

VOLUME V.

Insurance Report, 1912, Volume I, Fire.
Insurance Report, 1912, Volume II, Life.
Insurance Report, 1912, Volume III, Fraternal Beneficiary Societies.

VOLUME VI.

Insurance Report, 1913, Volume I, Fire.
Insurance Report, 1913, Volume II, Life.
Insurance Report, 1913, Volume III, Fraternal Beneficiary Societies.

VOLUME VII.

Reports of Railroad Commissioners 1911 and 1912.
Report of Railroad Assessment, 1912 and 1913.

BIENNIAL MESSAGE

OF

B. F. CARROLL

GOVERNOR OF IOWA

TO THE

Thirty-Fifth General Assembly

JANUARY, 1913

DES MOINES:
ROBERT HENDERSON, STATE PRINTER
1913

THIRTY-FIFTH GENERAL ASSEMBLY, JANUARY, 1913.
BIENNIAL MESSAGE OF THE GOVERNOR.

*To the Senate and House of Representatives of the Thirty-fifth
General Assembly:*

The constitution makes it the duty of the Governor to transmit to every regular session of the General Assembly a message with reference to the conditions of the state and recommending such things as he shall deem expedient. If I shall attempt to discuss in your presence the many matters of importance to which in my judgment you should direct your attention during the present session of your honorable body, it will require a message of considerable length, and I therefore, in the beginning, beg indulgence for such time as may be necessary to a proper understanding of the subjects herein referred to.

In my opinion, few, if any, sessions of your honorable body have ever been confronted with so many important measures, as will be presented to you in the course of your deliberation, and none have had better opportunity for doing a vast amount of valuable service for the state. Many of the more important subjects that will come before you, have been considered by special commissions during the time since the adjournment of the last session of the General Assembly, and have been reported upon, some in the form of bills, while other measures have been so thoroughly considered at other sessions of the legislature as to render them more easy of solution by you. I know of nothing that should in any way interfere with the work of this session. It seems, therefore, that we may reasonably expect an unusual amount of valuable legislation at your hands, and I congratulate you that you enter upon your duties under such favorable circumstances.

CONDITION OF THE TREASURY.

I am pleased to be able to say to you that the finances of the State appear to be in a very satisfactory condition. On the first day of January of the present year the balance in the treasury standing to the credit of the general fund amounted to \$971,672.11. Deducting the Fish and Game fund and the Automobile tax, leaves

the net balance, in round numbers, \$730,600, as against \$645,000 on January 1, 1911, after making like deduction, and \$299,600, January 1, 1909.

The biennial report of the Auditor of State shows that on July 1, 1912, there was in the state treasury to the credit of the general fund \$818,000 after deducting the Fish and Game fund and Automobile tax. The Auditor estimates that the receipts from July 1, 1912, to July 1, 1915, will amount to \$13,482,000, making the total assets \$14,300,000. He estimates the expenditures from July 1, 1912, to July 1, 1915, to be \$12,350,000. To this should be added \$650,000 to meet expenditures between July 1, 1915, and October, 1915, during which time the State's income will be small. These two items taken together make a total of expenditures of \$13,000,000, which would leave \$1,300,000 available for extraordinary expenditures during the biennial period ending June 30, 1915. It will be unsafe to appropriate a larger amount than this unless you make provision for increasing the State's income sufficient to meet any excess in appropriations.

THE CAPITOL GROUNDS.

A comprehensive scheme for enlarging the capitol grounds should be adopted by you and plans be made for the eventual acquiring of the lands to be added to the present holdings of the State. I would recommend that the state buy all of the grounds lying between east Ninth and east Twelfth Streets, beginning at Capitol Avenue and extending to the railroad tracks at the foot of the hill to the south. The grounds thus acquired, lying south of Walnut Street, should be parked and beautified, and upon them should be placed the Allison monument and such other monuments as may be erected in the future, and when the state shall build an executive mansion, it should be placed upon the high point of ground to the southeast of the capitol building. Upon the block immediately east of the state house and south of Capitol Avenue, should be located a judicial building. I would also suggest that when the time comes that it is necessary to make any considerable improvement in the State's power plant, it would be wise to consider moving it to the foot of the hill, south and southwest of the state house, where it could be reached by a switch, thereby saving the large amount of money that is annually paid for hauling coal

with teams and wagons, and also getting rid of the dirt and smoke and the somewhat unsightly appearance of a heating plant immediately in front of the capitol building.

In suggesting the enlargement of the capitol grounds, I wish to say that the owners of some of the lots included in that which I have referred to, have already expressed a willingness to sell the same and some have submitted a price for their holdings. I want also to say that at two or three different times efforts have been made to secure a change of grade in some of the streets about the state house, which change would have a very material effect upon the surroundings, if additional lands are to be acquired. The Council has each time objected to these changes and asked the parties interested therein to wait and take the matter up with you with a view to securing co-operation between the city of Des Moines and the State in some general plan of improving the state house surroundings, and I recommend the appointment by you of a committee to take this matter into consideration and co-operate with the officials of the city to the end suggested.

In my opinion the State might profitably dispose of Governor's Square, allowing the city to purchase it for a park if so desired, and invest the proceeds in lands above suggested for purchase.

JUDICIAL BUILDING.

The demand for more room for the accommodation of the various officers and commissions of the State seems imperative. We now have the Dairy and Food Commissioner and the State Veterinary Surgeon quartered in the old brick building across the street east from the State House, which building is poorly equipped and ought to be vacated. The State Board of Education, the State Fire Marshal, the Commerce Counsel, the Rate Department and the Oil Inspector have been occupying committee rooms and are now temporarily located, some with other departments in this building and some in the Historical Building.

In order to furnish needed room it has been suggested that an office building be erected. Some such arrangement should be made, but in my opinion the logical thing to do would be to erect a Judicial Building, remove the Supreme Court and all of its correlated departments out of the State House and bring all administrative officers and commissions together in this building. By this method the Supreme Court, the Clerk of the Court, the At-

torney General, the Law Library and the Commerce Counsel would be removed from this building and the quarters occupied by them would be released for the use and accommodation of other officers and commissions. The library room is of the height of two full stories and could be converted into two stories, the upper of which would be accessible from either elevator at the gallery floor.

By the above arrangement 19,000 square feet of floor space would be released for use which is practically the equivalent of a four-story building 100 feet long by 50 feet wide.

I believe the above would be the logical division of departments to make in as much as it would bring the court and the legal department of the state into one building and all executive officers into the other. This has been done and is being done in a number of states. It has the endorsement of our Supreme Court and in my opinion is the plan that should be adopted.

ELEVATORS

The old hydraulic elevators in the State House continued to give so much trouble that the Executive Council became alarmed lest some accident might result from their operation. It was deemed advisable to replace them with electric machines. In order to meet the expense incident to this change it became necessary to use the money appropriated by the omnibus appropriation bill of the last session of the General Assembly for the installation of elevators in the north and south wings of the building, the Attorney General holding that said appropriation might properly be so used. The new elevators cost \$3,000 each.

SOLDIERS' HOME COMING.

A year or more ago it was suggested to me that it would be appropriate to have a home coming for all surviving soldiers who went from the State of Iowa into the service of their country during the war of the Rebellion. The time was too short to make preparation for such a home coming during the year just passed. It is now proposed to observe such an occasion during the present year in connection with the state encampment of the G. A. R., which encampment will be held in the City of Des Moines some time during the summer.

I most heartily and earnestly concur in this movement and recommend that some appropriate preparation be made for this occasion and that an appropriation be made by you to assist in

defraying the expenses thereof. Not only men who went from Iowa into the service, but hundreds and possibly thousands of others would engage in these exercises. It ought to be made a great occasion for the old soldiers whose years, at most, cannot be many.

PROVIDENTIAL CONTINGENT FUND.

The Thirty-fourth session of the General Assembly appropriated \$50,000 as a providential contingent fund to be expended under the provisions of section 170 of the Code. I recommend that you renew this appropriation. Under an opinion of the Attorney General it has been held that this fund may be used for various purposes, such as paying the expenses of the National Guard when called out to suppress riots, for the restoration of state property when destroyed by unavoidable cause, etc., so that it cannot properly be regarded any longer as a providential fund. While not calling into question the correctness of the opinion I want to suggest that the section of the Code should be so amended as to make it clear as to just what use is to be made of this fund and the term by which it is designated should conform to the uses for which it is intended. The law should also be amended so that the expenses of the Guard when on riot duty could be paid from the general fund of the treasury. A single conflagration or disaster might make it necessary to expend the entire amount of the appropriation herein referred to and leave the Governor without any means of meeting guard expenses as herein contemplated except by calling the legislature into special session. And again, since it is provided that the so-called providential contingent fund can only be expended by unanimous consent of the members of the Executive Council any one member of that body refusing to agree to the payment of guard expenses from this fund could hold the claims up and prevent their payment or compel the Governor to call the General Assembly into session. While it is not probable that such a contingency as this would ever arise the possibility of it ought not to exist.

NATIONAL GUARD.

In my message of two years ago I expressed it as my opinion that the National Guard had attained to a degree of efficiency never before equalled. I think I am warranted in again saying that the

efficiency of the Guard has never been so great as at the present time.

Within the last four years there has been a great revival of interest with reference to quarters for the companies so that of the forty-eight companies constituting the four regiments of the guard thirty-three are now provided with permanent quarters, many of which were erected for the exclusive benefit of the companies themselves and others have been so arranged as to meet their needs and requirements.

Early in the summer of 1910 I found it necessary to call out six companies of the Fifty-fourth regiment in charge of Major Ball under the direction of General Logan to suppress rioting in connection with the general strike among the button workers at Muscatine. The conduct of the guard was exemplary and the work done by the companies was very effective and commendable. This service covered a period of sixteen days.

INSURANCE, BANKING, ETC.

Conditions in the State with reference to insurance and banking have been quite satisfactory during the last two years. There are now reporting to the department 1,049 banks and trust companies as against 950 two years ago, and the deposits have increased from \$247,000,000, June 30, 1910, to \$285,000,000 September 11, 1912.

There have been no great conflagrations during the year and the mortality among our people has been about normal.

The Auditor of State in his biennial report recently filed with me again recommends that a system of examination of county accounts and records be established and to this recommendation I want to give my approval. It seems to me that the number of defalcations and irregularities that have occurred during the last few years will impress upon you the importance of the above suggestion.

MINING AND LABOR DEPARTMENTS.

The entire chapter of the Code relating to mines and mining in the State was revised during the last session of the General Assembly and I am pleased to say that under the new law things have worked out in a very satisfactory manner. There have been no serious disasters and the merits of the statute enacted I think have fully justified the revision of the law.

The Labor Department of the State is in a most excellent condition and I commend the Commissioner upon his faithful and wise administration of the affairs of the office. Some revision of the laws will be asked and requests will be made for extending the service of the department. One of the most important matters with reference thereto is that of changing the law with regard to employment agencies so as to eliminate what is known as the "padrone" system.

In my opinion the power and authority to inspect hotels should be transferred to and made a part of the duty of the Labor Commissioner. It is wholly unnecessary to have two sets of men traveling over the State when the work of inspection herein referred to could be performed equally as well and at a much less expense by the Labor Commissioner and his deputies who of necessity must visit all parts of the State in the performance of other duties.

I recommend a careful consideration of the matters herein referred to.

HEALTH DEPARTMENT.

While the Health Department of the State seems to show a more satisfactory condition than heretofore I am still of the opinion that the executive head of the department should be the man in immediate charge of the office. Under a system similar to that now in vogue this, of course, would be the secretary. The present incumbent in that office has proven himself to be a very capable and efficient public servant. I want again to recommend that the members of the Board be placed upon a salary and that the Board be made advisory rather than directory. I believe a plan of reorganization similar to that presented to the last session of the General Assembly would render the department more efficient.

HOG CHOLERA.

Again our State has been visited by a severe scourge of hog cholera. The value of the animals that have died during the last year is estimated at not less than \$12,000,000.00. The most effective, and in fact, so far as I am aware, the only remedy that seems to check or prevent the spread of this disease, is what is familiarly known as the serum method of treatment. There has been appropriated \$8,000 biennially for the manufacture of serum in this State. This has been wholly inadequate to meet the demand

during the last few months, so much so that large quantities have had to be shipped in from other states. I recommend a larger appropriation and better preparation for the manufacturing and distribution of serum to the end that in the future we may be able to avoid the great loss that has resulted from the spread of disease among swine.

Statistics also show a tremendous loss in the value of the swine produced in the State by reason of the prevalence of tuberculosis. It is generally believed that this disease among swine is largely due to its prevalence among cattle and in order to eradicate it from the one it will be necessary to eradicate it from the other also.

Dourine has also been found to exist among the horses in a few localities of the state, but has been closely quarantined and seems fairly well under control.

You will, no doubt, be called upon to legislate so as to enable the authorities of the State to better regulate and control these as well as other diseases among animals.

BEE INSPECTION.

Most of us, I presume, have regarded the bee industry of the State as a matter of no particular consequence. I must confess that I have been surprised to learn that there are perhaps forty thousand people in the State who are more or less extensively engaged in the handling of bees and that the value of the honey produced is estimated as exceeding one million dollars. This industry is being badly injured and in fact its existence is threatened by what is termed "foul brood." We have a law creating the office of Bee Inspector, but for some reason no appropriation has been made to meet the expenses and pay the salary of such official.

It has been suggested that the matter of bee inspection and nursery inspection be combined, that an appropriation sufficient to meet the requirements of both be made and that the work be placed in the hands of the State Entomologist. I hardly feel sufficiently informed on the subject to recommend that this be done, but the plan seems to me to be feasible and I recommend it to you for consideration. I do wish, however, to urge upon you the making of ample provision for ridding our State of "foul brood" which is prevalent in many parts of the State and which is rapidly destroying the bee industry.

WEIGHTS AND MEASURES.

The question of weights and measures is becoming of great importance to the people of our State and since the matter of testing scales has been lodged with the Dairy and Food Commissioner and other states have clothed that official with authority as to the subject of weights and measures, I recommend that he be made the superintendent of weights and measures in this State. I also recommend that the laws upon these subjects be so revised as to make them more effective and bring them up to date.

The dairy interests of the State have grown to such an extent that we now rank first of all of the states in the production of butter and are making very satisfactory progress in other lines of dairying and stock raising. Much of the work that has been accomplished during the last four years is due to the aid given by the State in the way of appropriations made.

During this session you will, no doubt, have presented to you measures intended to better the sanitary conditions of the State, not only as relates to dairying, but with reference to the health of the people of the State and with especial inference to food products. It is universally conceded that a proper observance of sanitary law is the most potent factor in the establishment and maintenance of a healthful condition, both among men and animals. I feel assured, therefore, that you will give due regard to the necessity for the enactment of better law upon the subject of sanitation.

AGRICULTURE AND HORTICULTURE.

Without going into detail with regard to the Department of Agriculture and Horticulture, I desire to say that very satisfactory progress has been and is being made in each and that as far as is consistent with other interests of the State, you should continue to aid and encourage them.

You will be asked for an appropriation for the erection of a woman's building upon the State Fair Grounds, to be used not only as an art building, but as an auditorium for lectures and for other purposes tending to the promotion of the moral, social and intellectual advancement of the people of the State. In considering improvements to be made, you should give thoughtful consideration to this request. We should not overlook the necessity and importance of promoting the welfare and strengthening the citizenship

of the State. The request for the erection of a woman's building is with a view to accomplishing these results, and I desire to give it my hearty approval.

In this connection, I wish to call your attention to the fact that the Federal Government has established a Child Welfare Department or Bureau, and that the subject is being very generally considered in many states of the Union. Certainly there can be no more important subject than the welfare,—physical, mental and moral, of our children, and Iowa could do herself no greater honor than to be the first state in the Union to place upon her statute books a law establishing a Child Welfare Department or Bureau as a permanent branch of our State Government.

STATE FIRE MARSHAL.

The Thirty-fourth session of the General Assembly enacted a law creating the office of State Fire Marshal. The law has been in operation now a year and a half. The results have been very satisfactory and in my opinion the vigorous manner in which Fire Marshal Ole O. Roe and his assistants are enforcing the law will greatly reduce the number of incendiary fires throughout the State. From July 1, 1911, when the law took effect, up to the present time more than 3,700 fires have been reported to the Marshal's office of which more than 175 were suspected as being of incendiary origin, and have been investigated. As a result of these investigations four persons have been convicted and sent to the penitentiary, two were given jail sentences, one was sent to the insane asylum, one to the boy's industrial school, two to the hospital for inebriates, two were fined, one was acquitted and eleven indictments are now pending.

Nearly five hundred buildings have been inspected and many orders have been issued with regard to removing the danger of fire incident to the unsafe conditions found to exist.

STATE SHERIFF.

It has been suggested that there is need of a state official or officials who, under the direction of the Governor, could be sent into any part of the State to make investigation where crime has been committed and to assist the Governor and the Attorney General in enforcing the laws. Several occasions have arisen during the last year where such an official might have accomplished great

good and some instances have arisen where beyond question his services would have been of value to the State. In the case of the murder at Villisca, one of the foulest crimes ever committed in this, or any other state, aside from the limited reward that the Governor may offer, the State was without any direct means of assisting in apprehending the murderer. However, in order to do all that was within our power to do we employed for several all that was within our power we employed for several weeks a detective from the W. J. Burns detective agency and paid for his time and expenses out of the Attorney General's contingent fund and I reimbursed the Attorney General from the Governor's Counsel fund. While this is an unsatisfactory way to transact business we felt that we were operating entirely within the law and that every citizen of the State would approve what was done. The suggestion of a state official to act in the capacity above mentioned is worthy of your consideration and I recommend that provision be made so that the power of the State will be strengthened either as above provided or in some other effective manner.

COMMERCE COUNSEL.

The Thirty-fourth session of the General Assembly created the office of Commerce Counsel and made appropriations for the use of the Counsel and the State Board of Railroad Commissioners in matters pertaining to interstate and intrastate commerce. The results obtained with reference thereto have been much more satisfactory than in the past and I feel assured that the creation of the office of Commerce Counsel has been fully justified. I am convinced, however, that the power and authority of that official should be enlarged. He should be made the legal adviser of the Board of Railroad Commissioners. He should also have charge of proceedings in the courts where injunctions are brought against the Commission to restrain it from enforcing its rules or orders or where actions are brought by the Commission for the enforcement of such rules or orders. He should also be clothed with authority to appear and have charge of and prosecute all cases ordered by the Board of Railroad Commissioners or brought by the Counsel himself before the Interstate Commerce Commission.

In making the above suggestions there is no thought to in any way limit or interfere with the power of the Attorney General with reference to these matters. His authority being constitutional could not be interfered with by a statutory enactment, but any

law to be enacted should be so drawn as to fully recognize his authority with reference to the matters under consideration.

ARBITRATION OF DISPUTES.

I want again to call your attention to the necessity for the enactment of a law requiring disputes between employer and employe to be submitted to arbitration before a strike or lockout can be ordered. This matter was called to the attention of the Thirty-fourth session of the General Assembly but the necessity for action did not seem to impress itself upon the members of that body. Since then we have had a number of disputes and disagreements, some of which have resulted in strikes of a more or less serious character. In some instances the disagreement arose over matters of a trivial nature which ought to have been adjusted without difficulty. I most earnestly urge upon you the necessity for legislation with reference to the matter herein suggested, both in the interest of the employe and the employer, and also in the interest of the general public which is often inconvenienced and injured by these industrial disturbances. This is a subject of far-reaching importance and you ought not to adjourn without enacting a law with reference to it. I can not urge this upon you too strongly. You will find both in Canada and in Australia, as well as in some of the states, statutes bearing upon this subject which apparently have worked fairly well and which may be made the basis of laws to be here enacted.

AN IMMUNITY STATUTE.

Near the close of the last session of the General Assembly there was presented and passed through the House a measure designed to strengthen our laws for the prevention of combinations in restraint of trade or for the fixing of prices of commodities. The bill failed in the Senate during the closing hours of the session. Without an immunity statute it is very difficult to secure evidence sufficient to justify the bringing of an action even when it is generally conceded that unlawful combinations exist. I recommend that our laws be amended in substantial harmony with the provisions of the bill above referred to.

LAW ENFORCEMENT.

In my inaugural address of four years ago I stated that events that had recently occurred had brought forth a demand for law enforcement and that the matters referred to had reference to violations of the liquor statutes of the State.

The Thirty-third General Assembly, then in session, enacted what are commonly known as the Cosson removal statutes which statutes, in my opinion, have done much to bring about a wholesome regard for all laws of the State and especially for the liquor laws, so that I feel warranted in saying that perhaps at no time in the State's history have these laws been better observed than at present.

From the Iowa Official Register and from other sources, it appears that in September, 1908, saloons were being operated in forty counties of the State and that there was a total of sixteen hundred and twelve in operation. Recent statistics show that there are at present only thirteen counties where saloons generally exist, that there is one county which has saloons in two cities only and nine counties which have saloons in only one city each, while there are seventy-six counties that have no saloons at all and the total number in the State is only seven hundred thirty-one.

This shows the largest extent of "dry" territory and the smallest number of saloons for many years if indeed not at any time in the history of the State since it attained to any considerable size in population.

PUBLIC UTILITIES COMMISSION.

Again I want to call your attention to the need of better laws with reference to regulation and control of public utilities and to the creation of a public utilities commission. It is not necessary to enter into a lengthy discussion of this subject. That you can find in my message of two years ago. What I want to do here is to urge that this question be taken up early so that it cannot be said in the closing hours of the session that "There is not sufficient time to properly consider the matter." I would recommend the Crist Bill of the last session of the General Assembly as a basis from which to work, making any changes therein that may be necessary to meet the conditions and requirements of our State. Let no man offer the excuse that he opposed a measure because it contained objectionable features unless he can, in good faith,

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show that he tried to secure the elimination or modification of such provisions as do not meet with his approval.

The bills considered during the last two sessions of the Legislature went to defeat largely by reason of the opposition of officials of certain cities who as an excuse for that opposition set up the false claim that the measures were designed to aid corporations. It might better be said to have been the selfish opposition of public officials who feared a curtailment of some of their powers and the removal of a convenient campaign issue. What we need in the regulation of corporations and the guarding of the interests of the public, is a commission that is well qualified for the work to be done, has the courage of its convictions and is so far removed from local influences as to be fearless in the performance of duty. With such a commission we may expect efficient service from public service corporations, and not until we have such a commission.

INSTITUTIONS UNDER THE BOARD OF CONTROL.

It will not be possible for me to go into detail with regard to the many institutions under the management of the State Board of Control but there are some things in connection with most all of them to which I wish to call your attention and then I most earnestly request of you a careful perusal and consideration of the recommendation made by the Board in its report, which is now available for your inspection and use.

I think I ought however to say that as compared with the educational institutions of the state, the institutions under the charge of the Board of Control fared rather badly at the hands of the last session of the legislature, consequently, the necessities of those institutions are greater at this time by reason of the fact that they were in some respects neglected two years ago. This is not stated by way of criticism, because I do not believe that the educational institutions received more than they should have had but the institutions under charge of the Board of Control which did not receive adequate appropriations two years ago will necessarily require more liberal appropriations at your hands.

SOLDIERS' HOME.

Among other things, the Board is asking for a definite amount for the maintenance of the Soldiers' Home rather than that it should depend upon a per capita allowance as at present. This I

think will readily appeal to you when you have in mind that the number of inmates of the Soldiers' Home will very soon, in all probability, decrease at quite a rapid rate so that it will either be necessary to make much larger per capita allowance or to provide for a fixed monthly amount to be used for maintenance. I cannot impress upon you too strongly the duty which rests upon you as members of the Legislature in making every provision for the proper care and support of the veterans of the Civil War and their wives, who by reason of age, infirmity or lack of funds by which to support themselves have found homes in our State Institutions.

ORPHANS' HOME.

At the Orphans' Home at Davenport appropriations are asked for to erect an addition to the hospital and also for the erection of a school building. I wish to say in this connection that upon my last visit to this institution I was impressed with the very crowded conditions of the school and what seemed to me to be an imperative demand for more school room. The work in the school and the mismanagement of the institution are of a very high order, but more room is badly needed and I urgently recommend that provision be made for at least three or four additional rooms or for a separate building for lower grades, as is recommended by the Board of Control.

SCHOOL FOR DEAF.

There is little that I need to state with regard to the School for the Deaf except that small appropriations for many purposes are requested but the aggregate is not large and the necessities of the Institution in this respect are not so great as at the other institutions of the state. Two years ago I recommended that the School for the Deaf and the School for the Blind be transferred from the Board of Control to the State Board of Education. The latter was transferred but the former was not. The deaf people of the state and those persons whose children are sent to the institution feel that it ought to be taken out of the group of penal and charitable institutions and classed with the educational institutions. There is much merit in what they have to say and I suggest that you give it due consideration.

INSTITUTION FOR FEEBLE MINDED.

At the Institution for Feeble Minded Children an appropriation sufficient to complete the girl's cottage will be asked for. The foundation of this building has already been put in and it is necessary in order to complete the structure that a sufficient appropriation be made therefor.

TUBERCULOSIS SANATORIUM.

A medical building is asked for at the Tuberculosis Sanatorium. This is needed not only in order to meet the requirements of the institution as at present but in anticipation of any enlargement upon our method of conducting this Sanatorium. I believe the results obtained have fully met the expectations of those interested in the management as well as those who have observed the workings of the institution. The receiving quarters are inadequate and if the best results are to be had from the maintenance of an Institution of this character it should be so extended as to furnish treatment and a home for patients in advanced stages of consumption as well as in the incipient stages. In fact the danger of the spread of disease by those in advanced stages of consumption is very much greater than those in the incipient stages. In my opinion the scope of the work at this Institution should be enlarged as is herein suggested.

INDUSTRIAL SCHOOLS.

At the Industrial School for boys an appropriation is asked for in order that the administration building may be reconstructed so as to use a portion of it for a gymnasium.

At the Industrial School for girls at Mitchellville no large appropriation is asked for any particular item and the aggregate of appropriations is small.

HOSPITALS FOR INSANE.

At the Hospital at Mt. Pleasant and at the Hospital at Clarinda appropriations are asked for the erection of a Psychopathic Hospital.

At Independence an appropriation is asked for the erection of a cottage for patients afflicted with tuberculosis.

At Cherokee an appropriation is asked for the erection of a home for employees.

Several of these hospitals are badly crowded but it seems to me that at least two of the items herein mentioned are deserving of especial consideration. That is, buildings for the segregation of tubercular patients and homes for the employees to which they may go for rest and relaxation after their day's work in caring for the patients has been completed.

The items herein referred to with reference to the above Institutions are only a few of the many which will come before you for consideration. I wish to add that in general our State Institutions are in a very satisfactory condition and I feel warranted in commending the supervising officers as well as those in charge of the Institutions of the State.

FORT MADISON.

Some months ago there was a good deal of complaint regarding the prison and prison management at the Penitentiary at Fort Madison. I had the complaints carefully investigated by the Board of Control, investigated most of them myself and had the President and the Secretary of the State Board of Health inspect the prison as to its sanitary condition. At a still later date I asked the Attorney General, assisted by Judge M. A. Roberts of Ottumwa and Hon. Parley Sheldon of Ames to make an investigation of the complaints and report the same to me. The result of it all was that nothing was reported that justified any serious complaint except such as necessarily attach to an old, and, in many respects, out of date institution, which the Board of Parole is trying to modernize as fast as can be done with the funds and means at hand. The new cell house is being constructed and when done will afford an opportunity to reconstruct the old cell house and to a great extent remove any just cause for complaint from that source.

An appropriation is asked for by the Board of Control for the completion of the cell building. The feeling among the prisoners at this time is much better than formerly, discipline has improved, and things are moving along apparently without friction and in a satisfactory manner.

ANAMOSA.

In my general discussion of prisons and prison management and the employment of prison labor I have stated what I think ought to be done for the Anamosa Institution. I only wish to say

here that conditions at the reformatory, aside from what I have elsewhere stated, are quite satisfactory and the management is capable and efficient.

EPILEPTIC COLONY.

Two years ago I discussed at some length the necessity for the establishment of an Epileptic Colony. Without assuming to discuss it again I wish to say that the needs for such an institution are even greater today than ever before and in my opinion the next eleemosanary institution that is established should be a home or colony for epileptics. An appropriation is this year asked for by the Board of Control for the establishment of an Institution of this character and I want to give it my most hearty approval and endorsement.

KNOXVILLE.

Two years ago I felt compelled to say to the 34th session of the General Assembly, that conditions at the Hospital for Inebriates were so unsatisfactory that we might well consider abandoning the Institution. Since that time conditions have changed so that the present management is deserving of congratulations. However, there is still opportunity for great improvement and the Superintendent believes that in order to make the Institution a recognized success and put the question of the advisability of maintaining it, beyond a doubt it should be made dual in character. That is, there should be a hospital for the treatment of those who need treatment and there should be a work house, or custodial building within an enclosure or walls for those who need reformation rather than treatment.

This suggestion is very much in line with what I proposed two years ago and I want to recommend it to you for consideration and adoption.

COMMITTEE TO VISIT STATE INSTITUTIONS.

Again I want to urge upon you the suggestion made in my message of two years ago, that you create a Committee which during the sixty or ninety days preceding the convening of the session of the General Assembly shall visit and study the needs of our various State Institutions. With due regard for the members of

this body I am compelled to say that in my opinion the ordinary junket to the institutions, by committees appointed as heretofore, means little if anything more than a visit with the superintending officer and a hurried look at the Institution. It cannot result in any great amount of good or furnish any valuable information. You should appoint a special Committee and give it time to make a through study of the needs of the Institutions in order that you may better understand them when they come before you for consideration.

STATE BOARD OF EDUCATION.

The law creating the State Board of Education took effect July, 1909. As with all other changes from an established custom there has been more or less criticism with regard to the management of our Institutions under this Board and yet the Institutions themselves have prospered and flourished. The attendance at each of the schools under the control of this Board, I am informed, shows a considerable increase. The Board in its recent report, filed with me as Governor of the State, has made a number of recommendations and has announced its purpose to transfer the Engineering Department from Iowa City to Ames and the Domestic Science Department and the Liberal Arts Department from Ames and Cedar Falls to Iowa City. These proposed changes have brought many protests and vigorous opposition exists with reference to them. The Board has based its action upon its own judgment and the advice of men skilled in educational affairs and in the management of Educational Institutions.

Without expressing an opinion as to the wisdom of the proposed changes I wish to say to you that before taking such steps as will override the judgment of the governing body of these institutions the most careful and painstaking consideration should be given, not only to the immediate effect of the changes proposed, but to the ultimate interest and welfare of the State and also of the Institutions. I recommend to you a careful perusal and study of the Board's report and also of the reasons assigned for its action.

The needs of the various Educational Institutions will be presented to you by the Board and its Finance Committee and to these needs I also ask your attention.

PUBLIC SCHOOLS.

You will have no subject to deal with which demand more careful consideration than that of Public Schools.

At the session of the State Teachers Association in 1911 an appropriation of \$2,000 was made from the funds of the Association to meet the expense of a Commission appointed to investigate Public School conditions in the State and report its findings to the Association. That Commission is known as the "Better Iowa Schools Commission." It has spent much time in considering what might be done to better the condition of our schools and has made its report which will be available for your use and which I most highly commend to you for consideration.

One of the strong features of the report is that bearing upon the question of consideration of territory or enlarging the unit for school purposes. I think I can do no better than to quote in part from a discussion of this subject by our State Superintendent of Public Instruction in which he says: "The existence of rural sub-districts and rural independent districts, especially the latter, is a hindrance to securing better school facilities in the State. The unit of organization should be sufficiently large in order that the taxing unit will not only support good schools below the eighth grade, but also a high school department, offering from two to four years work bearing a close relationship to the interests and industries of the community. The small rural independent district not only affords a territorial area too small to provide a proper educational unit, but it is too small for community purposes as a school unit. A rural high school building located at the center of the township would provide a good place for the educational, social and recreational activities of the community, and our aim should be for such a center for every community in Iowa. The rural high school is just as essential to a complete system of education for the country as is the town high school to a complete system of education for the town. The rural independent district embraces too small a territory to support a high school because of the small number of resident pupils. The adoption of an area to consist of not less than the Congressional township, is the most important need of legislative action to-day relating to schools. "The consolidated schools offer a partial solution to the teacher problem. A less number of teachers will be required and better wages will be paid. There will be better qualified teachers who will make the work of teaching more nearly a permanent occupation."

It must be apparent to all who have given consideration to school matters that we have not been giving as much attention to the strengthening of the lower grades in our schools as should be given. Perhaps 90% of the school children of the State never go beyond the eighth grade. Something should be done to keep more pupils in school until they complete the public school courses. So far as the country pupils are concerned, I believe this can be done by enabling them to study the branches that relate more directly to the things in which they are interested and to which they will in all probability turn their attention in the future, viz: Agriculture, Horticulture, Manual Training, Home Economics and Domestic Science. Both the State Superintendent and the Better Iowa Schools Commission say in their reports that answers to inquiries sent out by them indicate that there is a general demand for the teaching of these subjects in the country schools. You should make it possible to meet this demand.

Every suggestion of enlarging the size of our school districts and transporting pupils suggests the necessity for improving our highways. That subject I have discussed elsewhere and will, therefore, not further consider it here.

I want most heartily to endorse the recommendation for doing all that can be done to better equip teachers for the work which is expected of them and to induce them to continue in the work, and to this end I endorse the recommendation to authorize contracts, with teachers, not only superintendents, but other teachers as well, for a longer period than that now permitted. This of itself should tend to cause teachers to continue in the work. I know from experience that the uncertainties which arise, at the end of each school year with regard to re-employment are not only sources of worry and annoyance to teachers but causes them to want to obtain other employment where such uncertainties do not exist.

I want also to endorse the suggestions regarding the increase of salary of the State Superintendent and the recodification of the school laws, the merits of both of which I think will be so apparent to you that they need no discussion.

It is not possible for me to refer to all of the many phases of the school question which demand attention and I therefore invite you to a careful study and consideration of the suggestions and recommendations made by the Superintendent of Public Instruction and to the report of the committee on Better Iowa Schools.

MORE NORMAL SCHOOLS.

If we are to accept the opinions of those who are engaged in school work and who make a study of school questions as to what is needed to advance the interests of the Public Schools, and especially of the rural schools, I think we will be forced to the conclusion that we need more and better facilities for the training of teachers, that is, teachers for grade work, as well as for high school work. This being true it naturally follows that we need more Normal Schools. This thought is suggested and emphasized not only by the State Superintendent of Public Instruction and the Better Iowa Schools Commission but by the State Board of Education. I want to give my endorsement to the suggestion and to recommend that you take such steps as will eventually result in the establishment of at least two or three more Normal Schools to do that kind of work which is necessary to properly equip the common school teachers for the duties which they are expected to perform.

REVISION OF TAX LAWS.

One of the most important matters that will come before you for consideration will be that of the revision of our laws relating to revenues and taxation. At the last session of the General Assembly provision was made for the appointment of a special commission to consider the question here referred to and to report its findings to this session of the Assembly in order that you might be better able to enact such changes in our laws as would make them more just and equitable. That report has been presented to each of you in the form of a printed volume. I want to commend the Commission for the splendid work that it has done and to request of you the most careful consideration of the recommendations contained in the report. It will be impossible for me to go into detail in a discussion of the report and recommendations but there are some features of them that I want to consider with you.

It is proposed by the Commission that property be assessed at its actual value, instead of twenty-five per cent of such value. Reference is made in the report to the fact that every State in the Union except Alabama lists property at its supposed actual value and that all other States except Illinois, Idaho, Nebraska, and Iowa assume to assess property at full value and hence the conclusion is reached that the Commission is fully warranted in recom-

mending that a change be made in the law of this State. However, in order to prevent a large increase in taxes by reason of the change in the basis of assessment it is proposed and provided that the levies now provided by statute for various purposes shall be correspondingly reduced.

It is also proposed to change the method of assessing bank stocks, making such stocks assessable at full value and assessing the surplus and undivided profits in such banks upon the same basis that moneys and credits are now assessed. By this means it is hoped not only to reach a more equitable assessment but to encourage banks in building up a strong surplus.

It is further proposed that the constitution of the State be so amended as to permit or require public service corporations, especially transportation companies, to pay their taxes direct into the state treasury. This subject I called to the attention of the last session of the General Assembly. It is well worthy of your consideration. A number of states have such a law and with a law of that kind enacted in this state some of the vexing questions with which we now have to contend would be removed, especially the question of equalizing between counties, which is one of the difficult if indeed not impossible matters and from which many inequalities arise. There is not a wide difference in the amount of taxes now paid by transportation companies and the amount paid by the counties into the state treasury, so that a change of this character need not seriously disturb the state or the counties as to the amount of taxes raised.

It is proposed by the report of the tax commission and by the bill which it has prepared to change in some respects the machinery for administering the tax laws. Instead of the Executive Council of the State acting as a board of assessment and review those duties are to be transferred to a permanent tax commission with powers somewhat broader than those now lodged with the Council. After ten years of experience as a member of the Council I feel warranted in saying to you that under our present system it is not possible for the Council to perform its duties as a board of assessment and review in a satisfactory manner. The proposed commission is to consist of three members to be appointed by the Governor, confirmed by the Senate, and to serve for a period of six years. There is also to be a county assessor and local assessors but no township board of review. The county assessor is to have authority to review the work of the local assessors, making such

changes or alterations therein as he may deem necessary and his work is subject to review by the county board of supervisors. The first county assessor is to be appointed by the Board of Supervisors and thereafter the office is to be filled by election as other county officers are elected.

These are only a few of the more important parts of the report and the bill that will come before you but I desired to call them to your attention because I feel that they demand especial consideration.

The commission has re-written the entire chapter on revenue and taxation so that when you have finished your work, if the proposed measure is adopted, you will have a single statute rather than the old law with amendments.

MONEYS AND CREDITS.

The Executive Council in fixing the levy for state purposes for the year 1912 necessary to bring in \$2,500,000 required by Chapter 190, Acts of the 34th General Assembly, found it necessary to increase the levy from 3 and 3-10 mills for general state purposes to 3 and 4-10 mills. The necessity for this increase appears to be directly traceable to the change in the law with reference to the assessment of moneys and credits.

For the year 1911 the taxable value of the moneys and credits listed in the state amounted, in round numbers, to \$42,500,000, which, under a 3 and 3-10 mills levy yielded to the state an income of \$140,000. For the year 1912 the actual value of moneys and credits listed was, in round numbers, \$188,700.00, which upon a levy of five mills, that provided for by the law enacted by the last session of the General Assembly, would yield an income of \$943,500. Of this amount the state receives about 1-14th part, or an income of substantially \$67,000, showing a loss to the state of about \$73,000. In order to make up this loss it was necessary to add 1-10 of a mill to the general levy for state purposes.

I am not ready to say that the present statute on the assessment of moneys and credits should be repealed, as there may be advantages resulting from interest rates, etc., that compensate in part at least for the loss of taxes, but I am of the opinion that the enactment of the law fixing a flat rate of five mills upon the dollar upon moneys and credits and the repeal of the tax ferret law at the same time was of questionable propriety, for the reason that the change in the method of assessment of moneys and credits has

not brought upon the tax books the added amount of these items that was predicted. The law has not, however, been tried long enough to make certain what will be its final effect.

DIRECT INHERITANCE TAX.

Again I want to recommend the enactment of a law taxing direct inheritances. So many states have adopted a law of this character that it has become a recognized legitimate source from which to derive revenue. I should exempt ordinary estates from the operation of the law and would increase the tax with the increased value of the estate.

Perhaps half of the states of the Union now tax direct inheritances. Iowa ought no longer to neglect the adoption of such a statute but should keep pace with the adjoining states, four at least of which have such a law.

LAND AND PERSONAL CREDIT ASSOCIATIONS.

I desire to call your attention to the question of land and personal credit associations as they are organized and operated in some European countries, not for the purpose of making recommendation with reference thereto but because the President of the United States regarded the subject of sufficient importance to render it expedient for him to invite the Governors of the various states into a conference with him on the 7th ultimo, to consider it. These organizations are co-operative and mutual and are instituted for the purpose of enabling land owners and others engaged in agricultural pursuits to obtain loans upon long time, at low rates of interest and payable in small amounts at stated intervals. The exact form of the organizations varies in details in different countries but all have for their purpose the same object.

In some countries the land credit associations assume the form of land mortgage banks where instead of lending money direct to the borrower the banks turn over to him debentures which he sells or which the bank sells for him in order to obtain the desired funds with which to prosecute his business pursuits.

The personal credit associations base their loans largely upon the character and industry of the borrower rather than upon his ability to furnish security. This being true it necessarily follows that the membership of the association must be limited, both as to numbers and territory, in order that the members may have an

intimate acquaintance with each other so as to determine who should and who should not be admitted to membership.

The above merely suggests the plan of operation. To go into a detailed discussion of the subject at this time would be impossible. These concerns do not, however, seem so easy of organization and operation as is the ordinary co-operative organizations for carrying on other forms of business. Suffice it to say that Hon. Myron T. Herrick, the Government's representative abroad in the study of this question says, in his report: "The organization of land credit, however, is a very complicated task, especially since the idea is new in the United States, and involved in a tangle of conflicting state laws, and antiquated land registration and taxation system and foreclosure procedures. Many changes, amendments, and additions would have to be made in respect to all of these before the way could be made clear for the formation of land mortgage banks."

It is generally conceded that in order for the land mortgage banks to succeed in this country uniform laws with reference thereto should be adopted by the several states, so that as a matter of fact the first step in the process of establishing the land credit system here should be co-operation between the various states in the formation of a uniform law to be enacted by them. This is insisted upon by Mr. Herrick as being necessary before any effort is made to establish these institutions.

I do not desire to make any recommendation as to legislation with reference to this subject as I am not fully convinced that conditions in our state where we have so many banks, where so many farmers are interested in banks, and where farm and personal loans are so readily obtainable give evidence that there is sufficient demand or need for this new form of credit institutions to warrant action at this time. It is a question which needs careful and thorough investigation before being acted upon and it is with that end in view that the subject is called to your attention.

WORKMEN'S COMPENSATION ACT.

The subject of workmen's compensation is so broad and comprehensive that the report of the Commission appointed by me as a result of the action taken by the last session of the General Assembly is entitled to your very careful consideration. The fact that a number of states have enacted Workmen's Compensation Acts and that other states and the Federal Government are con-

sidering the advisability of such enactments indicate that there is no need of discussing the advisability of enacting such a law in this state.

The comprehensiveness of the report submitted by the Commission is evidence of a thoughtful appreciation of the magnitude of the work entrusted to it and the fact that I am suggesting modification of some provisions of the proposed law must not be construed as an unfriendly criticism of the Commission's work nor a minimizing of the results of its labors. The Commission deserves the highest commendation for the faithful and able service it has rendered both in the report made and the bill prepared. However, this being an entirely new subject of legislation I feel sure that you will welcome a full and free discussion of it. To this end I have conferred with Mr. S. H. Wolfe, one of the most able and widely known actuaries of the country and as a result of our deliberations and conclusions I submit the following:

The bill recommended by the majority of the Commission, as I understand its provisions, makes the application of the Compensation act compulsory upon all employers having more than five employes, and also to all of the employes of the state, counties, municipal corporations, school districts, and cities under special charters or commission form of government without regard to the limitation of five employes, except that either the employer or employe may decline to come under its provisions by filing a notice of rejection with the Iowa Industrial Commission. If an employer declines to come under the law he is deprived of the important defenses of contributory negligence, assumption of risk and fellow servant, in the event that suit be brought against him by an employe. If, however, the employe is the one who has rejected the terms of the act, the employer shall have the right to use any or all of said defenses.

The benefits payable to the injured workmen within the act consist of medical and hospital services during the first four weeks of disablement, and funeral benefits not to exceed in either instance, \$100, compensation in the event of death at the rate of 60% of his average weekly wages, with a maximum of \$12.00 and a minimum of \$5.00, payable to his dependants for 300 weeks, compensation to the employe himself for temporary, partial or total disability, and specific amounts for various enumerated dismemberments.

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WORKMEN'S COMPENSATION ACT

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For the purpose of securing the payment of benefits an unincorporated association, known as the Employers' Indemnity Association is to be created, membership in which is compulsory upon all of the employers coming within the act. It will be the duty of the Board of Directors within ninety days after Part III of the act becomes effective, to call the first meeting of the members of the Association by mailing to each member at his place of business a notice in writing. The Board of Directors is charged with the important duty of grouping the members in accordance with the nature of the business and the degree of the risk of injury, and with adopting rules and regulations and premium rates subject to the approval of the Iowa Industrial Commission. The Iowa Industrial Commission is to consist of three members to be appointed by the Governor by and with the consent of the Senate from names of persons furnished and recommended by the Supreme Court.

The bill also provides for the creation of a reserve fund and for reinsuring certain amounts of the risks. These are the salient features of the bill which I wish to discuss in order that we may have a better understanding with reference to them.

It will be noted that the act applies only to employers who have five or more employes, the reason given by the Commission for this limitation being, that where but five persons are employed the hazards are not as great, and farm hands and domestic servants would, in effect, be excluded. It would seem to me that this provision works an injustice on the operatives of many small plants who are deprived of compensation benefits because their employer does not have five employes, although the hazard and exposure may be much greater than in a neighboring plant where a larger number of employes are engaged.

Then again, an employer might have three employes for six months in the year and ten during the busy season. If this limitation as to five employes becomes a law would his employes be covered during the entire year or not? It seems to me to be both unnecessary and unwise to insert this limitation.

Although the bill provides for an enforced membership by each employer in a mutual association created by the State it would appear from section 10, part I, that the injured workman is to hold his employer directly liable for the compensation payments and for this purpose each claimant is given a lien upon all the property of his employer. If we are going to require the employer to join this association and to pay any premium which may be

fixed by the Industrial Commission why should we hazard his commercial credit by the creation of a general lien of this kind? Should not the injured workman look to the association for the payment of his benefits since he elects to come within the provisions of the act? In fact one of the great advantages of this proposed plan over the English and the New Jersey systems is that it substitutes collective responsibility (as typified by the association) for the individual responsibility of the employer. The method suggested by me has been adopted in other states.

While I believe that the act should be made compulsory, and therefore the avoidance of its provisions should be made difficult, I am not in sympathy with that provision which requires an employer or an employe to renew his rejection within thirty days before the termination of one year after it has been originally filed. The enforcement of this provision would work unintentional hardship upon the employes in that it would require them to keep track of the lapse of time for the purpose of knowing whether the employer was still under the law and whether their rights were still preserved. I am of the opinion that this provision will cause great confusion in the administration of this act, and would therefore recommend that a rejection be effective not for one year, but until waived.

The bill provides that compensation shall start on the fifteenth day after injury and that the employer shall be required to furnish surgical, medical and hospital services and supplies for the first four weeks after the injury. It is quite apparent that in order to prevent malingering, it is necessary to provide that no compensation shall be paid during the first two weeks, and it seems entirely proper that during that time the employe should receive medical and surgical attention at the expense of the employer. If, however, from the fifteenth day on the employer is required to pay a certain percentage of the employe's wages, whether the injury is the result of negligence on the part of the employer or the employe's own fault, it seems to me that a fair consideration for the rights of both parties would require that when the compensation begins the employer's liability to meet the expenses of medical and hospital services and supplies should cease. Otherwise, malingering would be encouraged and other abuses might arise.

The act provides for the payment of 60% of the average weekly wages, both to total dependents in case of death and to the work-

man himself in case of disability. There is no danger that the payment of so large a per cent might furnish an incentive for malingering. It is my understanding that 50% of the average weekly wages is the amount allowed in most other states and has been found to work very satisfactorily.

The bill further provides that the Governor shall appoint a commission from among persons recommended by the Supreme Court after publication of the names recommended in at least six newspapers in as many different cities in the state, he being required to heed any written protest that may be filed against any person so recommended. While the purpose here no doubt is to remove from political influence the selection of members of the Commission, I fear that we may by this provision simply transfer the possible political pressure from the Governor to the members of the Supreme Court, and that we will encourage manifestations of personal prejudices by suggesting the filing of written protests. I do not think that any Governor would be found wanting in the selection of proper appointees, and to provide for the Supreme Court acting as a preliminary appointive body, would introduce an innovation which might have dangerous and unfortunate tendencies. I am therefore of the opinion that the members of the Commission should be appointed by the Governor upon his own initiative as are the members of other commissions. The bill provides a term of ten years for members of the commission which, in my opinion, is entirely too long. I would suggest a limit of four or six years at most.

By Part III the bill creates a monopoly in as much as it requires any employer who wants to pay compensation benefits to his injured employes to become a member of an Employers' Indemnity Association. He is not allowed to come within the act and take his insurance with any other concern. The effect of this attempt to limit the form of insurance protection will, I am afraid, defeat the very purpose of the act by encouraging the employers to retain their personal freedom by remaining without the act and securing their liability insurance from other sources.

Then too, the Board of Directors, within ninety days after Part III of the act becomes effective, is required to send a written notice to every employer of labor in the state having five or more employes, and who has not served the statutory notice of his rejection of the provisions of the law. How is this Board to know who are members of the Association? It has been estimated that

the number sought to be brought under the law would be at least fifteen thousand. Assuming that the required notice has been sent and that all have come within the law, where will the Board of Directors obtain a sufficient number of qualified and experienced insurance actuaries, underwriters, managers and clerks to immediately perform the highly technical labor of properly insuring and handling fifteen thousand risks, together with the necessary scientific work of grouping them in accordance with the nature of the business and of the degree of the risk of injury, intelligently inspecting each and every one of the fifteen thousand risks, in order that no injustice may be done any employer as respects his rate of premium, attend to the usual and inevitable correspondence, collect the premiums and pay on an equitable basis the benefits prescribed? I am afraid that the first days of its existence would render the condition of the Association so chaotic that its further continuance would be a practicable impossibility. It seems to me, therefore, that for the sake of the Association, as well as the employers of the state, we should adopt a course similar to that now being followed in Massachusetts, where those who have elected to come within the act, are required to carry insurance either in the Massachusetts Employes Insurance Association, which is similar in its purpose to the Employers' Liability Association proposed by this bill, or in an authorized insurance company. In this way a practical test of the superiority of the two methods will be had, for if the Association can furnish better and cheaper protection than can the other organizations, all of the employers will eventually become members; if, on the other hand, the services of the Association are not as satisfactory as those furnished by other concerns, no employer ought to be compelled to join it.

The manner in which the concluding part of Section 50, Part III, is drawn will yield results not in accordance with usual insurance practices. It is a well recognized fact that the more distributed the risks, the less is the necessity for reinsurance. It would appear to be the intention of this section to require a larger amount of reinsurance as the membership increases. As just stated, this is contrary to the logic of insurance. The method to be followed in reinsurance is likewise vague, and it is difficult to see how it can be carried out by the Association. I am of the opinion that the matter of reinsurance could with perfect safety be left with the Board of Directors.

Section 51 states that the contingent liability of all the members shall be liable for the payment of any claim against the association or its members. I find no other reference in the bill to a contingent liability, and it seems to me that some definite limit should be prescribed for this. To leave the contingent liability unlimited would cause employers untold anxiety, would affect their credit, would be unjust, and would no doubt cause many to reject the terms of the statute.

Section 30 of Part III of the bill provides that in all cases where arbitration is resorted to a member of the Commission shall act as chairman of the arbitration committee. If the Association should assume the proportions contemplated by the act I fear that it would be wholly impossible for the members of the Commission to act in such capacity without neglecting other duties incumbent upon them. I would suggest that the Commission select the third member of the arbitration committee and that the findings of the committee be subject to review by the Commission.

Section 41 of Part II provides that members of the Commission may be removed by the Governor for becoming financially interested in any enterprise coming under or affected by this act. If that is the only cause for which members may be removed it is too limited. Members should be subject to removal for misconduct, malfeasance or nonfeasance in office as well as for other justifiable reasons.

HIGHWAY IMPROVEMENT.

The question of improving the highways of the state is one not only of general interest but of practical importance. Three years ago I called a good roads meeting to be held in Des Moines and to be composed of county officials, and representative men of the various counties and of the commercial organizations of the state. The meeting was well attended and much interest was manifest, but there were divergent views and a wide difference of opinion as to the methods to be pursued. However, an organization was formed and annual meetings thereof have been held with increasing interest. Great good has been accomplished and harmony of action has resulted. The recent session of this organization has with practical unanimity recommended and through its committee will present to you several important matters of which I ask your careful consideration, and among which are the following:

To submit to the people of the state at the next general election the question of a bond issue for road improvements.

The levy of a one mill tax for the state aid in the improvement of highways.

The establishment of a permanent state highway commission with adequate powers.

The appointment of a county engineer in each county by the Board of Supervisors thereof, subject, however, to the approval of the State Highway Commission.

A classification of rural highways.

A compulsory drag law, a non-divertable drag fund and simplifying and making effective our present laws on road dragging.

A recodification of the road laws of the state.

Heretofore I have emphasized the importance of properly dragging, grading and draining the roads and making use of materials at hand, because I did not believe that our people were ready for anything more, and also because those things constitute the first principles in the construction of any kind of roads. By the above means we have greatly improved the highways in almost all parts of the state, but I believe we have now arrived at a period when, without in any degree lessening our efforts along the lines of improvement above suggested, we ought to begin the construction of permanent roads of stone, gravel, etc. As evidence of the fact that there exists a great deal of sentiment with reference thereto I have had presented to me by Mr. F. J. Tishenbanner of Gilmore City, contracts signed by individuals and commercial organizations representing every city and town along the entire length of the road from Des Moines to Spirit Lake, a distance of more than two hundred miles, the signers of which agree to have hauled and deliver on the road free of charge, crushed stone sufficient to construct a stone road along the entire length of the route, if the stone is furnished to them at the various railway stations without cost. If this expression represents the feeling of the people of the state generally, and I have no reason to believe that it does not, something ought to be done to afford opportunity for using this volunteer labor. It has been suggested that bonds be issued to aid in the construction of permanent roads. There certainly could be no harm in submitting the question of a bond issue to the people to let them decide whether they want to issue bonds or not. It has also been suggested that a general tax levy of one mill be made. This would not be burdensome but would yield, on the basis of

our present valuation, only about three-quarters of a million dollars. This is only about fifty per cent in excess of the amount that is now raised by the license on automobiles and in as much as a great deal of the value of the automobile license is practically lost because of the wide distribution that is made of it I would suggest that instead of a one mill levy you so amend the law as to place the expenditure of the automobile fund in the hands of a central authority.

If we are to undertake the construction of permanent roads it is necessary that we have a permanent and active State Highway Commission and this commission should have charge of the expenditure not only of the automobile license but of any other funds which the state may raise or provide for aid in road improvement. If the automobile license to be thus used it would be immediately available whereas the return from a tax levy would not be available until 1914.

In my discussion of the employment of prison labor I have suggested the use of convicts in road building and also in furnishing and preparing stone to be used in highway construction. If you will, therefore, provide for the use of the automobile license or provide some other funds for paying the freight on material with such volunteer labor as has been above suggested in delivering the stone on the roads and with convict labor for use in building them many miles of permanent road may be made at a very low cost. Means should also be provided for the purchase of asphalt or other material to be used as a binder, as it is generally conceded by those best informed in the matters of road construction, that loose stone or gravel will not resist the wear incident to automobile travel.

I trust that you will give the subject of better roads most thoughtful consideration and write into our laws some effective legislation with reference thereto.

PARDONS AND PAROLES.

In the application of the penal statutes of the state no more perplexing question arises than that with regard to the time and the circumstances under which pardoning or parole powers should be exercised. To the individual who has given but a passing thought to the subject, it may seem to be an easy matter to reach a conclusion as to when clemency ought or ought not to be extended, but no such easy conclusion can or should be reached by

the public official whose duty it is pass upon these matters and who must take into account not only the individual upon whose behalf clemency is asked, but all of the circumstances surrounding the commission of the crime, the previous record or conduct of the individual, his family history, the effect that a pardon or parole will have upon the community where the crime was committed and upon the public in general, the effect that it will have upon other convicts and indeed many other matters that often have a bearing upon the situation.

I think sometimes when criticism is directed at the pardoning power of the State or at the Board of Parole that many of the above suggestions are overlooked. I further believe that much of the opposition that exists as to the application of the so-called indeterminate sentence law is due to the fact that it is not understood and that critics have in reality not given careful consideration to the subject of paroles.

To abandon our present system and return to the old method of lodging pardoning and parole powers exclusively with the Governor, would be to return to a system under which it is absolutely impossible for the Governor to learn, in any but the most superficial and unsatisfactory manner, the real merits of most of the cases that he would be required to pass upon. Time alone would render a careful investigation wholly impossible. In addition to the great amount of time that I have given to these matters during the past year, the three members of the Board of Parole have spent an average of nearly two hundred days each and the entire time of the Secretary of the Board, the parole agent, the help in the office of the Board and most of the time of the pardon clerk of the Governor's office have been given to matters of pardon and parole.

Instead of contemplating a return to the old system I want to most urgently recommend that the entire time of the members of the Board be required and that it be equipped in a manner that will enable it to pursue its work in the most effective manner.

In my message of two years ago I said to the session of the 34th General Assembly, "I believe the time is coming when neither courts nor legislatures will concern themselves with the length of time of service of criminals, except as to those guilty of murder. Legislatures will determine the character of crimes for which criminals shall be committed to prison. Courts will determine the question of guilt and boards of parole and pardon will determine how long the convict shall be incarcerated. In other words, the

Board of Parole will become a branch of the court. This I believe to be the ultimate and proper sphere of a Board of Parole, when the system reaches a degree of greater development and perfection." I want now without qualification to say to you, and in this I am strongly supported by the judgment of the Board of Parole, that in my opinion the time is now here when both the maximum and the minimum limitation as to term of sentence should be thrown off as to all crimes except as to murder, forcible rape and treason.

The minimum means little at most, for the Board can entirely disregard it and in many instances where men have proven themselves to be habitual offenders and where the character of crime is of a serious nature the maximum is too short. The principle involved, alone, would lead me to the conclusions which I have reached. If a Board is to be entrusted with power to say that the maximum time fixed by law is too long for some prisoners to serve, it ought also to be empowered to say that it is too short a term for some other offenders. Then, too, some of the absurdities in our statutes are sufficient justification for suggesting a change. To illustrate: knowingly uttering a forged instrument, no matter of how little value, carries with it a maximum penalty of fifteen years, while embezzlement by a public official even though the amount embezzled be ten thousand times as great, carries a penalty of only ten years and the crime of manslaughter carries a penalty of only eight years. In other words, to pass a forged check, even of the value only of one dollar carries a maximum penalty of fifteen years, while to kill a man and be found guilty of manslaughter carries a penalty of only eight years. These are only suggestive of the many indefensible provisions that appear in our penal statutes.

Let Iowa be genuinely progressive and lead the way in the matter of unlimited sentences by writing into our laws a provision in harmony with what has been said and in my opinion it will not be a decade until such a law will appear in the statutes of a large majority of the states.

The Board of Parole has been much more liberal in the exercises of clemency during the last biennial period than formerly. It has paroled 337 from the penitentiary and the reformatory and has paroled three before commitment, making a total of 340 paroles granted from July 1, 1910, to July 1, 1912, as against 221 during the three years preceding July 1, 1910. The average during the former period was less than seventy-four per year, while during the last two years the average was 170 per year. In addition to

the above, the Board recommended to me for pardon, parole or commutation of sentence, fifty-one cases, all of which have been acted upon in harmony with the recommendations. This increase in the number of paroles has operated to increase the number of violations of parole to the extent of something less than five per cent over what it was for the three year period heretofore referred to.

During the two years ending December 31, 1912, I granted six pardons, forty-seven paroles, twenty-six commutations, suspended fifty-five jail sentences, remitted forty-four fines and ten forfeitures, restored 232 to citizenship, and revoked six suspensions. Most of the pardons, commutations and restorations were upon recommendation of the Board of Parole.

PRISONS AND PRISON LABOR.

During my incumbency in office, I have given a great deal of study to the subject of prisons, prison management and the employment of prison labor and yet I want to say to you that I approach the subject with hesitancy, fully realizing that I have by no means mastered it and also realizing that superficial information as to so difficult a matter is likely to lead to wrong conclusions.

In studying the subject under consideration, I have consulted the best prison authorities that I have been able to meet, not mere theorists, but practical men who are themselves engaged in the work that I am here considering; have advised and counseled with the Board of Control of our State and have visited many prisons, prison farms and road camps, and I feel warranted in saying that no matter what you may do, you will not be able to remove all of the objections that exist with regard to prison management and the employment of convict labor.

There are many fascinating and attractive changes that I might suggest to you, but I want if possible to outline a course of action that will not only be practical and desirable, but that is within the range of possible accomplishment.

First of all, let me say that I am not and never have been in favor of our present contract system, and yet no such abuse exists with regard to it as has been alleged. I want also to say, that the tasks required of the men employed upon the contracts are by no means as exacting and arduous as those required in some of the states where prisoners work upon state account.

I am in favor of prison farms and yet if we had a farm, no matter of what size, we would still be confronted with difficulties, and would still find unsatisfactory conditions that would have to be met. I am in favor of working prisoners upon the highways, and yet the road camp is not without its objectionable features. What then shall we do to meet the popular demand, as well as the real needs of our prisons.

Most important of all, you should make Anamosa a real reformatory. You should do that because you know it to be right and should not hesitate and falter because you fear that by the installation of the necessary industries you will be confronted with opposition. It is assumed that the labor people are opposed to these suggested changes, but the labor people of the state as a class, are not opposed to the establishment of such industries and trade schools at the reformatory as are necessary to teach and instruct convicts so that they may be able to find employment upon their release from prison. In establishing industries and schools they should not be of such magnitude as to become real competitors with free labor, but you owe it to the young men confined in our penal institutions to furnish them an opportunity to make good when they are released. The fact that we have not now a well equipped reformatory at Anamosa, is because former sessions of your honorable body have lacked courage to provide the necessary equipment.

In connection with this institution, as a part thereof and as a necessary adjunct to a reformatory, I should enlarge the present farm to one of at least one thousand acres. This, according to the best estimate that I have been able to obtain from those in charge of prison farms and from our own wardens, would profitably employ about fifty men in addition to those employed about the buildings in caring for the stock, cooking and taking care of the quarters for the men.

I should likewise equip a gang of twenty-five to fifty men from this institution for work on the highways and would thus employ them during the season of the year when it is proper to do road work.

By these means from one hundred to one hundred twenty-five men could be employed in the fields and in the road camp for perhaps eight months in the year and be returned to the walls during the winter season to learn the trades and attend school. In my opinion that is the largest number that should be employed in

work other than in the trades and industries, if we are to carry out the reformatory ideas already written into our laws with regard to Anamosa.

Pt. Madison should be maintained as a penitentiary where the older and more hardened criminals should be sent not only for reformation, but to atone for the crimes which they have committed. This institution is not well located, but with a new cell house well on the way to completion, and other improvements contemplated, in my opinion it would not be wise to abandon it at this time.

One of the first things with which you will be confronted as to this institution is what to do with the contracts now in force. Before telling you what in my opinion should be done, let me say to you that the very worst thing that could be done would be to abolish these contracts without making necessary provisions for employing the men at other work. As to the contracts themselves, they should either be permitted to continue to the date of their expiration, and then not be renewed, or if sooner abolished, the state should acquire the plant and continue the work at least of the farm tool industry on state account. The prisoners who cannot be trusted without the walls must have employment, and I do not now know of anything better than the industries already established.

I would also enlarge the farm at this prison until it shall comprise from twelve to fifteen hundred acres, thus making it possible to employ about one hundred men, including those necessary to take care of buildings, do the cooking and attend to the chores about the farm. Whatever number of convicts would then be left who could be trusted to work without the walls, I would organize into gangs of from twenty-five to forty for work upon the highways and to furnish them and men engaged upon the farm employment during the season of the year when road work cannot be done and when men cannot work in the fields, I would recommend the establishment of plants for the manufacture of farm machinery and possibly also binding twine. The warden informs me that he could very profitably employ a gang of men for about one month each winter cutting and putting up ice for commercial purposes, and this I would recommend he be permitted to do.

By enlarging the farms in connection with each of the prisons, we could, in my opinion, obtain every benefit that would be derived from a separate state farm, we would avoid the necessity for the establishment and maintenance of a separate institution

with another warden and added officials, we could feed and equip the men from the present state store houses, we would have them, except those in road camps, in close proximity to the present institutions to which they could be easily and quickly returned for insubordination or infraction of the prison rules, and to which they could be assembled for chapel, Sunday school and day school work, which are usually neglected on separate state farms. It must be expected that in adopting a system that makes trustees out of a large number of convicts and gives them more freedom and employment without the walls, there will be a much larger number of escapes. This has been the experience of other states—it will be with us.

In order to encourage discipline and to reduce the tendency to run away, I would recommend that additional good time be allowed the men who work on the roads and on the farms and to the men who work within the walls upon state account, I would allow pay for overtime.

I should also authorize the Board of Control and the wardens to work out some plan by which a part of the earnings of the men could be used to support those dependent upon them.

As to the men employed in road work, they might be furnished to the counties at a stipulated amount per man to do such work as the Board of Supervisors might direct or could be employed by the state in building state highways, but in either event the counties in which the work is done should be required to pay a reasonable price therefor and the prisoners should always be in control of prison officials and superintendents in the employ of the State.

COUNTY CONVICTS.

I would abandon the county jail as a place of confinement for convicts, except as to those whose term of sentence is too short to warrant transporting them to a state jail or work house. For the purpose of punishing and reforming all other convicts, except those committed to the penitentiary or the reformatory, I would establish at least two and better three or four state work houses. In locating these institutions I would keep in mind their accessibility from various parts of the state, but would locate them where there is an abundance of stone suited to the construction of stone roads; would establish stone crushing plants and employ the convicts in quarrying and crushing rock for the construction of highways.

Some of the men together with the men from the penitentiary and the reformatory above referred to, although I would not work the county and the state convicts together, could be employed eight or nine months each year in building permanent roads. Thus we would establish a system of highway construction that would soon result in many miles of permanent roads in our state. I would not permit any of the stone crushed at any of the state's plants to be sold for commercial purposes or used for anything except improving the highways, unless it be for erecting state buildings, but would furnish stone free of cost to counties that would pay the freight and use the stone for road building.

I would authorize the railroad commission to permit the railway companies to fix special rates, within the state, for transporting the men engaged in road work and for hauling stone to be used for said purposes, so as to encourage as far as possible the betterment of our highways. I would equip these state work houses with land enough, but not more than would be necessary to raise vegetables, provisions, etc., to feed the prisoners.

The reasons for recommending the establishment of these work houses, it seems to me need only be suggested in order to be appreciated. Idleness breeds crime. The average county cannot furnish employment for its convicts. Many of our jails are wholly unfit to confine people in and some people are wholly unfit to be confined with others, but cannot be segregated in the ordinary county jail. Then too, the moral effect of taking the criminal to a state institution where he is compelled to work out a fine, rather than to idle his time away in a local jail, would do much to prevent repeating of offenses. Nothing would have so potent an influence for good upon the common drunk or the vagrant as to send him to a state institution, give him a good bath and require him to "earn his bread by the sweat of his face" for a few weeks or even months. I would convert the muscle that is now going to waste in idleness and laziness about the ninety-nine jails of the state, into good roads over which law abiding citizens of the state may travel, thereby making the convict earn his own living rather than to tax the law abiding citizen to support the criminal while he passes his time in idleness. Then too many crimes are committed for which a jail sentence does not seem to afford sufficient punishment and yet which scarcely seems to merit a commitment to the reformatory or the penitentiary. Persons guilty of such

offenses, should be sent to a state work house, where in all probability they would be more readily reformed than in one of the prisons.

WOMEN CONVICTS.

In my opinion the women's prison should be removed from Anamosa, or at least it should be separated from the men's institution and be removed to such a distance as to render communication between the men and the women impossible, which is not true at present. Then too, it should be made a reformatory to which women would be sent who now escape punishment because judges and jurors do not want to commit them to the present institution. As I understand it, we now have a law providing for a woman's reformatory, but no appropriation has been made to enable the board to establish it.

HOW RAISE THE MONEY.

I have herein outlined a system of reform for our penal institutions that would require time and the expenditure of a large amount of money to bring about. The question now arises, where are we to get the funds necessary to make these changes? I would answer that for the building of the state work houses and the establishment and installation of new industries at Anamosa and Ft. Madison, I would make direct appropriations and would provide for the erection of two of these work houses at once. For the purchase of lands, I would provide a millage tax to cover a period of years such as we now have for our educational institutions. I would abolish the 1-10 of a mill levy now provided for the Iowa State Teachers' College at Cedar Falls, which I think is no longer needed for that institution, would transfer it to the purpose above suggested and would add to it at least 1-10th of a mill. I should permit the Board of Control to at once purchase lands in anticipation of this income and pay for them as the money from the millage tax is received.

WARDEN'S SALARY.

Before leaving this subject, I want to suggest better pay for the wardens. The amount of pay which they receive is less than is paid in most states, is wholly inadequate for the responsibilities and duties to be performed, and when a vacancy occurs in the

office it is very difficult to get good men to consider accepting the position. I want, also, to again say that the warden's tables should be furnished just as the tables of the superintendents of other institutions are furnished. It is wholly unjust to require the wardens to furnish their own tables and to meet the expenses incident thereto by reason of public demands, which is true at least in part, at the present time.

RESOLUTION REGARDING ELECTION OF UNITED STATES SENATORS.

The second session of the sixty-second Congress passed a resolution proposing an amendment to the Constitution of the United States for the election of United States Senators by direct vote of the people. As you are aware, it is necessary for the amendment to be ratified by three-fourths of all of the states before it becomes effective. You will here find the proposed amendment set out in full and the document itself will be transmitted to you at a later date.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein),

That in lieu of the first paragraph of Section three of Article I of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the states:

'The Senate of the United States shall be composed of two Senators from each state, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

When vacancies happen in the representation of any state in the Senate, the executive authority of such state shall issue writs of election to fill such vacancies: Provided, that the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.'

CHAMP CLARK,
Speaker of the House of Representatives.

J. S. SHERMAN,
Vice President of the United States and President of the Senate.

I hereby certify that this joint resolution originated in the House of Representatives.

SOUTH TRIMBLE,
Clerk."

I might here say that some states have questioned the regularity of the passage of the resolution by Congress alleging that it should have received a vote equal to two-thirds of the full membership of each house, and that it did not receive such a vote, and also alleging that if adopted in its present form, it would interfere with the rights of the states in the regulation of suffrage, registration and elections. I do not desire to comment upon either of these points, but simply call them to your attention to show some of the reasons assigned for opposition to the measure.

I have never opposed the election of United States Senators by direct vote of the people, nor have I been convinced that such method of election would remove all the abuses that have been found to exist or would prove as popular as many seem to think. If, however, the plan is to be tried let it be done in the proper manner, that is, by amending the Constitution of the United States.

ONE TERM IN OFFICE.

There is before the Congress of the United States a measure the purpose of which is to extend the term of the President of the United States to six years and render him ineligible to succeed himself. I am in favor of the adoption of such a measure, and in this connection I wish also to say that in my judgment it would be wise to amend our state constitution so as to provide for a four year term for the Governor and render him ineligible to succeed himself at least without the intervention of one or more terms.

PRIMARY ELECTIONS AND THE SHORT BALLOT.

Again I want to suggest a modification of our primary election law, not with any view to abandoning the primary principle, but for the purpose of simplifying the statute and making it more effective as well as more satisfactory.

I cannot understand the process of reasoning by which men justify themselves in advocating the primary election upon the theory that the people should have the right to name each and every candidate for a public office and at the same time favor the enactment of what is known as the "short ballot" statute. The short ballot contemplates the election of only a few of the more important officers and have them appoint all minor officers and commissions. Let me quote from some of President-elect Wilson's arguments as presented by him in a paper read only a short while ago, as follows:

"We have given the people something so vast and so complicated to do in asking them to select all the officers of government that they cannot do it."

"There must be a preliminary process of selection, of nomination, of preparing the tickets as a whole, unless there is to be hopeless confusion, names put up at haphazard and nobody elected by a clear majority at the end."

"He (the voter) cannot possibly make himself acquainted with the individual claims of the men whose names appear on the long ballots."

"A few conspicuous names upon it, candidate for the greater offices, he may have heard about, a candidate for Congress or the Governorship of his state, but the rest are mere names to him."

"We actually as a matter of fact and of experience, put them (the people) in control only when we make only the chief, the really responsible offices elective, allow those whom we elect to appoint all minor officials, all executive agents."

This is as different from the primary election idea as it was presented to and adopted by us a short time ago as two theories can differ, and yet many of the advocates of the one claim also to favor the other. It clearly shows the instability of the average individual and the growing tendency to take up with anything that suggests a change.

What we should have done at first and what we ought now to do is to make the primary applicable to United States Senators, Governor and possibly Lieutenant Governor and name candidates

for the remaining state offices in a convention composed of delegates selected at a primary. There is no need of the short ballot at election time if we will relieve the people of the responsibility of making nominations in the primaries where it is wholly impossible for them to acquaint themselves with the various candidates. The remedy ought to be made as to the primary and not as to the general election. There never has been a primary held in this state but what the freakishness of the system, as now applied, has been apparent and as practical men, you ought to so amend the law as to make it possible for the people to do and do intelligently what is required of them. Preserve the primary principle but make the statute reasonable and workable so that it can be successfully and intelligently applied.

WOMAN SUFFRAGE.

For many years the subject of extending to the women of the state the right of suffrage has been prominent in the halls of our legislature. Nine or ten states have already adopted laws granting the privilege of voting to women as well as to men. It is one of the reform movements which in my opinion will eventually be adopted by most of the states. I doubt not that sooner or later it will be submitted to the people of our own state in the form of an amendment to the constitution, and I can see no good reason why steps looking to that end should not be taken by you. If it were possible to get anything like a universal expression from the women as to their desires with reference to it, I should say let them express themselves, but since this seems impracticable, I recommend that you take such action as is necessary to bring the matter before the voters of the state for determination.

PREFERENTIAL PRIMARY.

Much has been said about a primary for the selection of delegates to the national conventions of the various political parties and to afford the voters an opportunity to express their preference as to presidential candidates. Such a provision would be in entire harmony with the primary idea of making nominations for office but, in the enactment of a law, it should be kept in mind that national conventions being voluntary associations cannot be controlled by state legislation, and in order to make such a law effective it must be made to conform to the rules of said conventions.

So far as I am aware the rules of the conventions of most parties now recognize the congressional district, and not the state as the unit, so that any law to be enacted, if it is to comply with present conditions, should be so drawn as to permit the congressional district to select and instruct its own delegates rather than to attempt to instruct delegates by a vote of the state at large, except as to the delegates at large.

If, however, representation in national conventions is to be based upon the number of votes cast by the party in the various states it is difficult to understand how the congressional district can be continued as the unit unless each district is to be given one delegate and an added number if the vote in the district is sufficient to entitle it to more. This method has been adopted in many instances with reference to county and state conventions.

That the basis of representation should be changed, I think will be generally conceded and I want to assure you that I am in favor of such a change.

In view of the uncertainties as to what condition will confront us at the time of selecting delegates to the next national conventions I would suggest that you adopt some method of selecting delegates that will, if possible, meet any conditions that is likely to exist. This I believe can be done by providing that a primary be held throughout all of the counties of the state, by all parties, upon the same day and between the same hours.

Permit the voters of each party to express their preference for presidential candidates and to elect delegates from the entire state or from the state and the congressional districts by direct primary vote or to elect delegates to state and district conventions for the election of delegates to national conventions. Make the method to be adopted optional with the party, to be determined by the rules of its national convention. If the party recognizes the state as the unit the preferential vote throughout the state should be regarded as a vote of instructions to the entire delegation but if the congressional district is taken as the unit the vote of the district should be regarded as instructing the district delegates and the vote throughout the entire state as a vote for instructions to the delegates at large.

In my opinion either of the above methods preserves and recognizes the principle of the primary and afford an easy method by which the people can express a preference for candidates. I know of no rule of any party convention but what would be met by some one of the methods above suggested.

IN CONCLUSION.

Now that the time has come when I shall very shortly retire from office I want to thank you and through you the people of the State for the recognition that has been given me in electing me to two of the very important offices of the State and permitting me to serve therein for a period of ten consecutive years. I have endeavored at all times to render the best service that I could. Many things that I have desired to see accomplished have not been accomplished but most of them are outlined in the message which I have just read to you and I hope that they may be enacted into law during this session. In retiring from the position of Chief Executive of the State I leave with you my very best wishes, not only for a successful session of your honorable body, but for a successful administration for my successor in office.