

# SUPPLEMENT.

## GOVERNOR'S BIENNIAL MESSAGE.

Gentlemen of the Senate and House of Representatives:

The Governor of the State of Illinois, who has occupied the office of Governor to the House of Representatives of the United States, that gentleman resigned the office to take effect February 1st, 1877, whereupon its powers and duties devolved upon myself as the Lieutenant-Governor. It therefore becomes my duty on this occasion to communicate to the General Assembly the condition of the State, and to recommend such matters as I may deem expedient.

You assemble under circumstances which are more auspicious than those which greeted your predecessors, although the biennial term has had its deep shadows as well as its bright sides. The State has been free from the insect scourge during the term for several previous years, and during the year just closed it has almost entirely been free from locusts permanently. Except in some parts of South-eastern Iowa, the past year has been one of bountiful crops and wealth-bringing harvests.

The reports of the Auditor and Treasurer of State make, I regret to say, a very unsatisfactory showing of the financial condition of the State. The fiscal year began with a balance in the general revenue of \$3,111,600. The receipts into the treasury during the year were \$1,963,470.65, and the expenditures \$1,963,550.75. Deducting the excess from the balance of two years ago, we have \$36.50 cash in general revenue. In the last biennial message of the Governor, he stated, on the Auditor's authority, that there might reasonably be expected during the term, \$1,500,000 of receipts, to meet \$1,500,000 of expenditures already provided for by law, leaving \$400,000 to be used for special purposes. The appropriations made by the Sixteenth General Assembly exceeded this margin to the extent of nearly \$200,000. The result was that at the close of the fiscal term there were \$267,770.31 of outstanding warrants. Deducting therefrom the cash on hand, we find the State with a floating debt of over \$267,000, which has been increased until it reached, on the 31st instant, the enormous amount of \$340,825.56, more than \$300,000 in excess of the constitutional limitation of indebtedness, to say nothing of the funded debt. This is a condition of affairs without a parallel in the history of the commonwealth.

At the close of the previous term, the net floating debt was \$337,950.75. The commonwealth ought not to set an example of extravagance in meeting its obligations. Of all forms of indebtedness, that of a floating character is the most objectionable. The uncertainty as to its amount will invariably enter into any computation made by persons contracting for supplies, material, or labor with the State. To remove the present difficulty, and to avert its recurrence, I look upon as the most important work that your duty requires at this time.

The funded debt of the State is comprised of \$300,000 war and defense bonds, due July, 1881, and \$303,000.35 owing to the school fund, together drawing during the term, \$33,541.16 interest. The interest paid on the floating debt for the same time was \$10,594.71, and from the 1st of October last to the 7th inst. inclusive, \$222,575.70 more was paid. Several thousand dollars should also be added to the State's expenditures by reason of disbursements paid by the various institutions, on state warrants.

The Auditor estimates the receipts of the term now begun at \$2,092,000, and the expenditures for purposes contemplated by existing statutes at \$1,745,600; the excess of receipts being \$346,400, only a trifle more than the sum of the outstanding warrants. The Legislature, at almost every session, has endeavored to increase to a greater or less extent the ordinary expenditures of the State; and it is not improbable you also will find such action necessary. The amounts thus voted will doubtless absorb all the surplus to be derived from the present tax-law. Of course, if the general assembly should vote to increase the State's expenditures, no greater economies could be given to the completion of those now in process of erection, the anticipated revenues of the present term will perhaps be sufficient for all the ordinary and established purposes of the State Government, as well as to meet its present unfunded liabilities, although, in the event of a failure to make suitable appropriations for the erection and completion of needed public buildings and for the maintenance of our charitable and educational institutions. If such be the case, means must be provided to meet the enhanced expenditures that may be authorized, and this can only be done by increased taxes, or by borrowing money. The latter would seem to be out of the question until at least the debt shall have been brought within the constitutional limitation. In my judgment experience has shown that the reduction of the maximum amount of the State levy, to two mills, made by the Code, was an error. The receipts from the tax levy at this rate, with interest on taxes, will fall at least fifty thousand dollars short of meeting the ordinary expenses of the State, including the annual appropriation for the new capital, leaving the other sources of revenue—the insurance, the taxes, the insane dues, the fees, etc., to make up the balance, and meet additional expenditures the State may undertake.

The receipts from the term during the past two years aggregated \$328,421.78. The general assembly has for several years appropriated from \$190,000 to \$200,000 in excess of this sum. Prior to the adoption of the Code, the two and a half mills did not much more than meet all demands after the expenses of the war had been reimbursed to the State. I am clearly of the opinion that the maximum rate should be increased, and that it ought also to be sufficiently high to permit of at least half a mill more for the levy immediately preceding the legislative session, than for the other of the biennial period.

I observe that our sister State of Illinois adjusts its levies so as to raise one-third more revenue for the legislative year than for the other year of the term. In our own State, the expenses of legislative session, including the additional printing and binding, and the special appropriations, made to be paid immediately, would absorb almost if not quite all of such additional rate.

Another suggestion has been made towards closing the financial chasm before us, which is to increase the gross valuation by legislative act. The present is far below the real valuation. It would represent not more than the truth, taking the State throughout. But on the other hand, there are parts of the State where the assessed and true valuations are alike or nearly so. Of course these could not be raised without injustice, and it would seem difficult to make the increase by law except uniformly.

Again, it has been suggested that, immediately after the adjournment of the general assembly, the Executive Council be required to apportion among the counties, according to their respective valuations, the sum necessary to support the State government during the two years, based upon the amounts authorized by the general assembly, and that each county shall make proportionate payments at set times. This plan has undoubtedly merit. The amount to be raised would be known with reasonable certainty, and there would be no unusually large accumulation of funds in the State treasury at one time. Whatever the general assembly may determine to do, to my mind it is indispensable to the State's credit that the entire surplus of the present year be devoted to paying off the floating debt. In no other way can that incumbrance be removed.

For such extraordinary appropriations it may be necessary to raise additional levies, but may be authorized to be levied in 1878.

The suggestions made by the Auditor in relation to the assessment of property, both real and personal, to the taxation of telegraph and transportation companies, to charging the counties the full amount of tax levies, and to insurance and banking organizations, I fully concur in. That the counties should be charged with the full amount of the State levy has been repeatedly recommended in the messages of my predecessors, and I renew the same, firmly persuaded as I am that every year's experience continually demonstrates the unbusinesslike character of the present mode of keeping the revenue accounts with the counties.

The inequalities of the personal property valuations of the several counties appear to me to be the property of no adjustment. The State's levy as to require the counties to pay into the State treasury only the tax on realty, leaving the corresponding tax on personalty in the county treasury. This would rest with each county the adjustment of its personal property valuations, without fear that they might be so high as to work injustice to itself in comparison with other counties.

The recommendation of the Auditor for semi-annual payment of taxes meets my hearty approval. Annual payments accumulate large sums of money in the county or other local treasuries, to the detriment of business generally where the law which forbids its use by treasurers is observed, and to the disregard of law and the debauching of official morality where it is not.

The transmission of funds to the State treasury is a source of constant perplexity to the financial officers of the State. In my judgment, matters would be very much simplified if the State had a depository at some financial center, to which all drafts might be sent for collection, and drafts upon which would always be at par. The State should be at no expense on account of transmitting funds to the treasury; each county can make the transfer on better terms than the State. I commend to your consideration the suggestion of the Treasurer of State, that the small amount of the swamp land indemnity fund, which has been retained from some of the counties toward reimbursing the State, on account of its outlay in securing the adjustment of these claims, be turned over to the counties severally. Many of the counties have received their full amount of the money, and of those which have not, it is difficult to say how much the State agents furthered the adjustment of their claims.

**PUBLIC LANDS.**

The report of the Register of the State Land Office gives a concise and valuable history of the various lands under his jurisdiction, and in response to a request I invite your attention, as well as to that officer's recommendation, in which I unite, that provision be made for confirmation of title, where lands are conveyed to persons who are subsequently ascertained to be deceased at the time of conveyance; and that tracts held as swamp lands, but ascertained to be not such, may be certified to railroad companies, entitled to their lands under the act of Congress, and sold by the companies to settlers who have improvements thereon, and are anxious to have their titles perfected.

Chapter 55, of the Acts of 1876, which contemplated the completion of the McGregor & Missouri railway to a junction with the Sioux City & St. Paul R. R., has proved entirely ineffectual towards accomplishing its object. The lands belonging to the State, and which are subject to the disposal of the General Assembly. The Sioux City & St. Paul railroad remains uncompleted. The company has earned five hundred sections of land, which amount has recently been certified to it, the time for the completion of this road has expired. I suggest that steps be taken by this General Assembly to secure its construction for the full length contemplated by the act of Congress.

**PUBLIC SCHOOLS.**

The school system of the State, as ever, demands your attention and fostering care. The report of the superintendent of public instruction exhibits a steady and constant growth with the growth of the State. I heartily unite with that officer in his able advocacy of a State Board of Examination, so as to give the occupation of teaching what would practically be a legal recognition as a profession; and in his recommendations in regard to text-books. Boards of directors only should be permitted to adopt or change text-books, and it should not be left to individual directors or teachers, and I am well satisfied it would be wise to authorize boards of directors to make purchase of school books for sale to pupils, or for loan to those unable to purchase. I invite particular attention to the superintendent's comments upon the looseness, not to use any stronger term, with which the financial business of many of the districts is managed. The large sum of \$128,359.25 seems to have disappeared in the hands of district treasurers. I believe it to be largely attributable to the incompetency of persons chosen to that office, rather than to any other cause. The superintendent's recommendation that there be only one treasurer for each township is one I deem calculated to some extent to remedy the evil; and the several treasurers should be required to adjust their accounts every year. It would be well, too, if the bonds of these officers were security bonds, as the superintendent suggests, rather than penal bonds. One needless source of expenditure of school funds is to be found in the increase of school districts, the consequent multiplication of school officers, and the enhanced amounts paid for compensation of secretaries and treasurers. I know one township, which now divided into independent districts, pays for the services of these officers more than five times as much as it did when it comprised only one district. I am inclined to think this to be very frequently the case.

**MILITARY.**

The present militia law, originally enacted during the war, contemplates the organization of the entire militia of the State. This was found impracticable, even under the pressure of war, and is of no utility whatever now. I recommend its repeal, and the enactment in its stead of a law that will encourage those so disposed to organize themselves into companies, regiments, and, if thought best, brigades and divisions. We have some very good military companies at present, but they have a constant struggle for existence, because of the small encouragement they receive from the State. They are even required to pay transportation on arms and ammunition received from the Quartermaster-General, because of the inadequacy of the amount allowed the officer for expenses of his department. In many States, a term of service in the active militia forever relieves one from jury and road duty. At least this much should, I think, be done here, and such other inducements held out as would facilitate the formation of military companies. I invite your attention to the suggestions of the Adjutant-General upon this and other topics, and would respectfully recommend a large increase of the appropriation for the Quartermaster department. During the past summer, the country was greatly excited because of formidable attempts, originating with persons in the employ of a railroad company in West Virginia, to arrest railroad traffic until certain demands had been complied with. These attempts spread until they assumed the nature of a general uprising. In many of the States, it was found necessary to call out the militia to suppress outbreaks, and in some even to invoke the assistance of the Federal government. In our own State, on some of the roads trains were prevented from moving, and traffic impeded. I deem it is not an idle or trifling suggestion warning the Legislature of the consequences of unlawful action, and advising peaceable adjustment of all difficulties. I was repeatedly called upon, unofficially, to call out the militia to suppress lawlessness, but in no case did the local authorities admit their inability

to suppress the same. In some instances, looking eyes to the blind, and making them self-depended, that I do not think that I can too strongly recommend it to your care. The trustees ask for an additional annual allowance of \$5,000 to pay salaries, and to meet other ordinary expenses of the institution, including maps, printing, and books for pupils. The present appropriation of \$5,000 is one-third less than that granted to the institution for the Deaf and Dumb. If the allowance for the latter is not too large, that for the former is too small.

**DEAF AND DUMB.**

The building occupied by the institution for the support and education of the deaf and dumb was destroyed by fire on the twenty-fifth day of February last. This calamity was fortunately, almost miraculously, attended with injury to life or person; but otherwise it was one of the most serious disasters. Temporary shelter had to be obtained for the pupils, and half of them were sent to their homes; and the school being incapacitated for doing its work, this deserving class of unfortunate is to a great extent deprived of the opportunity for education the State has heretofore so liberally afforded them. The erection of the new wing authorized by the last general assembly, enables the institution to care for a limited number of those for whom it was intended. But this is insufficient for the use of the school, and I respectfully recommend that steps be taken for the erection of a commodious building at an early day. The fire was not the only disaster to visit the institution during the year. A tornado, on the sixth of August last, unroofed the new wing, and partially demolished its walls. The work was still in the hands of the contractors; consequently the State suffered no pecuniary loss thereby; but the trustees ask the general assembly, in behalf of the State, to assume the loss, and assign therefor what I deem weighty reasons.

Steps have been taken to provide for instruction in articulation. This has been practiced with apparent great success, both in Europe and America, and it well it should be given a trial in Iowa.

The appropriation made for the west wing was not sufficient to put therein heating apparatus. As this wing, owing to the fire, had to be occupied sooner than was contemplated, the Haxton Steam Heater Company, of Keosauqua, Ill., volunteered to put in the necessary apparatus, the company agreed to wait for payment until the general assembly could make an appropriation. The work was done, and to all appearances satisfactory, at a cost of \$2,160. I recommend that an appropriation be made to meet this expenditure.

**FEEBLE MINDED CHILDREN.**

The last general assembly made a long needed provision for the "care, support, training and instruction" of feeble minded children. A board was selected by the general assembly, one of whose members, however, Dr. James M. Robertson, declined the position, and my predecessor appointed Dr. William S. Robertson to the vacancy. The board found the preparation of the building for the uses of the institution a very formidable undertaking, because of the dilapidation it had fallen into after the removal of the orphans. But the difficulties do not seem to have prevented the school from being promptly opened for the reception of pupils. With the liberal aid of the press this fact was widely announced; but there were only five pupils at the organization. This number, however, has increased to eighty-seven. The year's experiment has been, I am persuaded, eminently satisfactory, and has demonstrated that this institution was not opened a day too soon. I have heard, from other sources than the authorities of the school, of surprising results in individual cases; and I am more than pleased at the prospects opening before this hitherto neglected class of our State's unfortunate, by reason of the saying, "I feel that I cannot too strongly commend it to your care. I especially would urge that the per capita allowed for support be increased from ten to sixteen dollars a month. The present appropriation is less than that provided for the blind and deaf, and only the same as that for the inmates of the orphan's home and the reform school; and, as surely none need more care than the pupils at Glenwood, manly, as they do, from children of a low order of mentality to those of utter helplessness.

**REFORM SCHOOL.**

The protracted investigation into the affairs of this school, had in 1875, with its attendant excitement and irritation, left an effect on the Reform School, from which it can hardly yet be said to have fully recovered. A second change has recently been made in the superintendency. The \$40,000 for the new building authorized by the last general assembly fell \$15,000 short of putting up the house, and an additional \$10,000 was required to complete it. A debt of \$5,000 is also to be removed. The lease of the buildings occupied by the girls' department of the school will expire the present year, and cannot be renewed for a longer term than one year. A building for the use of this department can therefore be no longer delayed. I recommend that steps be taken for its erection, and, believing it not advisable to locate it near the school for boys, suggest that a new site be selected at or near the seat of government.

One hundred and forty-one boys and fifty-three girls were at the school October 31st, five more boys and twenty-three more girls than at the close of the previous term.

The last General Assembly fixed sixteen years as the age over which one could be sent to the Reform School. The prior law made eighteen the maximum. Nevertheless, during the two years, eleven persons, seventeen years of age and upwards, were sent to the boys' department of the Reform School, one of them being twenty-one, and one even twenty-two years old. To send criminals of this age to the reform school is not calculated to be of any benefit to those for whom the institution was intended. It is known whether anything further can be done by legislation to put a stop to this practice, but it is so pernicious in its tendency that I think it proper to advert to it thus formally.

**THE PENITENTIARY.**

The condition of the Penitentiary at Ft. Madison will demand your careful attention. The enlargement in the number of cells, provided for by the last General Assembly, has been effected, but the increased accommodation thus obtained is already exhausted; indeed, the new cells were hardly completed before they were filled. So that there is again a demand for greater accommodations at this prison. To this end, the Warden recommends that the roof of the cell room be raised, and another tier of cells built. I know of no better way to make the needed enlargement. It is less expensive than the extension of the grounds would be, involving as this would, the erection of a new wall for such extension. The shop room is also becoming measure for the number who ought to be employed therein. This Penitentiary gives every evidence of having been planned originally for a State of comparatively small population; while the immediate site is not a fortunate one to permit of the enlargement of the prison. Consequently much has been done, and much will continue to be done, in the nature of makeshifts, which nothing can be more undesirable in public edifices. If some comprehensive plan for the enlargement, either immediate or progressive, of this penitentiary were to be devised, it would, I believe, be a matter of ultimate economy to adopt it and carry it into effect.

The expenses of the prison were quite heavy during the term, some \$40,000 having been drawn from the treasury to meet deficiencies in the support fund. The allowance for this fund, at Fort Madison, is eight and a third dollars per convict, and at Anamosa is ten dollars. The rate at Fort Madison was fixed at a period when high prices universally prevailed, and supplies of almost all kinds would cost much more than to-day. Nor can I think such price was inadequate when first fixed. But the prison has been subjected

to some expense within the last few years that are exceptional, and perhaps no longer necessary. The labor commission provided for by the 15th General Assembly has accomplished its work, to the extent of leasing all the present available labor of the prison. I therefore recommend its abolition. Any further labor, letting that shall be found necessary can be done by the Warden, with the approval of the Executive Council.

The appropriations made in 1876 for the additional penitentiary were used for the purpose contemplated so far as needed. The railroad track has been extended, a warden's home built, an apartment fixed up for hospital purposes, and the work of construction continued. The Executive Council, acting under authority conferred by chapter forty, of the Acts of the last general assembly, directed that prisoners sentenced to the penitentiary by the courts of the eighth, ninth, tenth and twelfth judicial districts, and the seventh—except the county of Muscatine—should be taken to the Additional Penitentiary. The number of convicts increased in the two years from sixty-seven to 165. This increase will continue, and emphasizes the request made by the warden that the new cell houses, of which the foundation has been laid, and for which a large quantity of stone has been prepared, be hastened to completion; and the warden's suggestion that the roof be made of iron and slate, instead of wood as at present planned, should be adopted. Indeed, I believe it would be well that shingle roofs be not permitted on any structures belonging to the State. The prison wall is another object of prime importance, and cannot be too soon completed. The quarry now owned by the State appears to be comparatively valueless, and the warden suggests the purchase of another one at which the convicts have done some work, and the construction of a railroad thereto. The latter I cannot recommend until more is known of the quarry. A wagon road will do for present purposes, and if the desired stone is found to be present in sufficient quantities, the railroad can be constructed afterwards.

The statute allowing commutation to prisoners at this penitentiary needs revision. At present, diminution of time is earned by value of labor performed. In the condition the prison has necessarily been in since it opened, it has been difficult for any convict, however well disposed, to do \$400 worth of work within a year on any reasonable estimate of the value of a day's labor. For the present, at least, I think it would be well to permit prisoners to earn time to earn diminution by good conduct, the same as at Fort Madison. The provision allowing them pay for a part of their labor, might, however, be retained with advantage. This rule of the Code was at one time thought applicable to this prison, and convicts were credited with the same diminution as at Fort Madison, and discharged with the same shortened terms. Doubting the legality of this practice, I obtained the opinion of the attorney general thereon, which entirely coincided with my own views—that the commutation law of the older penitentiary was not applicable here. I thereupon notified the warden, on May 15th last, to make no further discharges from the Additional Penitentiary except upon executive order; but I would greatly regret to discharge all prisoners for diminution earned at Anamosa, and for full time at all transferred from Fort Madison. I have accordingly issued pardons to sixty-eight of the prisoners at Anamosa, to take effect at the end of their respective terms as thus diminished.

During the two years, three investigations were held of the management of this prison, two of them having reference to the term of the former warden, and one to the present management of the institution. None of these developed any dishonest or corrupt practices in either of the administrations.

A further and very rigid examination was made by the grand jury of Jones county, as my predecessor was advised, into Mr. Warden Healey's management, resulting in that gentleman's complete exoneration. The investigation into the present management demonstrated the necessity of a change in one of the subordinate officers of the prison, which change was accordingly made, with salutary effect.

I deem it my duty to recommend a few amendments in the statutes governing the penitentiaries. I see no reason why the warden should have a fixed term of office any more than the head of any other institution. A periodical scramble for the position should be avoided. No one would think of applying the rule of periodic service to the presidents of the University and the Agricultural College, or the superintendents of the Orphan's Home and the Reform School. It may be said these offices require of their incumbents a peculiar kind of experience for their special work, a thing not at all indispensable in a Warden. If we look upon the latter only as a jailor, this reasoning is correct; but not otherwise. I can think of nothing that would aid so much in making our penitentiaries what they should be—reformatory as well as self-supporting institutions—than to keep them in charge of men who manifest an aptitude for their work, and to make changes in the incumbency only when the public interest require it.

Another suggestion I feel compelled to make, is that the Warden be appointed by the Governor, with or without the approval of the Senate, as may seem most advisable, and to hold office until a change shall seem to be demanded. I am aware of the delicate ground on which I tread in making such a suggestion, but I do so with the more freedom, because on the one hand I have sat in the general assembly for several years, and in that capacity repeatedly participated in the election of Warden; and on the other, being about to leave the office of Governor, I can have no personal wish to gratify in making the recommendation.

I am persuaded from my observation and experience in both positions, that a proper selection of the person required for the responsible office of Warden can better be made by the Executive, enabled as he is by his position, to realize what is required of such an officer than by a large number of persons coming together for a short time, and knowing of what is needed only by the prison reports and by what they may incidentally learn otherwise. I would also recommend that the salary of the Warden be increased, and that all allowances and perquisites other than a residence be cut off; and further, that nothing purchased for the use of the prisons shall at any time furnish perquisites for any person connected therewith.

**THE INSANE.**

The appropriations made at the last session of the general assembly for improvements at the Mt. Pleasant Hospital were partially used for the purposes directly contemplated by the act making the same, \$5,000 appropriated for sub-basement were not used, the amount being insufficient to accomplish the object, and it was thought better to delay the commencement of the work rather than its completion after it had been once begun. A fire in April, 1876, destroyed one of the buildings, within which were the boilers, pumps, engine, fan, washing, ironing, engineer's dining room, and storage room for coal, and a paint shop, and its immediate re-erection was determined on, which was accomplished at a cost of \$33,046.46. Such of the special appropriations of last session as could properly be so used were drawn and expended in such rebuilding. The providential contingent fund supplied a similar amount—\$3,000—and the remainder was taken from the support fund. The daily average number of patients at this hospital during the term was 381.13. This is nearly twice the number the buildings intend for, a fact that again presses upon the general assembly the necessity for increased provision for the care of the insane. The superintendent presents some very cogent arguments in favor of enlarging the capacity of the present hospitals in preference to establishing new ones. The adoption of this course, to the full extent of the number that one superintendent should have under his charge, I feel justified in recommending.

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I am persuaded from my observation and experience in both positions, that a proper selection of the person required for the responsible office of Warden can better be made by the Executive, enabled as he is by his position, to realize what is required of such an officer than by a large number of persons coming together for a short time, and knowing of what is needed only by the prison reports and by what they may incidentally learn otherwise. I would also recommend that the salary of the Warden be increased, and that all allowances and perquisites other than a residence be cut off; and further, that nothing purchased for the use of the prisons shall at any time furnish perquisites for any person connected therewith.

**THE INSANE.**

The appropriations made at the last session of the general assembly for improvements at the Mt. Pleasant Hospital were partially used for the purposes directly contemplated by the act making the same, \$5,000 appropriated for sub-basement were not used, the amount being insufficient to accomplish the object, and it was thought better to delay the commencement of the work rather than its completion after it had been once begun. A fire in April, 1876, destroyed one of the buildings, within which were the boilers, pumps, engine, fan, washing, ironing, engineer's dining room, and storage room for coal, and a paint shop, and its immediate re-erection was determined on, which was accomplished at a cost of \$33,046.46. Such of the special appropriations of last session as could properly be so used were drawn and expended in such rebuilding. The providential contingent fund supplied a similar amount—\$3,000—and the remainder was taken from the support fund. The daily average number of patients at this hospital during the term was 381.13. This is nearly twice the number the buildings intend for, a fact that again presses upon the general assembly the necessity for increased provision for the care of the insane. The superintendent presents some very cogent arguments in favor of enlarging the capacity of the present hospitals in preference to establishing new ones. The adoption of this course, to the full extent of the number that one superintendent should have under his charge, I feel justified in recommending.

It has been repeatedly my duty to order the