

SPECIAL MESSAGE

OF THE

GOVERNOR OF IOWA,

IN RELATION TO

COUNTY SWAMP LANDS.

LAI D BEFORE THE FOURTEENTH GENERAL ASSEMBLY, APRIL 16, 1872.

DES MOINES:
G. W. EDWARDS, STATE PRINTER.
1872.

SPECIAL MESSAGE.

STATE OF IOWA, EXECUTIVE DEPARTMENT, }
DES MOINES, April 16, 1872. }

Gentleman of the Senate and House of Representative :

In view of the fact that under the recent legislation of Congress, and late decisions of the Supreme Court of the United States, several counties are likely to realize, from the swamp-land grant, what had heretofore seemed an interest so remote as to be of little value, it is feared by many that it will develop a new source of danger to the citizens of these counties. I therefore feel warranted in calling the attention of the General Assembly, especially to matters connected with the disposition of the swamp-lands. While the authorities of several counties were in a state of doubt and uncertainty as to the probability of acquiring a title to any such lands, they disposed of what seemed, at best, but a stale and contingent claim at very low prices. During the past few years, many of these lands have passed into the hands of innocent third parties. It is feared, now, that the Boards of Supervisors in some of the counties, not fully understanding the force and effect of recent Congressional legislation and judicial decisions, may be operated upon by adventurous speculators with the argument; that they will prosecute the claims before the Departments at Washington, and in the courts if necessary to overthrow an adverse title, without expense to the counties, provided this contingent interest is vested in them for a nominal sum; and that, by this specious reasoning such Boards may be induced still further to complicate the rights of these counties, and innocent holders, by new and sweeping contracts of sales.

Without intending to express an opinion in reference to the validity or expediency of any contracts these counties may have made

in other years—a matter which the courts will doubtless settle in due time,—it does seem to me, that when innocent purchasers are likely to suffer, and especially when such purchasers have settled upon and expended money in the cultivation of their lands, they thereby become subjects for legislative protection, in whose behalf the General Assembly should intervene to the extent of its constitutional power.

While upon this subject, I will be excused for making another suggestion in reference to the disposition to be made of swamp-lands by the counties. I cannot but think the General Assembly would confer a lasting benefit upon any county which may hereafter acquire title to this class of lands, and which may not have disposed of such title by prior sale, by providing that such lands shall be sold by the county authorities for the benefit of the county, in amounts not exceeding three hundred and twenty acres to any one person, and only to actual settlers. This may seem somewhat invidious, no such limitation having been made heretofore ; but any act which would operate so beneficently to any county affected by it, and to all the people who in the future may settle therein, and which would so materially promote the interests and honor of the State, as would the proposed measure, should hardly be objected to upon the ground of its being an innovation upon the practices which have heretofore obtained in the disposition of these lands.

C. C. CARPENTER.

STATEMENT OF THE EARNINGS, TARIFFS, ETC.,

OF THE VARIOUS

IOWA RAILROADS,

COMPILED FROM REPORTS OF THE COMPANIES

MADE TO THE SECRETARY OF STATE,

BY ORDER OF THE

RAILROAD COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

ORDERED PRINTED, FEBRUARY 1872.

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