

BIENNIAL MESSAGE

OF

JOHN H. GEAR,

GOVERNOR OF THE STATE OF IOWA,

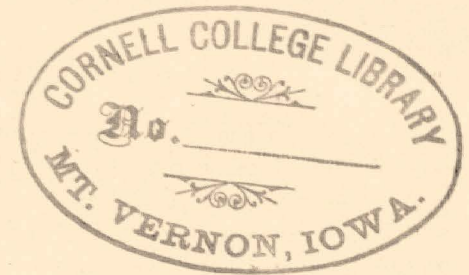
TO THE

EIGHTEENTH GENERAL ASSEMBLY.

JANUARY, 1880.

[PRINTED BY AUTHORITY OF LAW.]

DES MOINES:
F. M. MILLS, STATE PRINTER.
1880.



BIENNIAL MESSAGE.

GENTLEMEN OF THE GENERAL ASSEMBLY:

IN pursuance of custom, I call your attention to the reports of the several state officers and institutions, which show in detail the condition of the affairs of the state for the biennial period which has just closed; coupled with such recommendations as seem to me to be for the advantage of the state, and for the interests of her people.

THE FINANCES.

The Auditor's report is herewith submitted, showing a detailed statement of the receipts and expenditures of the state for the biennial period; also the condition of the banks and insurance companies doing business in the state, together with his suggestions in regard to the revenue, taxes, etc., etc.

The receipts of general revenue were \$2,143,077.99; the disbursements by the Treasurer, including \$27,328.36 of interest paid on warrants, amounted to \$2,143,103.55; exceeding the receipts \$25.56, just the balance on hand at the beginning of the term. The receipts of the period exceed those of the one before by \$159,607.34. The principal sources of this increase are found in the tax-levy, which, including interest thereon, shows an augmentation of \$53,479.99; in the counties' insane dues, where the gain is \$101,597.17; in receipts from the Ft. Madison Penitentiary, a new item, of \$15,001.49; and in Orphans' Home dues from counties, a new item also, of \$10,349.95. A heavy falling off in taxes from insurance companies, amounting to \$23,628.91, with decrease in a few other items, somewhat offsets the gains, so as to leave the net increase as indicated.

The expenditures proper of the term are shown in the warrants issued—\$1,944,992.42,—and in mileage and other expenses of getting

the revenue to the State treasury, \$1,517.15, amounting to \$1,945.-509.57. The interest paid on warrants redeemed—\$27,328.36, added, makes the total cost of the state government for the term, \$1,973.-837.93, a reduction from that of the previous biennial period of \$259.-959.46, and less than that of any preceding term for the past ten years. The amount of warrants issued was \$274,813.40 less than in the previous term. Of this decrease, \$227,907.19 was in expenditures for buildings and improvements, and \$46,906.21 in ordinary expenditures.

The Auditor estimates the receipts of the State from all sources for the current biennial period to be \$2,077,575, and the expenditures to be \$2,039,580; which includes the payment of the \$300,000 war and defense bonds maturing July 1, 1881. This will leave only \$37,995 with which to meet \$96,993.54 of outstanding warrants, to say nothing of special appropriations for public buildings, repairs, etc. If such appropriations are made, it will be necessary for your honorable body to make provision to meet the same, otherwise the treasury will not be in funds to honor the drafts made upon it.

The fact that the treasury is not in funds at all times to pay warrants on presentation compels the state to pay a large amount of interest, and in addition the warrants are at more or less discount, and contractors and others furnishing supplies to the different institutions charge higher prices to reimburse themselves for any depreciation to which they may be subjected by reason of the discount on the warrants. If the motto "Pay as you go" is good policy for an individual, it is certainly good policy for the State.

The report shows the gratifying fact that the taxes, during the past biennial period, have been much better paid than in former years, which denotes returning prosperity among the people.

The law for the assessment of the property of the state requires all property to be assessed at its cash value, and, if put in force as it should be, would accomplish the result intended. The assessment of property has been for many years but about forty per cent. of its real value. On this assessment of less than one-half of its real valuation the taxes have been levied; and the proceeds of the taxes levied have been, as a rule, ample to meet the current expenses of the state, counties, and municipalities. The present mode of assessing has been the practice for so many years that it would seem almost impossible to correct the abuse of the law. If the property of the state were to be assessed at its real value—a consummation most desirable for her reputation both at home and abroad—the result would be nearly, if not quite,

to double the taxes, not only of the state, but of the counties, cities, and lesser taxing districts, by reason of the fact that the law permits the county and city authorities to levy a certain percentage of taxes, which is usually done in most cases to the maximum limit. If the percentage of taxes now authorized by law were decreased by about one half, the result, in my opinion, would be that the next assessment of property would be at, or nearly on a basis of, its cash value, while the aggregate of taxes would not be increased thereby.

An amendment to the law requiring each assessor to make oath to the board of supervisors that the provisions of section 824 of the Code had been carried out by him, and a provision that a failure on the part of the assessor to comply with the requirements of this section should debar him from receiving any compensation, would have a tendency to better enforce the law.

Your attention is especially called to that portion of the Auditor's report regarding the assessment of the personal property of the state, and the necessity for remedial legislation in order to secure a more equitable return and assessment of this class of property.

For reasons set forth in the report, I incline to the opinion that it would be good policy to make the taxes payable semi-annually. This practice has been in operation advantageously for many years in some other states.

Owing to the difficulty experienced by many of the counties in loaning the school-fund at over eight per cent., I concur in the suggestions of the Auditor, that section 1882 of the Code should be amended, allowing to the counties all surplus of interest over seven per cent., in order that the counties may have some compensation for the trouble in supervising the loans, collecting interest, etc.

THE FUNDS.

The State Treasurer's report shows the receipts and disbursements of the State for the biennial period, embracing general revenue, temporary school-fund, swamp land indemnity fund, Agricultural College endowment fund, and miscellaneous.

The receipts from the above named sources have been \$2,260,360.61, which, with the balance of \$73,737.39, on hand September 30, 1877, make a total of \$2,334,098. The disbursements for all purposes for the biennial period have been \$2,259,910.63, leaving balance in the hands of the State Treasurer of \$74,187.37. Of the balance on hand \$2,226.65

belongs to the permanent school-fund, \$217.85 to the coupon fund, and the remainder, \$71,742.87 is in interest-bearing bonds, being trust-funds held by the State for the benefit of the Agricultural College.

The report shows the State finances to be in much better condition than at the same time two years ago, the amount of warrants outstanding September 30, 1877, being \$267,776.31, and the amount outstanding September 30, 1879, to be only \$96,993.54, being a decrease of \$170,782.77. Since the close of the fiscal term, the amount of outstanding warrants has increased until, on January 5th, it reached \$130,361.42. Two years ago, at the same date, it was \$340,826.56; decrease in the two years, \$210,465.14.

By reference to the Auditor's report, page 3, it will be seen that the State funds in the hands of the respective county treasurers of the state, on September 30, 1879, amounted to \$116,817.09, more than sufficient, when paid in, to meet the outstanding warrants at that date. This gratifying improvement has been accomplished by the reductions made by the Seventeenth General Assembly, in the allowances for support-funds to the State institutions, by reductions in salaries, in incidental additions to the revenues of the State such as taxation of telegraph lines, and by the repeal of the law allowing county treasurers mileage for paying funds into the State treasury, etc.

The report shows that the State has paid, during the last biennial period, the large sum of \$27,328.36 interest on State warrants, for the reason that the State treasury has not been in funds to meet the warrants on presentation, while an analysis of the reports made by the State institutions will show that there has been paid, in discounts on State warrants and interest, \$5,365.29, aggregating the interest loss to the State from these sources to be \$32,693.65, a condition of affairs that demands your attention, in order to avoid a repetition of so great a loss in the future.

The funds in the treasury have been counted from time to time, as required by law, and have been found at all times to correspond with the amount called for by the Auditor's books.

STATE DEBT.

The debt of the state is \$545,435.19. Of this amount \$245,435.19 is due the permanent school-fund, part of it being made by article seven, section three, of the constitution irredeemable. The remaining debt—\$300,000—was created under the acts of the special war session of the Eighth General Assembly in 1861, for purposes of war and de-

fense. This debt matures July 1, 1881. It is undoubtedly for the State's interest to pay this debt at maturity. If this were done, Iowa would have the proud reputation of being almost the only state in the nation without a debt. Having this object in view, it will be incumbent on your honorable body to provide the means to accomplish it in such manner as your judgment shall dictate.

WAR CLAIMS.

In pursuance of resolution empowering the Executive to appoint an agent to secure proper legislation to audit war claims due the State from the United States, I appointed Hon. Ralph P. Lowe as such agent, his compensation to be fifteen per cent. of the amount realized from the government.

INDEMNITY FUNDS.

The following sums of money have been received by me from the United States in payment for swamp-land indemnity, due the counties of the State, to wit:

August 28, 1878, for Greene county.....	\$ 4,098.86
March 29, 1879, for Cass county.....	6,686.67
April 16, 1879, for Page county.....	857.09
May 17, 1879, for Calhoun county.....	94.56
May 17, 1879, for Taylor county.....	4,142.41
May 17, 1879, for Carroll county.....	720.37
May 17, 1879, for Cass county.....	100.00
	<hr/>
	\$16,699.46

all of which has been paid into the State treasury, for which I have taken receipts in duplicate, retaining one, and filing one with the Auditor of State.

PUBLIC LANDS.

The report of the Register of the State Land-Office shows in detail the record of all lands patented to railways and persons, as provided by law. There are many of the early patent records which are in a bad condition. These records will be most valuable in the future, showing, as they do, a complete history of all the lands the title to which has been vested in the State. They should be rewritten in uniform books, which can be done at small expense.

There are many lakes in the State the title to which is in the United

States government. Would it not be well to ask Congress to release the title to the State, in order to preserve them by legislation from drainage, keeping them as near as possible in their native beauty, to adorn the landscape?

I suggest that the Land-Office be made a record-office for the entire State government, and that all official bonds, and all articles of incorporation and other papers of which a record is desirable, be deposited in this office for record.

STATE LIBRARY.

There has been added to the State library during the last biennial period over 2,300 volumes, mostly pertaining to the law, besides a large number of pamphlets. Over 1,200 of the volumes have been added by purchase, and the remainder by exchange and donation. Iowa has now one of the best law libraries in the nation. It is most desirable that the books should be kept in good order. This can only be done by retaining them in the library, as they soon become worn and damaged if permitted to be taken out. Besides, many lawyers, and others, who come from a distance to consult authorities, frequently find the books they need are in use outside the library. I recommend that the law be so amended as to forbid the taking of books out of the library by any person whatever. In view of the constantly increasing duties of the Librarian it would be advisable to authorize the board of trustees to employ an assistant when in their judgment it shall be deemed necessary.

IOWA NATIONAL GUARD.

The Adjutant-General's report shows that there are enrolled, one regiment of cavalry, armed with saber, numbering 344 rank and file; one regiment of artillery numbering 333 men, divided into ten batteries, each battery being equipped with one piece of artillery and the requisite number of sabers; and nine regiments of infantry, numbering 4,158 enlisted men having 3,454 guns, most of which are breech-loaders. Of the appropriation of \$5,000 made by the 17th General Assembly to carry into effect the "Military Code" there has been drawn and expended up to Sept. 30, 1879, \$3,919.04, leaving \$1,080.96 undrawn.

To organize the "Iowa National Guard" as provided for in the Military Code has involved a great deal of time and labor on the part of the Adjutant-General, and the State is to be congratulated on the fact that we now have an efficient military organization.

The law provides for encampments annually, but does not provide for the payment of the expense attending the same. This should be corrected, as it can hardly be expected that the men who are enlisted in the service of the State for three years, should defray their own expenses. I suggest that an appropriation be made for this object. It would seem but just that the State should furnish one uniform to each soldier once in three years, which could be done at small expense. If the men give their time to drill so as to be of use in case of need, it is only just that the State should bear the burden of the expense.

The labor imposed on the Adjutant-General by the Military Code is arduous and constantly increasing, and the compensation is too small. It should be increased to \$1,500 per year.

COMMON SCHOOLS.

The number of persons between the ages of 5 and 21 in the State by the last returns is placed at 577,353; the number enrolled is 431,317; and the number attending school is 264,702; showing that a large percentage does not attend school. Of this percentage a small number should be deducted for attendance in private schools. Recognizing the fact that on the education of the youth of the commonwealth depends not only the welfare and happiness of the people, but also, the fitting of these youth to take their part in carrying forward and better developing our form of government, it seems to me that the time has come when the General Assembly should, by proper enactment, compel a better attendance on the schools, particularly of the youth of the cities and towns, where it will be found on examination that the percentage of non-attendance is the greatest.

While the educational part of our school system is well managed, the same cannot be said to be strictly true of the financial management in some of its details. It will be found, on examination of the Superintendent's report, that there are 4,279 treasurers of school-districts in the state, who have in their hands the sum of \$2,672,304.49. These treasurers received as compensation during the past year the sum of \$48,834, and are *delinquent* to the school-fund for the year 1879 in the sum of \$45,652.49; and the startling fact is shown that the *deficiencies and defalcations of this class of officers from 1873 to 1879, inclusive, aggregates the enormous sum of \$491,518.51*. In view of these facts, would it not be better to abolish this office entirely, and place the funds in the hands of the respective county treasurers, from

whom the money could as easily be drawn, when needed, as under the present system. The advantages of having but 99 treasurers to make settlement with in place of 4,279, are too obvious to need any further comment. The compensation now paid to school treasurers, amounting to nearly \$50,000 annually, would be a direct saving to the taxpayers.

On examination of the Superintendent's report it will also be found that of the large amount of money in the hands of school treasurers, \$1,770,213.94 belongs to the teachers' fund, the same being a surplus of over *fifty* per cent. of the amount paid to teachers annually. The fact naturally suggests itself that the amount levied for this purpose, annually, is too much by this sum, and that it should be remedied by proper legislation.

An act passed by the last General Assembly depriving the presidents of boards of directors in independent districts of the right to vote, except in cases of equal division, has called forth a good deal of complaint. To deprive a member of a representative body of the right to vote is an anomaly in legislation, the results of which in this instance do not appear to commend it to favor. I recommend the repeal of the law referred to.

STATE UNIVERSITY.

The receipts of the University from all sources for general and specific purposes, up to June 15, 1879, have been \$125,126.36, of which there has been expended \$121,511.58, leaving balance, in hands of the treasurer of the University, of \$3,614.78.

The University is in a flourishing condition, and evidences the wisdom of the Seventeenth General Assembly in doing away with the preparatory department. The collegiate and professional departments have already increased to a degree that about compensates for the loss of students occasioned by the abolishing of the preparatory classes.

The permanent endowment of \$20,000 a year, made by the Seventeenth General Assembly, has had the effect to place this institution in an independent condition, so that plans can be made for the future, which have already given it an impetus for doing much more for education than could be done under the old system. The law department is growing in reputation, and is now more than self-supporting, and I trust that the day is not far distant when the University will, by virtue of its increased revenues, be entirely self-supporting.

In view of the fact that many of the older law-schools of the country require a longer course of study before granting a diploma than is required in Iowa, would it not be well for the General Assembly to enact a law requiring students to attend the University or other law-schools of the state for two years before receiving a diploma entitling them to practice in the courts of the state?

NORMAL SCHOOL.

The receipts of this institution from all sources, including a balance on hand of \$187.27, have been \$14,626.17, and the disbursements have been \$14,453.93, leaving a balance in the hands of the treasurer of \$172.24.

The Normal School is an important factor in the school system of the State; for in this institution a large and constantly increasing number of young men and women are being fitted to take part in teaching in the public schools of the State. The better the teacher, the more value the tax-payers, on whom the support of the schools devolves, get for their money; and it would seem sound economy that the State should foster and provide for the wants of this institution.

AGRICULTURAL COLLEGE.

The receipts of the College, for the biennial period, including the sales of lands, the proceeds of which have been paid into the State treasury, have been \$133,533.81. The disbursements have been \$127,768.42, and the balance on hand of all funds is \$5,765.39. The Seventeenth General Assembly appropriated for laboratory and sewer \$3,972.25, which has been drawn and expended.

The United States donated to the State 204,206 acres of public domain for the purpose of founding an Agricultural College. Of these lands, 30,962 acres have been sold and the proceeds thereof, amounting to \$71,742.87, have been paid into the State treasury, as provided by law. Of the remainder, 147,735 acres are under lease, and 25,580 acres are unleased.

The College has in addition 15,013 acres of land, which were purchased in 1868 with surplus interest funds at a cost of 15,000, of which 12,213 acres are leased, and 1200 are unleased; the remainder having been sold. The purchase of this land has been a most advantageous one, the College having already received over \$22,000 in interest, and the remaining lands are constantly increasing in value.

The conditions made by Congress in donating these lands are specific and binding on the State, as shown by the Act of Congress, and the act of the General Assembly in accepting the grant. The conditions are that the State should forever maintain and keep in repair all the buildings necessary to carry on the institution, and also to "defray the expenses necessary to be incurred in the management of the trust" leaving the lands, and the interest accruing from the sale thereof, to be kept as a trust-fund for educational purposes. Under these conditions, it therefore becomes the bounden duty of the State to fulfill its part of the contract by erecting and maintaining the proper buildings. The educational advantages accruing to the youth of the state in this institution, being of an eminently practical character, the results whereof must have a beneficial effect on her development, have not cost the tax-payers of the state a cent aside from the expense of the buildings, and in all probability never will, as the means of the College are ample and constantly increasing.

For the preservation of the leases and vouchers of the institution it is a necessity that there should be a vault built and a fire-proof safe purchased. The State Treasurer is by law the custodian of the trust funds of the College. The law should be amended so as to require him to make to the treasurer of the College quarterly statements of the receipts of interest. Pupils not less than 16 years of age are admitted on passing a certain examination. This provision as to age should be stricken out, and the only qualification for admission should be an examination and general good conduct.

SOLDIERS' ORPHANS' HOME AND HOME FOR INDIGENT CHILDREN.

The receipts of this institution from all sources, including a balance of \$2,481.83 on hand October 1, 1877, were \$43,367.61. The disbursements for all purposes have been \$39,364.50; leaving a balance of cash on hand of all funds of \$4,003.11; a detailed statement of all which is shown in the report.

The amount allowed by law for the support of this institution is \$10 per capita per month. The trustees, finding that this amount was not necessary for the support of the institution, have, for the past eleven months, drawn on the State treasury for only the sum of \$8½ per month for each inmate. Had the amount they were entitled to draw from the State been drawn in full, their cash on hand would

have been \$2,500.83 more than it is. I make special mention of this action of the board as worth not only of your consideration, but as an example of regard for the financial interests of the State worthy of emulation and imitation by other institutions. The management of the Home is excellent as to discipline, instruction, and financial economy. Considering the miserable class of buildings, the results have been most creditable both to the board of trustees and to the superintendent and matron.

The State has forty acres of ground, all but eight acres of which, together with the buildings, were a donation to the State by the federal government. With the exception of four brick cottages which have been erected by the trustees from the savings from support funds, all the buildings are wooden and of a temporary character, having been erected during the war for use as barracks and drill-rooms. If this institution is to be maintained, the General Assembly should make an appropriation of an amount sufficient to erect suitable cottages, inasmuch as those now in use are in a dilapidated condition, and will not do for occupancy beyond the present year.

Within the limits necessarily prescribed in this message, it is not possible to present, as the merits of the subject really demand, the actually existing urgency for legislative action in the interests of the dependent and indigent children of Iowa. Careful attention to recently developing facts has served to convince me that the number and the needs of such children in this State are much greater than has been commonly supposed. The passage by the Sixteenth General Assembly of the law permitting the admission of other than the orphans of Iowa soldiers to the Orphans' Home, has been followed by a steady unfolding of unmistakable evidence in this direction. Your attention is particularly invited to a single development of this fact as presented in the report of the superintendent of the Orphans' Home. From this it appears that the benevolent intent of the General Assembly as to indigent children has been frustrated to the extent of negating the application for admission to the Home made in behalf of many of such needy and presumably suffering juveniles. These applications were rejected in almost every case only because the boards of supervisors of the respective counties upon which these children were chargeable declined to direct the placing of such children in the Home, where, under the existing law, the support would be chargeable upon the counties from which they might be received. In other words, the several boards of supervisors in question have preferred that

the indigent children of their counties shall be either remitted to the tender mercies of the poor-house, or thrown upon the fitful charities of a world whose benefactions in such relation are as often harmful as helpful. These failures of the respective boards of supervisors to place the dependent children of their counties in an institution wherein education, careful training in good habits, regularity of employment in labor suited to capacity and age, and association in groups approximating the family relation would supplement mere provision for clothing and food, have certainly resulted from a mistaken policy. "Economy," falsely so-called, has incited to this. But the State may well inquire whether it can afford to allow any county to practice such "economy" at its expense and to the future peril of the property and lives of its citizens. No fact in social science is more clearly demonstrated than that the criminal classes find their most numerous and constant reinforcements from the ranks of the neglected, and hence the certainly soon to be vicious, children and youth. It is so much cheaper so to care for the indigent children of the State as that these may constantly be kept under the influence of education, industry, and good morals, than to neglect them when children, and provide for them in poor-houses, jails, and penitentiaries when adults, that a true regard for the interests of the tax-payers must, I am convinced, urge the General Assembly to a thoughtful consideration of the insufficiency of the existing laws in that regard. Such a consideration must impel to the conclusion that the State can neither afford to allow its dependent children to become "street Arabs" and "hoodlums" or permit them to be domiciled in poor-houses to be educated into perpetual pauperism, or be started on the highway to the state's prison; for as Mr. Bonneville de Marsagny, a distinguished jurist of France, has forcibly said, "It is this wretched, ignorant, neglected infancy which at a later period will constitute the active body of criminals. Study the antecedent life of adult criminals and you will find that, with the greater part of them, the moral perversity which has caused their ruin dates from early childhood." This assertion of one who, as an associate member of the Parliamentary Commission on Prison Reform, had rare opportunities for observation of the facts, has its absolute truth attested by a mass of concurrent testimony. Enough to say, that not only the evidence given by careful investigation, but a vast array of statistical facts proves that, in the words of the Cincinnati Prison Reform Congress, in its declaration of principles, "Preventive institutions, such as truant-homes, *industrial schools*, etc., for the reception

and treatment of children not yet criminal but in danger of becoming such, constitute the true field of promise in which to labor for the suppression of crime."

The beneficence of an institution which cares for, educates, and places in the highway to a noble womanhood and a useful manhood children left dependent upon the state, has been so thoroughly demonstrated in the case of our own Iowa Orphans' Home, that a single well-attested fact concerning results therein secured merits particular mention here. This fact is, that out of the whole number of inmates of that Home during the past twelve years only five per cent. have failed to lead respected and worthy lives.

Other states have fully demonstrated the wisdom of that philanthropy which gathers into an aggregation of cottage homes, like our Orphans' Home, children who are neither criminal, diseased, nor feeble-minded, but are simply indigent and without proper homes and care and therein shelters, clothes, feeds, and teaches them.

A single additional and startling fact earnestly enforces the foregoing statements and considerations. This is, that on the first day of October last there were, according to reports received from county auditors, no less than twenty-six girls and forty-four boys, over five years of age, kept in poor-houses in sixteen counties in this state. The attention of the General Assembly is earnestly invited to a consideration of the state of affairs in relation to the condition of indigent children in Iowa indicated by that fact.

It is clearly my opinion that a preventive will obviate the necessity for a cure; therefore the wants of the State, in the interest of a wise and true economy, demand such legislation as will evermore prohibit the confinement of children over two years of age in any poor-house, and will require that in every case the child destitute of proper parental or other care on the part of relatives, or for whom no adequate provision is otherwise offered, shall be placed in the Orphans' Home at the proper charge of the county in which residence has been legally established.

INSTITUTION OF THE DEAF AND DUMB.

The Seventeenth General Assembly appropriated \$40,000 for the rebuilding of the west wing, of which \$34,322.92 have been drawn and expended, the balance—\$5,677.08—being undrawn, and, according to the report of the trustees, not needed. The \$2,000 appropriated for

furniture has been drawn, and \$1,890.01 expended, leaving a balance in the hands of the treasurer of \$109.99. The receipts from all sources for the biennial period, including balance on hand October 1, 1877, of \$4,158.53, have been \$61,568.90. There has been expended for the support and maintenance of the institution \$50,516.64, leaving a balance in the hands of the treasurer of the board of trustees of \$11,052.26.

The object of this institution is to educate the pupils, in order that when they go out into the world they may be able to make their own way. In view of the foregoing, I recommend the appropriation of \$1,000 for the purchase of a printing press and material, in order that a portion of the inmates may be taught this most useful calling. Some of the States find it economical to have all their public printing done by this class of unfortunates. For the other wants of the Institution, I refer you to the report of the trustees. The Institution is flourishing, the sanitary conditions are good, and the teachers seem to be heartily enlisted in their work.

In many institutions of this character good results have been obtained by the introduction of the "Articulation System." I suggest that the trustees be instructed to employ one teacher, whose duty it shall be to teach the labial language.

CLAIM OF W. R. CRAIG.

In August, 1868, W. R. Craig contracted with the commissioners of the Deaf and Dumb Institution, to erect the building for the sum of \$121,500. Pending the construction of the building, changes were made by the commissioners which materially enhanced the cost. The appropriation being exhausted, the commissioners were unable to pay him the amount of the contract, and Mr. Craig brought suit against them. The court decided that the commissioners were not personally liable, and as Mr. Craig could not sue the State he has not been paid. Pending the suit, the matter was referred to Messrs. Finkbine, Dey, and Robertson, as experts, who gave their opinion that the claim was a just one. Mr. Craig has petitioned the last two General Assemblies for relief. The committee on claims of both the Sixteenth and the Seventeenth General Assemblies reported favorably on the claim, and one house of the Seventeenth General Assembly passed the bill making an appropriation to pay Mr. Craig. The claim is, in my opinion, a just one, and the State should pay it, and I recommend, if on examination the facts should be found as above stated, that an appropriation be made to pay the same. The State, in her sovereign capacity,

debars her people from bringing suit for any claim they may have against her. It is, therefore, incumbent on her that all claims, when ascertained to be just, should be promptly paid.

COLLEGE FOR THE BLIND.

Of the special appropriations for various purposes made by the Sixteenth and Seventeenth General Assemblies, amounting to \$4,287.88, there has been expended \$3,171.28, leaving a balance of \$1,116.60 in the hands of the treasurer. The receipts for support-funds, including balance on hand November 6, 1877, of \$815.07, from the State and from all other sources amount to \$52,708.53. There has been expended \$47,428.77, leaving a balance in the treasurer's hands of \$5,279.76.

The trustees, in their report, ask for an appropriation to renew the plastering. This should be done, as the ceilings are in a dilapidated condition. I also recommend an appropriation for a barn, which is indispensable for the protection of the stock.

The law creating this institution evidently intended it, as its name imports, a "College for the Blind." If this is true, some law should be enacted by the General Assembly regulating the age of admission. There are at present in the institution, as shown by the report, 20 persons whose ages are from 22 to 50, averaging a little over 30 years. Doubtless the best thing to do would be to admit them between the ages of 5 and 21. If this is not done, in place of being a college where the blind are to be educated to earn their own living, it will soon degenerate into an asylum. Some latitude should of course be given to the trustees in regard to those who seek admittance, for the purpose of learning such trades as are taught in this institution.

ASYLUM FOR FEEBLE-MINDED CHILDREN.

The Seventeenth General Assembly appropriated for specific purposes \$14,100, of which there has been expended \$14,028.37, leaving a balance in the hands of the local treasurer of \$71.63. The receipts of the institution for support have been \$29,247.28, and the disbursements \$28,708.04, leaving a balance on hand of \$539.24, and of all funds of \$611.07.

In view of the fact that the State had no ground on which to erect the building authorized by the Seventeenth General Assembly, with due regard to economy, in connection with the main building, and the

board of trustees not being authorized to divert the support-funds for this purpose, the superintendent, Dr. Archibald, at my suggestion, advanced the amount of \$125, with which ground was purchased, and the title to the same was vested in the State. I recommend an appropriation for the amount to reimburse him.

The cooking-stove in use at the institution having given out and become useless, and the floor being worn out, and no funds other than support-funds in the hands of the trustees, the Executive Council, being satisfied of the necessity of replacing the same, appropriated from the providential fund the sum of \$443.63 to cover the expense.

The needs of this institution, in some respects, are pressing, especially for sewerage and a proper supply of water. It will be observed that a majority of the trustees recommend a removal of this institution. Of the necessity for this, the General Assembly must be the judge. If it be done, what is now a valuable property, on which a large amount of money has been expended, must go to waste.

The management of the institution is good, and in my opinion economical. For the other wants of this institution, you are referred to the report.

HOSPITAL FOR THE INSANE AT MOUNT PLEASANT.

The amount of special appropriations by the Sixteenth and Seventeenth General Assemblies, including \$732.67 on hand Oct. 1, 1877, is \$25,556.95, of which there has been expended \$24,865.72, leaving a balance in hands of the treasurer of \$691.23. The receipts of the hospital during the biennial period, of support funds, including the balance on hand Oct. 1, 1877, of \$1,875.20, have been from all sources, \$224,152.01, and the disbursements have been \$211,248.04, leaving a balance on hand of support funds of \$12,903.97.

I deem it my duty to call your attention to the fact that the board of trustees of this institution has, in my opinion, violated the law which forbids a diversion of support-funds to other purposes. This fact came to my notice in examining the vouchers of expenditures during a visit in April, 1879. Soon afterwards I wrote to the superintendent, asking for information on this subject. Under date of April 23, 1879, the superintendent wrote me that from October 1, 1877, to April 1, 1879, there had been expended from the support-funds, for rock for walks \$3,030, for lumber \$1,747, for marble tile \$368, and for iron for a new boiler, and the wages of an overseer during the construction of the same, \$1,560, aggregating \$8,661. Of this

amount, \$2,324.64 was expended in building a road *outside the limits of the property of the State*. In addition, there has been nearly as much more expended for labor, which, with \$1,293.37 of the contingent fund, aggregates the sum of \$16,807.95 expended in making the permanent improvements and repairs above referred to. On May 21st, I addressed a letter to the president of the board of trustees, calling his attention to the fact that the board was violating the law; a copy of which, and of the president's reply, are on file in the executive office.

While it is urged by the trustees—and I do not doubt with perhaps some justice—that the expenditures for these purposes were, in their opinion, a necessity, and while it is true that a certain latitude in regard to needed repairs—for which no funds are provided—must of necessity be accorded to the trustees, yet, as the General Assembly has in set terms declared that no funds should be used otherwise than as provided by law, boards of trustees of any of the state institutions should not be permitted, without proper rebuke, to expend support-funds for permanent improvements in such manner as their judgment or whims may dictate to be for the benefit of the institutions over which they are placed in special charge by the General Assembly. It is therefore desirable that the General Assembly should legislate on this subject, in order to summarily stop boards of trustees from the diversion of support funds; otherwise the practice will soon grow into an abuse.

Two members of the board of trustees do not sign the report of the board, and give their reasons, which are appended to the report.

The appropriation asked for the purpose of completing the replacement of the sub-basement, is a necessity for the protection of the building, as is also that for hose for fire protection.

HOSPITAL FOR THE INSANE AT INDEPENDENCE.

Of the \$1,000 appropriated by the Seventeenth General Assembly for contingences, there has been drawn and expended \$812.92, leaving a balance undrawn of \$187.08. The receipts from all sources during the biennial period, including balance on hand October 1, 1877, of \$3,001.09, have been \$139,096.41, and the expenditures for support and maintenance amount to \$129,771.53, leaving a balance of cash in the hands of the local treasurer of \$9,324.88. I believe the fiscal affairs of this hospital to be managed strictly in the interest of economy.

The report shows, in its inventory of stock on hand, groceries, provisions, etc., amounting to \$10,554.65, also live stock and farming utensils to the amount of \$2,640. It would be most desirable, for the information of the General Assembly, if all the State institutions would show in their biennial reports as complete an inventory of the stock and material on hand as this institution has done.

COMMISSIONERS TO BUILD THE HOSPITAL AT INDEPENDENCE.

Since the last report to the General Assembly, there has been expended, in the erection of the additional section of the southern wing, \$9,421.39, balance of funds appropriated by the Sixteenth General Assembly, and the \$41,500 appropriated by the Seventeenth General Assembly, being a total of \$50,421.39. There has also been expended for furniture \$5,500, and in the construction of a sewer \$1,500 and \$5,000 for gas-works; which amounts were appropriated by the Seventeenth General Assembly.

This building will be completed when two more sections are erected. Plans and estimates of the cost of the building with a reservoir and sewer, amounting to \$105,000, will be found in the superintendent's report. The already crowded condition of both the hospitals for the insane, and the large number of this class of unfortunates, should indicate the necessity for completing this building at the earliest possible date consistent with the condition of the State's finances. If it is concluded to make the appropriation at this session, for the completion of this hospital, the cost could be materially reduced by the amount of money necessary to purchase and cut the stone, which could be advantageously furnished from the State quarry at Anamosa and be cut by convict labor.

VISITING COMMITTEE TO THE INSANE HOSPITALS.

Your attention is called to the report of the Visiting Committee to the Hospitals for the Insane, and their recommendation in regard to an asylum for "incurables."

Returns from ninety-six counties show that there are in jails, poor-houses, and county asylums 368 insane persons, who are maintained at county expense. It is presumable that the larger portion of these are "incurables;" yet the care they receive cannot, in the nature of things, be so good as it would be in a well-ordered asylum. It is therefore evident that the time is not far distant when it will be incumbent on

the State to provide additional accommodations for this class of unfortunates. The cost of the Mt. Pleasant Hospital has been a little over \$1,000 a patient, and the cost of the Independence Hospital will be about \$1,400 a patient. While these buildings have been erected with strict economy, yet the conviction must naturally force itself on the minds of the tax-payers that our public buildings of this character are too expensive, and that structures which would cost much less per patient would answer the ends demanded. Some of our Eastern States are erecting asylums for "incurables" at a cost of about \$250 to \$300 per patient; an example worthy of your consideration.

INSANE CONVICTS.

I have the honor to renew my recommendation made to the Seventeenth General Assembly regarding the convict insane. There are now in the two asylums eighteen insane convicts. For reasons which seem to me cogent, I think it bad policy to send insane convicts to the hospitals. A suitable building can be erected by convict-labor at Anamosa at a merely nominal cost, which will be ample for this purpose for many years to come.

REFORM SCHOOL.

Of the special appropriations made by the Seventeenth General Assembly for the Reform School for different purposes, there has been drawn from the State treasury \$2,825, of which \$2,227.83 has been expended, leaving \$597.17 in the hands of the treasurer of the institution. The receipts of support-fund excepting from the farm, which is shown in the report of the superintendent, have been \$45,823.50. There has been disbursed, for the support and maintenance of the inmates, \$44,354.03, leaving a balance of support-fund on hand of \$1,469.47, and a balance of all funds, in the hands of the treasurer of the institution, of \$2,066.64. Of the receipts of the institution \$2,068.50 were collected from a former treasurer, the remainder being from the State and incidental sources.

When the present superintendent, Prof. Winans, assumed charge of the institution, he found it incumbered with a debt of \$9,000, which the trustees, by their negligence, had permitted the former superintendent to incur. By strict economy on the part of the present board of trustees, aided by the efficient help of the present superintendent, this debt has all been paid, except \$251.15, out of the savings of the sup-

port-fund of the institution. I cannot commend too highly the economical management of this institution.

The discipline of the School is excellent, and carried on in a reformatory spirit. During the fall I appointed Hon. R. S. Finkbine and W. F. Hayden a special committee to inspect the new building, which was erected some years ago, and still remains in an unfinished condition. Their report will be found in connection with the report of the trustees. To meet the growing wants of the state, it will be necessary to complete this building at an early date, and also to add a building suitable for a chapel and dining-room.

The girls' department is now located temporarily at Mt. Pleasant, in a property belonging to Col. Timothy Whiting, under a lease of two years, the State having the option to extend the same three years longer. The State should take steps at an early date to procure a permanent location for this department of the School, as it is increasing in numbers rapidly, and the necessity for more commodious quarters than it now occupies is imperative. In view of the experience, and bad results shown, in other states from placing both departments in the same vicinity, it would not, in my opinion, be desirable to locate the girls' department on the farm owned by the State at Eldora.

The discipline and educational advantages of the "girls'" department of the School are excellent and of a beneficial character, the statistics of the institution, showing that over seventy per cent of the girls sent to the School have been reclaimed, and are following useful and honest avocations. This fact should be a most cogent reason for increasing, as far as possible, its usefulness.

Estimates for completing the new building and a wing are submitted by the trustees.

PENITENTIARY OF THE STATE AT FORT MADISON.

The report of the financial affairs of the Penitentiary includes a portion of the time when Seth H. Craig was warden, to wit: from October 1, 1877, to March 8, 1878, when the present incumbent, Eli C. McMillan, took charge of the prison. The portion of the report pertaining to Craig's wardenship for that time is a transcript of the books, no vouchers for the disbursements being on file in the executive office. When Warden McMillan entered upon his duties, he received in cash from his predecessor only \$66.73. For the purpose of enabling him to purchase supplies for the prison, I advanced to him, as provided

by section 4,787 of the Code, \$6,092.34. Since that date the proceeds of the labor of the convicts have been more than ample to defray all the expenses chargeable to the support-fund. Of the \$17,850 appropriated for specific purposes by the Seventeenth General Assembly, there has been drawn and expended \$15,158.69, leaving \$2,691.31 undrawn from the State treasury.

The receipts from all sources for general support from March 8, 1878, to September 30, 1879, including the \$6,092.34 advanced as above alluded to, have been \$73,448.01. The disbursements from this fund have been as follows.—

For General Support.....	\$47,449.85
On account of sewer.....	5.00
Paid into State treasury.....	15,001.59
	<hr/>
	\$62,456.44

leaving in the hands of the warden a balance of support fund of \$1,155.76 in cash, and \$9,831.81 in notes. In addition the warden has on hand, as due to convicts, \$297.27, and due to visitors' fund \$315.69, making a cash balance of all funds in his hands of \$1,768.72. Included in his available assets are \$9,831.81 in contractors' notes, alluded to above, falling due in a short time, and \$3,039.05 due from contractors on open account, making an aggregate, with the cash on hand, of available assets, belonging to the support-fund of the prison, of \$14,026.62.

The amount allowed by law for the support of the convicts is seven dollars per month. During the time of Warden McMillan's incumbency, he has, by rigid economy and faithful attention to the interests of the state, supported the convicts, exclusive of salaries of officers and guards, at a cost of about \$6.40 per month; quite a contrast with the monthly expenditure of his predecessor, which was, as is shown by the report of the Investigating Committee of the Seventeenth General Assembly, during his first term, exclusive of salaries of officers and guards, \$11.35½, during his second term \$17.34½, and during his third term \$15.26, being an average, during his six years' term of office, of over \$14 per convict per month.

The convicts are well fed and clothed; the disciplinary and sanitary conditions of the prison are good; and the books are plainly and correctly kept. The Seventeenth General Assembly reduced the pay of both the clerk and chaplain. The salary now allowed these officers is

entirely too low in view of the constant and arduous services they are called on to perform. The salaries should be made respectively \$1,000 a year.

Finding that the surplus of convicts' earnings, over and above the cost of support, was accumulating in the warden's hands, I directed him to pay such surplus into the State treasury, which he has done from time to time up to Sept. 30, 1879, to the amount of \$15,001.59, as is shown in his report, and the same has been increased at this date to \$17,144.76.

The number of guards allowed by law is one for each ten convicts. This is beyond the needs of the prison. One guard for every fifteen convicts is, in my opinion, ample to maintain discipline. If this reduction in the number of guards were made, the current cost of the prison would be largely reduced, and the convict earnings would make the prison nearly, if not quite, a self-supporting institution, and to this extent saving the state from expense.

The prison is heated by about 75 stoves, at a cost for fuel, as is stated by the warden, of about \$6,000 for the biennial period. It could be heated by steam at small expense, and a large amount now paid for fuel be saved. By the use of steam the cost and constant wear and tear of stoves would be avoided; and the safety of the prison from fire would be materially enhanced. The roof of the cell-house should be made fire-proof. As it is now, unless constant care and watchfulness be had, there is danger from fire.

An appropriation for a building for a laundry is a necessity. The blacksmith shop used by the Tool Company is badly ventilated, and needs enlarging. The expense, as shown by the report, would be small, and the improvement would be of great benefit to the health of the convicts who work in this shop.

The contract for the building, for which an appropriation of \$10,700 was made by the Seventeenth General Assembly, was let by the Executive Council to the lowest bidder, and the structure has been completed in a substantial manner, answering most admirably the purpose for which it was designed.

THE CRAIG INVESTIGATION.

The Seventeenth General Assembly continued as a commission the committee raised during the session to examine into the management of the Fort Madison Penitentiary during Warden Craig's

six years' term of office, which committee was unable to get through with the work before the close of the session. This commission had power to send for persons and papers. To meet the further expenses of the investigation, the General Assembly appropriated \$3,000, of which \$2,841.81 has been expended, as appears from the books of the State Auditor. The commission made report to me June 14, 1878. The document being quite voluminous, to save expense, I had only 1,500 copies printed, in place of the usual number authorized by law—3,500 copies. The commission did not sum up the amount expended by Dr. Craig over and above the amount contemplated by law, but a careful estimate of the expenditure shows it to have been \$137,605, which includes debts, owing to sundry parties when he went out of office, to the amount of \$15,142.68. The commission also estimated that Dr. Craig sold lard, grease, offal, etc., which was the property of the State, and converted the proceeds to his own use, to the amount of \$8,000.

The Seventeenth General Assembly by a concurrent resolution required the Attorney-General to commence suits against Dr. Craig. That officer being in ill health at the time, by his advice I appointed Galusha Parsons to aid in this matter. The case has been brought before the grand jury of the district court of Lee county, at Fort Madison, with a view to Dr. Craig's indictment for malfeasance in office, but that body failed to find a bill.

Civil suits against Dr. Craig and his bondsmen were commenced in April, 1878, and have been pending in the courts up to this date—having been contested at every step by Dr. Craig's counsel. The expenses of the fees in the courts, witness fees, and amount paid to counsel, are \$2,373.50. If the State obtain a judgment, as she should, for the amount of the illegal and unwarranted expenditure, it is believed that Craig and his bondsmen are perfectly responsible for the whole of it.

The debts, left unpaid by the late warden, before referred to, are for different kinds of supplies, and are due to sundry parties, as well as for various amounts due convicts, as shown in detail by Warden McMillan's report. While there is no doubt that Dr. Craig exceeded his authority in expending the funds of the State wastefully and criminally, and that he had no legal right to incur any liability for the State, yet the majority of the parties of whom he bought supplies were not aware of this fact, and sold the goods on the credit of the State, and they should be paid. I recommend that an appropriation be made

to cover the amount of the debts, and that the same be placed in the hands of the Executive Council to be disbursed on proof being furnished, by the parties to whom the debts are due, that the claims are just, and that the claimants were not in any way in collusion with Dr. Craig.

ADDITIONAL PENITENTIARY.

The Seventeenth General Assembly appropriated \$60,000 for the construction of the cell-house. Of this amount there has been expended \$2,655.81. There was also appropriated \$1,000 for the purchase of a stone quarry, which has been expended for that purpose. There was also appropriated, for the purchase of tools, arms, scales, etc., \$1,874, of which there has been expended \$1,583.92, the remainder of the appropriation being undrawn. The work on the cell-house is well done, and can be completed for occupation early in the coming year. Nearly all the work, including the iron doors and gratings, has been done by convict-labor, the only expenditure for free labor being for overseers. The purchase of the new quarry is a most advantageous one for the State. The Chicago and Northwestern Railway Company has built a line to the quarry, and the warden has made a favorable contract for the transportation of stone to the prison, the saving in this item alone being over fifty per centum as compared with the old quarry. The new quarry will furnish all the stone needed for the prison for many years to come.

The construction of the cell-house has been somewhat delayed by the old stone quarry giving out, and by reason of difficulty in obtaining a sufficient title to the new quarry. By reference to the report it will be seen that there is iron on hand sufficient to complete the cell-doors, the gratings for the windows, and the balustrades and stairway; also the locks for the cell-doors have been contracted for. The purchase of this material, owing to the recent advance in metals, has saved the State quite a large amount of money. The Executive Council authorized the warden to contract with the Anamosa Water Company to lay their mains to the prison-yard. This has been done, and gives protection to the property of the State in case of fire, as well as a supply of water for the use of the prison. The contract expires March 1, 1880. It is a favorable one for the State, and I recommend that the Executive Council be authorized to make a permanent contract with the water company. The Executive Council was also authorized to employ a superintendent of construction at a compensation of four

dollars per day. After a full examination of the needs of the work, the members of the Council were of the opinion that the present warden was competent to superintend the work, which he has done to their satisfaction for the past year and a half, without extra compensation, and the State has thus saved the amount that would have been necessary to have paid a superintendent of construction. Mr. William Foster, of the city of Des Moines, who made the original plans of the prison, has been employed as architect during the past two years at an expense of \$271.

Martin Heisey, who was one of the original commissioners, and as warden was the immediate predecessor of the present incumbent, incurred debts which were unpaid when he went out of office due to different parties, amounting to \$1,148.40. These debts are for labor and supplies, and are due to a class of people who can ill afford to be deprived of their money, and I earnestly recommend their payment, with six per cent interest. The cost of supporting the convicts was, for the first year of the biennial period \$8.38, and for the second year \$7.37, per convict per month, being less than the amount allowed by law, leaving a balance of support-fund in the warden's hands of \$3,808.31, and of all other funds of \$497.44.

The management of the prison I believe to be efficient and economical. The books, under the charge of W. H. Pearson, clerk, are admirably kept, being models of neatness and accuracy. The law fixes the salary of the clerk at \$60 per month, which is inadequate for the services performed.

It is most desirable, for the future sanitary condition of the prison, to construct a sewer to the river. As the water-works of the city of Anamosa are located below the prison, it will be necessary to build the sewer to a point below the works nearly a mile. The water company have indicated their willingness to move their works above the prison provided the State will bear a portion of the expense. If this were done, a sewer could be built to reach the river in 1,400 feet.

For the security of the inmates the construction of the wall should be prosecuted as rapidly as possible during the coming year. In connection with the warden's report, will be found a detailed estimate by the architect of the amount necessary to complete the work.

CONVICTS' GOOD TIME.

In view of the fact that whenever the number of convicts at Anamosa becomes more than is necessary to construct the new

prison, the surplus is transferred to Fort Madison, I recommend that the law for the diminution of sentence conditioned on good conduct be made uniform at both prisons.

FISH COMMISSION.

The appropriation to the fish hatching house was \$6,683.86, which includes an unexpended balance of the former biennial period of \$635.86 and \$48 from incidental sources. There has been expended during the biennial period \$5,835.56, leaving a balance of \$848.30 undrawn from the State treasury.

I believe that the money has been economically expended, and the results in the future must be of great benefit to the people of the state. The taking of native fish, which would otherwise have been lost, from the ponds along the Mississippi river, and placing them in the waters of the state, is in my opinion worth the small amount that this Commission has cost. To make the work effective and profitable in its results, the law should be amended so that the putting in of fish-ways at all mill-dams would be compulsory. If this were done the fish could, in spawning time, have free ingress to all the rivers of the state. There are many beautiful lakes in the state which can be stocked with fish at small expense, thus making them pleasant places of resort.

The railways of the state have contributed largely to the work of the Commission in furnishing cars and transportation for the distribution of fish. I recommend the continuance of the Commission.

RAILWAYS.

The Seventeenth General Assembly repealed that portion of Chapter 68 of the Acts of the Fifteenth General Assembly which fixed the "schedule of rates," and enacted in lieu of it the present commissioner system. Under the present law the Executive was empowered "to appoint, by and with the consent of the Executive Council, three commissioners." The first board of commissioners consisted of Cyrus C. Carpenter, Peter A. Dey, and James W. McDill. The board is now composed of Marcus C. Woodruff, Peter A. Dey, and James W. McDill. It is made the duty of the board, under the law "to inquire into, and report to the Governor annually, as to the condition of all the railways operated by steam within the limits of the state." The commissioners were also authorized to receive and examine all complaints made by the people of the state against the railways in regard to ex-

orbitant charges for the transportation of freights; also the complaints of one railway company against another in regard to freights, etc. That the law of the Fifteenth General Assembly had a tendency to restrict capital from seeking investment in railway construction in the state is evidenced by the fact that during the four years it was in operation only 310 miles of railway were constructed, and since the enactment of the present law nearly 700 miles have been constructed; over ninety per cent of the cost of which has been defrayed by the investment of foreign capital; thus adding many millions of dollars to the permanent wealth and taxable property of the state. It will be found on examination that each and every complaint on the part of the people, or by one railway company against another railway company, regarding exorbitant charges for the transportation of freight, which has been made to the commissioners, has been carefully examined and amicably adjusted; all the parties in interest, with one exception, having accepted the decision of the commissioners, as they would have done the decision of the courts of the state. Under the workings of the law, a large amount of litigation has been avoided, and of course much money saved to the people. The interests of the producer and shipper and of the railways are mutual, and in my opinion at no time in the history of the state have these interests been in closer harmony than they are at this time, under the present system. A careful examination and comparison of rates in Iowa and other states will show most favorably to Iowa interests.

I commend to your careful examination the elaborate and exhaustive reports of the commissioners, and most cordially indorse their recommendations.

THE NEW CAPITOL.

There has been appropriated for the construction of this building the sum of \$1,585,000, all of which has been expended except \$8,591.50, which remains undrawn in the State treasury. A detailed statement of the receipts and expenditures will be found on examination of the financial portion of the report.

If it is intended to have the building ready for occupancy by the next General Assembly, it will require an appropriation of at least \$300,000. That amount of money, in connection with the regular appropriation, can be expended to the advantage of the work, and make a great saving in the cost of construction, as will appear by reference to the report of the Commissioners. If the General Assembly

conclude to make the appropriation, it should be made as early in the session as possible, as no time should be lost in making contracts for material, and arrangements for the heating and ventilating of the building.

The work on the building so far as it has progressed is of the first order. No expenditure that would render it better or more permanent has been spared in the construction, and it seems important that the interior finish, both in work and material, should maintain the character established for the structure thus far. This will require, if the halls, library, and committee rooms on the senate and house floor are finished, the amount above suggested and all the time between now and January 1, 1882.

REPAIRS OF PUBLIC BUILDINGS.

Chapter 67, Acts of the Seventeenth General Assembly, forbids the officers or trustees of any of the State institutions from diverting the funds appropriated for any institution to any use other than the specific purpose named in the act appropriating the funds. This law is practically a dead letter. At nearly all the State institutions the expenses of the current repairs are paid out of the support-funds, consequently the annual reports do not show exactly, as they should, the cost of supporting the inmates. These small repairs are unavoidable, and having no special funds for repairs the trustees have, of necessity, used the support-funds for this purpose. I recommend that the General Assembly make a special appropriation to each institution, to be designated as a "Repair Fund," the disbursements of which should be kept separate from the disbursements of the support-funds. If this were done an evil would be checked, which is rapidly growing into an abuse.

REDUCTION OF SUPPORT-FUNDS.

The Seventeenth General Assembly reduced the allowance for the support of the inmates, of nearly all the State institutions, on an average, nearly twenty per cent., saving thereby to the tax-payers over \$72,000 annually. As the reduction did not in all cases take effect until July, 1878, the expenditures of the institutions were greater for that year than for 1879.

The support of the College for the Blind is \$36 per quarter. When it is taken into consideration that this institution has an annual allow-

ance of \$8,000 per year for salaries, etc., I am of the opinion that its support-fund should be reduced from \$36 to \$30 per quarter.

The allowance for the support of the Institution for the Deaf and Dumb is \$30 per quarter. In view of the fact that this institution has only nine months' instruction, and also has an allowance of \$8,000 a year for salaries, etc., I recommend a reduction of the amount now allowed to \$27 a quarter, which I am satisfied be ample.

It will be seen that the cost of maintaining the Hospital for the Insane at Mt. Pleasant for the first half of the biennial period was \$16.79 per inmate per month, while the cost at Independence was only \$14.96, being \$1.83 per inmate per month less than at Mt. Pleasant. The cost for the second year at Mt. Pleasant was \$16.71 per inmate per month, while the cost at Independence was \$13.12, being \$3.59 per inmate per month less than at Mt. Pleasant. The Mt. Pleasant institution has drawn on the State treasury, during the whole biennial period, for the maximum amount allowed by law, while the institution at Independence, finding that the maximum allowed by law—to-wit, \$16 per month—was not necessary for the support of the inmates, has drawn on the State treasury for only its actual necessities. Had the trustees at Independence drawn what the law allows them on support funds, they would have drawn for \$28,883.99 more than they have done. As it is, with a commendable consideration for the interests of the State, they have left this amount in the State treasury, and the expenses of this institution to the tax-payers are thereby lessened to that extent. If it be true that a large number of persons can be supported at a less cost per capita than can a smaller number, the natural deduction is that the expenses of maintaining the inmates of the Mt. Pleasant Hospital are too high, inasmuch as this Hospital has a much larger number of inmates than has the Independence Hospital. In view of the foregoing I recommend that the allowance for the support of the insane be reduced from \$16 per month to \$14, as I am satisfied that this amount will be ample, as evidenced by the results at Independence.

The trustees of the Soldiers' Orphans' Home and Home for Indigent Children have evidenced their ability to support the inmates for \$3½ a month, while they are entitled to draw on the State treasury for \$10 per month. I therefore recommend that the allowance to this institution be reduced to \$8½ per month.

If these recommendations be adopted, the direct saving to the State for the remainder of the current biennial period—assuming that the

law would go into operation March 1, 1880—would, on the present number of inmates in the respective institutions be as follows:

Insane, 932, @ \$2 per month for 17 months.....	\$31,688.00
Blind, 141 @ \$2 per month.....	4,794.00
Deaf and Dumb, 170 @ \$1 per month.....	2,890.00
Orphans' Home inmates, 130 @ \$1.67 per month.....	3,690.70
Estimate of reduction for guards, Penitentiary of the State, 12 guards @ \$45 per month (elsewhere proposed)....	9,180.00
Aggregate saving.....	\$52,242.70

SURPLUS OF SUPPORT-FUNDS.

An examination of the following table will show that the different State institutions had, on Sept. 30, 1879, in the hands of their local treasurers, the sum of \$53,230.98, the same being mostly surplus of support funds:

Soldiers' Orphans' Home.....	\$ 4,003.11
Penitentiary at Fort Madison.....	1,768.72
Penitentiary at Anamosa.....	4,305.75
Asylum for Insane at Mt. Pleasant.....	13,595.20
Asylum for Insane at Independence.....	9,324.88
Institution of the Deaf and Dumb.....	11,159.25
College for the Blind.....	6,396.36
Reform School.....	2,066.64
Asylum for Feeble Minded Children.....	611.07
Total	\$53,230.98

On this large sum of money the State has paid during the past biennial period, assuming the amount constantly on hand to be one-half of this sum, over \$3,000 interest on warrants, because the State treasury was not in funds to pay the same, and for the reason that the local institutions had drawn more money out of the treasury than they actually needed.

While the saving of support-funds is creditable to the general economy shown by the boards of trustees of the state institutions, yet some remedial action on this subject should be had, to prevent the accumulation of funds in the hands of local treasurers, whereby the state might be relieved from paying interest on the surplus.

The law for drawing support-funds for the eleemosynary institutions should be amended so that the funds should be drawn from month to

month as needed. The executive is expected to exercise a supervisory care over the state institutions. To do this in an intelligent manner, the requisitions for support-funds and the vouchers for the expenditures of the same should go through the executive office. The law should be framed so as to require the disbursing officers of the institutions to file with the Executive, on or before the 10th day of each month, a detailed list of the expense bills of the preceding month, the same being audited by committees of the boards of trustees, accompanied by the proper requisition for the funds to pay the same, and on the certificate of the Executive the Auditor should draw his warrant for the amount. The bills should then be paid and duplicate vouchers taken therefor, one to be filed with the Executive and the other to be retained by the institution. By this method the Executive would at all times be exactly informed as to the financial condition of each and every one of the State institutions, and the amount of interest paid would be saved to the tax-payers.

EXECUTIVE SUPERVISION.

The Governor is required by the constitution "to take care that the laws are faithfully executed." This he can do, however, only in accordance with the forms of law, which practically render the constitutional provision, one to be appealed to in general only as a last resort. Yet the existence of this provision in the constitution is much more widely known than the legislation that limits its range, and practically restrains it. Hence more is expected of the Executive than he has power to perform. The Code, title VIII, chapter 7, provides that the Governor may make, or cause to be made, examination into the condition of the books, papers, vouchers, etc., under the control of any State officer, with power to take testimony, and if the same appears to be required for the public good to suspend such officer. But this provision of law has never been understood to apply to any of the State institutions, and can hardly be construed to do so. Section 132 of the Code subjects the books, accounts, vouchers, etc., of any State officer or institution to the inspection of the Governor, or any committee appointed by him or the General Assembly; but no provision is made for any subsequent action, except as to the penitentiaries, even though the affairs of an institution may be found to be in anything but a healthy condition. There appears, in fact, to be no way provided by law for preventing misuse of public funds by trustees of State institu-

tions. I am advised by the Attorney-General that such trustees cannot even be enjoined from diverting public funds from the uses designated by the law-making power, as, for instance, the use of support-funds for permanent improvements, etc. A statute of last session, it is true, provides a penalty for such diversion. But I regret to say that experience has shown that such a provision of law as a preventive does not accomplish the object intended. I cannot but think the Executive should be clothed with the same power with reference to State institutions as he has in regard to State offices. These institutions, like the State offices, are a part of the executive or administrative department of the government, and may, I think, with entire propriety, and in furtherance of the objects they were intended to subserve, be subjected to the authoritative supervision of the Executive.

BOARD OF CONTROL.

From the following table it will be seen that there are nine boards of trustees in charge of the state institutions, and a board of regents in charge of the University, (composed in all of fifty-one persons,) and that their per diem and mileage for the biennial period has been as follows:

Agricultural College.....	\$ 1,858.50
Asylum for Feeble Minded.....	1,056.40
Hospital for Insane at Independence.....	1,369.50
Hospital for Insane at Mt. Pleasant.....	1,503.05
Soldiers' Orphans' Home.....	313.60
Reform School.....	1,580.40
Normal School.....	760.70
State University.....	2,196.70
Institution of the Deaf and Dumb.....	1,336.60
College for the Blind.....	1,468.20
Total.....	\$13,443.65

How best to manage educational, charitable, and penal institutions has attracted the attention and engaged the thoughts of many of the best minds and philanthropists of the day. The result has been, in most cases, to create additional supervisory boards, such as "Boards of Charities," "Commissioners," etc., all of which are expensive, and impose additional burdens on the tax-payers.

On examination of the workings of the system, I am clear in the

opinion that, instead of increasing supervising boards, the best thing to do, in the interest of good government and economy, would be to reduce the number of boards.

If the eleemosynary institutions of the state were placed under one "Board of Control" consisting of three members, who should be paid a fair salary and actual traveling expenses, and be compelled to give their whole attention to the institutions, I am satisfied, from my two years' observation and experience, that it would be found to work to the advantage of both the State and the institutions.

The Normal school should be placed in charge of the Regents of the University. The Agricultural College, being an institution of peculiar character, should be left as it is. The Reform School, being to a degree penal, should be placed under the supervision of the Executive, as are the Penitentiaries. By adopting this system, there would be secured direct responsibility, simplicity of administration, and the elimination of influences which must necessarily grow up, owing to the fact that the various eleemosynary institutions are scattered around the state, instead of being all located at one place, which should have been the policy from the first. The purchase of supplies, such as fuel, groceries, etc., in large quantities by public bids, would be made at the minimum market rates; the keeping of the books of the institutions in a uniform simple manner, would work results which would in their economy save thousands of dollars annually to the State, and at the same time be beneficial to the institutions. The proposition is further commended by the additional fact that there would be but three boards with which to make settlements in place of ten which we have under the present system.

IOWA WEATHER SERVICE.

The 17th General Assembly established "a central station for the Iowa Weather Service, with Gustavus Hinrichs as director thereof." Of the \$1,000 annual appropriation, there has been drawn and expended up to September 29, the sum of \$1,751.40. The facts in regard to the climatology of the State, as collected by Prof. Hinrichs will be, in the future, of great value to our people, and an interesting contribution to science.

CRIMINAL RETURNS.

Your attention is called to the report of the Secretary of State, accompanied by the criminal statistics for 1878 and 1879. It is most desirable that the criminal returns of the counties should be uniform and

complete. I therefore recommend an amendment to the law, as suggested by the Secretary of State.

COURT EXPENSES.

There is a growing, and in my opinion a just, complaint in the minds of the people that the expenses of our court system are too high, and that these expenses are growing in amount annually. That there is good foundation for this feeling will be evidenced by the following statement of the cost to the counties of the state for criminal prosecutions during the last four years.

Cost of criminal prosecutions in 1874.....	\$188,846.38
Cost of criminal prosecutions in 1875	180,890.03
Cost of criminal prosecutions in 1876.....	235,187.42
Cost of criminal prosecutions in 1877.....	318,322.70
Cost of criminal prosecutions in 1878.....	303,668.13
Cost of criminal prosecutions in 1879.....	401,659.39
District Attorney's fees in 1874.....	18,368.19
District Attorney's fees in 1875.....	18,890.03
District Attorneys' fees in 1876	22,071.87
District Attorneys' fees in 1877	25,996.70
District Attorneys' fees in 1878	23,260.35
District Attorneys' fees in 1879	24,891.73

Total\$1,762,052.92
 Nearly \$1,000 per day for each working day.

The above table shows that the expenses of criminal prosecutions have increased in amount since 1876 over seventy (70) per cent.

A comparison of these figures with the cost for criminal expenses in 1872 and a few subsequent years will be found of interest in discussing this question.

Criminal expenses in 1872 (69 counties reporting).....	\$ 97,620.06
Criminal expenses in 1873	135,256.34
District Attorneys' fees in 1872	9,643.50
District Attorneys' fees in 1873	14,844.89

Total\$257,364.79

It will be seen that these expenses for each year since the enactment of the Code, which went into effect September 1, 1873, have been much greater than they were prior to the taking effect of the Code.

It would therefore seem to be wise policy to repeal that portion of the Code, whereby these expenses have been so enormously increased, and return to the former system. The people look to you for relief, which I trust will be promptly granted.

As the State pays nearly all the fees in criminal cases the law pertaining to witnesses for the defense should be amended. When the accused is desirous of proving his character he should be limited in the number of witnesses. The practice of summoning an unlimited number of witnesses for this purpose has grown into an abuse and costs the tax-payers an enormous sum of money annually.

I am satisfied that much of the expense attendant on our court system depends largely on the administrative ability of the judge. Improvement in this particular rests with the people in selecting judges. The judge has limited power to make rules for the governance of his court; but many do not like to take the responsibility. It therefore devolves on the General Assembly to provide by enactment the needed reforms.

The judiciary of the state are, almost without exception, of the opinion that it is desirable to do away with the grand jury system. This can only be done by amendment to the Constitution. The number of the grand jury is now fixed by law at fifteen, costing the counties thirty dollars per day during its session. Could not the work of this jury be as well done if it were reduced to five? This would save twenty dollars a day and the mileage of ten jurors, to the respective counties during the time of session.

All the fees allowed to magistrates, police judges, sheriffs, and constables, in criminal cases, can, in my opinion, be safely reduced at least thirty per cent. without impairing the administration of justice.

SHORT-HAND REPORTERS.

Returns from ninety-four county auditors show that their counties have paid during 1878 and 1879, the sum of \$68,269.43 to short-hand reporters, for compensation at the rate of \$8 per day, and for transcripts in criminal cases. The amount paid into the respective county treasuries in eighty-three counties for costs in criminal cases is but \$1,029.61. I am informed by many district judges that the evidence taken by the reporters during criminal trials is of no value to them whatever, as the short-hand notes are not transcribed at the time of the trial, if at all, and the judge must, of necessity, in his instructions to the

jury, rely on his memory, or on the notes he may make himself during the trial. It would seem, therefore, to be economy to abolish this office and thus save the tax-payers the amount now paid.

It is claimed that a good share of this expense in civil suits is taxed up to the litigants against whom judgment is rendered. This is true, but many parties are not responsible, and thus the loss falls directly on the tax-payers of the county. If litigants, in civil suits, wish the evidence in their cases preserved, they should have the privilege of so doing, but they should pay directly for it as they do for the services of their counsel.

CIVIL ACTIONS.

It may well be considered whether it would not be good policy to restrict the higher courts in their jurisdiction in civil cases, giving exclusive original jurisdiction in actions involving one hundred dollars or less to justices' courts. All such actions should be tried without expense to the public at the very doors of the litigants with or without a jury with the right to review upon writ of error or certiorari. This would save a large amount of trifling litigation, which now takes a good share of the time of the courts and costs a large sum of money.

Issues in all cases should be made up in vacation and not in term time. The court should be empowered to limit the time of arguments of counsel to the jury. It should be provided that, previous to the time the calendar is made up for the term, parties shall demand a jury trial or not be entitled thereto and jury cases should be given precedence, so that the jury could be discharged when their business is completed. Provision should also, be made for the payment of the jury by the unsuccessful party.

It may be worthy of consideration whether it would not be in the interest of economy, and not preventive of justice, to authorize by law a two-thirds of a jury in civil cases to render a verdict, instead of requiring unanimity, as is the law now. It may be claimed by those who oppose this change, that it would be to a large extent an innovation in American law, but the system has been tried in France, Scotland, and Germany for many years, and has been found to give satisfaction; and Texas and Nevada make provision therefor in their constitutions.

Plaintiffs in civil suits should, in the discretion of the court, be required to give bonds for costs.

ATTACHMENT SUITS.

Since the repeal of the federal bankrupt law, individuals having claims against dishonest debtors are forced, in many cases, to resort to a writ of attachment to secure payment. The first attachment served secures the debt of the creditor making the attachment, but it is, as a rule, at the expense of all the other creditors, whose claims are equally as just as those of the party making the first attachment. Would it not be equitable to permit all the creditors to share in the benefits of the attachment upon filing their claims, and paying their pro rata share of the expense, before a judicial determination is had; this would, in a degree, remedy the evils, and lessen the expense, growing out of the repeal of the bankrupt law, and would insure all parties in interest their pro rata share of the debtor's assets.

REDUCTION AND ADJUSTMENT OF SALARIES.

Much has been said of late in regard to compensation of public officials, the same being thought in some cases, excessive. A corrective therefor, if the fact be found to exist, will be expected at your hands. If the system of payment by fees could be done away with altogether, and one looking to compensation by fixed allowance, varied according to population, substituted therefor, the fees going into the public funds, I am inclined to think the change would be satisfactory to the people generally. The mode of compensation by fees has been entirely abolished in the State offices, the last General Assembly having completed the work; and the present system does so well that it is not likely to be disturbed.

At present, the compensation of county officers is largely subject to the control of the boards of supervisors. This is especially the case with the auditor and county superintendent, and to a more limited extent with the treasurer, the sheriff, and the clerk of the courts. If it be not thought proper to discontinue entirely the fee system of compensation, there is yet room for legislation in the direction of limiting the powers of boards of supervisors in this matter. At the same time, it would seem to be necessary to take some legislative action to make such limitations effective, for I regret to say, experience has shown that these boards are sometimes disposed to regard very lightly the restrictions thrown around them by law. In more than one county of this state, is the treasurer allowed and paid hundreds of dollars in excess of the maximum fixed by statute, viz: \$1,500.

The compensation of members of the boards of supervisors should be settled more definitely. Section 3791 of the Code is susceptible, it is thought, of two interpretations, and the prevailing one is that which takes most money out of the county treasury.

Some better system of keeping the accounts of county offices is most desirable, whereby frequent settlements should be made, in order to secure better checks on receiving and disbursing officers.

A limitation of the tenure of office of county officers has been suggested as desirable in the interest of greater rectitude in the management of county affairs. The suggestion is worthy of your consideration, particularly in regard to officers filling fiduciary positions.

RESPONSIBILITY OF FIDUCIARY OFFICERS.

Deficiencies in the accounts of public officers, while perhaps no more frequent or extensive than in former years, are yet sufficiently so to invite legislation. I would recommend that a failure on the part of a public officer holding public funds to account for such funds, whenever called upon so to do by lawful authority, be made presumptive evidence of embezzlement, and the offender be summarily removed from office, and otherwise dealt with according to law.

MUNICIPAL DEBTS.

The increase of municipal indebtedness throughout the country during the past fourteen years, has attracted much attention, and is justly causing uneasiness in the minds of the people. While municipal debts have generally increased to an immense amount in the country at large, the people of Iowa are to be congratulated that such a state of affairs does not exist among our municipalities. From returns on file in the Executive office, the debts of the counties and cities of the state are found to be \$1,000,000 less than in 1869, and \$2,500,000 less than in 1873, showing that, notwithstanding the hard times which have pressed upon the country, Iowa counties and cities have been constantly reducing their liabilities. The following shows the debt of the counties, cities, and school-districts on June 1, 1879, so far as returns have been made:

90 counties.....	\$2,376,586.02
189 cities.....	2,593,630.43
353 school-districts.....	1,197,158.00
Total.....	\$6,167,374.45

Equal to about $1\frac{1}{2}$ per cent. of the assessed value of the state. While it is a gratifying fact that these debts have been reduced, yet it may be well to legislate on this subject, in order to prevent, as far as possible, the troubles that harass many of the municipalities of the older states.

In many of our counties and cities, the amount of debt exceeds the constitutional and statutory limit. I earnestly recommend that all counties, municipalities and school districts, when they incur debts and issue bonds for the same be required to file with the Secretary of State:

1st. A certified statement by the local authorities of the amount of the assessed valuation of the municipality incurring the debt.

2d. The amount of debt to be incurred, and for what purpose, and that it is not in excess of the amount provided by law; and that it be made the duty of the Secretary of State to keep a record of the same, and make a report biennially to the Executive for the information of the General Assembly. That no bond shall be valid until it is countersigned and certified to by the Secretary of State; that municipalities incurring debts should be required to provide a special fund to meet the interest charge, and a sinking fund that would pay the debt at maturity. If this were done, the purchaser of the bonds, being assured of the legality of their issue, would be willing to pay an enhanced price for them, and the taxpayer would be assured that his rights were not trespassed upon by a reckless issue of bonds beyond the limitation imposed by law.

CITIES AND TOWNS.

Experience has shown that there is some necessity for remedial legislation regarding the financial administration of our cities and towns. I am well satisfied that the affairs of our municipalities would be managed much more in the interests of the taxpayers if they were placed under the control of a board of commissioners elected at large by the people. If this were done, the combinations which result oftentimes to the special benefit of the few, and at the expense of the many would be avoided. The administration of affairs, being more simple than the present system, would of course be more economical, and I earnestly hope you will take some steps towards bringing about a better form of government for our cities and towns than we now have.

BOARD OF HEALTH.

I have been requested by the medical profession of the different schools of the state to call your attention to the necessity of establishing a "Board of Health," whose duty it should be to pass upon the qualifications of persons desirous to practice medicine, in order that the people may be protected from empiricism. This board should also be empowered to take measures for protecting the health of the people generally, and also for collecting the vital statistics of the state. Many states have these boards now, and they seem to give satisfaction and to be doing an efficient work.

This board could be created without cost to the state, as its expenses could be defrayed by the fees paid by those who come before it for examination.

COAL-MINES.

In the early history of the state, Iowa was supposed to be almost destitute of coal, but time has shown that over two-fifths of our area is underlaid with this valuable mineral. The mining of coal has attracted the investment of large amounts of capital, and gives employment to thousands of men and a constantly increasing traffic to our railways. Much complaint is made by the miners—and in my opinion the complaint is a just one—of the inefficiency of the present law regarding the inspection of coal mines. In view of the rapid growth of this industry, would it not be well to repeal the present law, and provide by a new law—as is done in other states—for a state inspector of the coal mines of the state. The inspector should also be authorized to inspect the method of weighing coal at the different mines, and correct any abuses therein.

INSPECTION OF BOILERS.

As the use of steam power is increasing rapidly in the state, and many deaths have occurred and are liable to occur from the use of defective boilers, would it not be advisable, for the protection of operatives in shops where steam is used, to require boards of supervisors to appoint inspectors of boilers for their respective counties, and to require all persons using steam power to have their boilers inspected at stated times; those using the boilers to defray the expense of inspection?

ROADS AND HIGHWAYS.

The amount of road-tax levied by the boards of supervisors in 1877 and 1878, as shown by the Auditor's report, is \$1,076,408.31. In addition to this is the amount of tax worked out on the roads; the money value of which there is no data to compute. It is evident that the expenditure of this large amount of money and labor should insure much better highways than we now have. Nothing adds so much to the convenience of the people and the general reputation of the state as a good system of public highways. From the condition of the roads in the state, it is evident that there is a necessity for some legislation on this subject, and I trust you will devise such remedy as will accomplish the object desired. I am persuaded that a judicious expenditure of much less than one-half the amount now put upon roads would give us far better returns.

AGRICULTURE.

The products of our rich soils must continue to be, as they have ever been, the chief reliance of the people of Iowa for their support and prosperity. Any proposition in aid of the development of our agricultural resources is entitled to serious consideration. I trust you will give recognition to the importance of an interest in which so many of our people are engaged, and the success of which lies at the very foundation of the prosperity of all other classes as well.

As early as 1842, the territorial legislature passed an act for the encouragement of agriculture. The importance of this great industry was well understood even at that early day. More than twenty years ago, in advance of any such action on the part of the general government, or other States, Iowa took steps to organize an Agricultural College and Model Farm. Previous to this, the State provided aid for a State Agricultural Society and for many county societies. In the condition of agricultural science at that time, the legislation mentioned was adequate to the circumstances. But it should be borne in mind that in the general progress of the past twenty years agriculture has not been a laggard. Even within the past ten years, progress in this and its attendant industries has been almost without a precedent, and yet the legislation on the subject of twenty-five years ago is the legislation of to-day.

The early completion of the capitol will afford room for an office and museum for our agricultural, manufacturing, and mining industries. In these our varied resources should be exhibited, so that they

would be interesting and instructive to our own citizens, and a valuable advertisement to visitors from abroad. Such a home for a Department of Industry should be provided; and in charge of a competent superintendent would illustrate many subjects upon which you are called upon to legislate. Complete statistics of the agricultural resources of the state could be gathered here; and, in fine, such a department would be to our industrial interests what the office of Superintendent of Public Instruction is to the educational.

THE STATE AGRICULTURAL SOCIETY.

This organization is worthy of the fostering care of the legislature. It dates its inception in 1853. From 1856 to 1873 it received an annual appropriation from the state. Since 1873 (except the years 1876 and 1877) the State has withheld its aid, thus crippling the energies of the society, and making its very existence depend upon the weather during the Fair. The State Agricultural Society has been controlled, as a rule, by the best men and the best minds in Iowa; its affairs have been conducted with intelligence and prudence; its annual fairs afford our people a much needed rest and holiday, and opportunity for social reunion; it has contributed to the advancement of agriculture and the promotion of the mechanic and fine arts; its annual volume of transactions has accomplished a great work toward inviting immigration; it has given wide circulation to a knowledge of our resources to other states and countries; its compilation and preservation of statistics, its collection of the products of the field, and its library are invaluable.

Iowa should not be behind any of her sister states. First in rank in education, in progress, in development, in her possibilities, in her agricultural resources, she ought to be first in a liberal support of the only organization which represents her greatest source of wealth and influence: agriculture.

IMMIGRATION.

Iowa has 55,000 square miles of territory, with an estimated population of something over a million and a-half, being not quite thirty souls to the square mile. It has about 34,000,000 of acres of land of which over ninety-five per cent. is arable and of unsurpassed fertility. It has the soil, the climate, and all the elements necessary to sustain a population unsurpassed in density by any state in the Union, or by the most densely populated portion of Europe. It is safe to say that Iowa can maintain within its borders a population ten times greater than

the present. When it is taken into consideration that, in addition to the natural advantages of soil and climate, and the large area of unoccupied land open to settlement upon terms bringing the possession of a home within the ability of almost every industrious family, the State offers substantial immunity from public debt; a free school system unsurpassed in any of the older states; the social benefits of an intelligent, religious, and law-abiding population,—it is evident that those seeking new homes can nowhere find a more favorable field.

Since the repeal by the Fourteenth General Assembly in 1873 of the law aiding immigration it is manifest to the most casual observer that the state is not receiving a fair share of the immigration which has been coming West for the past six years. I am advised by American consuls in Great Britain and Germany that there will be a very large immigration from those countries to the United States, the present year, of a most desirable class of people. This view is corroborated by the public speeches of many of the leading English statesmen, and by the utterances of the influential press in discussing the agricultural relations of their country. In view of these facts, and that neighboring sister States are expending annually large sums of money for the purpose of securing immigration within their limits, I earnestly recommend to your consideration the propriety and expediency of making an annual appropriation for the dissemination of information in order that Iowa may not only maintain its position in the race for empire, but may more speedily secure the development of its resources through a knowledge of their unlimited extent. Under the resolution of the Seventeenth General Assembly, empowering the executive to appoint honorary commissioners of immigration without expense to the State, good results have been obtained by bringing in an accession of population to the western and northern portions of the State.

THE CONSTITUTION AND THE CODE.

Article 10 section 3 of the Constitution provides that in the year 1870, and every tenth year thereafter, the following question shall be submitted at the general election: "Shall there be a convention to revise the Constitution and amend the same." It will therefore be incumbent on your honorable body to enact a law in regard to submitting the above question to the people at the general election in 1880, and for canvassing the vote thereon.

The statutes of the United States provide that the election for members of Congress shall be held on the Tuesday following the first Monday in November in the even numbered years, except in states whose elections are required, under their respective constitutions, to be held on other days. Under our organic law the second Tuesday in October has always been held to be the lawful day for the general election, except in years of the presidential elections. There is, however, doubt in the minds of many as to the date on which our members of Congress should be elected. I therefore recommend the submitting to the people of an amendment to the Constitution of the State, making our day for general elections harmonize with the law of Congress.

There are in the hands of the Secretary of State, at the present time over 700 copies of the Code. This number will be ample for the wants of the present and two succeeding General Assemblies, and for the public officials to whom the Code is furnished by law. Inasmuch as private individuals are—as I understand—about printing an annotated edition of the Code, from whom lawyers and others can supply themselves, it would not, in my opinion, be advisable for the State to order a reprint. The present Code only went into effect September 1st, 1873, and as it is possible that the voters of the state will declare in favor of a constitutional convention in 1880, which would necessitate much new legislation, it would seem both impolitic and unwise to incur the expense of a re-codification at this time.

ATTORNEY-GENERAL.

The frequent necessity for the executive and other state officers to consult the Attorney-General makes it almost an absolute necessity that this official should reside at the capital. I recommend that his salary be made the same as that of the other state officers, and that he be required to maintain an office at the capitol.

BANKS.

Chapter 9, Title 11 of the Code, requires the banks of the state which are incorporated under the general incorporation law to make returns of their financial condition to the State Auditor, and also empowers the Auditor to make, or cause to be made, examination of such banks as often as four times a year. Chapter 60, acts of the Fifteenth General Assembly, provides for the inauguration of savings-banks, and requires the auditor to examine into their condition and report the

same to the General Assembly. The law does not fix the compensation of the examining officers. It should be amended in this respect, and should also require the banks to pay the expenses of at least one annual examination.

It is the bounden duty of the State to protect by legislation, as far as it can, the interests of depositors in banking institutions of this character, and I suggest that the law be amended so that no bank shall be incorporated, under the general incorporation law in the future, unless the share-holders in such banks shall be liable for twice the amount of stock they have subscribed for.

The Auditor is the accounting officer of the state, and also has charge of the insurance and banking interests. In view of the arduous and constantly increasing duties of the Auditor, it would be advisable to transfer the banking department to the charge of the Treasurer of State.

REDUCTION OF INTEREST.

In view of the fact that money has become quite abundant and cheap, I see no reason why the present maximum rate of interest should be retained on our statute-books. I am aware that there is quite a sentiment against all laws regulating rates of interest, and arguments having much cogency are presented on that side. Yet we have among our laws one on the subject of usury, and I am not prepared to recommend its repeal. Whatever the efficiency of this class of laws may be, I think there can be no doubt the tendency, on the part of those having money to lend, is to go to the maximum limit, whatever that may be, especially in dealing with those who feel themselves necessitated to borrow on short time. I therefore suggest that the highest rate of interest permissible on contracts in this state be fixed at eight per cent.

TEMPORARY APPOINTMENTS.

At the last session of the General Assembly, the board of trustees of the Institution of the Deaf and Dumb was legislated out of office, and provision made for the election of a new board of three members by the General Assembly. That body proceeded to make choice accordingly; but, as the new act had not then taken effect, I was obliged to consider the election a nullity. I, however, appointed the persons thus chosen, viz; Alfred Hebard, Fred Teale, and John H. Stubenrauch,

and upon their qualifying commissioned them trustees of the Institution of the Deaf and Dumb.

Mrs. S. P. Rider, who was elected at the last session a trustee of the Hospital for the Insane at Mt. Pleasant, declined the office, being about to remove from the State; whereupon I appointed Margaret A. Cleaves, M. D., of Davenport to the vacant place. All of these appointments hold until this session of the General Assembly.

For the information of the General Assembly I have prepared tables, which are submitted herewith; showing, the amount of appropriations asked for the State institutions; the aggregate cost of each institution for the biennial period; the cost per capita, per month, of supporting the inmates of the State institutions; the amount of discount on warrants, and interest, paid by said institutions; and the number of employees and inmates, showing the ratio of employees to inmates; and the amount paid short-hand reporters by the several counties, as well as the gross amount of what has been received back thereof in criminal cases; all of which is respectfully submitted for your consideration.

JNO. H. GEAR.

APPENDIX.

EXHIBIT A.

For the information of the General Assembly the following summary of the amounts asked to be appropriated, is submitted.

STATE UNIVERSITY.

Nothing.

NORMAL SCHOOL.

Teachers' fund	\$ 15,200.00
Repairs	2,500.00
Library and apparatus	1,000.00
Contingent expenses	1,500.00
	<hr/> \$ 20,200.00

SOLDIERS' ORPHANS' HOME AND HOME FOR INDIGENT CHILDREN.

Eight new cottages.....	\$ 10,000.00
Central building	15,000.00
School building	4,000.00
Purchase of land	5,000.00
Industrial pursuits.....	1,300.00
General repairs	1,500.00
Furniture.....	3,000.00
Library	200.00
	<hr/> \$ 46,000.00

PENITENTIARY OF THE STATE.

To raise wall and put in grates.....	\$ 6,500.00
For iron roof.....	9,500.00
Additional tier of cells	16,500.00
Additional shops	6,000.00
Blacksmith-shop	250.00
Enlargement of clerk's office	300.00
Heating apparatus	6,000.00
Repairs	5,000.00
Transportation of discharged convicts....	2,000.00
Range.....	450.00
Warden's residence	750.00
Old indebtedness.....	15,142.68
	<hr/> \$ 68,392.68

ADDITIONAL PENITENTIARY.

For wall, towers, and gate.....	\$ 39,481.20
Roof, temporary cell-house.....	460.00
Sewer.....	5,115.00
To complete south cell-house.....	10,000.00
For chimney-stack.....	1,580.97
General construction purposes.....	10,000.00
Steam heating.....	4,000.00
Old indebtedness.....	1,148.40
	<hr/> \$ 71,785.57

HOSPITAL FOR INSANE AT MT. PLEASANT.

General repairs.....	\$ 9,000.00
New mattresses and bedding.....	2,500.00
Hose and coupling.....	450.00
Drying room.....	400.00
To complete sub-basement.....	11,237.50
Improving grounds and planting trees and shrubbery...	2,500.00
Building barn.....	4,200.00
Lumber room.....	450.00
Blacksmith-shop.....	1,050.00
Smoke and meat-house.....	1,900.00
Enlargement of filter.....	2,800.00
Dividing courts and building pavilions.....	1,100.00
Water-closets for dormitories.....	1,200.00
	<hr/> \$ 38,787.50

HOSPITAL FOR INSANE, AT INDEPENDENCE.

New boilers.....	\$ 4,500.00
Artesian well.....	1,000.00
Plastering.....	1,000.00
Steam mangle and wringer.....	800.00
To complete building, reservoir and sewer.....	105,000.00
	<hr/> \$112,300.00

NEW CAPITOL.....\$300,000.00

ASYLUM FOR FEEBLE-MINDED CHILDREN.

To repay Superintendent for land purchased.....	\$ 125.00
Corridor.....	500.00
Barn.....	800.00
Purchase of cows.....	300.00
Team and buggy.....	450.00
Repairs.....	1,500.00
Heating.....	3,000.00
Additional water supply.....	5,000.00

Cistern.....	\$ 550.00
Sewerage.....	1,500.00
Oven.....	250.00
Furniture, beds and bedding.....	2,500.00
Land for farm.....	4,000.00
Fencing.....	1,000.00
School apparatus, etc.....	650.00
Salaries.....	7,590.00
New building.....	<hr/> \$ 29,715.00

COLLEGE FOR THE BLIND.

For re-plastering.....	\$ 600.00
New steam boilers.....	1,000.00
Iron fence.....	4,000.00
Barn.....	1,000.00
	<hr/> \$ 6,600.00

REFORM SCHOOL.

For water supply.....	\$ 1,250.00
For repairs.....	2,500.00
For library.....	500.00
For tools, etc.....	500.00
For main building.....	25,798.00
For steam-heating.....	4,500.00
	<hr/> \$ 35,046.00

AGRICULTURAL COLLEGE.

Kitchen and recitation-rooms.....	\$ 5,000.00
Building for Veterinary School and Botanical Department	5,000.00
Feeding-barn.....	1,300.00
Corn-cribs, live stock, etc.....	1,200.00
Four boarding-cottages.....	6,000.00
Repairs.....	3,000.00
Fire-proof safe and vault.....	1,500.00
	<hr/> \$ 23,000.00
Total.....	<hr/> \$751,826.93

EXHIBIT B.

COST OF MAINTAINING THE INMATES OF THE STATE INSTITUTIONS.

The following table shows the cost per capita of maintaining the inmates, per month, of the respective State Institutions:

SOLDIERS' ORPHAN HOME.

First year (including salaries).....	\$ 10.80
Second year (including salaries).....	11.38

INSTITUTION OF THE DEAF AND DUMB.

First year.....	\$ 23.65
Second year.....	15.00½

Two months in first year lacking of full term. An appropriation of \$8,000 per year is made this institution for salaries, ordinary expenses, etc. The above figures include salaries.

ANAMOSA PENITENTIARY.

First year (excluding salaries).....	\$ 8.38
Second year (excluding salaries).....	7.37

FORT MADISON PENITENTIARY.

For five months and eight days of the former warden's term (excluding salaries).....	\$ 15.26
For the term beginning March 8, 1878 (excluding salaries).....	6.40

MOUNT PLEASANT INSANE ASYLUM.

First year (including salaries).....	\$ 16.79
Second year (includes salaries).....	16.71

INDEPENDENCE INSANE ASYLUM.

First year (includes salaries).....	\$ 14.96
Second year (includes salaries).....	13.12

COLLEGE FOR THE BLIND.

First year (includes salaries).....	\$ 18.80
Second year (includes salaries).....	20.16

One month in first year lacking of full term. There is an appropriation of \$8,000 per year for salaries, ordinary expenses, etc.

REFORM SCHOOL.

BOYS DEPARTMENT—

First year (includes salaries).....	\$ 9.08
Second year (includes salaries).....	6.84

GIRLS DEPARTMENT—

*First year.....	\$ 13.94
Second year (includes salaries).....	7.79

ASYLUM FOR FEEBLE-MINDED.

Average for biennial period.....	\$ 10.97
----------------------------------	----------

EXHIBIT C.

Amount expended for the support of the several penal and eleemosynary institutions for the term ending September 30, 1879.

Ft. Madison Penitentiary—support.....	\$ 84,401.39
salaries of officers and guards.....	56,360.04
Anamosa Penitentiary—support.....	33,391.51
salaries of officers and guards.....	33,286.86
Institution of Deaf and Dumb.....	50,524.32
Orphans' Home.....	39,364.50
Reform School.....	40,564.54
College for the Blind.....	47,428.77
Asylum for Feeble-Minded Children.....	28,629.53
Asylum for Insane at Mt. Pleasant.....	211,248.04
Asylum for Insane at Independence.....	129,771.53
Total.....	\$754,971.03

EXHIBIT D.

A statement of the amount of interest received, and the discount paid on State warrants by the several penal and eleemosynary institutions for the term ending September 30, 1879.

INSANE HOSPITAL AT MT. PLEASANT.

Interest paid and discount on warrants for 1878.....	\$4,217.88
Interest paid and discount on warrants for 1879.....	2,552.47
	\$6,770.35
Less,—	
Interest receipts for 1878.....	\$ 638.41
Interest receipts for 1879.....	1,221.68
	1,860.09
Net payment.....	\$4,910.26

* Includes payment of old indebtedness, cost of removal, etc.

ANAMOSA PENITENTIARY.

Discount on warrants.....\$ 240.53

INSTITUTION FOR DEAF AND DUMB.

Discount on warrants.....\$ 535.79

REFORM SCHOOL.

Discount on warrants.....\$ 233.55

Interest received on warrants..... 37.15

Net payment.....\$ 196.40

ASYLUM FOR FEEBLE-MINDED CHILDREN.

Discount on warrants..... 111.85

Interest received on warrants..... 38.75

Net payment..... 73.10

NORMAL SCHOOL.

Discount on warrants..... 2.38

Total.....\$ 5,938.46

COLLEGE FOR THE BLIND.

Interest received on warrants.....\$ 689.86

Interest paid on loan..... 276.77

Net receipts.....\$ 413.09

INSANE HOSPITAL AT INDEPENDENCE.

Interest received on warrants..... 180.08
\$ 593.17

Aggregate net payments.....\$ 5,365.29

EXHIBIT E.

Number of officers and others employed in the several State Institutions, number of inmates, and ratio of officers and employes to inmates, at close of term.

	Number of employes.	Number of inmates.	Ratio.
Institution for Deaf and Dumb.....	38	178	1 to 4.68
College for the Blind.....	32	107	1 to 3.34
Orphans' Home.....	22	130	1 to 5.90
Insane Asylum at Independence.....	83	450	1 to 5.42
Insane Asylum at Mt. Pleasant.....	101	482	1 to 4.77
Asylum for Feeble-Minded.....	26	142	1 to 5.46
Reform School—Boys' Department.....	22	175	1 to 7.95
Reform School—Girls' Department.....	7	65	1 to 9.28

EXHIBIT F.

Amount paid by the various Counties in the years 1878 and 1879, for Short-Hand Reporting.

COUNTIES.	1878.	1879.	TOTAL.
Adair	\$ 260 00	\$ 161 00	\$ 421 00
Adams	239 00	215 00	454 00
Allamakee	281 00	324 00	605 00
Appanoose	257 50	200 00	457 50
Audubon	120 00	108 00	228 00
Benton	336 00	468 00	804 00
Black Hawk	496 00	504 00	1000 00
Boone	632 00	541 00	1173 00
Bremer	236 00	304 00	540 00
Buchanan	456 00	352 00	808 00
Buena Vista	200 80	314 00	514 80
Butler	176 00	200 00	376 00
Calhoun	104 00	144 10	248 10
Carroll	No	report.	
Cass	448 00	408 00	856 00
Cedar	280 00	269 25	549 25
Cerro Gordo	280 00	200 00	480 00
Cherokee	268 00	244 00	512 00
Chickasaw	315 50	330 30	645 80
Clarke	315 50	453 15	768 65
Clay	32 00	96 00	128 00
Clayton	464 90	208 00	672 90
Clinton	477 00	570 00	1047 00
Crawford	72 00	88 00	160 00
Dallas	212 85	410 00	622 85
Davis	118 00	102 00	220 00
Decatur	439 75	400 80	840 55
Delaware	480 50	426 00	906 50
Des Moines	742 00	1627 00	2369 00
Dickinson	48 00	96 00	144 00
Dubuque	1394 00	1273 00	2667 00
Emmet	No	report.	
Fayette	205 50	537 50	743 00
Floyd	362 00	625 60	987 60
Franklin	248 00	240 00	488 00
Fremont	504 00	440 00	944 00
Greene	248 00	224 00	472 00
Grundy	542 30	296 00	838 30
Guthrie	204 00	225 00	429 00
Hamilton	432 00	312 00	744 00
Hancock	No	report.	
Hardin	568 00	524 00	1092 00
Harrison	480 00	496 00	976 00
Henry	412 00	321 00	733 00
Howard	407 60	224 00	631 60
Humboldt	10 00	48 00	58 00
Ida	85 00	96 00	181 00
Iowa	320 00	304 00	624 00
Jackson	218 00	364 00	582 00
Jasper	311 80	291 00	602 80

EXHIBIT F—CONTINUED.

COUNTIES.	1878.	1879.	TOTAL.
Jefferson.....	\$ 216 00	\$ 265 00	\$ 481 00
Johnson.....	544 00	524 00	1068 00
Jones.....	503 50	544 85	1048 35
Keokuk.....	125 80	193 50	319 30
Kossuth.....	216 00	264 00	480 00
Lee.....	938 50	1094 00	2032 50
Linn.....	558 00	720 00	1278 00
Louisa.....	331 00	382 75	713 75
Lucas.....	125 00	173 00	298 00
Lyon.....	No report.		
Madison.....	350 00	498 85	848 85
Mahaska.....	449 60	472 60	922 20
Marion.....	248 00		248 00
Marshall.....	644 62	799 19	1443 81
Mills.....	378 70	694 05	1072 75
Mitchell.....	317 00	328 00	645 00
Monona.....	200 00	216 00	416 00
Monroe.....	198 00	136 50	334 50
Montgomery.....	393 00	570 25	963 25
Muscatine.....	520 00	632 00	1152 00
O'Brien.....	48 00	80 00	128 00
Osceola.....	56 00	56 00	112 00
Page.....	400 00	402 25	802 25
Palo Alto.....	176 00	216 00	392 00
Plymouth.....	300 00	200 00	500 00
Pocahontas.....	72 00	80 00	152 00
Polk.....	2023 20	1993 80	4017 00
Pottawattamie.....	747 00	910 00	1657 00
Poweshiek.....	163 00	127 00	290 00
Ringgold.....	80 00	122 00	202 00
Sac.....	144 00	136 00	280 00
Scott.....	696 00	640 00	1,336 00
Shelby.....	160 00	248 00	408 00
Sioux.....	80 00	80 00	160 00
Story.....	409 80	418 60	828 40
Tama.....	450 00	388 40	838 40
Taylor.....	455 70	338 00	793 70
Union.....	194 00	396 00	590 00
Van Buren.....	375 50	237 00	612 50
Wapello.....	440 00	384 50	824 50
Warren.....	782 50	481 00	1,263 50
Washington.....	319 70	198 00	517 70
Wayne.....	51 00	42 00	93 00
Webster.....	466 63	585 09	1,051 72
Winnebago.....	48 00	24 00	72 00
Winneshiek.....	360 00	212 80	572 80
Woodbury.....	674 00	686 00	1,360 00
Worth.....	8 00	48 00	56 00
Wright.....	70 50	102 00	172 50
Total.....	\$33,350 75	\$35,011 68	\$68,362 43

NOTE.—The foregoing exhibit includes one more county than the amount given in the message proper.

The amount paid into the respective county treasuries in eighty-four counties for costs in criminal cases is \$1,043.61.