecute the duties assigned the Commissioners.

Being unable to obtain the funds in any other quarter, I was compelled, though with great reluctance, to solicit from the Superintendent of Public Instruction, a loan from the School Fund, which I obtained to the amount of $2,000, and gave my individual promissory note, (secured by bond,) for its repayment—which note bears interest according to the law in regard to the loaning of the School Fund, and is due and payable on the 15th of September, 1849—and placed the money in the treasury, subject to the order of Mr. Hendershott.

Should you coincide in the opinion that the pressing emergency justified the course pursued by me, I would recommend that an appropriation be made to replace, as speedily as possible, the money thus withdrawn from the School Fund.

In a communication from Mr. Hendershott, under date of October 23d, 1850, I have been informed that the Commissioners completed their work on the 18th day of September last, and that a return of the survey was filed by him in the office of the Secretary of State, on the 17th day of October following. Mr. Hendershott further informs me that “the amount of money expended by Iowa is $2,180 33, and the amount expended by Missouri is $2,099 86 cents. These sums, ($4,280 19,) include every expense incurred, except for instruments, (which are yet on hand) and such compensation as may be made to the Commissioners, and such further compensation over and above $3,00 per day, as shall be allowed to the Surveyors, whose duties were arduous, and faithfully discharged. This matter should also receive your attention.

The communications of Mr. Hendershott, one bearing date May 27th, 1849, and the other October 23d, 185, are herewith submitted.

Great credit is due Mr. Mason for the zeal, industry and ability shown by him in the management of the suit on the part of the State. He thought proper to secure the services of a distinguished lawyer of another State, as assisting counsel, informing him at the same time, that he had no authority to employ additional counsel, but that if he would undertake the case, the Legislature would, no doubt, grant him a reasonable compensation. From the magnitude of the case, and the great interests involved, this step on the part of Mr. Mason was, most unquestionably, dictated by prudence and sound policy. It would therefore be proper that such an appropriation be made, as in your judgment will be a reasonable and adequate compensation for the services thus rendered.

The act for the settlement of the boundary line, appropriates $1,000 to carry the same into effect. That amount has been drawn from the treasury by Mr. Mason. By reference to his report—which is herewith submitted—it will be seen that his expenses in travelling to different points to take depositions, collect testimony, etc., and his expenses at Washington, amount to $980 00, which nearly covers the sum appropriated, and leaves him a mere pittance for his time and labor—justice would seem to demand that an additional appropriation should be made in his favor.

It is to be hoped that a very considerable portion of your time and attention will be expended in efforts to perfect our system of Common School education. The law passed at the last session of the Legislature, cured many of the defects existing in the previous law; but there are deficiencies in the present law which demand your action. It is expected that the Commissioners appointed to revise the code, will examine the School Law, and either present a new one, or prune away the excrescences, and supply the wants of the one now on the statute book. The report of the Superintendent of Public Instruction, together with the report of the Commissioners will, doubtless, materially aid you in determining what measures are necessary to advance the interests of Common Schools.

The Superintendent of Public Instruction, in his last report to the Legislature, takes the ground that some plan ought to be adopted whereby the expenses attending the management of the School Fund may be decreased. To remedy the evil, he recommends that the law providing for county Fund Commissioners be abolished, and the office of State School Fund Commissioner created. The labors of the county Fund Commissioners are arduous and complicated, and it may be questionable whether a State Fund Commissioner could properly attend to them. The Superintendent may, possibly, submit a different plan in his forthcoming report to you. Any scheme which you may adopt, whereby the objection may be wholly, or in part removed, would certainly be desirable.

The Constitution provides, in the second section of the tenth article that “the General Assembly shall encourage, by all suitable means, the promotion of intellectual, scientific, moral and *agricultural improvements*.” No steps have been taken by the Legislature, since the adoption of the Constitution, for the advancement of agriculture. This portion of the Constitution is as obligatory and binding as any other. It was probably inserted for the reason that our State has every facility for becoming, in an eminent degree, an agricultural State. The best method of cultivating the soil is, and it is believed ever will be, a subject of the first importance to a large majority of the citizens of the State. The greater portion of those who attend our Common Schools will become agriculturalists, when the term of their education expires; and consequently, any knowledge which they may obtain, touching that branch of industry, will be to them of the most essential service. It would therefore seem to become your duty to enquire whether books relative to agricultural science, can, with propriety, be introduced into our Normal and Common Schools. I I feel confident that, if introduced, the most beneficial results may be anticipated.

The formation of agricultural societies should also be encouraged; and I trust that any facilities which you can supply, for the promotion of such societies, will be cheerfully granted.

A law was passed at the last session for dividing the State into three districts, and for the establishment of a Normal School in each district, for the education of school teachers and others. The State has been thus divided, and a board of trustees appointed for each district, as required by the act. The law further provides that the Schools shall be established at Andrew, Oskaloosa and Mount Pleasant. The school at Andrew commenced on the 21st of November, 1849. It is now under the Superintendence of teachers who are graduates of the New York State Normal School—a respectable number of pupils attend the institution, and its prospects are flattering. The trustees are erecting a building for the use of the school, at an estimated cost of $2,500 about $1,000 of which has been already expended. A very commendable zeal is manifested in that quarter for the support of the school. It is understood a similar feeling exists in each of the other districts, although I am not able to state the progress of those schools. That information you will probably obtain from the Report of the Superintendent of Public Instruction.

Wherever the Normal system has been in operation, in other States, the most fortunate results have been experienced. By the annual report of the executive committee of the State Normal School of the State of New York, made to the legislature of that State, on the 11th of February, 1850, it appears that the first term of that school began on the 18th of December, 1844. From that period up to the time the report was made, four hundred and twenty-eight pupils had graduated, and a large proportion of them had accepted situations in Common Schools; and, with few exceptions, had acquitted themselves in such a manner as to do honor to the school. The committee are of the opinion that these teachers have caused great improvement in the schools where they have taught, and that they have been highly instrumental in advancing the cause of Common School education.

Permit me to express the hope that the Normal Schools established in our State, will receive the fostering care of the Legislature. If there exists any opposition to them, it would seem to spring from a misapprehension of their objects. It is understood that there are two features characterising them which are not found in other schools or academies: First, the State pupil is required to devote his attention exclusively to obtaining an education, and to such studies as will qualify him to perform, in a superior manner, the duties of a Common School teacher; and, secondly, he is required to learn the best mode of communicating to others the knowledge which he has obtained. As experience teaches that these schools are productive of much good, any measures adopted by you which will conduce to their permanent prosperity, will, I feel assured, meet with the hearty approbation of the friends of education throughout the State.

Hon. Josiah H. Bonney was appointed by me to procure a suitable block of marble, to be furnished by the State of Iowa, for the Washington Monument. He has discharged the duty assigned him, as will be seen by his letter to me of November 30th, 1850, which is herewith submitted.

The Commissioners to revise the Code, have informed me that their labors are nearly completed. A portion of their report is herewith submitted.

The Board of Public Works have not made their report to me, as required by the statute. Some justifiable cause has, undoubtedly, produced the delay.

The first section of the seventh article of the Constitution, provides that the militia of this State shall be composed of all able bodied white male citizens, between the ages of eighteen and forty-five years; except such as are or may hereafter be exempt by the laws of the United States, and shall be armed, equipped and trained as the General Assembly may provide by law.

In my last message I presented the number of all able-bodied white male citizens, between the ages of eighteen and forty-five years, subject to military duty, in each of the counties which had been reported to me in accordance with an act entitled “an act requiring the assessors to take lists of persons subject to military duty, approved Jan. 25, 1848, and urged an organization of the militia as speedily as practicable. No steps, however, were taken by the last General Assembly to effect that object. The 3d section of the above mentioned article of the Constitution provides that “all commissioned officers of the militia (staff officers excepted) shall be elected by the persons liable to perform military duty, and shall be commissioned by the Governor.” The militia law is at present a dead letter upon the statute book. Some measures should be taken to arrange the militia into divisions, brigades, regiments, &c.; to provide for the election of officers in accordance with the Constitution; and to provide further for such an enrollment as will enable the State to draw her quota of arms from the General Government.

At the last session of the Legislature, joint resolutions were passed instructing our Senators and requesting our Representatives in Congress to procure from the Government of the United States grants of land to aid in the construction of a Rail Road from Dubuque to Keokuk, and also one from Davenport to some suitable point near the Council Bluffs, on the Missouri river. Our delegation in Congress have labored faithfully to obtain these grants, but their efforts have, as yet, been unsuccessful. The attention of that body has, in a great measure, during the last session, been directed towards the adjustment of difficulties which threatened to disturb the harmony of our Union. I conceive it the duty of the Legislature to press upon Congress the necessity and importance of these works. Further applications, seconded by the exertions of our Senators and Representatives may, and undoubtedly will, secure the desired donations.

The Legislature appropriated the sum of three thousand dollars towards the completion of the public buildings in this City. The money to be expended under the superintendence of Hon. Joseph T. Pales. Most of the improvement specified in the act have been made, and they add much to the appearance and convenience of the buildings. A further appropriation will be needed to finish the work according to the original plan.

By an act entitled “an act relative to the Penitentiary,” approved January 13, 1849, Mr. A. H. Haskell was appointed Superintendent of that institution, and entered upon the discharge of the duties of his office on the 16th day of March following. His report of April 23d, 1849, exhibits an inventory of the property pertaining to the prison, amounting in value to the sum of $825 60. The act appropriates $6,000 for repairs upon the building, which sum has been drawn by Mr. Haskell, and expended, as will appear from his report of November 28th, 1849. In April last, I received information of his death, and by virtue of the authority granted me by the 16th section of the act, I appointed Mr. John Scott, of Lee county, to fill the vacancy. For information concerning the condition of the Prison, at the time Mr. Haskell became Superintendent, and the progress which has been made in repairing the same, I respectfully refer you to his reports, and to those of Mr. Scott, which are herewith submitted.

The Supreme Court has appointed Hon. George Greene, one of their number, to prepare and report the decisions of that tribunal. The first volume of his reports has already been published. The manner in which this work has been executed, is highly creditable to Mr. Greene, and will favorably compare with the law reports of our sister states. I have subscribed, on behalf of the State, for fifty copies of his first volume, which were deposited in the Secretary’s office. A large portion of them have however been subsequently exchanged for the reports of the several states and territories. It will become your duty to make an appropriation to meet the expense incurred on behalf of the State.

From the formation of the Constitution to the present time, there has been no subject which has so seriously threatened the dissolution of the Union, as that of Slavery. That instrument recognizes the system, and provides for the restoration of such slaves as shall escape from their masters, and find refuge in other, or non-slaveholding States. This clause was inserted as a compromise measure, to conciliate and harmonize the differences of opinion existing at the formation of the Constitution, relative to this subject, and to induce the southern States to enter into the federal compact; consequently its letter and spirit should receive a steady and unflinching support from every friend of the Union. Congress, at its last session, passed an act by which that clause of the Constitution could be more effectually carried out. One great object leading to the passage of the law was to exhibit to the slaveholding States, a determination on the part of the National Legislature to protect and enforce all of the rights guarantied to them by the Constitution, and thus allay any apprehensions which they might experience concerning the security of those rights. Since the passage of that act, a disposition has been manifested in some of the northern states to resist its provisions. No good citizen of Iowa can, for a moment, sanction or countenance such proceedings. I think I may assert, without fear of contradiction, that the people of this State are a law-abiding people. One of the prominent reasons urged for resisting the law is that it violates that portion of the Constitution of the United States which provides that “the privilege of the writ of *Habeas Corpus* shall not be suspended, unless when in cases of rebellion or invasion, the public safety may require it.” It may be well for every citizen to remember, that Congress can pass no law prohibiting the issuing of this writ, unless the contingencies specified should occur. As no “rebellion or invasion” exists now, and did not exist at the time of the passage of the act, the writ of *Habeas Corpus* is in no manner suspended by its provisions.

But whatever differences of opinion may be entertained in regard to this law, it is now our duty to support it so long as it remains the law of the land; and I trust that every citizen of the State will, although he may be opposed to some of its details, as an American citizen and a lover of the Union, stand firmly by it.

I am now about to retire from the office of Chief Magistrate of this State. Four years ago the people thought proper to elect me to that office, and I assumed its duties and responsibilities, distrusting at the same time, my ability properly to discharge those duties. We were then entering upon our career as an independent State; the support which we had heretofore received from the General Government was withdrawn, the machinery of our State government was to be set in motion, and the means obtained to support it. Relying upon the assistance of the General Assembly, and the various officers of the State, I entered upon the discharge of my duties. You are familiar with the course which I have pursued. Whether it has been calculated or not to advance the interests of the State, you and the people are the judges. During my administration I may, and undoubtedly have, committed errors; but if such be the case, I shall ever be supported by the reflection that they sprang from no vicious or wrong motive. The courtesy and assistance extended to me by the Legislature, and by all connected with the government, will ever be a subject of grateful remembrance. In laying down the reins of government, I feel an additional gratification in the assurance that they are to be transferred to more able and competent hands. Permit me, in retiring, to express the fervent desire that this, my adopted State, may ever be distinguished for virtue, intelligence, and prosperity, and may she ever receive the care and protection of that Being who governs the Universe.

ANSEL BRIGGS.

IOWA CITY, December 3, 1850.