

INAUGURAL ADDRESS

OF

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EIGHTH GOVERNOR OF THE STATE OF IOWA.

DELIVERED BEFORE THE

TWO HOUSES OF THE GENERAL ASSEMBLY,

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GENTLEMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES :

Elected by my fellow-citizens to undertake the duties of Chief Executive of the State, in accordance with custom, I embrace this occasion briefly to express my views upon a few measures which seem to demand legislative action.

Those questions of a national character which have heretofore largely absorbed public attention are now so generally approved by the intelligent and tranquil masses, as to have crystallized into principles. The late amendments to the Federal Constitution are, to-day, not merely regarded as a necessity of State restoration, but a natural outgrowth of our new civilization. Humanity as well as patriotism approves the measures adopted by the Administration to enforce obedience to law where the lingering echoes of treason still awaken a spirit of violence. Public sentiment indorses the peaceful diplomacy by which it is proposed to settle, without sacrifice of rights, honor, or pride, the rasping questions of international dispute, which have been for years a constant menace of war with Great Britain. The policy of referring proposals contemplating the annexation of foreign territory to the enlightened judgment of public opinion is accepted as a proper disposition of issues involving national expansion. A new theory of dealing with the Indians upon the frontier, illustrating not only the strength but the mercy of our Christian civilization, is another feature of the wisdom of this Administration,

which meets popular approval. The firmness and energy which have been infused into the civil service, holding financial agents to a strict accountability, and demanding honesty and economy in the collection and disbursement of the revenues, commend themselves to the public conscience. A large diminution of federal taxation during the last three years, with an increasing yield in the annual revenue, even at present lower rates, coupled with economical reforms in every department of the public service, promising further tax reduction in the near future, gives additional luster to the present management of the National Treasury. Finally, so administering the finances as to diminish the national debt more than 280,000,000 of dollars in three years, saving the people 17,000,000 of dollars in annual interest, improving the public credit at home and abroad, and appreciating legal-tender currency from more than thirty-three per cent. discount, to within ten per cent. of a gold basis, without even checking commercial enterprise, is indorsed by intelligent citizens as the crowning glory of the President's policy. An Administration illustrating its career with so many beneficent measures needs no factitious bolstering; I shall therefore not pause to consider any questions of exclusively national concern, but will address myself to issues which pertain specially to Iowa and her people.

Prior to the rebellion, the people of the United States had been for a quarter of a century engaged in the discussion of such moral and political theories as were in their nature constitutional and fundamental. These questions, after years of acrimonious debate, were finally settled by that sternest of all arbiters—the sword. And now that they have been disposed of—and, as is believed, wisely and permanently—we are invited to devote more thought and energy to the development of our intellectual and material resources.

Slavery has been abolished: the question now recurs, How shall the interests of free labor be best promoted? A new race has been given the ballot: the question comes back, How shall all men be stimulated to acquire such knowledge as will not only fit them to perform the duties of citizens intelligently, but with advantage to free society? All men have been declared "equal before the law": now the question receives an added force, How shall all men be brought to feel an equal interest in the preservation of Free Government, and equal pride in the purity and glory of free institutions?

The great truth expressed by President Madison: "That the public good, the real welfare of the great body of the people, is the supreme object to be pursued; and that no form of government, whatever, has any other value than as it may be fitted for the attainment of this object;" is no longer open to discussion.

Groping its way, in pursuance of this idea, through the twilight of liberal thought for nearly a century, this Nation has arrived, with reluctant steps, at a point in which it acknowledges, by the formality of a constitutional amendment, that the political freedom of every man, and his individual right to representation in its administration, is the chief corner-stone upon which rests the superstructure of Free Government. This theory is now forever settled and eliminated from political controversy.

Next to political freedom, the most important element of a good government is an intelligent people. Here we approach a question which will test, in some measure, the wisdom of this legislature. The school system of Iowa—when our youthfulness as a State is considered—does not suffer by comparison with that of any State in the Union. But this should not satisfy the aspiration of a people, the affluence of whose intellectual and material resources will render their failure to reach the highest educational possibility



an inexcusable folly. That we have attained this advanced position—though occupying a line near the front—will not be argued. While perfection in human institutions is not attainable, every improvement which experience or philosophy suggests to a thinking and progressive people will receive, at least, the response of a fair discussion. In this view, it is my purpose briefly to review an acknowledged need of our common schools.

There is no principle in modern theories of education so well attested, as that to improve our schools, we must improve the training and scholarship of the teachers. And for this purpose there has been no more effective instrumentality devised, than that, so generally adopted by many States, known as Normal Instruction. That in the administration of our State government, a wise economy in the expenditure of money should be observed, cannot be doubted. But retrenchment in any reasonable expenditures for educational purposes would not be economy. The accumulated wealth of the State must, in some manner, and at some time, pay for its own protection. If citizens of large wealth would place a guard over their treasures, more reliable than locks or bolts of safes, and cheaper than the iron bars of prison cells, the *per diem* of jurors, or the salaries of sheriffs and judges, that safeguard will be found in enlarging and perfecting the common school system of Iowa, until no citizen can reach maturity without obtaining a fair education.

If asked why this constant effort at improvement is continued, after the great advancement our State has made in this direction, it may be answered: there is an analogy between systems formed by human agency and the character of man. Moral and mental philosophy demonstrate the inability of man to remain stationary. He must either go forward, or he will involuntarily go backward. Thus, it is found in the older States, there must be constant effort to im-

prove the effectiveness of the school system, to keep it in motion even at the standard it has already attained. It may be said, however, the teacher can obtain the instruction necessary in the High School, or University. This, so far as mere culture is concerned, is doubtless true; but, after the general culture received at these institutions is obtained, the student who is successful in life must become a specialist. The acquisitions of the ordinary course in the College or University may be termed *CULTURE*. The acquirements made preparatory to a life-work in some profession, constitute *TRAINING*. And this *training*, for those who purpose teaching, the Normal School is designed to supply. It may seem a formidable undertaking to bring twelve thousand teachers into this special training, preparatory to their work. For myself, I do not think immediate success will be attained; and for a time the effort will probably seem barren of the desired results. But if a few succeed they will have a reflex influence through Teachers' Institutes and like agencies, upon others, until the profession of the teacher will be lifted to a dignity and usefulness which higher intelligence alone can give it. It has been the experience of all ages, in all departments of human endeavor, that, where a few men were raised above the level of their age, they would go forth, equipped for the activities of life, "leaving the whole lump," until the age, in turn, was lifted above itself. Such spirit and effectiveness ought to distinguish the educators of Iowa.

The Normal Department connected with the State University, has accomplished much, but facilities should be provided that will enable the system to reach larger results. How and by what means this shall be done will depend upon those steps you may regard as justified by wisdom, and the condition of the treasury, when reasonable provision has been made for enterprises already begun.

While upon the subject of education, I will be excused for alluding to the high position attained by our State University and Agricultural College, among the educational institutions of the country. I am pleased to do this, not only as due to the merits of these institutions, but as their processes of teaching serve to illustrate the principle of special training I have sought, in my remarks upon Normal Schools, to unfold.

While the State University was originally founded upon the theory of exclusively promoting general culture, the practical character of the age has modified its curriculum, until departments for special instruction have given it a standing it could never have acquired or deserved without them. And it is hoped the day is not distant, when the young men and women of Iowa will not feel it necessary to go into other States to acquire either general literary culture, or professional training. This institution, not only from its history, and the nature of the work it is designed to accomplish, but the character of the able gentlemen who fill its chairs, would seem to commend itself to your favorable consideration.

In our Agricultural College the same sentiment, in favor of special training for the duties of life, finds emphatic expression. This College, generously endowed with a grant of public lands from the United States, is designed to secure a liberal education to the Industrial classes. Here, the promotion of agriculture and the mechanic arts are kept prominently in view; whatever branches of learning receive attention, it is designed that nothing shall preclude the study of natural science, in its application to human industry. Men of intellectual vigor are developing this experiment, not only here, but in other States; and in a State so eminently agricultural as Iowa, in my judgment, it commends itself to every man, whose love of his race looks to the future improvement of the foundation upon which human industry rests.

The Experimental Farm connected with the College is being brought into a fine state of cultivation. Agriculture, horticulture, and the mechanic arts are all receiving attention, while labor in every department is being systematized and put upon a paying basis. It is sometimes said that an experimental farm ought not to be connected with any institution of learning, as it will not pay expenses. This argument would be equally good against a chemical laboratory or philosophical apparatus in any college in the country. The idea of improving and perfecting agriculture by a college curriculum is sometimes scouted; but when we remember that the mining schools in Europe have so improved the hand that wields the pick, and even the muscle that wheels the slag from the furnace, as to develop an ability to work low grade ores profitably, which starved uneducated workmen before the establishment of these schools; it must be acknowledged that the multiform specialties of the farm, requiring brain to plan and skill to execute, will be benefited by scientific instruction. The very fact that the labor of the farm is coming to be so largely performed by machinery necessitates greater intelligence among those who use the machinery. This College already begins to bear fruit. A series of Farmers' Institutes was held last winter in different counties throughout the State, conducted by the President of the College and others connected with it, resulting in numerous appointments and applications for similar Institutes, in different counties of the State, the present winter. Wherever these institutes were held, they have given agriculture a new impulse among the people, eliciting thought, inciting experiments, and tending to increase in the farmer a much needed pride of profession.

A wise disposition of these educational questions will tend to dispose, in advance, of the so-called labor problem. The opinion prevails, in certain quarters, that there is an antagonism between capital



and labor, and upon this doctrine parties for political action are being organized. It would seem that, with the diversity of occupation our State is capable of affording, and will afford when her manufacturing ability and illimitable resources are fully developed, with the empire of unoccupied territory in this country, upon which surplus population can overflow for a century to come, this issue would here be indefinitely postponed. This generation having removed the badge of dishonor which slavery affixed to labor, by striking the shackles from every foot that treads our soil, has done more to lift up and dignify human industry than could be accomplished by a dozen social revolutions. But notwithstanding this, as these labor questions have come in older States, unless their causes are provided against, they will be upon us.

Though political economy may teach that there is no antagonism between capital and labor; that the more capital there is, the more labor will be employed, and the better it will be paid; that capital is simply what is saved by the prudent foresight and self-denial of one class of laborers, to be used in the employment of other labor, to produce more capital; still many will believe in the future, as in the past, that some statute of talismanic power might be framed which would solve every social problem. If the economist argues, upon the proposition to reduce labor by statute to eight hours a day, that such action will diminish the accumulated wealth of the world, by so much as the additional two hours' daily labor, of its combined industry, would produce—and that in proportion to this diminution of wealth, the comforts of mankind will be lessened; that the houses to shelter both capitalist and laborer, the clothing they wear, the food they eat, and their resources for intellectual and social enjoyment will all be diminished, while capital will possess the power, then as now, to appropriate the greater proportional share of the remainder, leav-

ing less for division among those whose sole capital is labor—we may be told this argument is inspired by the tyranny of capital. But when we convince the world that knowledge has greater power than capital; and that if man can be taught to work with a so much defter hand and more inventive brain, aided by the ingenious appliances which take the place of muscle, as to be able to accomplish in eight hours as much as he does now in ten, then this social problem will solve itself, without the intervention of statutory force. So, after going round the circle of theories upon which hinge the progress and prosperity of the people, we come back at last to the point from which we started, and emphasize the fact that the intelligence of the coming man will more effectually aid him, than either labor-strikes or all the arbitrary statutes fixing hours of labor, and prices to be paid therefor, which the ingenuity of political science can devise.

The next most important subject capable of being influenced by legislation, upon which depends the solid happiness of the people, is their material progress and prosperity. And as Iowa is so largely agricultural, this inquiry naturally resolves itself into the solution of the problem, How shall the products of the soil be made to yield the largest returns to the producer? To bring the manufactured articles required by our people, and the products of their industry, nearer together, in my judgment, is of paramount importance. That the producer would be materially benefited if the wagon, reaper, plow, and cultivator, with which he plies his industrial enterprises, and the cloth he wears, were manufactured at his market town, whither he could carry his surplus products and exchange them for these necessities, saving cost of transportation long distances both ways,—is a proposition so self-evident that it needs no support by argument. But while the General Government may, as an incident of its power to collect revenue and the necessities of its treasury, be able to

discriminate so as to encourage such industries as are compatible with our habits, climate, and resources—and wisely exercises such discrimination—a State having no such authority, it may be asked: How can legislation aid us in this particular? It is answered, if we can do nothing more, it is possible, through our Board of Immigration, to call attention to our manufacturing resources. The fact that Iowa is supplied with coal mines developing veins from six to eleven feet in thickness, which invite new industries to their vicinity; with lead-mines, in which new lodes are daily discovered; with black-walnut and other woods for manufacturing purposes; with inexhaustible gypsum beds; with limestone quarries of every variety; with clays for the production of all kinds of brick and pottery; and with other resources inviting skill and capital, so numerous, as to forbid, now and here, the mention—might all be set forth in a pamphlet, which, distributed by the Board of Immigration, could not fail to attract attention, and produce results. Two years ago an appropriation of five thousand dollars was made in the interest of immigration, and counting every able-bodied man influenced to settle in Iowa, thereby, as an addition of five hundred dollars to the material wealth of the State, this sum has yielded a percentage in its present and remote influence upon our prosperity, not easily calculated by the ordinary methods of computation.

Another telling influence upon the profits of the producer, in this State, as in others, is the cheapness, accessibility, and abundance of good fuel. While we have coal-mines which will yield sufficient fuel for more than the wants of any probable population in the future of this State; yet owing to costly processes of mining, and exorbitant charges upon local freights, this indispensable article is so expensive as largely to discourage immigration. Coal, here, as elsewhere, is coming to be regarded as the principal article for fuel, and it is probable that more

than half of our population, will throughout all the future depend upon it for this purpose. Indeed, the extent of the coal-fields of Iowa measures the capacity of large portions of our own State, as well as States adjoining us, for occupancy and improvement. Therefore, anything that can be done to promote prospecting for, and the opening of, new mines; to encourage and protect miners in their employment; and to cheapen the transportation of this article, will greatly accelerate the settlement of our fertile prairies, lessen the price of fuel throughout the State, and be an invaluable aid to future manufacturing enterprises.

Another means of promoting the results of industry, by legislative influence, is to keep the burdens of taxation down to the minimum standard. I would carry forward to completion, with judicious economy, those enterprises already commenced. If the prudent man of business, as a legislator, will act upon the same principle in regard to public expenditures which he observes in the conduct of his own private affairs, he will measure his public duties by a standard that will seldom produce extravagance. The danger, usually, is not in the larger appropriations which attract public attention, and the disbursement of which are narrowly watched by the people, but in smaller amounts which receive but little examination, and are voted upon with the remark: "It is but a trifle anyhow." Perhaps it will not be thought out of place in this connection to say, that during the earlier part of the session, when, unlike its closing hours, there is no haste, the general appropriation bill should be examined and perfected, or as nearly so as practicable; and then amendments sought to be inserted in the last hours, should receive a searching analysis. When individuals, during the confusion necessarily preceding the adjournment, clamor for the recognition of claims which the entire session has afforded them opportunity to



fully present, when they could have been thoroughly canvassed, this fact of itself should elicit a careful scrutiny as to their merits.

And here I may not inappropriately speak of the uncalculating manner in which many communities—and especially of the more sparsely populated counties—impose taxes upon themselves. If there is legislative power this should be remedied. I cannot think it would do municipal corporations a very great injustice, so to hedge the privilege of imposing obligations upon themselves, that their power to contract debts will be kept somewhere within the boundary of ability to pay.

Appropriations for our benevolent institutions will, of course, reach the extent of their needs, economically estimated. The Reform School, though of recent origin, is doing a noble work, and commends itself to your consideration. The Soldiers' Orphans' Homes are doubtless becoming less burdensome to the treasury, as the children for whose care and education they were intended are yearly reaching an age of self-support. Still, while the necessity for such care continues, we will but echo the voice of patriotism, by liberally providing for the children of those noble men who illustrated Iowa in the Great Rebellion. Such appropriations for carrying forward the work upon the Capitol Building, and the Insane Hospital at Independence, as may be necessary and attainable, without increasing the taxes of the people, will doubtless be sanctioned both by wisdom and economy. The condition of the treasury, and the amount that can be judiciously expended upon these buildings in the next two years, evidently should determine the limit of these appropriations. It may be necessary to add some expense to the Penitentiary to make it equal to present requirements. In reference to convict labor, it has always seemed to me that, if the avenues in which such labor could be employed were increased, not leaving the State so entirely depend-

ent upon the grasping caprice of contractors, it would be of advantage to the State and improve the prison management.

No appropriation ought to exceed the amount which can be economically applied to the purpose intended; as, whatever confidence may be reposed in public officials, they should not be tempted to extravagance by appropriations out of proportion to their objects. The honesty and economy with which governments like ours are administered depend upon the people. As the stream does not rise above its source, so, where the people are the source of power, those elected to office generally represent a fair average of the honesty and intelligence of the masses. A late election in a sister State, where the people, especially of the great metropolis, had been wrought up to an appreciation of public duty, by a series of political villainies never paralleled upon this continent, has illustrated the fact, that when the intelligent masses are once aroused, and move with a determinate purpose, they have power to crush venality and corruption as easily as a giant can set foot upon a worm. But, while it is proper to reform political abuses where they have been permitted to grow to overshadowing proportions, it is better for the people to keep so constantly on the alert as to give no opportunity for such abuses to develop.

Cheap and reliable facilities for the exchange of products are the last, though not least important, aids of profitable production to which I purpose calling attention at the present time. The consideration of this question will involve a brief discussion of the railway problem. And when it is understood that during the last forty years more than six thousand millions of dollars of the world's capital has been invested in railways, and that throughout our entire country this mode of travel and transportation is fast superseding all others, the importance of finally and equitably defining the relation between railways



and the community can, in a measure, be realized. Henry Clay, a statesman of prophetic forecast, believed, a half century ago, that his efforts in behalf of the Cumberland turnpike would connect his name with an enterprise of enduring greatness; and that it would specially be remembered to his credit by the multitude who would journey along it in all the future of the Republic. But to-day, that turnpike, and common roads everywhere, are fast passing into disuse, except as mere local conveniences; whilst the habits of the people are now conformed to a new mode of commerce and communication. The private citizen who could once put his own wagon upon the road, or boat upon the river and lake, now finds himself forced, in order to keep pace with the world's business habits, to intrust his person and his property, in moving from point to point, to a transportation monopoly. A consideration of these facts cannot but impress thinking men with the importance of the railroad question.

I do not regard the pretense that railways are beyond the control of law, in respect to fare and freights, as worthy of more than a moment's consideration. It cannot be conceded that a corporation, when asking the right of eminent domain, may avow the purpose of building a public highway, for which purpose alone it could hope to acquire this prerogative of sovereignty; and, when the right has been conferred and accepted, and is enjoyed, may declare itself independent of statutory control, in the limitation of fares and freights, on the ground that a railway is private property. It has been said that "both currency and internal communication between different portions of a State are exclusively the prerogatives of sovereignty." If, therefore, banks owe a debt to the community as well as their stockholders for the prerogative franchises with which they have been clothed, there can be no question of the consideration due from railways for their still greater privileges. As an individual cannot

conclusively determine his own rights in respect to his dealings with community, it is not to be supposed that a vast moneyed power, subject to the restrictions of a common carrier, can assume prerogatives denied, in this regard, to a private citizen. It has always seemed to me that railroad men, to as great an extent at least as any other persons, would have a deep interest in the effectiveness and stability of wholesome statutes, as upon pure and just law the permanent value of their stocks and franchises alone depend; yet it is a fact that the possession of enormous franchises breeds a contempt for law. There can be no clearer duty, therefore, than for the State to maintain its power over railway and all other corporations of her own creation. And if Iowa ever abdicates this sovereignty, she will have proved herself unworthy the dignity of a free commonwealth.

Approaching, however, the question as to how fares and freights shall be regulated, I am free to admit the difficulties which surround it. Many experiments have been tried in other States, some of which defeated the very end they were intended to promote. If all railways were alike in cost of construction and operation, and in their earnings, the problem could easily be solved; but when the facts confront us, they present unexpected difficulties. That we can, by arbitrary statute, fix the price for freights upon all articles, and on all roads, and do justice to the community and the railways, seems almost impossible. To establish a like freight upon a ton of iron and a ton of tea, or per car for the transportation of a car-load of common horses, or the fancy stock of the sportsman or breeder, with the difference in liability in the one case as compared with the other, illustrates the obstacles in the way of adjusting a tariff of freights so as to meet the various demands of commerce. When we consider, further, the difference of expense in operating railways: one having easy grades and running through a level, agricultural country, with light

expense and a local business profitable to stockholders; another through a hilly region, with sharp curvatures, heavy grades, and a limited local business: the difficulties are increased. And if we consider the further fact, that one road may be largely supported by passenger traffic, while another is specially a freight, coal, or lumber road, it still further multiplies the obstacles in our pathway.

There are, however, some abuses which, in my judgment, are capable of remedy by legislative intervention. We are sometimes told that competition will settle all these questions. But this cannot be true. George Stephenson once said, "where combination is possible competition is impossible;" and that is true to-day. Indeed, competition not infrequently proves a source of oppression to the people. Railways are generally designed as commercial channels between certain points, while the intervening country, with its business, is regarded as only an incident of their main purpose. It frequently happens that rival railways, though connecting the same points, widely diverge in their passage through the country they traverse. If, from any cause, competition for the through business becomes sharp at the ends of these lines, freights have at times been reduced below cost, the companies making up their losses by exorbitant charges on the intervening country. An evil of this nature, legislation ought to reach.

The habit of "stock-watering," which has grown up of late years, not only in railway corporations, but in other companies possessing corporate powers, ought to be prohibited. Although throwing fictitious stock upon the market, for speculative purposes, may seem harmless to the operators, the tax, which, in the way of interest and tolls, must be paid by the people, is one feature of the transaction in which there is no fiction.

Allowing drawbacks to large dealers or favorites, thus, in effect, driving small dealers from business, and breaking down competition

in the purchase of products, is opposed to public policy, and should evoke statutory inhibition.

Discrimination against water transportation is both unjust and oppressive to the producer, and should elicit regulation; while if the State can encourage, by moral influence, the opening of direct water communication with the Atlantic sea-board, it will aid in giving the West one channel for the shipment of surplus commodities, a large portion of each year, upon which competition can be made effective.

I have thus briefly called attention to some of the points in this matter which seem to demand your attention. With the limited examination I have been able to bestow upon it, I am persuaded that full knowledge of the whole subject is of the first importance. In the determination of the rights and interests of the community and the railways, involving issues so fundamental and important, in my judgment there should be a tribunal which would thoroughly examine the entire field of inquiry, and report facts and conclusions with a spirit of judicial fairness. It may be these anomalous interests have not yet assumed such proportions as to require, immediately, the creation, with the consequent expense, of a commission; but when they shall have reached such proportions, I have no doubt this action will be both wise and expedient. As the rights and duties of the community, the stockholders, and the operators of railways, should be well understood by all parties, I am led to suggest, whether it would not be well to have prepared a compilation or digest, in a single pamphlet volume, of all laws in relation to this subject. Giving them the same convenient form as our road and school laws would greatly facilitate ready reference, and remove any excuse for being ignorant of the law.

The question of railroad taxation will also come to your attention. Whilst I have no hesitation in saying that a larger revenue should be collected from our railways, I am not able to see that the same



mode of assessment should be adopted as is applied to the assessment of private property. It would seem to be unjust in many particulars, and, withal, very nearly impracticable. But that the property of corporations should be taxed uniformly with that of private citizens is both constitutional and right. It has cost many sacrifices to establish the principle of "equality before the law," and no individual or corporation should escape the operation of a principle so beneficent. This principle should not only be applied in the taxation of railway property, but in dealing with the entire question. If, however, we assess railways in the same *manner* as other property, a few townships in each county will reap the benefit of all local taxes, and a few towns in the State of all tax upon rolling-stock and other property. For these, with other reasons, it would seem to be unjust to a very large majority of the people of the State, who do not live in townships and counties having railroad advantages.

It would also work injustice to the railways. The value of a railroad is evidently not in its right of way, embankments, masonry, bridges, ties, iron, machinery, locomotives, cars, buildings, &c., &c., but in the essential franchise. And the value of this franchise is dependent upon dividends. If railway property is assessed by the same mode employed in the assessment of other property, the road constructed through the hilliest country, with the most expensive bridging, would be liable to the larger assessment, though it paid the least. Such a policy would be dictated by neither wisdom nor justice. The constitutional provision that "the property of all corporations for pecuniary profit shall be subject to taxation the same as that of individuals," while unmistakable as to amount, is, in my judgment, not directory as to the mode of assessment. Therefore, if a policy should be adopted which would operate unequally, in the valuation of railway property, as compared with that of private persons, or the result of which would be to tax, in some instances, railway

property at twice its value—having paid once upon hypothecations—it might result in litigation, and perhaps decisions adverse to the State. Indeed, I understand this very liability in relation to mortgaged real estate of private persons, is provided against in the amendments to the Revision of 1860, submitted to you by the Codifying Commissioners.

In saying this much, however, I in no wise deviate from my unyielding conviction that railway companies should be taxed uniformly with every private citizen in the State. Upon this point I would not be misunderstood. Having confidence in your wisdom, as the representatives of the people, I have no doubt you will be able to originate such measures, as a basis upon which to tax this class of property, as will secure to the State the full amount of revenue which should accrue from the aggregate value of all the railways, and at the same time do justice to all parts of the State, and to the railroad companies.

Closing what I have to say upon these questions of a general nature, permit me to call your attention to a matter which, though somewhat exceptional in its nature, demands your earnest consideration. I refer to the position of a large number of settlers on what is known as River Land, situated in the Des Moines Valley. I will not stop here to argue that the State should take some action to bring this question to the attention of Congress, and should earnestly besiege that body until such compensation is made to these people as will enable them to buy their land of the parties in whom the Supreme Court of the United States has lately adjudged the title to exist. It seems to me the simple facts in the case are sufficient to commend it to the favor of every just and humane man.

I desire, however, to answer an objection which has been urged against the claims of these settlers. It is said they knew the title to this land was in dispute, and in going upon it took

their chances. This is sufficiently answered by saying, that when different officers of the land department at Washington disagreed in reference to the extent of this grant, whereby it was kept oscillating under conflicting decisions, between the State and the general government, for twelve years; and when the Supreme Court, in 1859, decided the grant did not extend above the Raccoon Fork (or city of Des Moines); and when the Commissioner of the General Land Office, Secretary of the Interior, and other ministerial officers of the general government were so far convinced that these lands were open to settlement and pre-emption as to issue patents to hundreds of these claimants, and to set apart indemnity lands, under the grant of July 12th, 1862, in place of these pre-emptions; can it be presumed these settlers would be able to see through the technicalities which finally produced a decision of the court holding their titles invalid?

I cannot believe, if the merits of these claims are properly presented to Congress, that they will go unadjusted. A case almost precisely parallel to this, relative to lands on the Virginia soldiers' reservation in Ohio, a portion of which were sold, by mistake in reference to the boundaries of the reservation, to large numbers of settlers, and afterwards entered by Gen. McArthur and others with Virginia bounty scrip, was fully indemnified by the United States, as far back as 1821; and it is believed the sense of justice is as strong now, both in our people and government, as at any former time. That it will cost something is true; but the army and navy had better be reduced than to suffer this crying wrong to go unadjusted. The love of the people for their government, secured and retained by the knowledge that it will suffer no wrong to its weakest citizen, is a cheaper defense than standing armies. I believe the State should appoint an Agent to proceed at once in a thorough examination of each of these disputed titles; that lists should be made containing the name of the settler, the length of time he has occupied the land, the *status* of his title;

whether he has a patent from the general government, a certificate of pre-emption, or simply a squatter's claim; the date of his record title, if he has one, and the probable value of his improvements. This report would enable those pressing these claims at Washington to do so intelligently, and with ability to approximate the appropriation necessary to secure a fair adjustment.

The report of the Codifying Commission will claim your attention. As it is the work of distinguished lawyers, who have given the subject upon which they report deliberate thought and study, I have no doubt the adoption of their suggestions will tend to round out and perfect our code of laws.

In reference to amendments to existing laws generally, in my judgment, it is well to bear in mind that all changes are not reforms. When the people come to know the law, and their habits are conformed to a system, unless it can be materially improved, it is unwise to confuse public business with needless innovations.

But as my predecessor has submitted an able and comprehensive Message—with the conclusions of which I heartily agree—any further reference to these special subjects would be a work of supererogation.

I have thus rapidly reviewed a few of the salient points which have presented themselves to my mind as capable of ministering to the progress, prosperity, and happiness of the people. But, while so much may be expected from intellectual and material growth, I would not be understood as ignoring the fact, that the future of Iowa is largely dependent upon the morals of her citizens. Believing as I do that, "except the Lord build the house, they labor in vain that build it," I am but loyal to a settled conviction of public duty in acknowledging my need, not only of that support which comes from the confidence of the people, but the aid of that Divine Ruler who is too wise to err, and to whose laws nations, as individuals, are alike amenable.



Although gratefully accepted from the hands of a generous people, I am not unmindful of the great responsibilities of the position they have conferred upon me. These reflections impress me the more forcibly when I remember that my acts will be compared by a discriminating public with those of an unbroken succession of predecessors whose statesmanship has given an added luster to the history of the generation they so wisely served. It in no wise relieves these misgivings, to reflect, that this comparison will be all the more sharply drawn from the fact that I assume these duties as the immediate successor of the distinguished gentleman, who, during the last four years, has performed them with such signal honor to himself and advantage to the State.

*Gentlemen of the Fourteenth General Assembly:* The trust confided to us, in our co-ordinate departments, is of no ordinary moment. I hope to co-operate with you in measures which will tend to promote the welfare of the people of Iowa. That I shall uniformly be free from error, is hardly probable; but, believing in the utmost frankness, in my administration of these duties, I shall have no concealments from you, from my friends in other departments of the State government, or from the people. Even a mistake frankly acknowledged, followed by sincere attempts to retrace the steps taken in a wrong direction, is generally relieved of half its otherwise evil consequences. We may differ upon some measures of public policy. We may, as partisans, be Republicans and Democrats. But there is one particular in which we will not differ: in our abiding love for Iowa and her people we are one. And my desire is, we may so meet our joint responsibilities that, in the great realm of the future, Iowa, in her character for Patriotism, Virtue, and Intelligence, will stand an exemplar in a sisterhood of States, the number of which no prophet may to-day predict: all constituting "one nation, one sovereign nationality, with one governing civilization, one inspiring history, one alluring hope, one foredated future destiny, and one eternal weight of earthly glory."

CYRUS C. CARPENTER.

# REPORT

OF THE

## AUDITOR OF STATE,

TO THE

FOURTEENTH GENERAL ASSEMBLY

OF THE

STATE OF IOWA,

NOVEMBER 6TH. 1871.

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JOHN RUSSELL, AUDITOR.

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