

JOURNAL

OF THE

EXCHANGE
SEP 10 1914

HOUSE OF REPRESENTATIVES

OF THE

Sixth General Assembly

OF THE

STATE OF IOWA,

BEGUN AND HELD AT THE CAPITOL, IN IOWA CITY, ON THE FIRST
DAY OF DECEMBER, A. D. 1856, BEING THE SIXTH
REGULAR SESSION UNDER THE CONSTITUTION.

PUBLISHED BY AUTHORITY.

IOWA CITY:
P. MORIARTY, STATE PRINTER.

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HOUSE OF REPRESENTATIVES,
OF THE
Sixth General Assembly of the State of Iowa,

Begun and held at the Capitol, in Iowa City, on the first day of December, A. D., 1856, being the Sixth Regular Session under the Constitution.

2 O'CLOCK, P. M.

The House was called to order by Mr. Dorland, of Henry county, member present.

On motion of Mr. Dorland,
Cyrus Franklin, of Wapello, was elected Speaker, *pro tem.*

On motion of Mr. Holmes,
A. R. Fulton, of Jefferson, was elected Clerk, *pro tem.*

On motion of Mr. Dorland,
Francis White was elected Assistant Clerk, *pro tem.*

On motion of Mr. McFarland,
J. B. Brown, of Lee, was elected Sergeant-at-Arms, *pro tem.*

On motion of Mr. Clark,
Wm. Parks, of Marion, was elected Door-Keeper, *pro tem.*

On motion of Mr. Toll,
R. B. Cochrane, of Johnson, was elected Chief Messenger, *pro tem.*

On motion of Mr. Clark,
J. A. Hawkins, of Johnson, was elected Messenger, *pro tem.*

On motion of Mr. Price,
J. T. Struble, of Johnson, was elected Fireman, *pro tem.*

On motion of Mr. Woodin,

The following members presented their credentials:

1. From the county of Lee.—Joseph Van Valkenburgh, Thomas Sawyer, J. B. Pease.

2. From the county of Des Moines.—G. J. R. Perry, J. W. Williams, E. D. Rand.

3. From the county of Van Buren.—David Doud, R. H. McDow, W. Hardy.
4. From the county of Davis.
5. From the county of Jefferson.—Charles O. Stanton, W. H. Copeland, Lewis Reeder.
6. From the county of Henry—Willet Dorland, Samuel McFarland.
7. From the county of Wapello.—Cyrus Franklin.
8. From the counties of Wapello and Keokuk.—Morrison F. Bottorf.
9. From the county of Monroe.—Samuel Gossage.
10. From the counties of Lucas, Clark and Union.
11. From the county of Appanoose.—James Galbraith.
12. From the counties of Wayne and Decatur.—Thomas M. Bowen.
13. From the county of Fremont.
14. From the counties of Mills, Taylor, Ringgold and Adams.—Samuel H. Moer.
15. From the county of Pottawattomie.—A. V. Larimer.
16. From the counties of Harrison, and others.—N. G. Wyatt.
17. From the county of Louisa.
18. From the county of Washington.—William B. Lewis.
19. From the counties of Louisa and Washington.
20. From the county of Keokuk.—A. C. Rice.
21. From the county of Mahaska.—R. M. Wilson, John H. Fry.
22. From the county of Marion.—Green T. Clark, Miles Jordan.
23. From the county of Warren.—C. B. Jones.
24. From the counties of Madison, &c.
25. From the county of Muscatine.—D. C. Cloud, J. A. Mills.
26. From the county of Johnson.—George D. Woodin.
27. From the counties of Johnson and Iowa.—Phincas Inskip.
28. From the county of Scott.—H. G. Barner, E. S. Wing.
29. From the county of Cedar.—Edgar Bright.
30. From the county of Clinton.—Charles H. Toll.
31. From the counties of Clinton and Cedar.
32. From the county of Linn.—John E. Kurtz, Daniel Lothian.
33. From the counties of Powesheik and Jasper.

34. From the counties of Benton, Tama, and Marshall.—Delos Arnold.
35. From the county of Polk.—William P. Davis.
36. From the counties of Polk, Dallas, and Guthrie.
37. From the county of Jackson.—William Mordan, Jacob Hershberger.
38. From the county of Jones.—William H. Holmes.
39. From the counties of Jackson and Jones.
40. From the county of Delaware.—James M. Noble.
41. From the counties of Blackhawk and Buchanan.—Morrison Bailey.
42. From the county of Dubuque.—Winslow T. Barker, Thomas Hardie, John Moore, Daniel Cort.
43. From the county of Clayton.—Francis Rodman, La Fayette Bigelow.
44. From the counties of Boone, &c.—Walter C. Wilson.
45. From the county of Allamakee.—James Bryson.
46. From the county of Winneshiek.
47. From the county of Fayette.—Robert A. Richardson.
48. From the counties of Bremer, &c.—E. B. Gillet.

On motion of Mr. Dorland,

The House proceeded to elect, *viva voce*, the following members Committee on Credentials:

McFarland, of Henry, Barker, of Dubuque, Jordan, of Marion, Holmes, of Jones, and Cloud of Muscatine.

On motion of Mr. McFarland,

The House adjourned until 10 o'clock to-morrow morning.

TUESDAY, DECEMBER 2—10 O'CLOCK, A. M.

Mr. McFarland, from the Committee on Credentials, presented the following report:

The Committee to whom was referred the certificates of membership, beg leave to report that they have examined the credentials

presented, and find them correct, except the certificate of N. G. Wyatt, from Harrison, and others, was without the county seal, and did not name the counties for which the Judge acted.

E. D. Rand, of Des Moines county, presented a certificate from W. F. Coolbaugh, Senator from that county, stating that to his personal knowledge the certificate was made out by the county Judge, and that it had been mislaid and forgotten by Mr. Rand.

Daniel Lothian, of Linn county, presented a certificate signed by W. G. Thompson, Senator from that county, and George McCoy, Senator from Linn, Benton, &c., certifying to their personal knowledge Mr. Lothian had been elected from said county.

The Committee are satisfied that the gentlemen named are entitled to their seats, and would recommend the same.

SAMUEL McFARLAND,
Chairman.

On motion of Mr. Dorland,

The report of the Committee was concurred in and the Committee discharged.

On motion of Mr. Wooden,

The Clerk proceeded to call the House by districts, and the following members came forward and subscribed the oath of office:

Joseph Vanvalkenburgh,	C. H. Toll,
Thomas Sawyer,	Daniel Lothian,
James B. Pease,	John E. Kurtz,
J. T. R. Perry,	David Edmundson,
J. Wilson Williams,	Delos Arnold,
E. D. Rand,	William P. Davis,
David Doud, jr.,	William Mordan,
B. H. McDow,	J. K. Hershberger,
Dudley Handy,	William H. Holmes,
Lewis Reeder,	William Thomas,
William H. Copeland,	James M. Noble,
Samuel McFarland,	Morrison Bailey,
C. Franklin,	Winslow T. Barker,
M. F. Bottorf,	Thomas Hardie,
Samuel Cossage,	John M. Moor,
James Galbraith,	Daniel Cort, jr.,
E. S. Wing,	La Fayette Bigelow,
E. N. Right,	Green T. Clark,
Francis Rodman,	Miles Jordan,

Walter C. Wilson,
 James Bryson,
 R. A. Richardson,
 E. R. Gillett,
 Thomas M. Bowen,
 Samuel H. Moer,
 A. V. Larrimer,
 N. G. Wyatt,
 W. B. Lewis,
 A. C. Price,
 John H. Fry,
 Robert M. Wilson,

C. B. Jones,
 D. C. Cloud,
 J. A. Mills,
 G. D. Wooden,
 P. Inskeep,
 H. G. Barner,
 B. F. Roberts,
 Charles O. Stanton,
 Willet Dorland.

On motion of Mr. Wooden,

The House proceeded to the election of permanent officers.

Mr. Holmes nominated Samuel McFarland for Speaker.

Mr. Cort nominated Green T. Clark for Speaker.

Mr Barker moved to elect *vive voce*, which motion prevailed.

Samuel McFarland, of Henry county, received 38 votes.

Green T. Clark, of Marion county, received 18 votes.

Mr. McFarland, having a majority of all the votes, was declared duly elected Speaker of the House.

The Speaker *pro tem* appointed Messrs. Dorland of Henry, and Hardie of Dubuque, a committee to wait upon the Speaker elect, and conduct him to his seat.

The committee having performed their duty, the Speaker elect addressed the House as follows :

Gentlemen of the House of Representatives :

I thank you for the honor conferred upon me in calling me to preside over your deliberations. I acknowledge my inability to perform properly the duties you have imposed upon me, and ask in advance your indulgence for any errors I may commit. I hope to receive your good counsel and active co-operation in explaining and enforcing the rules of order. We come together here as strangers; I trust we shall go away as friends. Our country has just passed through another exciting and interesting Presidential Campaign. Party spirit has run high—bitter animosities have been engendered. May we, in our deliberations, forget all these feelings, and go to work to advance the interests and increase the prosperity of our young and flourishing State. Dwelling here in the great Valley of

the West, the central State of the mightiest empire the world ever saw, we should seek to make our laws a model for other states and nations; and by their observance, our people virtuous and happy.

Mr. Dorland nominated J. W. Logan, of Muscatine county, for Chief Clerk.

Mr. Clark nominated Will Tomlinson for Chief Clerk.

Mr. Logan received 38 votes, and

Mr. Tomlinson received 18 votes.

J. W. Logan, having received a majority of all the votes cast, was declared duly elected Chief Clerk.

Mr. Wooden nominated William P. Hepburn, of Marshall county, for Assistant Clerk.

Mr. Clark nominated P. B. Bradley, of Jackson county, for Assistant Clerk.

Mr. Hepburn received 39 votes, and

Mr. Bradley received 17 votes.

Wm. P. Hepburn, having received a majority of all the votes cast, was declared duly elected Assistant Clerk.

Mr. Noble nominated G. A. Hawley, of Decatur county, for Enrolling Clerk.

Mr. Hardie, of Dubuque, nominated Pius Emerson for Enrolling Clerk.

Mr. Hawley received 38 votes, and

Mr. Emerson received 18 votes.

G. A. Hawley, having received a majority of all the votes cast, was declared duly elected Enrolling Clerk.

Mr. Holmes moved to elect an Engrossing Clerk, which motion prevailed.

Mr. Holmes nominated A. R. Fulton, of Jefferson County.

Mr. Brown nominated W. J. Laney, of Decatur county.

Mr. Fulton received 39 votes, and

Mr. Laney received 19 votes.

A. R. Fulton, having received a majority of all the votes cast, was declared duly elected Engrossing Clerk.

Mr. Price nominated William Said, of Keokuk county, for Sergeant-at-arms.

Mr. Barker nominated Harvey Alexander for Sergeant-at-arms.

Mr. Perry nominated J. B. Brown, of Lee county, for Sergeant-at-arms.

Nr. Said received 35 votes.

Mr. Alexander received 19 votes.

Mr. Brown received 2 votes.

William Said, having received a majority of all the votes cast, was declared duly elected Sergeant-at-arms.

Mr. Inskeep moved to proceed to elect a Doorkeeper.

Mr. Mills moved to amend by inserting "Additional Sergeant-at-arms."

Motion lost.

On the motion to elect, Mr. Clark called for the yeas and nays, which were as follows:

Yeas 16, and

Nays 40.

Roll of yeas and nays mislaid.

Mr. Cloud nominated T. W. Wilson of Johnson county, for First Messenger.

Mr. Bowen nominated N. P. Wood, of Johnson county, for First Messenger.

T. W. Wilson received 33 votes and N. P. Wood received 19 votes.

T. W. Wilson, having received a majority of all the votes cast, was declared duly elected First Messenger.

On motion of Mr. Dorland,

The House adjourned till 2 o'clock.

TWO O'CLOCK. P. M.

Messrs. Melizer, Mendenhall and Barner, members elect from Davis and Scott counties, appeared, and were admitted to their seats, having just signed the oath of office.

The House then proceeded to the election of Second Messenger.

Mr. Bigelow nominated W. J. Conard, of Johnson county.

Mr. Moore, of Dubuque, nominated O. J. Straten.

W. J. Conard received 36 votes and W. J. Straten received 18 votes.

W. J. Conard, having received a majority of all the votes cast, was declared duly elected Second Messenger.

Mr. Fry nominated B. Wescott for Third Messenger.

Mr. Franklin nominated ———

B. Wescott received 35 votes, ——— received 21 votes.

B. Wescott, having received a majority of all the votes cast, was declared duly elected Third Messenger.

Mr. Jones nominated T. J. Struble, of Johnson, for First Fireman.

Mr. Franklin nominated James Weeks, of Johnson county, for First Fireman.

T. J. Struble received 37 votes: and James Weeks received 19 votes.

T. J. Struble, having received a majority of all the votes cast, was declared duly elected First Fireman.

Mr. Bigelow nominated J. O. P. Mygatt for Second Fireman.

Mr. Hardie, of Dubuque, nominated Andrew Jackson Franklin for Second Fireman.

J. P. Mygatt received 35 votes and Andrew Jackson Franklin received 21 votes.

J. P. Mygatt, having received a majority of all the votes cast, was declared duly elected Second Fireman.

Mr. Wooden moved that C. B. Smith, of Johnson county, be elected Chaplain.

Mr. Hardie, of Dubuque, moved to amend by inserting, "And it shall be his duty to open the House with prayer each morning, after all the members have taken their seats."

Mr. Wooden moved to lay the amendment on the table, which motion prevailed.

Mr. Barker nominated Rev. Phelps for Chaplain.

Rev. C. B. Smith received 31 votes and Rev. Phelps received 20 votes.

Rev. C. B. Smith, having received a majority of all the votes cast, was declared duly elected Chaplain.

Mr. Sawyer moved that J. B. Brown, of Lee county, be appointed Assistant Sergeant-at-Arms.

Mr. Dorland called for the Yeas and Nays, which resulted as follows:

YEAS:

Arnold, Barner, Bowen, Clark, Cloud, Davis, Doud, Fry, Gal-

braith, Gillett, Hardie, Hershberger, Inskeep, Jordan, Lewis, Lothian, Larimer, McDow, Pease, Price, Perry, Rand, Roeder, Richardson, Roberts, Sawyer, Thomas, Toll, Vanvalkenburgh, Williams, Wilson, of Mahaska, Wing, Wyatt, Speaker.—34.

NAYS:

Bailey, Barker, Bigelow, Bottorf, Copeland, Cort, Dorland, Edmundson, Franklin, Hardie, of Dubuque, Holmes, Jones, Milliser, Mendenhall, Mær, of Mills, Moore, Noble, Stanton, Wilson, of Boone, Wright, of Cedar—21.

On motion of Mr. Arnold,

The officers elect came forward and took the oath of office.

Mr. Dorland moved that a committee of two be appointed to wait on the Senate and inform it that the House is now organized and ready to proceed to business.

The Speaker appointed Messrs. Dorland and Barker said committee.

Mr. Clark offered the following resolution:

Resolved, That the Chief Clerk be instructed to furnish each member of this House with the Code and the Acts of the three last sessions of the Legislature.

On motion of Mr. ———,

The resolution was amended so as to exclude all those who have already received the Code.

The resolution, with the amendment, were adopted.

The following message was received from the Senate:

MR. SPEAKER:

Sir—I am directed by the Senate to inform the House of Representatives that the Senate have appointed Senators Jordan, Bingham and Jenkins, a committee to act in connection with a similar committee of the House, to wait upon the Governor, and inform him that the General Assembly of the State of Iowa is now organized, and is in readiness to receive any communications he may have to communicate.

C. C. NOURSE,
Secretary.

Mr. Brice moved that a committee of six be appointed to act in conjunction with the Senate committee. to wait upon His Excellency, the Governor, and inform him that the General Assembly is now organized and ready to receive any communication from him.

The Chair appointed Messrs. Price, Holmes, Clark, Barker, Noble and Bigelow said committee.

Mr. Clark offered the following resolution :

Resolved, That the Chief Clerk be requested to furnish each member of this House with 25 copies of such newspapers published in this State as each member may designate.

On motion of Mr. Arnold,

The resolution was amended by inserting, "Daily newspapers, or their equivalent in weeklies."

Mr. Perry moved to strike out "25" and insert "11."

Motion lost.

The question being on the resolution as amended, the same was adopted.

On motion of Mr. Arnold,

The following resolution was adopted :

Resolved, That the clerk be instructed to provide suitable locks and keys for the members' desks."

With an amendment offered by Mr. Roberts to insert "knobs."

On motion of Mr. Wooden,

The following resolution was adopted :

Resolved, That the chief clerk be instructed to make arrangements with the Post-Master of Iowa City for the payment of postage for the members of this House.

On motion of Mr. Moore, of Dubuque,

The following resolution was adopted :

Resolved, That a committee of five be appointed to report rules for the government of this House.

The Speaker appointed Messrs. Moore, Mills, Clark, Arnold and Fry said committee.

The following message was received from the Senate :

MR. SPEAKER :

I am instructed by the Senate to inform the House that the Senate have appointed Senators Anderson, Neal and Thompson, a committee upon the part of the Senate to act with any committee the House may appoint, to report rules for the government of the General Assembly.

CHAS. C. NOURSE,
Secretary.

Mr. Dorland offered the following resolution :

Resolved, That the chief clerk be requested to furnish suitable desks for newspaper reporters within the bar of this House.

Mr. Mills offered the following resolution :

Resolved, That suitable desks be furnished for newspaper reporters upon the floor of this Hall, and that they be permitted to occupy the same ; and also, provide suitable desks for the enrolling and engrossing clerks.

On motion of Mr. Clark,

The following resolution was adopted :

Resolved, That the chief clerk be requested to furnish the members of this House with a copy of Cushing's Manual.

Mr. Jones offered the following resolution :

Resolved, That the chief clerk furnish each member of this House with some late edition of the map of Iowa.

Mr. Dorland moved to amend by inserting, "Parker's Sectional Map of Iowa."

The amendment was accepted, and the resolution, with amendment, was adopted.

On motion of Mr. Holmes,

The House adjourned until 10 o'clock to-morrow morning.

WEDNESDAY MORNING, DECEMBER 3, 1856.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. C. B. Smith, chaplain of the House.

Journal of yesterday read and amended.

Mr. Franklin presented the credentials of S. F. Finney and D. W. Scoville, and Mr. Pease those of W. H. Griswold and J. H. Sullivan.

Whereupon those gentlemen appeared and took the oath prescribed.

The Speaker laid before the House the Biennial Message of the Governor, which was read by the Clerk as follows :

Gentlemen of the Senate, and

House of Representatives :

The progress of the State, during the past two years has been extraordinary, and in many respects, unexampled. In population, in wealth, in productive power, in educational facilities, the advance has been such as to astound the doubtful and to surprise the most sanguine. Iowa occupies a proud position, and with wise legislation a glorious destiny awaits her. You are called to assist in shaping that destiny, and to aid in laying the foundations of a future empire. It is impossible to be too deeply impressed with the responsibility and delicacy of the great trust confided to you.

STATE STATISTICS.

An enumeration of the inhabitants of the State, and of her productive resources, was taken in June last, as required by the Constitution. It is somewhat defective; two counties and several townships in other counties not having been returned at all, whilst in almost all the counties there are very great omissions. Many townships and some counties are returned without any statistics, save those in relation to population. Such will always be the case so long as the census shall be taken by township assessors, instead of being taken by marshals, to be appointed by the Census Board.

The census returns show that the State has increased in population from June, 1854, to June, 1856, from 326,014, to 503,625.

The following statement will show the increase of population since the settlement of what is now the State :

Population in 1836,	10,531
do 1838,	12,849
do 1840,	43,116
do 1844,	71,650
do 1846,	78,988
do 1847,	116,204
do 1849,	130,945
do 1850,	192,204
do 1854,	326,014
do 1856,	503,635

The population of the State is probably, at this time, not far from

600,000. The vote polled on the 4th day of November last reached 92,644, and indicates the truth of this supposition.

The following table shows the annual increase of the value of assessable property in the State during the past six years :

In 1851, the assessable value was,			\$28,464,550
1852,	do	do	38,427,376
1853,	do	do	49,540,304
1854,	do	do	72,327,204
1855,	do	do	106,895,390
1856,	do	do.	164,194,413

As the census returns may not be published before your limited session will expire, I present a summary of some of the most important facts disclosed by it :

No. of dwellings in the State in June last,			83,455
do families,	do	do	89,161
do White male persons,	do		267,929
do do female do	do		235,425
do Colored persons,	do		271
do Married do	do		166,312
do Widowed do	do		10,997
do Native voters,	do		86,781
do Naturalized voters,	do		14,456
do Aliens,	do		15,104
do Militia,	do		92,262
do Deaf and Dumb,	do		871
do Blind,	do		102
do Insane,	do		120
do Idiotic,	do		257
do Owners of land,	do		66,716
do Paupers,	do		132
do Acres of improved land,	do		2,343,958
do do unimproved do	do		6,443,871
do do Meadow do	do		140,242
do Tons of hay produced,	do		223,234
do Bu. grass seed harvested	do		20,789
do Acres spring wheat,	do		345,518
do Bushels harvested,	do		4,972,639
do Acres of winter wheat,	do		41,043

do Bushels harvested,	do	495,703
do Acres of oats,	do	190,158
do Bushels harvested,	do	6,054,341
do Acres of corn,	do	632,803
do Bushels harvested,	do	30,985,127
do Acres of potatoes,	do	180,041
do Bushels harvested,	do	2,013,408
do Hogs sold,	do	402,676
do Value hogs sold,	do	3,119,378
do Cattle sold,	do	125,000
do Value cattle sold,	do	2,904,563
do Pounds of butter made,	do	6,075,739
do Pounds of cheese,	do	729,852
do Pounds of wool produced	do	515,803
Value of domestic manufactures	do	\$438,321
do general do do		\$1,684,461
do lead produced,	do	\$213,000

FINANCES OF THE STATE.

Accompanying this you will receive the biennial report of the Treasurer of State.

The amount in the treasury on the 31st Oct.

1854, was, \$10,006 86

There was paid into the treasury from 31st
 Oct., 1854, to 31st Oct., 1856, 250,399 45

Making a total receipts of \$260,406 31

There was paid out upon Auditor's warrants
 from 31st Oct., 1854, to 31st Oct., 1856, 249,149 85

Leaving a balance in the treasury, on the
 31st of Oct. last, of, 11,156 46

There was in the treasury of moneys arising
 from the sale of Saline Lands on the 31st
 Nov., 1854, 5,515 70

There has been received from that date until
 the 1st Nov., 1856, 9,921 11

Making of this fund received, \$15,436 81

There has been paid out upon the order of
 the commissioners of the Insane Asylum, \$8,000 00

There has been loaned upon the order of the
 same commissioners, 6,480 60

\$41,480 60

Leaving in the treasury of the proceeds of the sale of these lands,	956 21
There is now in arrear and unpaid of the State revenue from several counties in the State the sum of,	30,880 73
There will be due State taxes, from the sev- eral counties on the 1st of January, 1857, payable into the treasury on the 15th Jan- uary, 1857,	205,243 02
Amount now in treasury.	11,256 46
Total available revenue.	246,380 21
There were outstanding unpaid Auditor's Warrants on the 1st Nov. 1856, amount- ing to,	\$11,567 64
There are of bonds of the State, due 1st Jan. 1857,	71,442 00
Due to the School Fund, Sept. 14, 1859,	6,000 00
Due to the School Fund, July 15, 1866,	40,000 00
Total State Indebtedness.	\$128,009 64

Fifty-five thousand dollars of the State bonds fall due at the Philadelphia Bank, in the city of Philadelphia, on the first day of January, 1857, and provision should be made for their payment without a moments delay.

I was authorized by the joint resolution of the General Assembly, approved July 15th, 1856, to borrow the sum of one hundred thousand dollars from the Superintendent of Public Instruction, for the purpose in the resolution specified. On that day I obtained from him the sum of forty thousand dollars, which I deposited with the Treasurer of State. The remaining sixty thousand dollars, I have not been able to obtain, as was anticipated, and it still remains in the hands of the Superintendent of Public Instruction.

SCHOOL FUNDS AND SCHOOL LANDS.

I am unable to state the amount of school lands and school money belonging to the State, nor do I know of any means of speedily ascertaining the amounts.

I again call your attention to the propriety of entirely disconnecting the office of Superintendent of Public Instruction from all control over the School money and School lands.

The five *per cent.* fund arising from the sale of public lands within the State, has always, until the past year, been distributed by the Superintendent among the several County School Fund Commissioners, under what was supposed to be the requirements of the laws of this State. The amount of \$226,800 56 received from the General Government as the five *per cent.* accruing on the 31st of December, 1854, has, I learn, been partially distributed among the County School Fund Commissioners, and partially loaned out by the Superintendent of Public Instruction; but, as I conceive, wholly without authority of law. This is too important and too large an interest to suffer any doubt to exist as to the proper disposal of the fund, or as to the powers, rights, and liabilities of any officer connected with it. I therefore commend the subject to your immediate consideration.

There is now in the Treasury of the United States, as the proceeds of the sales of the public lands within our limits, from 1st January to 31st December, 1855, \$185,785 32.

STATE LAND OFFICE.

I also have the honor to transmit to you the report of the Register of the State Land Office, and take pleasure in calling your special attention to the suggestions of that officer. The operations of this Office have been quite responsible and laborious, and the benefits arising from it have far exceeded the expectations of those who were instrumental in its creation.

On the third day of November last I received the resignation of the Hon. W. McKay, as Commissioner of the Des Moines River Improvement. I learn incidentally that he has removed, or is about to remove from the State, and it is therefore presumed that no official report will be received from him.

On the 17th day of November I appointed Edward Manning, Esq., of Van Buren County, the successor of Mr. McKay. Mr. Manning has not yet entered upon the duties of his office, and may not be able to submit a report to the General Assembly until near the close of the session.

I received on the third day of last October from W. C. Johnson, Esq., President of the Des Moines River Improvement and Naviga-

tion Company, a request that I would examine into the affairs of that Company, or cause them to be examined by a committee whom I might appoint, and proffering to pay all expenses that might be attendant thereon. Although the Governor of the State has no authority to appoint such a Committee, yet the necessity for such an investigation was so great that I should have exercised the power but from my inability to procure the services of the most desirable persons for the duty.

It is due to the people of the State and to the members of the Des Moines River Improvement and Navigation Company, that the rights and relations of the Company to the State should be definitely ascertained and distinctly understood. To this end it is recommended that a Commission be appointed, with power to administer oaths and to send for persons and papers, with instructions to inquire into all the transactions of former Commissioners and Registers of the Des Moines River Improvement; to report as to the character and validity of any contracts that may have been made between the State and persons or companies for the improvement of the Des Moines River, and especially to report with regard to the transactions of the Des Moines River and Navigation Company.

Until such investigation is made and report submitted, it is recommended that all action on the part of the State in connection with the Des Moines Improvement and the Des Moines River lands be suspended.

I transmit herewith the biennial report of the Des Moines River Improvement and Navigation Company, and the accompanying papers.

STATE INSANE ASYLUM.

The report of the Commissioners appointed to superintend the erection of a State Insane Asylum at Mt. Pleasant, will inform you of the progress that has been made, and of the amount of appropriations that will be required to complete the work.

I cannot too strongly urge upon you to make liberal provisions for the early completion of this institution.

In adopting a plan for the building, the Commissioners have availed themselves of the most enlightened experience of the country, and it is believed that when completed according to the plan and specifications, it will be at least equal to any similar institution in this country or Europe.

An Act of the General Assembly will be required, providing for the government of this institution when completed, authorizing the selection of superintendents, officers and servants, and specifying in what manner and on what terms persons may be admitted to the Asylum as patients.

STATE PENITENTIARY.

I transmit herewith the report of the Inspectors of the State Penitentiary, and solicit your attention to the suggestions it contains. The Penitentiary is established in one corner of the State, and the ground connected with it is limited in extent and not well adapted to the purpose for which it is used.

I am not prepared to say that sound policy does not dictate a removal of the institution to some more central and accessible part of the State. Should it be deemed expedient to maintain the present as a permanent Penitentiary, very considerable appropriations will be required to build an additional number of cells, a Hospital for the sick, and erect a substantial wall around the Prison yard. If, on the contrary, it is thought expedient to establish a Penitentiary in a more central position in the State, then the manner in which it shall be constructed, and the system upon which it shall be conducted, become subjects for very grave consideration.

Notwithstanding the very general prejudice that exists against it, many wise and good men, after a thorough investigation of the subject, are convinced that the solitary system, as practiced at Pentonville in England, and in the Eastern Penitentiary in Pennsylvania, would be most conducive to the interest of the State and to the reformation of convicts. Before any permanent system of prison discipline shall be established, it is to be hoped that the subject will receive a most thorough examination.

The following statement will exhibit the receipts and expenditures of the Prison from the 24th of March, 1855, to the 30th of September, 1856.

RESOURCES.

Stock on hand March 24th, 1855.	\$989 46
Receipts from all sources to Sept. 30th, 1856,	16,552 01
Amount due from convict labor, (not matured,)	656 48
	—————\$18,197 95

EXPENDITURE.

Expenditures and liabilities for all purposes from 24th March, 1855, to 30th Sept., 1856,	\$17,330 42
Stock on hand Sept. 30th, 1856,	1,103 77
	\$18,434 19
Excess of Expenditure and liabilities du- ring this period.	\$236 24

SWAMP AND OVERFLOWED LANDS.

In obedience to the Act of the last General Assembly, approved January 25th, 1855, authorizing the Governor to provide for the selection of the swamp and overflowed lands granted to the State by the Act of Congress 28th of September, 1850—immediately after the adjournment I addressed letters to the Judges of the counties in which these lands had been selected, urging them to cause it to be done at the earliest practicable moment, and that their lists should be returned to me, forthwith.

As the State had granted the lands to the counties in which they lie respectively, I thought that the counties should incur the expense of making the selections and returns.

Some of the Judges replied that there was no swamp or overflowed lands in their counties; some that there were no competent surveyors within their jurisdiction whom they could employ to do the work; some that they were not familiar with the duty or the forms to be observed, and that they must receive specific instructions; whilst others utterly refused to take any action in the premises.

Under these circumstances I employed competent persons to proceed to these counties, with a view to stimulate the Judges to enter upon their work, and to give to each a copy of all the necessary forms and instructions. By these means the swamp and overflowed lands have been selected in all the organized counties of the State, with the exception, perhaps, of Grundy, which has been organized within the past few weeks. The swamp lands within the unorganized counties can be easily selected from the plats in the office of the Surveyor General.

GEOLOGICAL SURVEY.

In pursuance of the Act of the last General Assembly, authori-

zing a geological survey of the State, I appointed Professor James Hall, of Albany, New York, State Geologist, and in conjunction with Mr. Hall, appointed Professor J. D. Whitney, of Massachusetts, State Chemist. These gentlemen prosecuted their survey during a portion of the years 1855 and 1856, and to their report, which will shortly be transmitted to you, I refer you for an account of their explorations and its results.

The high rank among scientific men enjoyed by each of these gentlemen gives ample assurance that the survey will be thorough, practical and creditable to the State.

The appropriation for the last two years was wholly inadequate, and at least double the amount will be required for the two succeeding years.

WEIGHTS AND MEASURES.

Complete sets of standard weights and measures have been received from the Federal Government, and at the suggestion of Professor Bache, superintendent of weights and measures, I have caused to be erected a small building in the state house yard for their safe keeping.

The building was erected upon a plan furnished by Mr. Bache, is nearly fire proof and cost about \$1,700 00.

The standards are quite expensive, of very difficult adjustment, and are peculiarly liable to injury. I thought it unwise to receive and store them in a warehouse where they would be liable to destruction by fire or dampness, when the government was ready to furnish a competent person to adjust them for use without expense to the state. It will be well to place these standards in the custody of some officer of state.

STATE UNIVERSITY.

It would seem that with a population in the state of half a million of souls, and a university fund of nearly two hundred thousand dollars, the time had arrived for a thorough and efficient organization of this institution. Such an organization, however, cannot be perfected and maintained without the proper accommodations for officers and students. If it is the design of the General Assembly to surrender the capitol buildings at Iowa City, for university purposes, provision should be made to that effect at an early day. If such is not the intention, then I submit that it would be desirable to speedily furnish the necessary accommodations elsewhere or in some other manner.

STATE CAPITAL.

In compliance with the act of 25th of January, 1855, entitled "an act to re-locate the seat of government," I appointed commissioners for that purpose and they have discharged their duty. The site selected for the future capitol is on a gentle swell of land about three quarters of a mile east of Fort des Moines, and on the east side of the river. It commands a good prospect and seems to be well adapted to the purpose for which it has been selected.

REVISION OF SCHOOL LAWS.

In compliance with the provisions of the act of July 14th, 1856, Hon. Horace Mann, of Ohio; Hon. Amos Dean, President of the State University, and F. E. Bissell, Esq., of Dubuque, were appointed commissioners to revise the School Laws of the State. The commissioners are engaged in the discharge of their duties, and will be able to lay their report before you in a very few days.

REGISTRY LAW.

Almost every person residing in any of the large towns in the State acknowledges the imperative necessity for some law to protect the purity of the ballot box. That gross frauds are perpetrated at every exciting election, by the voting and double voting of unqualified persons, is not to be denied. To remedy this great and constantly increasing evil, the passage of a registry law is respectfully recommended. Such laws have been in operation in several States from a period long anterior to the adoption of the Federal Constitution and have fully answered their design.

COUNTY INDEBTEDNESS.

The Constitution wisely provides that the State shall not in any manner create a debt exceeding one hundred thousand dollars. The framers of that instrument did not imagine that there was a great necessity to prohibit the counties from creating large public debts, for the reason that the history of the country did not then present the case of a county becoming a large stockholder in private corporations.

Within the past few years, however, so great has been the anxiety to procure the construction of works of internal improvement that

many counties and cities in this State have adopted the very doubtful policy of creating large municipal debts, for the purpose of becoming stockholders in railroads and other private corporations. The amount of municipal indebtedness already voted by the different cities and counties exceeds seven millions of dollars.

Without stopping to enquire into the authority under which the loans have heretofore been voted, it seems to me that prudence and sound policy requires that some check be imposed upon the future exercise of this power to create public indebtedness. It is true that many investments made by the counties and cities may result profitably to the stockholders; but it is equally true that many will prove disastrous, as some have already done.

Municipal corporations are designed for local and limited purposes, and it is a perversion of their organization when they are embarked in internal improvement beyond their jurisdiction. Nor is this an equitable principle which allows the people of one portion of a county to fasten an indebtedness upon a remote portion of the county for other than legitimate county purposes. Equally unjust is it to allow the property of one man to be heavily burdened by taxation imposed by the vote of another man, who is without property, without a household and who sustains none of the burdens of government. There is a manifest propriety in allowing every man the right of suffrage under ordinary circumstances. It is proper that every man should have the privilege to join in the selection of his own law-makers, and his own executioners, but there is not the same propriety in allowing to every man the privilege of creating an indebtedness for others to pay.

It occurs to me that too many checks and safeguards cannot be thrown around this power, if such power exists at all, of creating municipal indebtedness for purposes of internal improvements. It is a dangerous power and liable to the grossest abuse.

KANSAS.

During the past summer it was reported and generally believed that the President of the United States only failed to interpose his authority for the protection of the rights of the free state people in Kansas for the reason that no official intelligence had reached him that any outrages had been perpetrated in that unfortunate territory. Having such information myself, I conceived it to be my duty to notify the President of the crimes that had been committed against the

persons and property of former citizens of Iowa, and to demand for them that protection which the federal government was in part established to secure.

Accordingly, on the 28th day of August last, I addressed to him a letter on this subject, a copy of which I herewith transmit. Without desiring to forestall the opinion or action of the General Assembly in this regard, I beg leave to reiterate the opinion then expressed that it is the right and duty of the State to protect the rights of her former citizens in Kansas, when the federal government fails to perform that duty.

I desire to co-operate with the General Assembly in the adoption of any measures that may tend to uphold the sovereignty and promote the prosperity and honor of our noble State.

JAMES W. GRIMES.

EYECUTIVE OFFICE, IOWA CITY, }
2nd December, 1856. }

Mr. Williams offered the following resolution :

Resolved, That five thousand (5,000) copies of the Governor's Message be printed in pamphlet form for the use of the House.

Mr. Barner moved to amend by inserting after the word "copies," "and one thousand copies in the German language."

Mr. Dorland moved to strike out "five thousand" and insert "twenty-five hundred."

Lost.

Mr. Rodman moved to amend by striking out "one thousand" and inserting "fifteen hundred."

Adopted.

Mr. Inskeep moved to amend by inserting "two thousand" instead of "one thousand."

Lost.

Mr. Franklin moved to amend by adding "and that five hundred copies be printed in the Holland language."

Adopted.

Mr. Gillett moved to amend by adding "and five hundred copies in the Norwegian language."

Laid on the table.

Message from the Senate,

By Mr. Nourse, their Secretary.

MR. SPEAKER:

Sir—I am directed by the Senate to inform the House of Representatives that the Senate have ordered to be printed five thousand copies of the Governor's Message in the English language, and also one thousand copies in the German language.

CHAS. C. NOURSE,
Secretary.

I am further directed to inform the House that the Senate has passed Senate File No. 1, A Bill for an act further to restrict the duties of Superintendent of Public Instruction, in which the Senate asks the concurrence of the House of Representatives.

CHAS. C. NOURSE,
Secretary.

Mr. Perry moved to re-consider the amendment offered by Mr. Franklin.

Upon which Mr. Franklin called the Yeas and Nays,
Which were as follows:

YEAS—

Messrs. Bailey, Bryson, Bigelow, Cloud, Copeland, Davis, Dorland, Edmundson, Fry, Hardie of Dubuque, Hershberger, Holmes, Inskip, Jones, Kurtz, Lewis, Lothian, Mills, Moer of Mills, Noble, Price, Perry, Rand, Richardson, Sawyer, Stanton, Thomas, Toll, Williams, Wilson of Mahaska, Wing, Wooden, Wright of Cedar, Wyatt, Speaker—35.

NAYS—

Messrs. Arnold, Barker, Barner, Bottorf, Bowen, Clark, Cort, Doud, Finney, Franklin, Galbraith, Gillett, Griswold, Gossage, Hardy of Van Buren, Jordan, Larimer, McDow, Milliser, Mendenhall, Moore of Dubuque, Pease, Roeder, Roberts, Rodman, Scoville, Sullivan, Vanvalkenburgh, Wilson of Webster.—28.

Mr. Wooden moved to lay the amendment upon the table, whereupon

Mr. Franklin called the Yeas and Nays,
Which were as follows,

YEAS—

Messrs. Bailey, Barner, Bigelow, Cloud, Copeland, Davis Dorland, Edmundson, Fry, Hardie of Dubuque, Hershberger, Holmes, Inskeep, Jones, Jordan, Kurtz, Lewis, Lothian, Mills, Moer of Mills, Noble, Perry, Rand, Richardson, Sawyer, Stanton, Thomas, Toll, Williams, Wilson of Mahaska, Wing, Wooden, Wright of Cedar, Wyatt, Speaker.—33.

NAYS—

Messrs. Arnold, Bryson, Barker, Bottorf, Bowen, Clark, Cort, Doud, Finney, Franklin, Gillett, Griswold, Hardie of Dubuque, Larimer, McDow, Mendenhall, Moore, of Dubuque, Pease, Price, Roeder, Roberts, Rodman, Scoville, Sullivan, Van Valkenburgh, Wilson, of Mahaska.

House adjourned till 2 o'clock, P. M.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

The question recurring upon the resolution to print the Governor's Message as amended,

The same was adopted.

On motion of Mr. Cloud,

The House took up the Senate File No. 1: A Bill for an act further to restrict the duties of the Superintendent of Public Instruction.

Which was read a first time, and,

On motion of Mr. Holmes,

The 42d Rule was suspended, the bill read a second and third time by its title and passed, and the title thereof agreed to.

On motion of Mr. Cloud,

A committee of three was appointed to act in conjunction with a similar committee on the part of the Senate, to prepare joint rules for the government of the two Houses.

Committee—

Messrs. Cloud, Barner and Bowen.

Mr. Clark offered the following :

Resolved, That the chief clerk be instructed to have one hundred and fifty copies of the rules of this House printed for the use of the members thereof.

Mr. Bowen offered the following amendment :

Resolved, That the district, name of member, post-office, birth-place, occupation, politics and religion of members be printed with the rules.

On motion of Mr. Mills,
The resolution and amendment was laid on the table.

REPORTS OF COMMITTEES.

Mr. Moore submitted the following :

The committee appointed to draft rules for the government of this House, ask leave to report,

That the rules adopted by the last session of this House have been adopted by your committee, excepting the 22d rule, is amended so as to read, "To commit or to amend."

On motion of Mr. Cloud,
The report was accepted and the committee discharged.

Mr. Cloud moved the adoption of the report.

Mr. Mills moved to amend rule 25, by striking out the word "majority," and inserting Five.

Lost.

Mr. Barker offered the following amendment :

Resolved, That the report of the committee on rules be amended by adding to the list of Standing Committees named in rule 60, a Committee on Railroads.

Adopted.

The question being on the adoption of the report of the committee,

It was passed.

On motion of Mr. Cloud,

The resolution to print 150 copies of the rules of the House was taken from the table.

Whereupon,

Mr. Hardie, of Dubuque, offered the following substitute :

Resolved, That the chief clerk be directed to have the rules of the House, the joint rules of the Senate and House, the Constitution of

the State of Iowa, the names of the members of the House of Representatives, with their post-office address, and the district they represent, published in neat pamphlet form and furnish each member with a copy thereof.

On motion of Mr. Holmes,

The amendment and substitute were laid on the table.

Mr. Dorland moved to amend by adding as follows :

“ Together with a list of the names of the members, and their post-office address and the district they represent.”

Adopted.

The Speaker presented the Biennial Report of the Auditor of State.

Mr. Mills moved that the same be laid on the table and 1000 copies be printed for the use of the House.

Mr. Clark moved to strike out “one thousand,” and insert five thousand.

Lost.

Mr. Sullivan moved to strike out “one thousand,” and insert four thousand.

Lost.

Mr. Inskeep moved to strike out “one thousand,” and insert fifteen hundred.

Lost.

The question being upon the original motion,

It was adopted.

Mr. Bowen offered the following :

Resolved,, That the clerk be instructed to obtain a thermometer, by which the temperature of the Hall may be regulated.

Mr. Hall moved to amend by adding : And also that screens be furnished the two stoves which are not thus provided.

Mr. Clark moved to amend by striking out “a,” and inserting two.

Carried.

The resolution as amended was then adopted.

Mr. Hardie, of Dubuque, offered the following :

Resolved, That the chief clerk be instructed to provide stationery, pens, &c., for the use of the newspaper reporters of the House.

Adopted.

Mr. Holmes moved that the House adjourn until to-morrow morning at 9 o'clock.

Lost.

On motion of Mr. Dorland,

The House adjourned until to-morrow at 9 o'clock.

THURSDAY MORNING, DECEMBER 4th, 1856.

Speaker in the Chair.

Prayer by the Chaplain.

Journal of yesterday read.

On morion of Mr. Dorland,

The practice of calling members by name, and not by the counties they represent, as heretofore, was adopted as the future practice of this House.

PETITIONS AND REMONSTRANCES.

Mr. Fry presented,

The petition of citizens of Mahaska county, asking for an Act to authorize the county Judge of said county to loan certain Railroad funds to the county for one year, for county purposes, which

On motion of Mr. Fry,

Was referred to a select committee of three.

Committee,

Messrs. Fry, Wilson of Mahaska, and Edmundson.

RESOLUTIONS AND NOTICES TO BRING IN BILLS.

Mr. Arnold offered the following:

Resolved,

That the Chief Clerk be directed to appoint a competent person to fold and envelope newspapers for the use of the members of the House.

Mr. Wooden moved to amend by proceeding to an election.

Lost.

The original resolution was then adopted.

Mr. Barker offered the following :

Resolved,

That the Assistant Sergeant-at-arms be and he is hereby authorized, empowered, ordered, directed and required to raise and organize, in accordance with the Militia Laws of this State, and the wise discretion of the Speaker of this House, a corps of sappers and miners, to be apportioned equitably and politically from among native citizens, Germans, Hollanders, Norwegians and Sioux Indians, to be exclusively employed in keeping the steps of the Capitol in such a condition that a member of this House may venture down them without vitiating any policy of Life Insurance which may at the time be held on his valuable life.

On motion of Mr. Dorland,

The resolution was laid on the table.

Mr. Holmes offered the following :

Resolved,

That the Sergeant-at-arms and his Assistant be required to cause all persons in the Lobby to be seated while in the House.

Mr. Dorland offered the following amendment :

“ And when there are no vacant seats in the Lobby, the spectators be required to retire to the Gallery, unless it is already full.”

Adopted.

The question recurring on the resolution as amended,

It was adopted.

NOTICES TO BRING IN BILLS.

By Mr. Jones,

A bill for the creation of the office of county Assessor.

Mr. Sullivan offered the following resolution :

Resolved,

That a committee of five be appointed by the Speaker, on compensation of public officers, both of State and counties, whose duty it shall be to report a bill to this House, on that subject, at the earliest day practicable.

Adopted.

Committee,

Messrs. Sullivan, Barner, Holmes, Hardie of Dubuque, and Thomas.

Mr. Cloud, from the committee on Joint Rules, made the following report :

That with the concurrence of the committee of the Senate, they recommend the adoption of the Joint Rules of the last General Assembly.

Report concurred in.

The Speaker presented the following list of standing committees:

Committee on Ways and Means :—Cloud, Hardie of Dubuque, Williams, Finney and Holmes.

Committee on the Judiciary :—Wooden, Barker, Barner, Franklin and Arnold.

Committee on Claims :—Wing, Gillett, McDow, Stanton and Moore of Dubuque.

Committee on Schools and Universities :—Dorland, Van Valkenburg, Rogers, Cort and Arnold.

Committee on Military Affairs :—Lothian, Bowen, Clark, Wilson of Mahaska and Claussen.

Committee on Enrolled Bills :—Toll and Larimer.

Committee on Engrossed Bills :—Bigelow and Scoville.

Committee on Expenditures :—Thomas, Wright of Clinton, Pease, Perry and Galbraith.

Committee on Roads and Highways :—Mills, Wilson of Webster, Melizer, Hershberger and Griswold,

Committee on County and Township Organizations :—Richardson, Bowen, Moore, Reeder and Bottorf.

Committee on Public Buildings :—Davis, Sullivan, Doud, Inskeep and Noble.

Committee on New Counties :—Roberts, Rodman, Copeland, Finney and Bryson.

Committee on Agriculture :—Sawyer, Morden, Lewis, Hardy of Van Buren and Moore of Dubuque.

Committee on Elections :—Wright of Cedar, Green, Gossage, Wilson of Mahaska and Mills.

Committee on Incorporations :—Rand, Mendenhall, Franklin, Roberts and Edmundson.

Committee on Des Moines Improvements :—Doud, Jordan, Edmundson and Kurtz.

Committee on Internal Improvements :—Burris, Toll, Green, Hardie of Dubuque and Galbraith.

Committee on Charitable Institutions :—Kirkpatrick, Dorland, Wooden, Sullivan and Davis.

Committee on Public Lands :—Price, Barner, Van Valkenburg, Lewis and Wyatt.

Committee on the Library :—Jones, Rodman, Thomas, Scoville and Sawyer.

Committee on Railroads :—Cloud, Barker, Sullivan, Holmes, Bigelow and Toll.

On motion of Mr. Cloud.

An addition of two was made to the committee on Railroads.

Mr. Holmes moved to reconsider the vote taken yesterday upon the resolution authorizing the clerk to furnish stationery, pens, &c., to the newspaper reporters of the House.

Mr. Hardie, of Dubuque, called for the Yeas and Nays,
Which resulted as follows :

YEAS—

Messrs. Franklin, Gillett, Holmes, Jones, Jordan, Mendenhall, Moer, of Mills, Wing, Speaker—11.

NAYS—

Messrs. Arnold, Bailey, Barker, Barner, Bigelow, Bottorf, Bowen, Clausen, Cloud, Copeland, Cort, Doud, Edmundson, Finney, Franklin, Fry, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Hershberger, Inskip, Kurtz, Lewis, Lothian, Larimer, McDow, Melizer, Mills, Moore of Dubuque, Mordan, Noble, Pease, Price, Perry, Rand, Reeder, Richardson, Roberts, Rodman, Sawyer, Scoville, Stanton, Sullivan, Thomas, Toll, Van Valkenburgh, Wilson, of Webster, Wilson, of Mahaska, Wing, Wooden, Wright, of Cedar, Wyatt—48.

On motion of Mr. Franklin,

Mr. Davis was excused from attendance upon the House, on account of illness.

On motion of Mr. Holmes,

It was ordered that a list of the Committees, with the names of the persons composing the same, be printed with the rules of this House.

Mr. Hardie of Dubuque, offered the following resolution :

Resolved,

That the Governor be requested to furnish this House, if not deemed incompatible with the public interest, with copies of all correspondence that has passed between himself and the State Department at Washington, or with citizens of Kansas Territory, or

subjects connected with the welfare of former citizens of Iowa, now, or at the time of such correspondence, residents of said Territory.

Laid on the table.

Mr. Thomas moved that the reading of the Yeas and Nays in the Journal, be dispensed with in future.

Lost.

On motion of Mr. Wilson, of Webster,

It was declared the duty of the Messengers to clean the hall.

On motion of Mr. Cloud,

It was declared the duty of the Firemen to clean the outer hall and stairs.

Mr. Barker offered the following resolution :

Resolved,

That a special committee on Printing, consisting of three members, be appointed.

Lost.

On motion, the House adjourned.

TWO O'CLOCK. P. M.

House met, pursuant to adjournment.

The Speaker announced Messrs. Toll and Bigelow, additional members of the Committee on Railroads.

Mr. Stanton offered the following resolution :

Resolved,

That the Chief Messenger be instructed to make an equal distribution of the Governor's Message and other public documents, among the members of the House.

Laid upon the table.

Message from the Senate,

By their Secretary, Mr. Nourse.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have ordered to be printed the following documents :

1000 copies of the Treasurer's Report.

1000 copies of the Report of the Des Moines River Navigation and Railroad Company.

500 copies of the Report of the Inspectors of the Penitentiary.

1000 copies of the Report of the Register of the State Land Office.

CHAS. C. NOURSE,
Secretary.

RESOLUTIONS OFFERED.

By Mr. Wooden.

Resolved,

That so much of the Governor's Message as refers to the payment of the State debt, and so much as refers to disconnecting the office of Superintendent of Public Instruction from all control over the school money and school lands, be referred to the committee on Ways and Means.

Adopted.

By Mr. Cloud.

Resolved,

That so much of the Governor's Message as refers to the powers and duties of the Superintendent of Instruction, over the school funds and school lands, be referred to the committee on the Judiciary.

Adopted.

On motion of Mr. Holmes,

So much of the Governor's Message as refers to swamp and unimproved lands, was referred to the committee on Public Lands.

And,

That so much as refers to a registry law and county indebtedness, was referred to the committee on the Judiciary.

Mr. Wooden moved to insert committee on Elections.

Adopted.

The motion then was adopted.

By Mr. Bowen.

Resolved,

That so much of the Governor's Message as refers to the Kansas affairs be referred to the committee on Military Affairs.

Mr. Sullivan moved to amend by inserting committee of the whole House.

Laid upon the table.

Mr. Franklin moved to amend by inserting committee on Federal Relations.

Adopted.

The resolution was then agreed to.

NOTICE TO BRING IN BILLS.

By Mr. Richardson.

Notice of a bill to provide for furnishing school districts of this State with suitable libraries for the purpose of diffusing useful knowledge throughout the State.

Also,

A bill to establish a State Agricultural College.

By Mr. Hershberger.

Notice of a bill for an act amendatory of an act in relation to estrays.

By Mr. Bowen.

Notice of a bill providing for the taking of appeal from a justice's court in criminal cases without filing an affidavit of error.

By Mr. Arnold.

Notice of a bill constituting and defining the boundaries of the 13th Judicial District of the State of Iowa.

By Mr. Larimer.

Notice of a bill for the creation of a new Judicial District out of the northern part of the Seventh Judicial District.

By Mr. Wyatt.

Notice of a bill granting a State road from Council Bluffs City, Iowa, to Sioux City, Iowa.

Also,

A bill granting a State road from Reeds Mills, in Pottawattomie county, to Correctionville, in Woodbury county.

Also,

A bill granting a State road from Panora, in Guthrie county, to the mouth of Soldier Creek, on the Missouri River, in Harrison county.

Also,

A bill granting a State road from the county seat of Crawford county, by Belvidere, to Monona City, in Monona county.

Also,

A bill granting a State road from Adam's and Sweat's bridge, on the Nishnabottany River, in Shelby county, by Shelbyville to Magnolia, in Harrison county.

By Mr. Wright, of Cedar.

Notice of a bill to amend an act entitled an act concerning fences.

By Mr. Dorland.

Notice of a bill to abolish capital punishment in this State.

By Mr. Jones.

Notice of a bill for the location of a State road, commencing at Fort des Moines, via Greenbush, in Warren county, to Osceola and Hopeville, in Clark county, thence in a south-westerly direction to the State Line in the direction of St. Joseph.

By Mr. Mills.

Notice of a bill to repeal an act making road certificates receivable for county taxes, approved January 22, 1855.

By Mr. Galbraith.

Notice of a bill to incorporate the town of Cetreville, in Appanoose county, Iowa.

By Mr. Roberts.

Notice of a bill to regulate the fees of Justice of the Peace.

By Mr. Wyatt.

Notice of a bill to restrain swine from running at large in the counties of Harrison and Monona.

By Mr. Cloud.

Notice of a joint resolution relative to the admission of Kansas into the Union.

By Mr. Griswold.

Notice of a bill to prevent the destruction of game in this State.

By Mr. Galbraith.

Notice of a bill to amend the law in relation to divorce and alimony.

By Mr. Larimer.

Notice of a bill providing for a separation of the offices of County Treasurer and County Recorder.

By Mr. Gillett.

Notice of a bill for the re-surveying of certain highways in Chickasaw county.

By Mr. Fry.

Notice of a bill to make the bridge across North Skunk River, at Union Mills, Mahaska county, a part of the public highway.

By Mr. Moer, of Mills.

Notice of a bill to regulate the rights and privileges of the Platts-mouth Ferry Company, so far as the same refers to the eastern shore of the Missouri River.

By Mr. Jones.

Notice of a bill authorizing a Justice of the Peace in any county to act upon a certified transcript from the docket of a Justice of the Peace in any other county.

By Mr. Bailey.

Notice of a bill providing for the repeal of an act passed by the General Assembly of the State of Iowa, January 20th, 1853, entitled an act to regulate the interest on money.

By Mr. Jordan.

Notice of a bill to establish a State road from Knoxville, in Marion county, via Pleasantville and Wheeling, and connecting at the county line between Marion and Warren counties, with the State road leading to Fort des Moines.

Mr. Dorland offered the following :

Resolved,

That so much of the Governor's Message as refers to the State Insane Asylum be referred to the Committee on Charitable Institutions.

Adopted.

Mr. Wright offered the following :

Resolved,

That so much of the Governor's Message as refers to the State University be referred to the Committee on Schools and State University.

Adopted.

Mr. Toll offered the following :

Resolved,

That so much of the Governor's Message as refers to the State Penitentiary, be referred to the Committee on Public Buildings.

Adopted.

On motion of Mr. Roberts,

So much of the Governor's Message as refers to the State Capitol was referred to the Committee on Public Buildings.

On motion of Mr. Holmes,

So much of the Governor's Message as refers to the Improvement of the Des Moines River, was referred to the Committee on Improvements of the Des Moines River.

On motion of Mr. Toll,

So much of the Governor's Message as refers to the Geological Survey, was referred to the committee on Agriculture.

On motion of Mr. Arnold,

So much of the Message as refers to the finances of the State, was referred to the committee on Ways and Means.

Mr. Barner presented,

The petition of sundry citizens in relation to the introduction of phonography into public schools, which, on his motion, was referred to the committee on Schools.

Mr. Cort, with leave,

Introduced House file No. 1, a bill for an act to create school district No. five, in Dubuque county,

Which was read a first time.

Mr. Williams offered the following :

Resolved,

That so much of the Governor's Message as relates to weights and measures, be referred to the committee on Internal Improvements.

Mr. Sullivan moved to strike out committee on Internal Improvements, and insert committee on Agriculture.

Adopted.

The resolution as amended was then agreed to.

On motion,

The House adjourned.

FRIDAY MORNING, DECEMBER 5, 1856.

House met, pursuant to adjournment

Prayer by the Chaplain.

Journal of yesterday read and corrected.

Mr. Franklin presented

The Credentials of Benjamin Green, Representative elect from Dallas County, who came forward and took the oath of office.

RESOLUTIONS AND MOTIONS TO BRING IN BILLS.

By Mr. Franklin,

Resolved,

That a Committee of three be appointed by the Speaker to enquire into, and report to the House, whether the State Printer has sufficient material, types, presses and workmen, to do all the incidental printing of the State Officers, as required by the act of the General Assembly, approved, Jan. 29th, 1855.

Mr. Inskeep moved to lay the resolution upon the table.

Lost.

On motion of Mr. Barker,

The following resolution was adopted.

That a committee of three be appointed, who shall have charge of the printing ordered by the House, provided that all printing so ordered and directed shall be done by the State Printer.

By Mr. Price,

Notice of a State Road from Sigourney via. Martinsburg to Ottunwa in Wappello Co.

By Mr. Hershberger,

Notice of a bill for an act to provide for a County, State and School Revenue.

Also, a bill to regulate the collection of Road Tax.

Also, a bill to amend an act relating to County Recorders and Treasurers.

Mr. Moer, of Mills,

Notice of an act to define the boundries of the Sixth Judicial District.

REPORTS OF COMMITTEES.

Mr. Cloud, from the Committee on Ways and Means, to whom was referred so much of the Governor's Message as refers to the amount of money now in the Treasury of the United States belonging to the State of Iowa, reported

House File, No. 3,

A bill for an act to amend Chapter 66, of the Code of Iowa, entitled School Lands and Funds.

Read first time.

Mr. Fry, from the select committee to whom was referred the petition of citizens of Mahaska County, reported

House File, No. 4,

A bill for an act authorizing the County Judge of Mahaska County, to borrow for County purposes, certain monies therein named.

Read first time.

Mr. Cloud, from the Committee on Ways and Means, to whom was referred so much of the Governor's Message as refers to the immediate payment of the State bonds, due at Philadelphia, on the first day of January, 1857, reported

House File, No. 5,

A bill for an act for the payment of State bonds, due at the Philadelphia Bank, on the first day of January, 1857.

Read first time.

BILLS INTRODUCED.

By Mr. Arnold,

House File No. 6,

A bill for an act to constitute and define the 13th Judicial District.

Read first time, and

On motion of Mr. Bigelow,

The 42nd rule was suspended, the bill read a second time, and referred to the committee on the Judiciary.

By Mr. Cloud,

House File No. 2,

A Joint Resolution, in relation to affairs in Kansas.

By Mr. Jones,

House File No. 7,

A bill to extend the authority of Justices of the Peace.

Read first time, and

On motion of Mr. Jones,

The 42nd rule was suspended, and the bill read a second time by its title.

By Mr. Wyatt,

House File No. 8,

A bill for an act establishing a State road from Dennison, in Crawford county, to Monona City, in Monona county.

Read first time.

Also, House File No. 9,

A bill for an act establishing a State road from Council Bluffs City to Sioux City.

Read a first time.

By Mr. Mills,

House File No. 10,

A bill for an act to repeal a certain act therein named.

Read first time.

By Mr. Gillett,

House file No. 11, a bill for an Act for the re-location of certain highways in Chickasaw county.

Read a first time.

By Mr. Sullivan,

House file No. 12, a bill for an Act to increase voting places in townships.

Read a first time, and,

On motion of Mr. Cloud,

The 42nd rule was suspended, the bill read a second time by its title, and referred to the committee on Elections.

BILLS AND RESOLUTIONS ON SECOND READING.

House File, No. 2,

A bill for an Act to create school district No. 5, in Washing township, Dubuque county.

Referred to committee on Schools.

On motion of Mr. Cloud,

House File, No. 3,

Was taken up.

The 42nd rule was then suspended, the bill read a second and third time by its title, passed, and the title agreed to.

On motion of Mr. Cloud,

House File, No. 3,

Was taken up.

The 42nd rule was suspended, the bill read a second and third times, passed, and the title agreed to.

Mr. Holmes moved to take up

House File, No. 4.

Carried.

On motion,

The 42nd rule was suspended, the bill read a second and third times by its title, passed, and the title agreed to.

Mr. Barker, with leave,

Gave notice that he would, at some future day, introduce a bill for an Act to make "champerty and maintenance" a misdemeanor, and punishable as such.

On motion,

The House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

The Chair appointed Messrs. Barker, Moer of Mills, and Mills, a committee on Printing.

Mr. Lewis presented

The credentials of Mr. Kirkpatrick, representative elect from Louisiana county, who came forward and subscribed the oath of office.

Mr. Toll was excused from attendance upon the House, on account of illness.

NOTICES (WITH LEAVE) TO BRING IN BILLS.

By Mr. Rand,

A bill for restricting the powers of Justices of the Peace.

By Mr. Richardson,

A bill to require the County Treasurer to meet the citizens of each township within their respective towns, for the purpose of receiving taxes.

By Mr. Williams,

A bill for an Act to describe lands other than legal sub-divisions of the Government Surveys.

By Mr. Gillet.

A bill for the location of a State Road commencing at Independence, in Buchanan county, via Fredrika, in Bremer county, to New Hampton, in Chickasaw county.

By Mr. Wooden.

A bill to repeal portions of Chapter 154 of the Code of Iowa.

Also,

A bill to repeal portions of Chapter 161 of the Code of Iowa.

Also,

A bill to regulate costs in the District Courts.

By Mr. Moer, of Mills.

A bill legalizing the organization of Ringold county.

Also,

A bill to incorporate the town of Glenwood, in Mills county.

Message from the Senate,

By their Secretary.

MR. SPEAKER:

I herewith present for your signature,

Senate File No. 1.

A bill for an act further to restrict the duties of the Superintendent of Public Instruction.

The same having passed both branches of the General Assembly and been duly enrolled.

CHARLES C. NOURSE,
Secretary Senate.

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has passed

Senate File No. 2,

A bill for an act to exempt certain lots in Dubuque, the property of the United States, from taxation.

In which the Senate ask the concurrence of the House.

CHARLES C. NOURSE,
Secretary Senate.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate have appointed Senators Bingham, Mathews, and Thompson, a committee to act in connection with a similar committee of the House, in relation to the Des Moines River Improvement, &c.

C. C. NOURSE,
Secretary.

On motion of Mr. Holmes,

The committee on the Des Moines River Improvement was directed to act in conjunction with the Senate committee on that subject.

On motion of Mr. Barker,
Senate File No. 2,

Was taken up and read a first time.

The 42d rule was then suspended, the bill read a second and third time, passed and the title agreed to.

Mr. Bowen, with leave, introduced
House File No. 13,

A bill for an act to change the boundaries of the 9th Judicial District.

Mr. Bowen moved the 42d rule be suspended, the bill read a second time, and referred to a committee composed of the delegations from the said district.

Mr. Cloud moved to amend by referring the bill to the judiciary committee.

Mr. Bowen moved to lay the amendment on the table
Lost.

The question then recurring upon the amendment,
It was lost.

The question then being upon the motion to suspend the rules,
It was lost.

The Chair presented the first biennial report of the trustees and

officers of the institution for the instruction of the deaf and dumb, for the years 1855 and 1856.

On motion,

It was laid upon the table.

On motion of Mr. Arnold,

1000 copies of said report were ordered to be printed for the use of the House.

BILLS INTRODUCED UPON LEAVE.

By Mr. Wyatt.

House File No. 14,

A bill for an act locating a State Road from Reed's Mill, in Pottawattomie county, to Correctionville, in Woodbury county.

Read a first time.

By Mr. Jones.

House File No. 15,

A bill for an act to establish a State Road from Fort Des Moines, Polk county, to the South Line of the State of Iowa.

Read a first time.

By Mr. Jordan.

House File No. 16,

A bill for an act to establish a State Road in Marion county.

Read a first time.

By Mr. Moer, of Mills.

House File No. 17,

A bill for an act to legalize the organization of Ringgold county, and the election and official acts of its officers.

Read a first time.

By Mr. Bailey.

House File No. 18,

A bill for an act to repeal Chapter 37 of the acts of the Fourth General Assembly.

Read a first time.

Mr. Hardie, of Dubuque, moved to take from the table the resolution of yesterday, calling upon the Governor for copies of any correspondence he may have had in relation to abuses perpetrated upon citizens of Iowa, in Kansas Territory.

Carried.

Mr. Wooden moved to amend by inserting, the private correspondence of Mr. Hardie, of Dubuque.

Lost.

On motion of Mr. Cloud,

The resolution was referred to the committee on Federal Relations.

NOTICES TO BRING IN BILLS.

By Mr. Arnold.

A bill establishing a State Road commencing at Waterloo, in Black Hawk county, and running through Lafayette, Marietta and Edenville, in Marshall county, to Fort Des Moines, in Polk county.

By Mr. Roberts,

A bill requiring non-residents of a county to give bail for costs before the commencement of suits before Justices of the Peace.

By Mr. Green,

A bill for the relief of David Hain.

On motion of Mr. Holmes,

Mr. Mordan was excused from attendance upon the House on account of illness.

On motion,

The House adjourned.

SATURDAY, DECEMBER 6th, 1856.

House called to order by the Clerk.

The Speaker being absent,

On motion of Mr. Bigelow,

Mr. Dorland was elected Speaker *pro tem*.

Prayer by the Chaplain.

Journal of yesterday read.

PETITIONS AND REMONSTRANCES.

By Mr. Barner,

Petition of citizens in relation to Nursery and Horticultural productions of the State.

Referred to the committee on Agriculture.

RESOLUTIONS.

By Mr. Sullivan,

Resolved, That so much of the rules of this House as requires notice to be given of intention to introduce bills, be suspended.

Laid over.

By Mr. Barker,

Resolved, That 1000 copies of the State Register's Report, 1000 copies of the State Treasurer's Report, 1000 copies of the Report of the Trustees of the Blind Asylum, 1000 copies of the Report of the Des Moines River Navigation Company,

Be ordered printed for the use of the House.

Adopted.

By Mr. Bailey,

Resolved, That the committee on Ways and Means be instructed to examine into the propriety of a change in the present Revenue Law, and if by them thought expedient, to report a bill for the same.

By Mr. Galbraith,

Resolved, That the committee on the Judiciary be required to inquire into the expediency of providing by law for the more speedy publication of the Supreme Court Reports.

NOTICES TO BRING IN BILLS.

By Mr. Inskeep,

For an Act to amend an Act entitled an Act for the suppression of Intemperance.

On leave, Mr. Wyatt introduced

House File, No. 19,

A bill for an Act establishing a State Road from Adams and Surret's Bridge, in Shelby county, to Magnolia, in Harrison county.

Read a first time.

Also,

House File, No. 20,

A bill for an Act to establish a State road from Panora, in Guthrie county, to the mouth of Soldier creek, in Harrison county.

Read a first time.

Also,

House File, No. 21,

A bill for an Act to restrain swine in Harrison and Monona counties.

Read a first time.

On leave, Mr. Bottorf introduced,

House File, No. 22,

A bill for an Act to amend an Act providing for election of Supervisors, and defining their duties.

By Mr. Bailey,

For an Act to legalize the sale of lands in Black Hawk county for delinquent taxes for the year 1854.

By Mr. Edmundson,

For an Act requiring the plot of the town of Newton, to be placed on record.

By Mr. Gillett,

For an Act to further protect the Right of Suffrage.

By Mr. Cort,

Of a bill for an Act to create all section lines public highways whenever it is practicable and needed.

Mr. Cloud moved to take up,

House File, No. 2,

Joint resolution in relation to the admission of Kansas

Carried.

Mr. Hardie moved to refer it to the committee on Federal Relations.

Pending which,

The House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

On motion,

Mr. Barner was excused from attendance on the House until Monday next.

The motion to refer

House File No. 2,

To the committee on federal relations, being still before the House,

Mr. Hardie demanded the yeas and nays,

Which were as follows :

YEAS :

Messrs. Barker, Bottorf, Bowen, Clark, Cort, Doud, Finney, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Kelsay, Limer, McDow, Melizer, Mills, Mendenhall, Moore of Dubuque, Pease, Scoville, Sullivan, Van Valkenburgh, Williams, Wilson of Webster, Wyatt.—28.

NAYS—

Messrs. Arnold, Bailey, Barner, Bigelow, Cloud, Copeland, Dorland, Edmundson, Fry, Gillett, Hershberger, Holmes, Inskip, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Moer of Mills, Noble, Price, Perry, Reeder, Richardson, Roberts, Rodman, Sawyer, Stanton, Thomas, Toll, Wilson of Mahaska, Wing, Wooden, Wright of Cedar.—34.

Mr. Barker moved to refer to the Committee of the Whole House. Lost.

Mr. Barker offered the following substitute:

“Strike out all after the enacting clause, and insert the following:

Resolved, That our Senators and Representatives be instructed and requested to aid by their votes and influence, the passage of an act of Congress, authorizing and enabling the people of the territory of Kansas, to form a Constitution preparatory to its admission into the Union as a State, leaving the people of said Territory free to form the character of their institutions, subject only to the Constitution and laws of the United States. And further provided that full

and ample provision be made for protecting the citizens of said Territory in a full, free, and undisturbed exercise of the elective franchise, in forming such a State Constitution and institutions as they may deem best for their own interest and happiness.

Mr. Cloud moved to lay the substitute on the table.

A call of the House was ordered.

Mr. Holmes moved to suspend further proceedings under the call.

Mr. Franklin demanded the yeas and Nays,

Which were as follows :

YEAS—

Messrs. Arnold, Bailey, Bryson, Bigelow, Cloud, Copeland, Dorland, Edmundson, Fry, Gillett, Green, Hershberger, Holmes, Inskeep, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Moer of Mills, Noble, Price, Perry, Reeder, Richardson, Rodman, Sawyer, Thomas, Toll, Williams, Wilson of Mahaska, Wing, Wooden, Wright of Cedar.—35.

NAYS—

Messrs. Barker, Bottorf, Bowen, Clark, Doud, Finney, Franklin, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Kelsay, Larimer, McDow, Melizer, Moore of Dubuque, Pease, Roberts, Scoville, Stanton, Sullivan, Van Valkenburgh, Wilsor of Webster, Wyatt.—27.

Mr. Rand was excused from attending upon the House.

Message from the Senate,
By their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following bill, in which the Senate asks the concurrence of the House.

Substitute for Senate File No. 12,

An act to elect an additional Justice of the Peace in Centre township, Decatur county, Iowa.

CHAS. C. NOURSE,
Secretary.

MR. SPEAKER.

I am directed by the Senate to inform the House of Representa-

tives that the Senate have passed the following bills, in which the Senate ask the concurrence of the House.

Senate File No. 4,

A bill for an act to establish the eleventh judicial district, and fix the time of holding courts therein.

Also,

Senate File No. 14.

Joint resolution authorizing joint committee on Des Moines River affairs, to employ a clerk and send for persons and papers.

Also,

The Senate has passed

House File No. 4,

A bill for an act to authorize the county judge of Mahaska county to borrow certain moneys, with an amendment inserting an enacting clause,

In which the Senate asks the concurrence of the House of Representatives.

CHAS. C. NOURSE,
Secretary.

The question then recurring upon the motion to lay the substitute upon the table,

Mr. Franklin called for the Yeas and Nays,

Which were as follows:

Yeas, 36, Nays, 27.

YEAS—

Messrs. Arnold, Bailey, Bryson, Bigelow, Cloud, Copeland, Dorland, Edmundson, Fry, Gillett, Green, Hershberger, Holmes, Inskeep, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Moer, of Mills, Noble, Price, Perry, Roeder, Richardson, Roberts, Rodman, Stanton, Thomas, Toll, Williams, Wilson, of Mahaska, Wooden, Wing, Wright, of Cedar.—36.

NAYS—

Messrs. Barker, Bottorf, Bowen, Clark, Cort, Doud, Finney, Franklin, Galbraith, Griswold, Gossage, Hardie, of Dubuque, Hardy, of Van Buren, Jordan, Kelsay, Larimer, McDow, Melizer, Mendenhall, Moore, of Dubuque, Pease, Sawyer, Scoville, Sullivan, Vanvalkenburgh, Wilson, of Webster, Wyatt.—27.

Lost.

Mr. Hardie moved to lay the joint resolution upon the table,

Whereupon,
Mr. Mills called for the Yeas and Nays,
Which were as follows,
Yeas, 27, Nays, 36.

YEAS—

Messrs. Barker, Bryson, Bottorf, Bowen, Clark, Cort, Finney, Franklin, Galbraith, Griswold, Gossage, Hardie, of Dubuque, Hardy, of Van Buren, Jordan, Kelsay, Larimer, McDow, Millizer, Mendenhall, Moore, of Dubuque, Pease, Scoville, Sullivan, Vanvalkenburgh. Wilson, of Webster, Wyatt.—27.

NAYS—

Messrs. Arnold, Bailey, Bigelow, Cloud, Copeland, Dorland, Edmundson, Fry, Gillett, Green, Hershberger, Holmes, Inskeep, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Moer, of Mills, Noble, Price, Perry, Reeder, Richardson, Roberts, Rodman, Stanton, Thomas, Toll, Williams, Wilson, of Mahaska, Wing, Wooden, Wright, of Cedar.—36.

Mr. Franklin moved that the joint resolution be indefinitely postponed, and upon the question demanded the Yeas and Nays,

Which were as follows,
Yeas, 25, Nays, 39.

Lost.

YEAS—

Messrs. Bottorf, Bowen, Clark, Cort, Doud, Finney, Franklin, Galbraith, Griswold, Gossage, Hardie, of Dubuque, Hardy, of Van Buren, Jordan, Kelsay, McDow, Millizer, Mendenhall, Moore of Dubuque, Noble, Price, Perry, Reeder, Richardson, Roberts, Rodman, Sawyer, Stanton, Thomas, Toll, Williams, Wilson, of Mahaska, Wing, Wooden, Wright, of Cedar.—25.

NAYS—

Messrs. Arnold, Bailey, Barker, Bryson, Bigelow, Cloud, Copeland, Dorland, Edmundson, Fry, Gillett, Green, Hershberger, Holmes, Inskeep, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Mendenhall, Moer, of Mills, Noble, Price, Perry, Reeder, Richardson, Roberts, Rodman, Sawyer, Stanton, Thomas, Toll, Williams, Wilson, of Mahaska, Wing, Wooden, Wright, of Cedar.—39.

The question being upon the second reading of the joint resolution,

Mr. Franklin moved the previous question,

Which being sustained,

Mr. Franklin demanded the Yeas and Nays, upon the main question,

Which were as follows :

Yeas 37, Nays 26.

YEAS :—

Messrs. Arnold, Bailey, Bryson, Bigelow, Cloud, Copeland, Dorland, Edmundson, Fry, Gillett, Green, Hershberger, Holmes, Inskip, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Moer, of Mills, Noble, Price, Perry, Reeder, Richardson, Roberts, Rodman, Sawyer, Stanton, Thomas, Toll, Williams, Wilson, of Mahaska, Wing, Wooden, Wright, of Cedar—37.

NAYS :—

Messrs. Barker, Bowen, Bottorf, Clark, Cort, Doud, Finney, Franklin, Galbraith, Griswold, Gossage, Hardie, of Dubuque, Hardy, of Van Buren, Jordan, Kelsay, Larimer, McDow, Millizer, Mendenhall, Moore, of Dubuque, Pease, Scoville, Sullivan, Van Valkenburgh, Wilson of Webster, Wyatt—26.

Mr. Hardie moved the House now adjourn.

Mr. Franklin demanded the yeas and nays, which were as follows :

Yeas 25, and Nays 37.

YEAS :—

Messrs. Barker, Bottorf, Bowen, Clark, Cort, Doud, Finney, Franklin, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Kelsay, Larimer, McDow, Millizer, Mendenhall, Moore of Dubuque, Pease, Scoville, Sullivan, Van Valkenburgh, Wyatt—25.

NAYS :—

Messrs. Arnold, Bailey, Bryson, Bigelow, Cloud, Copeland, Dorland, Edmundson, Fry, Gillett, Green, Hershberger, Holmes, Inskip, Jones, Kurtz, Lewis, Lothian, Mills, Moer of Mills, Noble, Price, Perry, Reeder, Richardson, Roberts, Rodman, Sawyer, Stanton, Thomas, Toll, Williams, Wilson of Webster, Wilson of Mahaska, Wing, Wooden, Wright of Cedar—37.

Mr. Kirkpatrick was excused from attendance upon the House.

Mr. Wilson moved to reconsider the vote last taken to adjourn.

Mr. Franklin demanded the yeas and nays,
Which were as follows :

YEAS—

Messrs. Barker, Bottorf, Bowen, Clark, Cort, Doud, Finney, Franklin, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Kelsay, Larimer, McDow, Millizer, Mendenhall, Moore of Dubuque, Pease, Scoville, Sullivan, Van Valkenburgh, Wyatt.—25.

NAYS—

Messrs. Arnold, Bailey, Bryson, Bigelow, Cloud, Copeland, Dorland, Edmundson, Fry, Gillet, Green, Hershberger, Holmes, Inskeep, Kurtz, Lewis, Lothian, Mills, Moer of Mills, Noble, Price, Perry, Reeder, Richardson, Roberts, Rodman, Sawyer, Stanton, Thomas, Toll, Williams, Wilson of Webster, Wilson of Mahaska, Wing, Wooden, Wright of Cedar.—37.

Mr. Clark moved to adjourn.

Mr. Hardie moved to lay the motion to adjourn upon the table.

Mr. Franklin called for the yeas and nays which were,

Yeas 20, nays 40.

YEAS—

Messrs. Bailey, Bryson, Bowen, Clark, Cort, Doud, Finney, Green, Griswold, Hardie, of Dubuque, Hardy, of Van Buren, Jones, Jordan, Mendenhall, Moore, of Dubuque, Pease, Price, Perry, Scoville, Vanvalkenburgh.—20.

NAYS—

Messrs. Arnold, Barker, Bigelow, Bottorf, Bowen, Cloud, Copeland, Dorland, Edmundson, Franklin, Fry, Galbraith, Gillett, Gossage, Hershberger, Holmes, Inskeep, Kelsay, Kurtz, Lewis, Larimer, McDow, Millizer, Mills, Moer, of Mills, Noble, Reeder, Richardson, Rodman, Sawyer, Stanton, Sullivan, Thomas, Toll, Williams, Wilson, of Webster, Wilson, of Mahaska, Wing, Wooden, Wyatt.—40.

Mr. Franklin moved to reconsider the vote last taken.

The Speaker declared the motion to be out of order.

From which decision,

Mr. Franklin appealed,

And upon the question demanded the Yeas and Nays,
Which were as follows:

Yeas, 35, Nays, 20.

YEAS—

Messrs. Arnold, Bailey, Bigelow, Cloud, Copeland, Dorland, Edmundson, Fry, Gillett, Green, Griswold, Hershberger, Inskeep, Jones, Kurtz, Lewis, Lothian, Mills, Moer of Mills, Noble, Price, Perry, Reeder, Richardson, Roberts, Rodman, Sawyer, Stanton, Thomas, Toll, Williams, Wilson of Mahaska, Wing, Wooden, Wright of Cedar.—35.

NAYS—

Messrs. Barker, Bottorf, Bowen, Clark, Cort, Doud, Finney, Franklin, Galbraith, Gossage, Hardie of Dubuque, Hardy of Van Buren, Hershberger, Jordan, Kelsay, Larimer, McDow, Millizer, Mendenhall, Moore of Dubuque, Pease, Scoville, Van Valkenburgh, Wilson of Webster, Wyatt.—Speaker.

Mr. Barker moved to refer the joint resolution to a select committee.

The Speaker decided the motion to be out of order,
Whereupon

Mr. Barker appealed from the decision of the Chair, and upon the question demanded the yeas and nays,

Which were as follows:

Yeas 36, nays 24.

The decision of the Chair was sustained.

YEAS—

Messrs. Arnold, Bailey, Bryson, Bigelow, Cloud, Copeland, Edmundson, Fry, Galbraith, Gillett, Green, Hershberger, Holmes, Inskeep, Jones, Kurtz, Lewis, Lothian, Moer, of Mills, Noble, Price, Perry, Reeder, Richardson, Roberts, Rodman, Stanton, Thomas, Toll, Vanvalkenburgh, Williams, Wilson, of Mahaska, Wing, Wooden, Wright, of Cedar, Wyatt.—36.

NAYS—

Messrs. Barker, Bottorf, Bowen, Clark, Cort, Doud, Finney, Franklin, Griswold, Gossage, Hardie, of Dubuque, Hardy, of Van Buren, Jordan, Kelsay, Larimer, McDow, Millizer, Mendenhall, Moore, of Dubuque, Pease, Sawyer, Scoville, Sullivan, Wilson, of Webster, Wyatt.—24.

Mr. Barker moved that the joint resolution be referred to a committee of the whole House,

Which motion,

The Speaker declared to be out of order.

Mr. Barker appealed from the decision of the Chair,

Which appeal,

Mr. Speaker also decided to be out of order.

Whereupon,

Mr. Barker gave notice that, upon some subsequent day of the session, he would ask leave to enter his protest upon the journals of the House against the ruling of the Chair.

The question being,

Shall the joint resolution be engrossed and read a third time to-morrow,

Mr. Barker asked leave to be excused from voting.

Objections being made,

Mr. Franklin moved that he be excused.

Upon which question,

Mr. Hardie, of Dubuque, demanded the yeas and nays,

Which were as follows:

Yeas 20, and Nays 39.

YEAS:—

Messrs. Bowen, Clark, Cort, Dorland, Doud, Finney, Franklin, Galbraith, Griswold, Hardie of Dubuque, Jordan, McDow, Milliser, Mendenhall, Moore of Dubuque, Pease, Scoville, Sullivan, Van Valkenburgh, Wilson of Webster, Wyatt—20.

NAYS:—

Messrs. Arnold, Bailey, Bryson, Barner, Bigelow, Bottorf, Cloud, Copeland, Edmundson, Fry, Gillett, Green, Gossage, Hardie of Dubuque, Hershberger, Holmes, Inskip, Jones, Kurtz, Lewis, Lothian, Larimer, Mills, Moer, of Mills, Noble, Price, Perry, Reeder, Richardson, Roberts, Rodman, Sawyer, Stanton, Thomas, Toll, Wilson, of Mahaska, Wing, Wooden, Wright of Cedar—39.

The question recurring upon the motion to engross and read a third time to-morrow,

The yeas and nays were demanded, which were as follows:

Yeas 38, nays 19.

YEAS :—

Messrs. Arnold, Bailey, Barker, Bryson, Bigelow, Bottorf, Cloud, Copeland, Dorland, Edmundson, Franklin, Fry, Gillett, Green, Hershberger, Holmes, Inskeep, Jones, Kurtz, Lewis, Lothian, Mills, Moer of Mills, Noble, Price, Perry, Reeder, Roberts, Rodman, Sawyer, Stanton, Thomas, Toll, Williams, Wilson of Mahaska, Wing, Wooden, Wright of Cedar—38.

NAYS :—

Messrs. Clark, Cort, Doud, Finney, Galbraith, Griswold, Gosage, Jordan, Kelsay, Larimer, McDow, Milliser, Mendenhall, Moore of Dubuque, Pease, Sullivan, Vanvalkenburg, Wilson of Webster, Wyatt—19.

Mr. Barker moved that the House now adjourn.

Mr. Clark demanded the Yeas and Nays,

Which were as follows :

Yeas 27, Nays 30.

YEAS—

Messrs. Barker, Bottorf, Bowen, Cort, Dorland, Doud, Finney, Galbraith, Griswold, Gosage, Hardie, of Dubuque, Holmes, Jordan, Kelsay, Larimer, McDow, Mills, Moore, of Dubuque, Pease, Price, Sawyer, Scoville, Sullivan, Vanvalkenburgh, Wilson, of Webster, Wright, of Cedar, Wyatt—27.

NAYS—

Messrs. Arnold, Bailey, Bryson, Bigelow, Cloud, Copeland, Edmundson, Franklin, Fry, Gillett, Green, Hershberger, Inskeep, Jones, Kurtz, Lewis, Lothian, Milliser, Mendenhall, Moer, of Mills, Noble, Reeder, Richardson, Roberts, Rodman, Stanton, Thomas, Toll, Williams, Wilson, of Mahaska, Wing, Wooden—30.

Mr. Barker moved to reconsider the vote to engross and read the joint resolution a third time to-morrow.

Mr. Holmes moved to lay the motion upon the table.

And the Yeas and Nays being demanded,

Were as follows :

Yeas 36, Nays 25.

YEAS—

Messrs. Arnold, Bailey, Bryson, Cloud, Copeland, Dorland, Edmundson, Fry, Gillet, Green, Hershberger, Holmes, Inskeep, Jones,

Kurtz, Lewis, Lothian, Mills, Moer of Mills, Noble, Price, Perry, Reeder, Richardson, Roberts, Rodman, Sawyer, Stanton, Thomas, Toll, Williams, Wilson of Mahaska, Wing, Wooden, Wright of Cedar—36.

NAYS—

Messrs. Barker, Bottorf, Bowen, Clark, Cort, Doud, Finney, Franklin, Galbraith, Griswold, Gossage, Hardie of Dubuque, Jordan, Kelsay, Larimer, McDow, Milliser, Mendenhall, Moore of Dubuque, Pease, Scoville, Sullivan, Van Valkenburgh, Wilson of Webster, Wyatt—25.

On motion of Mr. Wright of Cedar,
The House adjourned until Monday.

MONDAY MORNING, DECEMBER 8th, 1856

The House met pursuant to adjournment.

Mr. Dorland in the Chair.

Prayer by the Rev. Mr. Kynett.

Journal read and approved.

Mr. Williams presented

The credentials of Mr. Claussen, representative elect from the forty-sixth district, who came forward and subscribed the oath of office.

On motion of Mr. Holmes,

The report of the Register of the State Land Office was referred to the committee on Public Lands.

Mr. Toll was excused from attendance upon the House on account of illness.

Messrs. Hardie and Franklin rose to questions of privilege, in relation to the report of the proceedings of this House, as published in the Iowa Capital Reporter.

RESOLUTIONS AND NOTICES TO BRING IN BILLS

By Mr. Wooden,

Resolved, That the use of this Hall be given to the citizens of Iowa (evenings) for the purpose of listening to a course of lectures on Theology and Literal Christianity, by the Rev. I. Codding.

Objections being made,

Mr. Wooden, with leave,

Withdrew the resolution.

By Mr. Inskip,

Notice of a bill to amend Chapter 104 of the laws passed by the fourth General Assembly, in relation to fences.

Mr. Green presented

The petition of David Ham, praying for relief, which was referred to a select committee.

The Chair appointed Messrs. Green, Noble and Franklin said committee.

Mr. Wooden moved to take up

Senate File, No. 4,

A bill to establish the eleventh Judicial district, and fixing the time of holding Courts therein.

Lost.

REPORTS OF COMMITTEES.

Mr. Wright, of Cedar,

From the committee on Elections, reported back

House File, No. 12,

A bill to increase the number of voting places in townships without amendment.

Which was read a second time and

Referred to the committee on the Judiciary.

Mr. Wooden,

From the committee on the Judiciary, reported a substitute for

House File, No. 6,

A bill constituting and defining the thirteenth judicial district.

Substitute adopted, and

Read a second time.

Also,

House File, No. 25,

A bill for an act in relation to the boundaries of the tenth judicial district.

Which was read a first time.

BILLS ON THEIR PASSAGE.

House File No. 16,

Joint resolution in relation to the admission of Kansas, was,

On motion of Mr. Cloud,

Laid upon the table until this afternoon.

On motion of Mr. Sullivan,

Senate File No. 14.

Joint resolution authorizing the committee on the Des Moines River Improvement to employ a clerk, and send for persons and papers,

Was taken up and read a first time.

When, on his motion,

The forty-second rule was suspended, the resolution read a second and third time, passed and the title agreed to.

BILLS INTRODUCED.

By Mr. Bailey.

House File No. 23,

A bill to legalize the sale of certain lands in Black Hawk county for taxes.

Read a first time.

And, on his motion,

The forty-second rule was suspended and the bill read a second time.

Mr. Cloud moved the bill be indefinitely postponed.

Whereupon,

Mr. Bailey asked leave to withdraw the bill.

Granted.

By Mr. Edmundson.

House File No. 24,

A bill for an act requiring the plat of the town of Newton to be placed upon the record.

Read a first time.

On motion of Mr. Bowen,
Senate File No. 12,

A bill to elect an additional justice of the peace in Centre township, Decatur county,

Was taken up and read a first time, when

The forty-second rule was suspended, the bill read a second time and referred to a select committee.

The Speaker appointed Messrs Bowen, Roberts and Davis said committee.

On motion of Mr. Cloud,
Senate File No. 4,

A bill to establish the eleventh judicial district and fix the time for holding courts therein,

Was taken up and read a first time, when

The forty-second rule was suspended, and the bill read a second time by its title.

Mr. Cloud moved to amend the last section by striking out the words, "Democratic Standard and Knoxville Journal."

Adopted.

On motion of Mr. Cloud,

The forty-second rule was further suspended, the bill read a third time, passed and the title agreed to.

On motion of Mr. Fry,
The Senate amendment to
House File No. 4,

A bill authorizing the county judge of Mahaska county to borrow certain money therein named, for county purposes,

Was taken up and the amendment concurred in.

On motion,
The House adjourned.

TWO O'CLOCK. P. M.

House met.

Mr. Sullivan moved to take up a resolution offered on Saturday in relation to the suspension of the rule requiring notice to bring in bills.

Which was, on his motion,
Adopted. and the rule suspended.

Mr. Cloud moved to take up

House File No. 2,
A joint resolution in relation to the admission of Kansas.
Carried.

Message from the Senate,
By their Secretary.

MR. SPEAKER:

I herewith return to the House of Representatives,
House File No. 3,

A bill for an act to amend Chapter 66, of the Code of Iowa, with the following amendments :

Add sections 6 and 7 to said bill as thereto attached ; in which amendments the Senate asks the concurrence of the House of Representatives.

I also return

House File No. 5,

A bill for an act to provide for the payment of State bonds due at the Philadelphia Bank, the same having been passed by the Senate with an amendment to section 3, of said bill, striking out the words "three-fourths" and inserting the words "one-half" in which amendment the Senate asks the concurrence of the House of Representatives.

I am further directed to inform the House of Representatives that the Senate has passed

Senate File No. 15,

A bill for an act authorizing the County Judge of Benton county to transcribe certain records ;

In which they ask the concurrence of the House of Representatives.

C. C. NOURSE,
Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has passed

Senate File No. 19,

A bill for an act to vacate a State road, in the town of Primrose, in Lee county;

In which the Senate asks the concurrence of the House of Representatives.

CHARLES C. NOURSE,
Secretary Senate.

Mr. Sullivan moved,

The joint resolution be committed to the committee on federal relations, with instructions to adopt the following provisos.

Whereupon,

The yeas and nays were called, which were as follows:

YEAS—

Messrs. Barker, Barner, Bottorf, Bowen, Cloud, Cort, Doud, Finney, Franklin, Galbraith, Griswold, Gessage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Kelsay, Larimer, McDow, Milliser, Mendenhall, Moore of Dubuque, Pease, Scoville, Sullivan, Vanvalkenburgh, Wilson of Webster, Wyatt—26.

NAYS:

Messrs. Arnold, Bailey, Bryson, Barner, Bigelow, Claussen, Cloud, Davis, Dorland, Edmundson, Gillett, Green, Hershberger, Holmes, Inskeep, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Moer of Mills, Noble, Price, Perry, Reeder, Richardson, Roberts, Rodman, Sawyer, Stanton, Thomas, Williams, Wilson of Mahaska, Wing, Wooden, Wright of Cedar, Wyatt, Speaker—40.

Provided, That nothing in this resolution shall be so construed as to deprive the actual citizens of the right to adopt such rules, laws and domestic regulations as to them may seem most expedient; provided always, they are not inconsistent with the Constitution of the United States and Laws of Congress.

And be it further Provided, The Territory of Kansas does not apply for admission into the Union with the *Topeka* Constitution.

And be it further Provided, That nothing in this resolution shall be so construed as to require the Senate and Congress of the United States to legislate Col. James Henry Lane into a seat in the United States Senate.

And be it further Provided, That nothing shall be so construed as to induce our Senators and Representatives in Congress to be guilty of any breach of the peace towards Kansas Territory, in trying to force her into the Union before she may ask it for herself.

Mr. Barker moved to lay the joint resolution upon the table.

And upon the question,
Demanded the Yeas and Nays,
Which were as follows :

Yeas 26, Nays 46.

YEAS—

Messrs. Barker, Bottorf, Bowen, Clark, Cort, Doud, Finney, Franklin, Galbraith, Griswold, Gossage, Hardie, of Dubuque, Hardy, of Van Buren, Jordan, Kelsay, Larimer, McDow, McEliser, Mendenhall, Moore, of Dubuque, Pease, Scoville, Sullivan, Vanvalkenburgh, Wilson, of Webster, Wyatt—26.

NAYS—

Messrs. Arnold, Baily, Bryson, Barner, Bigelow, Bowen, Clausen, Cloud, Copeland, Davis, Dorland, Edmundson, Fry, Gillett, Green, Herslberger, Holmes, Inskeep, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Moer, of Mills, Noble, Price, Perry, Reeder, Richardson, Roberts, Rodman, Stanton, Thomas, Toll, Williams, Wilson, of Mahaska, Wing, Wooden, Wright, of Cedar, Wright, of Clinton, Speaker—46.

Mr. Barker offered the following amendment, by way of rider :
“ Add to the resolutions the following :

Resolved, That the foregoing resolutions are not intended to deny the right of self government by the people of any organized Territory,”

Which was declared out of order.

Mr. Jordan offered the following as an amendment :

Provided, That nothing in the above resolutions shall be so construed as to ask, require or instruct any member of the Senate of the United States from the State of Iowa, to violate, in letter or spirit, the existing law of the United States organizing Kansas Territory, while the same remains the sanctioned law of Congress, and the approved law of a majority of the American people.

The Speaker ruled the amendment to be out of order.

Mr. Hardie offered the following amendment by way of rider.

Provided, That the word "freemen" as used in the preamble to the joint resolution, is understood to mean, "all men, without regard to color."

The Speaker decided the motion to be out of order.

From which decision Mr. Hardie appealed, and upon the question "shall the decision of the Chair be sustained," demanded the yeas and nays,

Which were as follows:

Yeas 42, nays 22.

YEAS—

Messrs. Arnold, Bailey, Bryson, Barner, Bigelow, Clausen, Cloud, Copeland, Davis, Dorland, Edmundson, Franklin, Fry, Gillett, Green, Gossage, Hershberger, Holmes, Inskeep, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Moer of Mills, Noble, Price, Perry, Reeder, Richardson, Roberts, Rodman, Sawyer, Stanton, Thomas, Williams, Wilson of Webster, Wilson of Mahaska, Wing, Wooden, Wright of Cedar—42.

NAYS—

Messrs. Barker, Bottorf, Clark, Cort, Doud, Finney, Galbraith, Griswold, Hardie of Dubuque, Hardy of Van Buren, Jordan, Kelsay, Larimer, McDow, Milliser, Mendenhall, Moore of Dubuque, Pease, Scoville, Sullivan, Van Valkenburgh, Wyatt—22.

Mr. Bowen was excused from voting.

The resolution being upon final passage,

Mr. Sullivan, called for a division of the question, and

Upon the question, "is the resolution susceptible of division," demanded the yeas and nays,

Which were as follows:

Yeas 26, nays 42.

YEAS—

Messrs. Barker, Bottorf, Bowen, Clark, Cort, Doud, Finney, Franklin, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Keisay, Larimer, McDow, Milliser, Mendenhall, Moore of Dubuque, Pease, Scoville, Sullivan, Van Valkenburgh, Wilson of Webster, Wyatt—26.

NAYS—

Messrs. Arnold, Bailey, Bryson, Barner, Bigelow, Clausen, Cloud, Copeland, Davis, Dorland, Edmundson, Fry, Gillett, Green, Hershberger, Holmes, Inskip, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Moer of Mills, Noble, Price, Perry, Reeder, Richardson, Roberts, Rodman, Sawyer, Stanton, Thomas, Toll, Williams, Wilson of Mahaska, Wing, Wooden, Wright of Cedar, Speaker—41.

On motion of Mr. Dorland,
The House adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

The House met pursuant to adjournment.

The order of business being

House File No. 2,

Joint resolution in relation to the admission of Kansas.

Mr. Cloud moved that it be laid upon the table, and be the special order of business on to-morrow at 2 o'clock, P. M.

Carried.

On motion,
The House adjourned.

TUESDAY MORNING, DECEMBER 9, 1856.

House met pursuant to adjournment.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Jones offered the following resolution,

Resolved, That the State Librarian be requested to report immediately to this House according to law.

Passed.

REPORTS OF COMMITTEES.

Mr. Bowen,

From the committee to whom was referred

Senate File No. 2,

A bill to provide for the election of an additional Justice of the Peace in Centre township, Decatur county,

Reported a substitute,

Which was read a first time.

Mr. Perry moved it be referred to the committee on the Judiciary, with instructions to report a general bill.

Lost.

Mr. Green,

From the select committee to whom was referred the petition of David Hain, asking for relief, reported

House File, No. 39,

A bill for the relief of David Hain,

Which was read a first time.

BILLS INTRODUCED AND READ A FIRST TIME.

By Mr. Wilson, of Webster,

House File, No. 21,

A bill for an act to locate a State road from Boonesboro', in Boone county, to the Minnesota line.

Also,

House File, No. 27,

A bill to locate a State road from Marietta, in Marshall county, to the Minnesota line.

Also,

House File No. 28,

A bill to locate a State road from Cedar Falls to Sioux City.

By Mr. Barner,

House File, No. 29,

A bill providing for the election of an additional Justice of the peace in Davenport township, Scott county.

By Mr. Hershberger,

House File No. 30,

A bill amendatory to an act providing for taking up watercrafts found adrift, lost goods and stray animals.

By Mr. Gillett,

House File No. 31,

A bill for a State road from Independence to New Hampton, in Chickasaw county.

By Mr. Galbraith,

House File No. 32,

A bill for an act to re locate so much of the State road leading from Centreville to Marietta, as lies in Appanoose county.

By Mr. Barner,

House File No. 33,

A bill for an act authorizing the subdivision of lands in this State.

By My. Wyatt,

House File No. 34,

A bill for an act authorizing the re-survey of certain highways in Harrison county.

By. Mr. Jones,

House File No. 35,

A bill creating the office of County Assessor and defining the duties thereof.

By Mr. Wright, of Cedar,

House File, No. 36,

A bill for an act to amend an act concerning fences.

By Mr. Moer, of Mills,

House File, No. 37,

A bill defining the boundaries of the sixth judicial district.

By Mr. Galbraith,

House File, No. 38,

A bill to locate a State road from Centerville, in Appanoose county, to Ottumwa, in Wappello county.

BILLS ON THEIR SECOND READING.

House File, No. 25,

A bill in relation to the boundaries of the tenth judicial district.

Ordered to be engrossed and read a third time to-morrow.

House File, No. 24,

A bill requiring the plat of the town of Newton, to be placed on record.

On motion of Mr. Edmundson,

The forty-second rule was suspended, and the bill read a third time, when,

On motion of Mr. Cloud,

It was referred to the committee on the Judiciary.

House File, No. 18,

A bill to amend Chapter 37 of the laws of the Fourth General Assembly.

On motion of Mr. Sullivan,

The bill was referred to the committee of the whole House, and made the special order of to-morrow, at two o'clock, P. M.

House File, No. 15,

An act to establish a State road from Ft. Des Moines to the south line of the State of Iowa.

Referred to the committee on Roads and Highways.

House File, No. 9,

A bill to establish a State road from Council Bluffs City to Sioux City.

Referred to the committee on Roads and Highways.

House File, No. 16,

A bill to establish a State road in Marion county.

Mr. Clark moved the following amendment :

That the blank in the first section be filled with the name of "John Cromwell," and "Iowa Capitol Reporter" be annexed after the words "Knoxville Standard" in the last section of the bill.

Adopted,

And the bill referred to the committee on Roads and Highways.

House File, No. 7,

An act to legalize the organization of Ringgold county, and the election and acts of its officers.

Referred to the committee on County and Township Organizations.

House File, No. 15,

A bill to change the boundaries of the eleventh Judicial district.

Referred to the committee on the Judiciary.

House File, No. 22,

A bill providing for the election of Supervisors, and defining their duty.

Referred to the committee on County and Township Organizations.

House File, No. 8,

An act establishing a State road from Dennison, in Crawford county, to Monona City, in Monona county.

Referred to the committee on Roads and Highways.

House File, No. 11,

An act for the re-location of a certain highway in Chickasaw county.

Referred to the Committee on Roads and Highways.

House File, No. 14,

A bill establishing a State road from Reed's Mill, in Pottawatomie county, to Correctionville, in Woodbury county.

Referred to the committee on Roads and Highways.

House File, No. 10,

An act to repeal a certain act therein named.

Referred to the committee on the Judiciary.

House File, No. 19,

An act establishing a State road from Adams and Surret's Bridge, in Shelby county, to Magnolia, in Harrison county.

Referred to the committee on Roads and Highways.

House File No. 20,

A bill to establish a State road from Panora, Guthrie county, to the mouth of Soldier Creek, in Harrison county.

Referred to the committee on Roads and Highways.

House File No. 21,

A bill to restrain swine from running at large in Harrison and Monona counties,

Referred to the committee on Agriculture.

BILLS ON THEIR PASSAGE.

House File No. 6,

A bill for an act fixing the boundaries of the thirteenth judicial district,

Was read a third time, passed, and the title agreed to.

On motion of Mr. Wooden,

House File No. 5,

A bill for an act to provide for the payment of the State debt, due at the Philadelphia Bank, on the 14th of January, A. D. 1857,

Was taken up and the amendments of the Senate agreed to.

On motion of Mr. Cloud,

House File No. 3,

An act to amend chapter 66, of the code of Iowa, entitled school land and funds,

Was taken up, together with the amendments of the Senate.

The first and second amendments of the Senate were then concurred in, the House refusing to agree to the third.

The House then adjourned.

TWO O'CLOCK, P. M.

House File, No. 2,

A joint resolution in relation to the admission of Kansas being the special order of the day,

Upon the question of its final passage,

Mr. Barker demanded the yeas and nays,

Which were as follows :

Yeas 38, Nays 26.

YEAS—

Messrs. Arnold, Bailey, Bryson, Barner, Bigelow, Claussen, Cloud, Copeland, Davis, Dorland, Edmundson, Fry, Gillett, Green, Hershberger, Holmes, Inskeep, Jones, Kirkpatrick, Kurtz, Lewis, Lotlian, Mills, Moer of Mills, Noble, Price, Perry, Reeder, Richardson, Roberts, Rodman, Sawyer, Stanton, Thomas, Williams, Wilson of Mahaska, Wing, Wooden, Wright of Cedar, Speaker—38.

NAYS—

Messrs. Barker, Bottorf, Bowen, Clark, Cort, Doud, Finney, Franklin, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Kelsay, Larimer, McDow, Milliser, Mendenhall, Moore of Dubuque, Pease, Scoville, Sullivan, Vanvalkenburgh, Wilson of Webster, Wyatt—26.

Mr. Bigelow, from the committee on engrossed bills, reported
House File, No. 25,

A bill for an act in relation to the tenth judicial district, as properly engrossed.

On motion of Mr. Arnold,

The forty-second rule was suspended, the bill read a third time, passed, and the title agreed to.

Mr. Sullivan offered the following resolution :

Resolved, That hereafter the House will not entertain a motion to take up any business out of the regular order, unless it shall be deemed a case of emergency.

Lost.

Also,
10

The following :

Resolved, That hereafter every bill and joint resolution on its third reading or final passage, be read through by sections entirely, and the vote taken by yeas and nays.

Lost.

Mr. Barker offered the following :

Resolved, That the Committee on Roads and Highways be instructed to consider and report to this House upon the practicability and expediency of a general law upon the subject of State Roads, of such a character, as to avoid the necessity of special legislation upon the subject.

Adopted.

On motion of Mr. Cloud,

The engrossing and enrolling Clerks were directed to copy the report of the Superintendent of Public Instruction, for the use of the Committee on Ways and Means.

Mr. Larimer, with leave, introduced

House File No. 40,

A bill for an act to define the boundaries of the seventh judicial district, and fixing the time of holding courts therein.

Read a first time, and

On motion of Mr. Cloud,

The bill was read a second time, and

Referred to the Committee on the Judiciary.

Mr. Larimer, also with leave, introduced

House File No. 41,

A bill for an act to establish the twelfth judicial district, and fixing the time of holding courts therein.

Read a first time, and

On motion of Mr. Cloud,

The forty-second rule was suspended, the bill read a second time, and

Referred to the Committee on the Judiciary.

The House adjourned.

WEDNESDAY MORNING, DECEMBER 10, 1856.

House met pursuant to adjournment.

Prayer by the Chaplain.

Journal read and corrected.

Messrs. Mills and Lothian obtained leave to record their votes in favor of the passage of

House File No. 2,

Joint resolution in relation to the admission of Kansas.

Message from the Senate,

By their Secretary.

MR. SPEAKER:

I am directed by the Senate to transmit to you the report of the Superintendent of Public Instruction to the General Assembly, the same having been read in the Senate and three thousand copies ordered to be printed for the use of the General Assembly.

CHAS. C. NOURSE,

Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed

Senate File No. 12,

A bill for an act legalizing the articles of incorporation of the Dubuque and Bellevue Railroad Company;

In which the Senate asks the concurrence of the House of Representatives.

CHARLES C. NOURSE,

Secretary Senate.

PETITIONS AND MEMORIALS PRESENTED.

By Mr. Price,

The petition of citizens, praying for the location of a State road from Iowa City to Indianola, in Mahaska county,

Referred to the Committee on Roads and Highways.

By Mr. Mills,

The petition of Wm. Lundy and thirty others, praying for an alteration in a State road.

Referred to the Committee on Roads and Highways.

By Mr. Barker,

The petition of citizens, praying for an increase of pay to jurors.

Referred to the Committee on Compensation of Officers.

By Mr. Finney,

The petition of citizens of Blakesburg, praying for a change of the name of that town to that of Cleveland.

Referred to a select committee, composed of Messrs. Finney, Franklin and Stanton.

RESOLUTIONS.

By Mr. Hardie,

That the Committee on the Judiciary be instructed to enquire into the expediency of enacting a general law on the subject of hogs and cattle running at large, with a view to the avoidance of special legislation on said subject; and if, in the opinion of the committee, the same should be deemed to be expedient they will report a bill to that effect.

On motion of Mr. Perry,

The Committee on Agriculture was inserted instead of the Committee on Judiciary.

Mr. Jones moved to strike from the resolution the word "cattle."

Lost.

Mr. Green moved to amend so as to include all stock.

Lost.

The question recurring upon the adoption of the resolution,

It was carried.

By Mr. Wyatt,

Resolved, That the chief clerk be requested to furnish a pan or vessel for each stove in this hall for the purpose of containing water to keep the air of the hall from becoming dry.

Adopted.

REPORTS OF COMMITTEES.

By Mr. Dorland,

The Committee on Schools and State University, to whom was referred the petition of Francis B. Wilkie and others, praying the Legislature to make an appropriation for the purpose of furnishing each school district in the State with a series of school books on Phonotypy, have had the same under consideration, and while the Committee are satisfied of the utility of the proposed reform, and would recommend it to the favorable consideration of members of the House; they are of opinion that on account of the subject being a new one to a large majority of the people of this State, it would be premature to make such an appropriation at this time.

WILLET DORLAND,
Chairman.

Mr. Wooden from the Committee on the Judiciary, to whom was referred

House File, No. 40,

A bill to define the boundaries of the seventh judicial district,
Reported the same back without amendment, and recommended its passage.

Whereupon,

On motion of Mr. Franklin,

The forty-second rule was suspended, the bill read a third time, passed, and the title agreed to.

Also,

House File No. 41,

A bill to establish the twelfth judicial district, without amendment, and recommended its passage.

Whereupon,

On motion of Mr. Larimer,

The forty-second rule was suspended, the bill read a third time, passed, and the title agreed to.

Also,

House File No. 13,

An act to change the boundaries of the ninth judicial district.
The amendment was adopted, and the bill ordered to be engrossed and read a third time to-morrow.

Also,

House File No. 7,

An act to extend the authority of Justices of the Peace, with the recommendation that it be indefinitely postponed.

On motion of Mr. Barner,

The report was re-committed to the committee on Judiciary.

Message from the Senate,

By their Secretary, Mr. Nourse.

MR. SPEAKER :

I herewith present for your signature a joint resolution of the General Assembly, authorizing the joint committee upon the Des Moines River Improvement affairs to employ a clerk and send for persons and papers, the same having passed both branches of the General Assembly.

CHAS. C. NOURSE,
Secretary.

Mr. Wooden,

From the Committee on Judiciary, also reported back

House File, No. 10,

A bill to repeal an act therein named,

With the recommendation that the same be referred to the committee on Ways and Means.

In which recommendation,

The House refused to concur.

On motion of Mr. Mills,

The bill was referred to the Committee on Roads and Highways.

Mr. Larimer,

From the committee on enrolled bills, reported

House Files No. 4 and 5,

As correctly enrolled.

BILLS INTRODUCED AND READ A FIRST TIME.

By Mr. Bailey,

House File No. 42,

A bill to restrain swine from running at large in the counties of Black Hawk and Buchanan.

By Mr. Hardie, of Dubuque,

House File No. 43,

A bill to repeal an act entitled an act for the suppression of intemperance.

By Mr Wing,
House File No. 44,

A bill for an act to exempt from taxation the permanent fair grounds of agricultural societies.

By Mr. Hershberger,
House File No. 46,

A bill for an act to regulate the collection of road taxes.

Also,

House File No. 46,

A bill for an act to amend an act in relation to county recorders and treasurers.

By Mr. Cort,
House File No. 47,

An act to exempt certain property from taxation.

The Speaker presented the biennial report of the Superintendent of Public Instruction,

Which was read by order of the House.

On motion,
The House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

On motion of Mr. Holmes,

House File No. 18,

A bill to repeal Chapter 37 of the acts of the fourth General Assembly of the State of Iowa, was suspended.

BILLS ON THEIR SECOND READING.

House File, No. 26,

THURSDAY MORNING, DECEMBER 11th, 1856.

House met pursuant to adjournment.

Prayer by the Chaplain.

Journal of yesterday read and approved.

PETITIONS AND REMONSTRANCES PRESENTED.

By Mr. Noble,

The memorial of members of the Bar of Delaware county, asking for an amendment of section 238 of the code of Iowa,

Which,

On his motion,

Was referred to the committee on the Judiciary, with instructions to report, at an early day, a bill repealing the last clause of the section referred to in the memorial.

RESOLUTIONS OFFERED.

By Mr. Rodman,

Resolved, That the committee on Schools and State University be instructed to enquire into the expediency of attaching to the State University a gymnasium, for the purpose of instructing the students in gymnastic exercises.

Adopted.

REPORTS OF COMMITTEES.

Mr. Bigelow, from the committee on Engrossed Bills, reported,

House File, No. 13,

An act to change the boundaries of the ninth judicial district.

Also,

House File, No. 19,

A bill for an act for the relief of David Hain.

Also,

Substitute for

Senate File No. 12,

An act to provide for the election of an additional Justice of the Peace in Center township, Decatur county, Iowa, as correctly engrossed.

Mr. Davis, from the committee on Public Buildings, reported,
House File No. 48,

A bill providing for improvements in the State Penitentiary,
Which was read a first time.

Mr. Barner submitted the following report :

MR. SPEAKER :—

The committee to whom was referred the bill for "an act providing for the election of an additional Justice of the Peace in Davenport township, in Scott county," have instructed me to return the bill, with the following amendment, and recommend its passage.

II. G. BARNER.

The amendment was agreed to and the bill ordered to be engrossed and read a third time to-morrow.

Mr. Richardson, from the committee on county and township organizations, reported back

House File No. 17,

And recommended its passage.

Also,

House File, No. 22,

With the same recommendation.

Ordered to be engrossed and read a third time to-morrow.

BILLS INTRODUCED AND READ A FIRST TIME.

By Mr. Franklin,

House File, No. 49,

A bill for an act authorizing the school commissioner in Wapello county to pay school money to school district No. 2, in Washington township, in Wapello county.

On motion of Mr. Franklin,

The rule was suspended, the bill read a second and third times, passed and the title agreed to.

By Mr. Moer, of Mills,

House File No. 50,

A bill to incorporate the town of Glenwood, in Mills county.

By Mr. Price,

House File, No. 51,

A bill to establish a certain road therein named.

By Mr. Gillett,

House File, No. 52,

A bill further to protect the right of suffrage.

By Mr. Dorland,

House File, No. 53,

An act to abolish capital punishment in the State of Iowa.

On motion of Mr. Fry,

The committee on the Des Moines Improvement were excused from five to seven.

The Chair appointed Messrs. Roberts and Galbraith members of said committee.

Mr. Sawyer, with leave,

From the committee on Agriculture, submitted the following report :

MR. SPEAKER :

The committee to whom was referred,

House File No. 31,

Have had the same under consideration, and instruct me to report the same back to the House with the following amendment :

That the words, "within two days," be added to the second line in the second section of said bill.

THOMAS SAWYER,
Chairman.

On motion of Mr. Hardie, of Dubuque,

The bill and amendment was laid upon the table.

Mr. Speaker presented a communication from the Superintendent of Public Instruction,

Which was read by order of the House.

Mr. Cloud moved that the communication be returned to the Superintendent with the request that he erase all that part casting imputations upon His Excellency, the Governor.

Upon which question,

Mr. Franklin demanded the yeas and nays,

Which were as follows :

Yeas 13, Nays 51.

YEAS—

Messrs. Bailey, Bryson, Barner, Cloud, Dorland, Fry, Green, Hershberger, Inskeep, Price, Roberts, Wooden, Wright of Cedar—13.

NAYS—

Messrs. Arnold, Barker, Bigelow, Bottorf, Bowen, Clausen, Clark, Copeland, Cort, Davis, Doud, Finney, Franklin, Galbraith, Gillett, Gossage, Hardie of Dubuque, Hardy of Van Buren, Holmes, Jones, Jordan, Kirkpatrick, Kelsay, Kurtz, Lewis, Lothian, Larimer, McDow, Milliser, Mills, Mendenhall, Moer of Mills, Moore of Dubuque, Noble, Pease, Perry, Reeder, Richardson, Rodman, Sawyer, Scoville, Stanton, Sullivan, Thomas, Van Valkenburgh, Williams, Wilson of Webster, Wilson of Mahaska, Wing, Wyatt, Speaker—51.

Message from the Senate,
By their Secretary.

MR. SPEAKER:

I herewith present for your signature,
Senate File, No. 2,

A bill for an act to exempt certain lots in Dubuque, the property of the United States, from taxation.

Said bill having passed both branches of the General Assembly, and been correctly enrolled.

CHAS. C. NOURSE,
Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills; in which it asks the concurrence of the House of Representatives.

Senate File No. 18,

A bill for an act relating to depositions.

Also,

Senate File, No. 29,

A bill for an act reducing the width of certain State roads therein named.

Also,

Senate File No. 32.

A bill for an act vacating the public square in the town of Mt. Vernon, Linn county, Iowa.

CHARLES C. NOURSE,
Secretary Senate.

On motion of Mr. Franklin,
The communication of the Superintendent of Public Instruction was laid upon the table.

BILLS ON THEIR SECOND READING.

House File, No. 42,
Referred to the committee on Agriculture.

House File, No. 43,
Mr. Hardie moved it be referred to the committee of the Whole House, and be made the special order of business for Saturday, two o'clock, P. M.

Lost.

Mr. Cloud moved the bill be laid upon the table,

Whereupon,

Mr. Hardie demanded the yeas and nays,

Which were as follows :

Yeas 34, Nays 28.

YEAS—

Messrs. Arnold, Bailey, Bryson, Clausen, Cloud, Copeland, Davis, Dorland, Edmundson, Finney, Fry, Gillett, Green, Herslberger, Holmes, Inskeep, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Noble, Price, Perry, Richardson, Roberts, Stanton, Thomas, Williams, Wilson, of Mahaska, Wing, Wooden, Wright of Cedar, Speaker—34.

NAYS—

Messrs. Barker, Bigelow, Bottorf, Bowen, Clark, Cort, Doud, Franklin, Galbraith, Gossage, Hardie, of Dubuque, Hardy, of Van Buren, Jordan, Kelsay, Larimer, McDow, Milliser, Mendenhall, Moore, of Dubuque, Pease, Reeder, Rodman, Sawyer, Scoville, Vanvalkenburgh, Wilson, of Webster, Wyatt—28.

House File, No. 44,
Referred to the committee on Agriculture.

House File, No. 45,
Referred to the committee on Ways and Means.

House File, No. 46,
Referred to the committee on the Judiciary.

House File, No. 46,
Referred to a select committee, composed of Messrs. Cort, Arnold, Edmundson, Scoville and Clausen.

BILLS ON THIRD READING.

House File No. 13,
A bill to change the boundaries of the ninth Judicial District.
Passed and the title agreed to.

House File No. 39,
A bill for the relief of David Hain.
Passed and the title agreed to.

Substitute for
Senate File, No. 12,
A bill providing for the election of an additional Justice of the Peace in Center township, Decatur county, passed, and the title agreed to.

Senate File, No. 13,
A bill authorizing the county Judge of Benton county, to transcribe the records of said county.
Passed, and the title agreed to.

Senate File, No. 19,
An act to vacate a State road in Primrose, in Lee county.
Passed, and the title agreed to.

Mr. Larimer was excused from serving on the committee on Enrolled Bills.

The Speaker appointed Mr. Brown a member of said committee. The House then adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

The special order of business being

House File No. 35,

A bill creating the office of county assessor and defining the duties of the same,

On motion of Mr. Dorland,

The House resolved itself into a committee of the Whole House for the consideration of the same.

Message from the Senate,

By their Secretary.

MR. SPEAKER:—

I am directed by the Senate to inform the House of Representatives that the Senate adhere on their amendment to

House File No. 3,

A bill for an act to amend chapter 66, of the code of Iowa, entitled school lands and funds,

To which the House has disagreed, and that the Senate request a conference to the matter of disagreement, and appointed Senators Saunders, Coolbaugh and Cleaver, managers of the conference on the part of the Senate.

CHARLES C. NOURSE,
Secretary Senate.

Four o'clock, P. M., the committee rose and reported the bill back with the recommendation that it be

Referred to the Committee on Ways and Means.

Report adopted.

The Senate having refused to recede from their amendment to House File, No. 3,

And having appointed a committee of conference,

On motion of Mr. Cloud,

A committee was appointed, on the part of the House, to confer with the said committee in relation to said bill.

The Chair appointed Messrs. Cloud, Bailey and Franklin, the committee.

On motion of Mr. Lothian,
Senate File No. 12,

A bill to vacate the public square in the town of Mt. Vernon, Linn county, was taken up.

The forty-second rule was then suspended, the bill read a second and third times, passed, and the title agreed to.

On motion,
The House adjourned.

FRIDAY MORNING, DECEMBER 10, 1856.

House met pursuant to adjournment.

Prayer by the Chaplain.

Journal read and approved.

RESOLUTIONS OFFERED.

By Mr. Wyatt,

House File No. 54,

Joint resolution in relation to swamp and overflowed lands.

Read a first time, and

On motion of Mr. Wyatt,

The forty-second rule was suspended, the resolution read a second and third times, passed, and the title agreed to.

By Mr. Bigelow,

House File No. 55,

Memorial to Congress, praying for a grant of land to aid in the construction of the McGregor's, St. Peter's and Missouri River Railroad.

On motion of Mr. Rodman,

The forty-second rule was suspended, the memorial read a second time, by its title, and

Referred to the Committee on Railroads.

By Mr. Inskeep,

Resolved, That the Judiciary Committee be instructed to enquire into the expediency of purchasing an additional number of Iowa State Reports for the use of the State.

Adopted.

By Mr. Clark,

Resolved, That 3,000 copies of the Report of the Superintendent of Public Instruction, be published for the use of this House.

Mr. Dorland offered the following substitute :

Resolved, That this House concur in the resolution of the Senate directing 3000 copies of the Report of the Superintendent of Public Instruction to be printed for the use of the General Assembly : 2000 copies of said report to be appropriated to the use of the members of this House.

Lost.

The question recurring upon the adoption of the resolution,
It was carried.

REPORTS OF COMMITTEES.

Mr. Bigelow,

From the Committee on Engrossed Bills, reported
House File No. 29,

An act providing for the election of an additional Justice of the Peace in Davenport township, in Scott county.

Also,

A bill to amend an act providing for the election of Supervisors and defining their duties, as correctly engrossed.

S. BIGELOW,
Chairman.

Mr. Bowen,

From the committee on Enrolled Bills, reported back that he had presented to the Governor for his signature

House Files No. 4, and 5.

By Mr. Barner,

The committee to whom was referred the bill for "an act authorizing the sub-division of lands in this State," have instructed me to

return the same with the following amendment, and recommend its passage.

Amend by inserting the words "and course" after the word length, in the first section.

The amendment was concurred in.

Mr. Sawyer,
From the committee on Agriculture, reported back
House File No. 42,
With the recommendation that it pass.

Also,

House File No. 30,
With the recommendation that it be indefinitely postponed.

Mr. Jones moved to amend by referring the bill to the committee of the Whole House, and making it the special order for Friday next, at two o'clock, P. M.

Carried.

Mr. Sawyer
Also reported back

House File No. 36,

With the recommendation that it be referred to the committee of the Whole House.

Adopted.

On motion of Mr. Wright, of Cedar,

It was made the special order for Tuesday next, at two o'clock, P. M.

Mr. Sawyer

Also reported back

House File No. 44,

With the recommendation that it be passed.

Mr. Milliser,

From the committee on Roads and Highways, reported back

House File No. 11,

With one amendment,

Which amendment was concurred in, and the bill ordered to be engrossed, and read a third time to-morrow.

Also,

House File No. 16,

Without amendment, and recommended its passage.

Mr. Hardie

Moved it be re-committed to the committee, with instructions to report a general omnibus bill on the subject of roads.

Lost.

The bill was then ordered to be engrossed and read a third time to-morrow.

Message from the Senate,
By their Secretary, Mr. Nourse.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed

A concurrent resolution, providing for a joint committee to investigate the condition of the school funds of the State.

Also,

A concurrent resolution, containing instructions to joint committee on Des Moines River affairs.

Also,

The Senate has passed
Senate File No, 38,

A bill for an act to vacate an alley in Keosauqua, Iowa,
In which the Senate asks the concurrence of the House of Representatives.

CHAS. C. NOURSE,
Secretary.

On motion of Mr. Barker,
House File No. 44,

Was taken from the table and ordered to be engrossed and read a third time to-morrow.

The House then adjourned.

TWO O'CLOCK, P. M.

House met.

The special order of business being the consideration of
House File No. 18,

A bill for an act to repeal chapter eighty seven of the laws of the
Fourth General Assembly,

On motion of Mr. Holmes,

It was suspended.

Mr. Wright, of Cedar, offered the following:

WHEREAS, It has pleased the Ruler of the Universe, in His all-wise and mysterious Providence, to call from time to eternity, the Hon. E. M. WRIGHT, member elect of this House from the thirty-first district,

Therefore, be it

Resolved, That we express our deep and heartfelt regret at the loss from earthly usefulness, of one of our honored members, and hereby tender the condolence and sympathy of this House to his bereaved wife and family.

Resolved, That the chief clerk of this House transmit a copy of this preamble and resolution to the widow of the deceased.

Mr. Wing was excused from attendance upon the House.

Mr. Milliser,

From the committee on Roads and Highways, reported back
House Files No. 14, 9, 20 and 19,

With the recommendation that they be passed.

The bills were severally ordered to be engrossed,

Also,

House Files No 26, 27 and 28,

With the recommendation that they pass, with the following amendment to each:

“That the State shall not be responsible for any expenses created or growing out of the establishment of said road,”

Which amendments were concurred in and the bills ordered to be engrossed and read a third time to-morrow.

BILLS ON THEIR SECOND READING.

House File No. 50,

Ordered to be engrossed and read a third time to-morrow.

House File No. 48,

On motion of Mr. Cloud,
It was laid upon the table.

House File No. 51,

Referred to the Committee on Roads and Highways.

House File No. 52,

Mr. Gillett moved to refer the bill to the committee on Elections.
Carried.

House File No. 53,

On motion of Mr. Holmes,
It was referred to the committee of the Whole House and made
the order of business for Wednesday next, at two o'clock P. M.

BILLS ON THIRD READING.

House File No. 17,

A bill for an act to legalize the organization of Ringgold county
and the election and official acts of its officers.

Passed and the title agreed to.

House File No. 12,

A bill for an act providing for the election of Supervisors and de-
fining their duties.

On motion of Mr. Cloud,
It was indefinitely postponed.

House File No. 29,

A bill for an act providing for the election of an additional justice
of the peace in Davenport township, Scott county.

Passed and the title agreed to.

On motion of Mr. Cloud,

The concurrent resolution of the Senate, providing for a joint
committee to investigate the condition of the school fund, was taken
up and agreed to.

On motion of Mr. Holmes,
The blank was filled, (on the part of the House,) with the word
five.

BILLS INTRODUCED AND READ A FIRST TIME.

By Mr. Jones,
House File No. 46,
A bill for an act providing for the publication of lost goods and
estrays.

By Mr. Thomas,
House File No. 57,
A bill for an act to further define the duties of county judges.

By Mr. Sullivan,
House File No. 58,
A bill for an act to amend an act entitled an act relating to evi-
dence.

By Mr. Davis,
House File No. 59,
A bill for an act for the relief of Wm. W. Williamson.

Mr. Moore, of Dubuque, with leave, introduced the following :
Resolved, That a committee of three of the members of this
House be appointed to draft a general law in regard to stray ani-
mals, and report to this House on or before this question shall be
discussed in this House in committee of the Whole.

Adopted.

On motion of Mr. Dorland,
The House resolved itself into a committee of the Whole House
to consider

House File No. 36,
A bill for an act to repeal chapter 37, of the laws of the Fourth
General Assembly.

Message from the Senate.

MR. SPEAKER :
I herewith return
House File No. 3,

A bill for an act to amend chapter 66 of the code of Iowa, entitled school lands and funds, the same having passed the Senate with an amendment as reported by the conferences agreed upon by the Senate and House of Representatives.

CHAS. C. NOURSE,
Secretary.

MR. SPEAKER:

I herewith present for your signature the following bills, the same having passed both branches of the General Assembly, and have been enrolled by the Senate.

Senate File, No. 11,

A bill for an act authorizing the county Judge of Benton county, Iowa, to transcribe the records of said county.

Also,

Senate File No. 32,

A bill for an act vacating a public square in Mt. Vernon, Linn county, Iowa.

Also,

Senate File No. 19,

A bill for an act to vacate part of a State road at Primrose, Lee county,

CHAS. C. NOURSE,
Sec'y Senate.

At four o'clock and fifty minutes, the committee rose, reported progress, and recommended the indefinite postponement of the bill.

Mr. Hardie

Moved the House adjourn.

Lost.

Mr. Hardie

Moved a call of the House.

Mr. Cloud

Moved that further proceedings under the call be dispensed with.
Carried.

Mr. Brown

Moved the House adjourn.

Lost.

The question being upon concurring in the report of the committee of the Whole House,

Mr. Binglew demanded the yeas and nays,
Which were as follows,
Yeas 46, nays 14.

YEAS—

Messrs. Arnold, Bryson, Bottorf, Bowen, Clausen, Cloud, Copeland, Cort, Davis, Dorland, Doud, Edmundson, Finney, Fry, Gillett, Green, Griswold, Gossage, Hardy of Van Buren, Hershberger, Holmes, Kirkpatrick, Kurtz, Lewis, Lothian, McDow, Milliser, Mills, Mendenhall, Moer of Mills, Noble, Pease, Perry, Reeder, Richardson, Roberts, Sawyer, Scoville, Stanton, Sullivan, Thomas, Van Valkenburgh, Williams, Wilson of Mahaska, Wyatt, Speaker—46.

NAYS—

Messrs. Bailey, Barker, Barner, Bigelow, Hardie of Dubuque, Jones, Jordan, Kelsay, Larimer, Moore of Dubuque, Rodman, Wilson of Webster, Wooden, Wright of Cedar—14.

On motion,
The House adjourned.

SATURDAY MORNING, DECEMBER 13th, 1856.

House met pursuant to adjournment.
Prayer by the Chaplain.
Journal of yesterday read and approved.

RESOLUTIONS OFFERED.

By Mr. Wright,

Resolved, That the Senate be requested to furnish the House of Representatives with a copy of the communication from the Governor, stating his reasons for not furnishing the Superintendent of Public Instruction with the necessary papers to enable him to draw the 5 per cent. fund.

Adopted.

By Mr. Gossage,
House File No. 60,
Joint resolution asking for additional mail facilities.

REPORTS OF COMMITTEES.

Mr. Bigelow,
From the committee on Engrossed Bills, reported
House Files No. 33, 16, 27, 44, 28 and 42,
As correctly engrossed.

Mr. Cloud,
From the committee on Railroads, reported back
House File No. 55,
A memorial to Congress, asking for a grant of land to aid in the construction of the McGregors, St. Peters and Missouri river railroad, and recommended its passage.

On motion of Mr. Cloud,
House File No. 3,
A bill for an act to amend chapter 66 of the code of Iowa, entitled school land and funds,
Was taken up with the amendment of the committee of conference, and the amendment concurred in.

Mr. Mills,
From the committee on Roads and Highways, reported back
House File No. 8,
And recommended its passage.
Also,
House File No. 31,
And recommended its passage, with the following amendment:
"Add to the third section after the word publication, 'in location,'"

Which amendment was concurred in by the House.

Also,
House File No. 51,
And recommended its passage, with the following amendment:
Add to the last section the words "Provided that no expense be incurred by the State in the location of said road."

Also,
Substitute for

House File No. 38,

With the following amendment :

First. Strike out the fourth section.

Second. Add after the word "Publication," in No. 6, the words "Iowa City Republican," and "Ottunwa Courier."

Third. Number the sections to correspond with the first amendment.

The amendments were concurred in, and the bill ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Wyatt,

House File No. 21,

A bill for an act to prevent swine from running at large in Harrison and Monona counties,

Was taken from the table, and ordered to be engrossed and read a third time to-morrow.

BILLS INTRODUCED AND READ A FIRST TIME.

By Mr. Green,

House File No. 61,

A bill for an act to regulate mills and millers.

By Mr. Jones,

House File No. 62,

A bill for an act authorizing the school commissioner of Warren county to pay certain moneys.

By Mr. Roberts,

House File No. 63,

A bill for an act to locate and establish permanently an asylum for the deaf and dumb.

By Mr. Hershberger,

House File No. 64,

A bill for an act to provide for county, State and school Revenue.

On motion of Mr. Wooden,

The bill was laid upon the table and 200 copies ordered to be printed for the use of the House.

Mr. Mendenhall moved to reconsider the vote last taken.

Lost.

By Mr. Wilson, of Webster,

House File No. 65,

A bill for an act to create the county of Hamilton.

On motion of Mr. Holmes,

The forty-second rule was suspended, the bill read a second time by its title and referred to the committee on new counties.

By Mr. Clausen,

House File No. 65,

A bill for an act to provide for the incorporation of religious societies.

On motion of Mr. Clausen,

The forty-second rule was suspended, the bill read a second time by its title, and referred to the committee on charitable institutions.

Senate File No. 25,

A bill for an act in relation to depositions,

The forty-second rule was suspended, the bill read a second time and

Referred to the Committee on the Judiciary.

Senate File No. 25,

A bill for an act legalizing the articles of incorporation of the Du-
buque and Bellevue Railroad Company and for other purposes.

Senate File No. 29,

A bill for act reducing the limits of certain roads therein named.

Senate File No. 28,

A bill for an act to vacate an alley in Keosauqua.

Mr. Holmes, with leave, introduced the following resolution:

Resolved, That a committee of three be appointed to inquire into the expense incurred in doing the printing of the State, and that the committee be directed to report a bill amendatory to the laws in relation to State printing, if such amendment is deemed necessary.

Mr. Hardie, of Duluque, moved to amend by inserting, "The committee on Printing."

Carried.

The question then recurring upon the adoption of the resolution, It was carried.

On motion of Mr. Cloud,

The concurrent resolution of the Senate, instructing the joint committee on the Des Moines River Improvement,

Was taken up, and agreed to, and

On motion of Mr. Roberts,

One hundred copies ordered to be printed for the use of the committee.

Mr. Speaker announced Messrs. Cloud, Hardie, of Dubuque, Davis, Van Valkenburgh and Kirkpatrick the joint committee on the part of the House to investigate the affairs of the Superintendent of Public Instruction.

Also,

Messrs. Franklin, Moore, of Dubuque, and Mordan as a special committee to report a bill on the subject of estrays.

BILLS ON THEIR SECOND READING.

House File No. 56,
Referred to the committee on Estrays.

Senate File No. 57,
Referred to the Committee on the Judiciary.

House File No. 58,
Referred to the committee on the Judiciary.

House File No. 59,
Referred to the committee on the Judiciary.

BILLS ON THIRD READING.

House File No. 16,
An act to locate a State road in Monona county.
Passed and the title agreed to.

House File No. 33,
A bill for an act authorizing the subdivision of lands in this State.
Passed and the title agreed to.

Mr. Wright, with leave introduced,

House File No. 67,

A bill for an act concerning roads,

And on his motion,

The forty-second rule was suspended, the bill read a second time by its title, and

Referred to the Committee on Roads and Highways.

Mr. Franklin, with leave, introduced the following resolution :

WHEREAS, Certain allegations in reference to certain combinations by certain State officials, in the sale and purchase of certain school lands, have become public rumor,

Therefore, be it

Resolved, by the House of Representatives, That the Superintendent of Public Instruction be and is hereby required to furnish to this House copies of any correspondence between the Superintendent and the Register of the State Land Office, and Secretary of the Board of Trustees of the State University.

Adopted.

Mr. Bowen

From the Committee on Enrolled Bills, reported that they had examined

House File No. 3,

And found the same correctly enrolled.

On motion of Mr. Wooden, it was

Resolved, That when the House adjourn, it stand adjourned until Monday morning, ten o'clock.

On motion of Mr. Barker,

House File No. 44,

A bill for an act to exempt from taxation the permanent fair grounds of Agricultural Societies and Associations,

Was taken up,

And re-committed to the committee on Charitable Institutions, with instructions to strike out the words "and Associations," in the first section of the bill, and insert in the same section, the word "incorporated" before the words "Agricultural Societies."

Mr. Edmundson, with leave, introduced

House File No. 68,

A joint resolution, asking for additional mail facilities in Iowa, Which was read a first time.

The House then adjourned.

MONDAY MORNING, DECEMBER 15, 1856.

House met pursuant to adjournment.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Rogers, representative elect from Scott county, being present, subscribed the oath of office and took his seat.

Mr. Moer, of Mills,

Presented the petition of sundry citizens of Mills county, praying that a branch of the State University may be located at or near the town of Glenwood in Mills county,

Which, on his motion,

Was referred to the committee on Schools and State University.

Mr. Bigelow made the following report:

The committee on engrossed bills, having examined the same, report

House File No. 26,

A bill for an act to locate a State road from Boonesboro to the Minnesota line.

Also,

House File No. 9,

An act to establish a State road from Council Bluffs City to Sioux City, Woodbury county, Iowa.

Also,

House File No. 14,

An act establishing a State road from Bell's Mill, in Pottawattomie county, to Correctionville, in Woodbury county.

Also,

House File No. 20,

An act establishing a State road from Panora, in Guthrie county, to Soldier Creek, in Harrison county.

Also,

House File No. 19,

An act establishing a State road from Adams' and Swett's bridge, in Shelby county, to Magnolia, in Harrison county.

Also,

House File No. 55,

A memorial to Congress for a grant of land to aid in the construction of the McGregor's, St. Peters and Missouri River Railroad,

And find them correctly engrossed.

BIGELOW,
Chairman.

Mr. Green,

From the Committee on Elections, reported a substitute for House File No. 52,

A bill for an act further to protect the right of suffrage.

Read a first time, and

Adopted.

Mr. Bowen,

From the Committee on Enrolled Bills, reported

House File, No. 3,

As having been presented to the Governor for his approval.

Mr. Noble, with leave, introduced

House File No. 69,

A joint resolution, asking for information from the Governor and the Secretary of State, in relation to asylums for the blind and deaf and dumb.

Read a first time.

Mr. Mills,

From the Committee on Roads and Highways, reported a substitute for

House File No. 34,

And recommended its passage.

The substitute was

Adopted.

Mr. Wooden,

From the Committee on the Judiciary, reported back

House File No. 58,

A bill for an act to amend an act entitled an act in relation to evidence,

And recommended its indefinite postponement.

The report was concurred in.

Mr. Roberts,

From the committee on New Counties, reported back

House File No. 65,

A bill for an act to create the county of Hamilton, and recommended its passage.

The bill was ordered to be engrossed and read a third time tomorrow.

Mr. Finney,

From the select committee to whom was referred the petition of citizens of Blakesburg, asking for a change in the name of that town, reported back

House File No. 70,

A bill for an act to change the name of Blakesburg to Cleveland, Which was read a first time.

Mr. Franklin,

From the committee on the Judiciary, reported back

House File No. 46,

A bill for an act to amend an act relating to county Recorders and Treasurers, and recommended its indefinite postponement.

The report was adopted.

Mr. Wooden,

From the Committee on Claims, reported back

House File No. 59,

A bill for an act for the relief of W. W. Williamson, and recommended its passage.

On motion of Mr. Barker,

The bill was re-committed to the committee on Ways and Means.

Mr. Wooden also reported back

House File No. 13,

A bill for an act to define the boundaries of the sixth judicial district, with an amendment, which amendment was concurred in, and the bill ordered to be engrossed and read a third time tomorrow.

Also,

House File No. 7,

A Bill for an act to extend the authority of Justices of the Peace,
and recommend its indefinite postponement.

Report adopted.

Mr. Cort,

From the committee to whom was referred

House File No. 37,

A bill for an act to exempt certain property from taxation,
Reported the same back without amendment and recommended its
passage.

Ordered to be engrossed and read a third time to-morrow.

Message from the Senate,

By their Secretary.

MR. SPEAKER:

I am directed to inform the House of Representatives that the
Senate has ordered the following printing, to-wit:

200 copies of the report and bills transmitted by the commission-
ers appointed to revise the school laws.

Also,

100 copies of the report of the Inspectors of the Iowa Peniten-
tiary.

Also,

3000 copies of the reply of the Governor to the statement of the
Superintendent of Public Instruction in relation to the five per cent
fund.

Also,

300 copies of

Senate File No. 22,

A bill for an act for the more equal valuation of real property.

CHARLES C. NOURSE,

Secretary Senate.

On motion of Mr. Mills,

It was ordered that

400 copies of the report of the committee appointed to revise the
school laws, and

3,000 copies of the reply of the Governor to the charges of the
Superintendent of Public Instruction,

Be printed for the use of this House.

BILLS INTRODUCED AND READ A FIRST TIME.

By Mr. Moer, of Mills,

House File No. 71,

A bill for an act to establish a branch of the State University at or near Glenwood, in Mills county,

On motion of Mr. Mills,

The forty-second rule was suspended, the bill read a second time by its title, and

Referred to the committee on Schools and State University.

By Mr. Barker,

House File No. 72,

A bill for an act supplemental to an act entitled an act to accept the grant of land to the State of Iowa.

On motion of Mr. Barker,

The forty-second rule was suspended, the bill read a second time and

Referred to the committee on Railroads.

By Mr. Clausen,

House File No. 73,

A bill for an act to establish certain roads therein named.

By Mr. Barner,

House File No. 74,

A bill for the preservation of game in the State of Iowa.

Mr. Green moved the bill be rejected.

Lost.

By Mr. Galbraith,

House File No. 75,

A bill for an act to incorporate the town of Centreville.

On his motion,

The forty-second rule was suspended, the bill read a second time and referred to the committee on Incorporations.

By Mr. Gossage,

House File No. 76,

A bill for an act to regulate shows, menageries, &c.

BILLS ON THEIR SECOND READING.

House File No. 60,
Ordered to be engrossed, and read a third time, to-morrow.

House File No. 61,
A bill for an act to regulate mills and millers.

Mr. Jordan offered a substitute, and
On his motion,
The bill and substitute were
Referred to the committee on Agriculture.

House File No. 62,
Ordered to be engrossed, and read a third time, to-morrow.

House File No. 63,
Referred to the Committee on Charitable Institutions,
With instructions to report as soon as practicable.

House File No. 68,
Ordered to be engrossed, and read a third time, to-morrow.

Senate File No. 19,
It was referred to the committee on the Judiciary.

Senate File No. 25,
Referred to the Committee on Railroads.

Senate File, No. 29,
Referred to the Committee on Roads and Highways.

Senate File No. 38,
Referred to the Committee on Ways and Means.

BILLS ON THEIR PASSAGE.

House File No. 9,
A bill for an act to establish a State Road from Council Bluffs City to Sioux City.

House File No. 14,
A bill for an act to establish a State road from Reed's Mill, in Pottawattcmio county, to Centreville, in Woodbury county.

House File No. 20,

A bill for an act to establish a State road from Panora, in Guthrie county, to the mouth of Soldier Creek, in Harrison county.

House File No. 19,

A bill for an act to establish a State road from Adams' and Swett's bridge, in Shelby county, to Magnolia, in Harrison county.

House File No. 26,

A bill for an act to establish a State road from Boonesboro', to the State line.

House File No. 27,

A bill for an act to establish a State Road from Marietta, in Marshall county, to the Minnesota line.

House File No. 28,

A bill for an act to establish a State road from Cedar Falls to Sioux City.

House File No. 42,

A bill for an act to restrain swine from running at large in the counties of Buchanan and Blackhawk.

House File No. 55,

A memorial to Congress, praying for a grant of land to aid in the construction of the McGregor's, St. Peter's and Missouri River Railroad.

Mr. Hardie offered the following resolution :

Resolved, That the committee on Federal Relations be and are hereby instructed to report at as early a day as practicable upon the resolution referred to them, on the subject of the Governor's correspondence with the State Department at Washington, and citizens of Kansas, in reference to alleged abuses of former citizens of Iowa, now, or at the time of said correspondence, residents of Kansas Territory.

Mr. Arnold moved to lay the resolution upon the table,

Upon which question,

Mr. Hardie demanded the yeas and nays,

Which were as follows :

Yeas 33, nays 26.

YEAS—

Messrs. Arnold, Bailey, Bryson, Barner, Bigelow, Clausen, Copeland, Davis, Edmundson, Fry, Gillett, Green, Hershberger, Holmes, Inskeep, Jones, Kirkpatrick, Lewis, Lothian, Mills, Moer, of Mills, Mordan, Noble, Price, Reeder, Rodman, Rogers, Sawyer, Stanton, Thomas, Wilson, of Webster, Wooden—33.

NAYS—

Messrs. Barker, Bottorf, Bowen, Clark, Cort, Doud, Finney, Franklin, Galbraith, Griswold, Gossage, Hardie, of Dubuque, Hardy, of Van Buren, Jordan, Kelsay, Larimer, McDow, Milliser, Mendenhall, Moore, of Dubuque, Pease, Perry, Roberts, Scoville, Sullivan, Toll, Van Valkenburgh, Williams, Wilson, of Mahaska, Wyatt—29.

Mr. Edmundson, with leave, introduced

House File No. 77,

A bill for an act to repeal chapter sixty-one of the acts of the Fourth General Assembly of the State of Iowa,

Which was read a first time.

On motion of Mr. Wilson, of Webster,

House File No. 95,

A bill for an act to create the county of Hamilton,

Was taken up.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

On motion,

The House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Holmes, with leave, introduced

House File No. 78,

A bill for an act in relation to the construction of county buildings.

Read a first time.

Mr. Jones, with leave, introduced

House File No. 78,

Joint resolution in relation to additional mail facilities.

Read a first time.

Mr. Reeder was excused from attendance upon the House.

Mr. Bottorf, with leave, introduced

House File No. 80,

A joint resolution in relation to additional mail facilities.

Read a first time.

Mr. Gossage was excused from attendance upon the House on account of illness.

Mr. Mills,

From the committee on Roads and Highways, reported

House File No. 81,

A bill for an act to change the State road from Overman's ferry, in Muscatine county, to Washington ferry, in Cedar county.

Read a first time.

Mr. Bigelow,

From the committee on Engrossed Bills, reported

House File No. 50,

As correctly engrossed.

Mr. Moer, of Mills, with leave, introduced

House File No. 82,

A joint resolution in relation to additional mail facilities.

Read a first time.

Mr. Cort moved that the House dispense with smoking when the House is in session.

Adopted.

Mr. Mills,

From the committee on Roads and Highways, reported

House File No. 83,

A bill for an act to establish a certain road therein named,

With the recommendation that it pass.

Read a first time.

Mr. Gillett, with leave, introduced

House File No. 54,

A joint resolution in relation to additional mail facilities.

Read a first time.

Mr. Fry moved to adjourn.

Lost.

Mr. Inskeep offered the following:

Resolved, That the House, with the consent of the Senate, adjourn on Tuesday, the 19th inst., to meet again on the first Monday of January next.

On motion of Mr. Hardie,

The House resolved itself into a committee of the Whole House to consider the resolution.

At three o'clock, the committee rose and reported the resolution back to the House, and recommended its passage.

Mr. Wright moved to amend by adding, "Provided the members shall not receive any per diem compensation during the adjournment."

Mr. Clark moved a call of the House,

Which was sustained.

On motion of Mr. Hardie, of Dubuque,

Further proceedings under the call were suspended.

The question then recurring upon the amendment,

Mr. Franklin demanded the yeas and nays,

Which were as follows:

Yeas 10, nays 54.

YEAS—

Messrs. Arnold, Barker, Barner, Clausen, Edmundson, Green, Mills, Wooden, Wright of Cedar, Wyatt—10.

NAYS—

Messrs. Bailey, Bryson, Bigelow, Bottorf, Bowen, Clark, Copeland, Cort, Davis, Doud, Finney, Franklin, Fry, Galbraith, Gillett, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Hershberger, Holmes, Inskeep, Jones, Jordan, Kirkpatrick, Kelsay, Lewis,

Lothian, Larimer, McDow, Milliser, Mendenhall, Moer of Mills, Moore of Dubuque, Mordan, Noble, Pease, Price, Perry, Richardson, Roberts, Rodman, Rogers, Sawyer, Scoville, Stanton, Sullivan, Thomas, Toll, Van Valkenburgh, Williams, Wilson of Webster, Wilson of Mahaska, Wing, Speaker—54.

Mr. Scoville moved to amend by striking out "19th," and inserting "24th."

Lost.

Mr. Thomas moved to lay the resolution on the table.

Lost.

The question recurring upon the adoption of the resolution,

Mr. Franklin demanded the yeas and nays,

Which were as follows :

Yeas 34, Nays 30.

YEAS—

Messrs. Arnold, Barner, Copeland, Cort, Doud, Finney, Franklin, Fry, Green, Griswold, Hardy of Van Buren, Jones, Jordan, Kirkpatrick, Kelsay, Larimer, McDow, Mills, Mendenhall, Moore of Dubuque, Noble, Pease, Price, Roberts, Rodman, Rogers, Sawyer, Sullivan, Thomas, Van Valkenburgh, Williams, Wilson of Webster, Wilson of Mahaska, Speaker—34.

NAYS:—

Messrs. Bailey, Barker, Bryson, Bigelow, Bottorf, Bowen, Clausen, Clark, Davis, Edmundson, Galbraith, Gillett, Gossage, Hardie of Dubuque, Hershberger, Holmes, Inskeep, Lewis, Lothian, Milliser, Moer of Mills, Mordan, Perry, Richardson, Scoville, Stanton, Toll, Wooden. Wright of Cedar, Wyatt—30.

The House then adjourned.

TUESDAY, DECEMBER 16th, 1856.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Clancy.

Mr. Holmes rose to a question of privilege, in relation to the report of the proceedings of this House, as published in the Iowa Capital Reporter.

Message from the Senate,
By their Secretary.

MR. SPEAKER:

I am directed to inform the House of Representatives that the Senate has passed the following bills, in which the Senate asks the concurrence of the House.

Senate File No. 5,
A bill for an act regulating appeals in criminals cases.

Also,

Senate File No. 17,

A bill for an act to amend an act entitled an act requiring county judges to give bonds.

Also,

Substitute for

Senate File No. 29,

A bill for an act regulating changes of venue in criminal cases.

Also,

Senate File No. 25,

A bill for an act relating to evidence.

Also,

Senate File No. 25,

A bill regulating the service of original notices.

Also,

Senate File No. 53,

A bill for an act to locate a State road from Mt. Air, in Ringgold county, to Clarinda, in Page county.

Also,

Senate File No. 59,

A bill for an act to locate a State road from Clayton City to the Des Moines River.

I also herewith return

House File No. 54,

Joint resolution and memorial to Congress in relation to swamp and overflowed lands.

Passed the Senate without amendment.

I also return herewith

House File No. 49,

A bill for an act to authorize the school fund commissioner of Wapello county to pay certain moneys,

Which has passed the Senate with an amendment. in which the Senate asks the concurrence of the House of Representatives.

CHAS. C. NOURSE,

Sec'y Senate.

Messrs. Wilson, of Mahaska, and Toll, were excused from attendance upon the House.

Mr. Wooden offered the following resolution :

Resolved, That the Superintendent of the Institution for the Deaf and Dumb, is requested to give an exhibition of his class before the General Assembly, on Thursday evening, the 18th inst., and for that purpose the Hall of the House of Representatives is hereby tendered.

Adopted.

Mr. Scoville introduced

House File No. 85,

A joint resolution, asking for additional mail facilities.

Read first time.

On motion of Mr. Barker,

It was ordered that the names of members, and district and counties which members represent, be printed with the rules of this House.

Carried.

Mr. Cloud,

From the Committee on Ways and Means, to whom was referred
Senate File No. 18;

A bill for an act to vacate an alley in Keosauqua, reported the
same back with the recommendation that the same be referred to
the delegation from Vau Buren county.

Report concurred in, and the same so referred.

Mr. Cloud

From the Committee on Railroads, also reported back
Senate File, No. 25,

A bill for an act to legalize the articles of incorporation of the
Dubuque and Bellevue Railroad Company.

And recommended its passage.

Mr. Bigelow submitted the following Report:

The committee on Engrossed Bills, report

House File No. 62,

An act authorizing the school fund commissioner of Warren coun-
ty to pay certain moneys.

Also,

House File No. 37,

A bill for an act defining the boundaries of the Sixth Judicial Dis-
trict.

Also,

House File No. 47,

An act to exempt certain property from taxation.

Also,

House File No. 60,

Joint resolution asking additional mail facilities in the State of
Iowa,

Also,

House File No. 67,

Joint resolution asking a daily mail, in four horse coaches, from
Iowa City, through Fort Des Moines, to Council Bluffs.

Also,

House File No. 3,

An act establishing a State road from Dennison, in Crawford coun-
ty, to Monona, in Monona county.

Also,

House File No. 38,

A bill for an act to locate a State road from Centreville, in Appanoose county, to Ottumwa, in Wapello county.

Also,

House File No. 51,
A bill creating a certain State road therein named.

Also,

House File No. 31,
State road from Independence to New Hampton.

Also,

House File No. 34,
An act to authorize the re-survey of roads.

Also,

House File No. 52,
A substitute for an act to amend election returns.
And find the same correctly engrossed.

BIGELOW,
Chairman.

Mr. Finney, with leave introduced

House File No. 100,
A bill for an act to amend the charter of the City of Ottumwa.
Read a first time.

Mr. Mills,

From the committee on Roads and Highways, reported back
Senate File No. 29,
A bill for an act reducing the width of certain roads therein
named,
And recommended its passage.

Also,

House File No. 32,
A bill for an act to re-locate so much of the State road from Centreville to Marietta, as lies in Appanoose county,
And recommended its passage.

Also,

House File No. 15,

A bill for an act to establish a State road from Fort Des Moines to the south line of Iowa,

And recommended its passage with an amendment.

The amendment was concurred in.

Mr. Wooden,

From the committee on the Judiciary, reported back

House File No. 18,

A bill for an act in relation to depositions,

With the recommendation that it be indefinitely postponed.

Report adopted.

BILLS INTRODUCED AND READ A FIRST TIME.

By Mr. Wyatt,

House File No. 88,

A bill for an act to amend section 1706 of the code of Iowa.

By Mr. Wooden,

House File No. 89,

A bill for an act relating to certain school districts in Johnson county.

On motion of Mr. Wooden,

The forty-second rule was suspended, and the bill read a second time, and

Referred to the committee on the Judiciary.

By Mr. Richardson,

House File No. 90,

A bill for an act to provide libraries for school districts.

By Mr. Barner,

House File No. 91,

A bill for an act creating the fifteenth judicial district, and fixing the time of holding courts therein.

Mr. Sullivan, with leave, introduced the following resolution :

Resolved, That the Committee on the Judiciary, or any other Committee whose duty it may be to fix the time of holding Courts, are hereby requested to so arrange it that in no case the time for opening any court shall be on Monday.

Lost.

Mr. Speaker presented

A communication from the Superintendent of Public Instruction in reply to the resolution of this House of the 13th inst.

Mr. Cloud

Moved the communication be laid upon the table.

Lost.

By order of the House,

It was read.

The House then adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

On motion of Mr. Holmes,

The communication of the Superintendent of Public Instruction was

Referred to the committee appointed to investigate the affairs of the Superintendent.

Mr. Rodman

Moved that the vote taken upon the concurrent resolution passed yesterday, be re-considered.

A call of the House was ordered.

Mr. Clark

Moved that further proceedings under the call be suspended.

Motion lost.

Messrs. Burris, Finney, Franklin, Wing, Kurtz, Larimer, Mills and Price were found to be absent.

Mr. Clark

Moved Mr. Franklin be excused.

Lost.

On motion of Mr. Cloud,

Further proceedings under the call were dispensed with.

The question recurring upon the motion to re-consider was adopted,

Mr. Moore, of Dubuque,

Moved that the concurrent resolution be laid on the table,

Upon which question,

Mr. Brown demanded the yeas and nays, which were as follows:

Yeas 32, nays 32.

Lost.

YEAS—

Barker, Bryson, Barner, Bigelow, Bottorf, Bowen, Claussen, Clark, Cloud, Davis, Edmundson, Galbraith, Gillett, Griswold, Gossage, Hardie of Dubuque, Hershberger, Holmes, Lothian, Milliser, Moer of Mills, Moore of Dubuque, Noble, Pease, Richardson, Roberts, Rodman, Rogers, Scoville, Thomas, Wilson of Mahaska, Wyatt—32.

NAYS—

Messrs. Arnold, Bailey, Cloud, Copeland, Cort, Dorland, Doud, Finney, Green, Hardy of Van Buren, Inskeep, Jones, Jordan, Kirkpatrick, Kelsay, Lewis, Larimer, McDow, Mendenhall, Mordan, Price, Perry, Reeder, Sawyer, Sullivan, Van Valkenburgh, Williams, Wilson of Webster, Wooden, Wright of Cedar, Speaker—32.

Mr. Bowen

Moved to strike out "nineteenth," and insert "twenty-fourth."

Motion adopted.

Message from the Senate,

By their Secretary, Mr. Nourse.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed

Senate File No. 61,

A joint resolution and memorial for additional mail facilities,

Also,

I herewith return

House File No. 34,

A bill for an act to define the boundaries of the seventh judicial district, and to fix the times of holding courts therein.

The same having passed the Senate without amendment.

CHAS. C. NOURSE,
Secretary.

Mr. Wilson, of Webster, moved the resolution be indefinitely postponed.

Mr. McFarland moved to amend by striking out "Wednesday, 24th," and inserting "Tuesday, 23d."

Mr. Cort offered the following substitute:

Resolved, That the House adjourn on the 24th, and meet again on the 26th.

Lost.

Mr. Rodman offered the following resolution:

Resolved, That this House, with the consent of the Senate, only adjourn over Christmas and New Year's day.

Lost.

The question recurring upon the motion to strike out and insert,
It was adopted.

The motion to indefinitely postpone was then put and lost.

The question now being upon the adoption of the resolution, as amended,

Mr. Wyatt demanded the yeas and nays,

Which were as follows,

Yeas 38, Nays 26.

YEAS—

Messrs. Arnold, Bailey, Barner, Cloud, Copeland, Dorland, Doud, Finney, Galbraith, Green, Griswold, Hardie, of Dubuque, Hardy, of Van Buren, Hershberger, Jones, Jordan, Kelsay, Lewis, Larimer, McDow, Mendenhall, Moer, of Mills, Mordan, Noble, Pease, Price, Perry, Reeder, Roberts, Rogers, Sawyer, Stanton, Sullivan, Thomas, Van Valkenburgh, Wilson, of Mahaska, Wooden, Speaker—38.

NAYS—

Messrs. Barker, Bryson, Bigelow, Bottorf, Bowen, Clausen, Clark, Cort, Davis, Edmundson, Gillett, Gossage, Holmes, Inskip, Kirkpatrick, Lothian, Milliser, Mills, Moore, of Dubuque, Richardson,

Redman, Scoville, Williams, Wilson, of Webster, Wright, of Cedar,
Wyatt,—26.

BILLS ON THEIR SECOND READING.

House File No. 76,
Referred to the committee on Charitable Institutions.

House File No. 70,
Ordered to be engrossed and read a third time to-morrow.

House File No. 72,
Referred to the committee on Agriculture.

House File No. 74,
Referred to the committee on Roads and Highways.

House File No. 69,
Referred to the committee on Charitable Institutions.

House File No. 77,
Referred to the Committee on the Judiciary.

House File No. 78,
Referred to the Committee on the Judiciary.

House File No. 50,
Ordered to be engrossed, and read a third time, to-morrow.

House File No. 79,
Ordered to be engrossed and read a third time to-morrow.

House File No. 80,
Mr. Kirkpatrick moved it be
Referred to the committee on Ways and Means.
Mr. Holmes moved to amend by striking out ways and means,
and inserting "Internal Improvements."
Adopted.

The question recurring upon the motion as amended,
It was lost.

The bill was then ordered to be engrossed and read a third time
to-morrow.

House File No. 81,

Referred to the committee on Roads and Highways.

House bill, No. 82,

Ordered to be engrossed and read a third time to-morrow.

House File No. 85,

Referred to the Committee on Roads and Highways.

House File No. 84,

Ordered to be engrossed and read a third time to-morrow.

BILLS ON THIRD READING.

House File No. 31,

A bill for an act to establish a State road from Independence, in Buchanan county, to New Hampton, in Chickasaw county.

Passed and the title agreed to.

Substitute for

House File No. 34,

A bill for an act authorizing the re-survey of roads.

On motion of Mr. Barker,

It was re-committed to the committee on Roads and Highways, with instructions to strike out the last section.

House File No. 8,

A bill for an act to establish a State road from Dennison, in Crawford county, to Monona, in Monona county.

Passed and the title thereof agreed to.

Substitute for

House File No. 38,

A bill for an act to locate a State road from Centreville, in Appanoose county, to Ottumwa, in Wapello county.

Passed and the title agreed to.

House File No. 37,

A bill for an act defining the boundaries of the sixth judicial district.

Passed and the title agreed to.

House File No. 47,

A bill for an act to exempt certain property from taxation.

On motion of Mr. Green, it was

Referred to the committee on the Judiciary.

House File No. 51,

A bill for an act to establish a State road therein named.

Passed and the title agreed to.

Substitute for

House File No. 52,

A bill for an act to amend election returns.

On motion of Mr. Cloud, it was

Referred to the committee on the Judiciary.

House File No. 50,

A bill for an act to incorporate the town of Glenwood.

Passed and the title agreed to.

House File No. 60,

A joint resolution asking for additional mail facilities.

Passed and the title agreed to.

House File No. 62,

A bill for an act authorizing the School Fund Commissioner of Warren county to pay certain moneys.

Passed and the title agreed to.

House File No. 68,

A joint resolution asking additional mail facilities.

Passed and the title agreed to.

House File No. 49,

A bill for an act authorizing the School Fund Commissioner of Wapello county to pay certain moneys to School District No. 2, in Washington township, Wapello county.

Was taken up and the amendment of the Senate concurred in.

Mr. Cloud, with leave, introduced

House File No. 92,

A bill for an act to repeal chapter 43, of the Code of Iowa, entitled corporations for pecuniary profit.

Read a first time.

On motion of Mr. Barker,

The report of the Commissioners to revise the school laws, was referred to a special committee of five.

On motion of Mr. Dorland,

The House resolved itself into committee of the Whole House to consider

House File No. 36,

A bill for an act to amend an act entitled an act in relation to fences.

At four o'clock and five minutes, the Committee rose and reported the bill back to the House with the recommendation that the same be

Referred to the Committee on Ways and Means.

Report concurred in.

The House then adjourned.

WEDNESDAY MORNING, DECEMBER 17th, 1856.

House met pursuant to adjournment.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Clausen, with leave, introduced

House File No. 93,

A joint resolution and memorial asking additional mail facilities.

Read a first time.

REPORTS OF COMMITTEES.

Mr. Holmes,

From the committee on compensation of public officers, reported

House File No. 94,

A bill for an act relating to compensation of county officers.

On motion of Mr. Holmes,

The forty-second rule was suspended and the bill read a second time.

On motion of Mr. Holmes,

200 copies of the bill was ordered to be printed.

Mr. Bigelow submitted the following report:

The committee on Engrossed Bills report

House File No. 32,

A bill for an act to locate so much of the State road from Centre-ville to Marietta, as is in Appanoose county.

Also,

House File No. 80,

Joint resolution asking additional mail facilities.

Also,

House File No. 70,

An act to change the name of Blakesburg to Cleveland.

Also,

House File No. 84,

Joint resolution asking additional mail facilities.

Also,

House File No. 79,

Joint resolution asking additional mail facilities.

Also,

House File No. 58,

Joint resolution asking additional mail facilities,
Find the same correctly engrossed.

BIGELOW,
Chairman.

Mr. Davis presented

The report of the commissioners appointed to locate and superintend the erection of the Asylum for the Insane, which,

On motion of Mr. Davis,

Was referred to the committee on Charitable Institutions.

BILLS INTRODUCED AND READ A FIRST TIME.

By Mr. Scoville,

House File No. 95,

A bill for an act to locate and establish a certain State road therein named.

By Mr. Barner,

House File No. 96,

A bill for an act to authorize school district No. 2, in Le Claire township, in Scott county, to borrow money.

Senate File, No. 5,

A bill for an act relating to appeals from Justices of the Peace and Mayors in criminal cases.

On motion of Mr. Barner,

The forty-second rule was suspended, the bill read a second time, and

Referred to the committee on the Judiciary.

Senate File No. 9,

A bill for an act in relation to changes of venue in criminal cases.

On motion of Mr. Barner,

The forty-second rule was suspended, the bill read a second time and

Referred to the committee on the Judiciary.

Senate File No. 17,

A bill for an act to amend an act entitled an act requiring the county Judge to give bonds.

Senate File No. 20,

A bill for an act relating to evidence.

Senate File No. 27,

A bill for an act regulating the service of original notices.

Senate File No. 53,

A bill for an act to establish a State road from Mt. Air, in Ringgold county, to Clarinda, in Page county.

Senate File No. 59,

A bill for an act to locate a State road from Clayton City to the Des Moines River.

On motion of Mr. Wilson,

The forty-second rule was suspended, the bill read a second time and

Referred to the committee on Roads and Highways.

Senate File No. 61,

Joint resolution and memorial to procure certain mail facilities.

Mr. Sullivan,

From the committee on compensation of public officers, introduced

House File No. 97,

A bill for an act to amend chapter 88 and 95 of the code of Iowa.

On motion of Mr. Sullivan,

The forty-second rule was suspended, the bill read a second time and

Referred to the committee on the Judiciary.

BILLS ON THEIR SECOND READING.

House File No. 85,

Ordered to be engrossed and read a third time to-morrow.

House File No. 88,

Referred to the Committee on the Judiciary.

House File No. 87,

Referred to the committee on the Judiciary.

House File No. 86,

On motion of Mr. Cloud,

Laid upon the table.

House File No. 90,

Referred to the select committee on revised School Laws.

House File No. 91,

Referred to the delegation from the Eighth Judicial District.

House File No. 92,

Referred to the committee on the Judiciary.

BILLS ON THIRD READING.

House File No. 32,

A bill for an act to re-locate so much of a state road from Centreville to Marietta, as lies in Appanoose county.

Passed and the title agreed to.

House File No. 70,
A bill for an act to change the name of Blakesburgh.
Passed and the title agreed to.

House File No. 71,
A joint resolution asking for additional mail facilities.
Passed and the title agreed to.

House File No. 80,
A joint resolution asking for additional mail facilities.
Passed and the title agreed to.

House File No. 82,
A joint resolution asking for additional mail facilities.
Passed and title agreed to.

House File No. 84,
A joint resolution asking for additional mail facilities.
Passed and the title agreed to.

Senate File No. 25,
A bill for an act legalizing the articles of incorporation of the Du-
buque and Bellevue Railroad Company.
Passed and the title agreed to.

Senate File No. 29,
A bill for an act reducing the limits of certain State roads, therein
named.
Passed and the title agreed to.

Mr. Gillett, with leave, introduced the following resolution :
Resolved, That the Superintendent of the Capitol building of the
State of Iowa, be and is hereby authorized to construct suitable
boxes for each of the outside doors of the Capitol, to exclude the
cold and snow therefrom.

Lost.

Mr. Wooden, with leave, introduced the following :
Resolved, That the ladies of the M. E. Church of Iowa City, be
permitted to occupy the Hall of the House of Representatives on
the 25th inst., and on the evening of the same day, for the purpose
of holding a fair.

Carried.

Mr. Toll,

From the committee on Enrolled Bills, reported,
House Files No. 40, 29 and 54, as correctly enrolled.

Mr. Mills,

From the committee on Roads and Highways, reported
House File No. 85,

A bill for an act defining the mode of establishing and laying out
State roads.

Read a first time, and

On motion of Mr. Mills,

The forty-second rule was suspended, the bill read a second time
and 200 copies ordered to be printed for the use of the General As-
sembly.

Mr. Gillett offered the following resolution :

Resolved, That the members of this House, sitting near the stoves,
change seats with those sitting near the door, that the health of
both may be benefitted thereby.

On motion of Mr. Hardie, of Dubuque,

The resolution was referred to the committee on Military Affairs.

Mr. Larimer, with leave, introduced

House File No. 99,

A bill for an act to provide for the transcribing of the records of
Pottawattomic county.

Read a first time, and

On motion of Mr. Larimer,

The forty-second rule was suspended, and the bill read a second
time.

Mr. Arnold moved to amend by inserting the words, "not at the
expense of the State," after the words, "Council bluff's Bugle."

Amendment concurred in.

Mr. Larimer moved that the forty-second rule be further to sus-
pended, the bill read a third time, passed and the title agreed to.

Adopted.

On motion of Mr. Clark,

The House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

House File No. 53,

A bill for an act to abolish capital punishment in the State of Iowa, being the special order of business for the afternoon,

On motion of Mr Dorland,

The House resolved itself into a committee of the Whole to consider the same.

Message from the Senate,

By their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, in which it asks the concurrence of the House of Representatives:

Substitute for

Senate File No. 24,

A bill for an act to amend chapter-49 of the session laws of 1854-5

Also,

Senate File No. 55,

A bill for an act to repeal the last clause of section 2705 of the code.

I herewith return

House File No. 17,

A bill for an act to legalize the organization of Ringgold county.

Also,

House File No. 29,

A bill for an act providing for the election of an additional Justice of the Peace in Davenport township, Scott county, both of which bills have passed the Senate with an amendment relating to the expense of publication.

CHARLES C. NOURSE,
Secretary Senate.

At three o'clock and 45 minutes the committee rose and reported the bill back to the House with an amendment, and the recommendation that it be indefinitely postponed.

The question being to adopt the report of the committee,

The yeas and nays were demanded,

Which were as follows :

Yeas 41, nays 22.

YEAS—

Messrs. Barker, Bryson, Barner, Bigelow, Bottorf, Clausen, Clark, Cort, Davis, Doud, Finney, Franklin, Griswold, Gossage, Hardie of Dubuque, Hershberger, Holmes, Inskip, Jordan, Kelsay, Kurtz, Lewis, Larimer, Mills, Mendenhall, Moer of Mills, Moore of Dubuque, Pease, Perry, Richardson, Rogers, Sawyer, Scoville, Sullivan, Van Valkenburgh, Williams, Wilson of Webster, Wilson of Mahaska, Wooden, Wyatt, Speaker.—41.

NAYS—

Messrs. Arnold, Bailey, Bowen, Cloud, Dorland, Edmundson, Galbraith, Gillett, Hardy of Van Buren, Jones, Kirkpatrick, McDow, Milliser, Noble, Price, Reeder, Rodman, Stanton, Thomas, Toll, Wing, Wright of Cedar—22.

On motion of Mr. Arnold,
The House then adjourned.

THURSDAY MORNING, DECEMBER 18th, 1856.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Morong.

Mr. Rand

Presented the petition of citizens of Burlington, praying for a change in the charter of the city of Burlington.

Message from the Senate.

By their Secretary.

MR. SPEAKER:—

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the resolution of the House in regard to adjournment, with amendment to read as follows:

Resolved, That the Senate and House of Representatives adjourn from Tuesday, the 23d inst., to the first Monday in January, A. D. 1857.

In which amendment the Senate asks the concurrence of the House of Representatives.

CHAS. C. NOURSE,
Sec'y Senate.

On motion of Mr. Hardie,

The Senate message was taken up, and the amendment of the Senate to the concurrent resolution of the House agreed to.

Mr. Hardie

Moved to re-consider.

Lost.

Mr. Rodman introduced

House File No. 101,

A joint resolution on the subject of naturalization laws.

On motion of Mr. Rodman,

The forty-second rule was suspended, and the resolution read a second time.

Mr Rodman

Moved to refer it to the committee on Federal Relations.

Mr. Hardie, of Dubuque,

Moved to amend by adding "with instructions to report the same back at 2 o'clock this afternoon."

Mr. Wooden

Moved to lay the amendment on the table,

And upon this question,

Mr. Franklin demanded the yeas and nays, which were as follows:

Yeas 27, nays 39.

YEAS—

Messrs. Bailey, Cloud, Davis, Dorland, Edmundson, Green, Hershberger, Holmes, Inskeep, Jones, Kirkpatrick, Kurtz, Lewis, Mills, Moer of Mills, Noble, Price, Richardson, Sawyer, Stanton,

Thomas, Toll, Williams, Wilson of Mahaska, Wing, Wooden, Wright of Cedar, Speaker—27.

NAYS—

Messrs. Arnold, Barker, Bryson, Barner, Bigelow, Bottorf, Bowen, Clausen, Clark, Copeland, Cort, Doud, Finney, Franklin, Galbraith, Gillett, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Kirkpatrick, Kelsay, Lothian, Larimer, McDow, Milliser, Mendenhall, Moore of Dubuque, Pease, Perry, Rand, Reeder, Roberts, Rodman, Rogers, Scoville, Sullivan, Vanvalkenburgh, Wyatt—39.

The question recurring upon the adoption of the amendment,

Mr. Barker demanded the yeas and nays,

Which were as follows:

Yeas 41, nays 24.

YEAS—

Messrs. Arnold, Barker, Bryson, Barner, Bottorf, Bowen, Clausen, Clark, Cort, Doud, Finney, Franklin, Galbraith, Gillett, Griswold, Gossage, Hardie, of Dubuque, Hardy, of Van Buren, Jordan, Kelsay, Kurtz, Lewis, Lothian, Larimer, McDow, Milliser, Mendenhall, Moore, of Dubuque. Pease, Perry, Rand, Reeder, Roberts, Rodman, Rogers, Sawyer, Scoville, Sullivan, Toll, Van Valkenburgh, Wyatt, Speaker.—41.

NAYS—

Messrs. Bailey, Bigelow, Cloud, Copeland, Davis, Dorland, Edmundson, Green, Hershberger, Holmes, Inskeep, Jones, Kirkpatrick, Mills, Moer, of Mills, Noble, Price, Richardson, Stanton, Thomas, Williams, Wilson, of Mahaska, Wing, Wooden, Wright, of Cedar—25.

REPORTS OF COMMITTEES.

Mr. Bigelow,

From the committee on engrossed bills, reported

House Files No. 15 and 35,

As correctly engrossed.

Mr. Holmes,

From the committee on Ways and Means, to whom was referred

House File No. 36,

A bill for an act to amend an act entitled an act concerning fences.
Reported a substitute therefor.

Mr. Green moved to amend the substitute, by adding to the first section "As any fence which, in the opinion of the fence viewers, shall be equivalent thereto."

Adopted.

Mr. Bailey moved to amend by inserting after the word "sheep," in the first section, the words, "or either of them."

Adopted.

Mr. Cort moved to amend by adding, "Provided such owners of swine and sheep shall not be responsible for any damages within two miles of said county line.

Lost.

Mr. Green

Moved to amend by striking out so much of the first section as follows :

"That in all counties in this State, where by a vote of the legal voters of said county, or by any act of the General Assembly of this State, it has been or may hereafter be determined that hogs and sheep shall be prohibited from running at large,"

And insert the following :

"That the following shall be considered the lawful fence of this State."

Mr. Barker

Moved the substitute be

Laid upon the table, and

200 copies ordered to be printed for the use of the General Assembly.

Lost.

Mr. Roberts

Moved to refer the substitute and amendments to a select committee of five, with instructions to report a general law.

Mr. Dorland

Moved to amend the motion by referring to the committee of the Whole House, this afternoon, at two o'clock.

Lost.

Mr. Bowen

Moved to amend by referring to the committee of the Whole House, on to-morrow afternoon, at two o'clock.

Lost.

Mr. Hardie, of Dubuque,

Moved to amend by referring to the committee of the Whole House, this afternoon, at three o'clock.

Adopted.

Mr. Cloud,

From the Committee on Railroads, to whom was referred

House File No. 72,

A bill for an act supplemental to an act accepting a grant of land to the State of Iowa.

Reported a substitute therefor,

Which substitute was

Adopted, and

Referred to the Committee of the Whole House,

And made the special order for to-morrow, at 2 o'clock. P. M.

Mr. Rand,

From the committee on incorporations, to whom was referred

House File No. 76,

A bill for an act to incorporate the town of Centreville, Iowa.

Reported the same back and recommended its passage.

On motion of Mr. Holmes,

The further reading of the bill was dispensed with, and it was ordered to be engrossed and read a third time to-morrow.

Mr. Inskeep moved the House adjourn.

Lost.

Mr. Mills,

From the committee on Roads and Highways, to whom was referred

House File No. 73,

Reported the same back with one amendment, and recommended its passage.

The report was concurred in.

Mr. Clausen

Moved the forty-second rule be suspended and the bill read a third time.

Lost.

The bill was ordered to be engrossed and read a third time to-morrow.

Mr. Mills,

From the same committee, also reported back

Senate File, No. 59,

With amendment and recommended its passage.

The amendment was concurred in and the bill ordered to be engrossed and read a third time to-morrow.

Mr. Mills,

Also, from the same committee to whom was referred

House File No. 34,

With instructions to strike out the fourth section, reported the same back, so amended and recommended its passage.

Report adopted and the bill read a third time, passed and the title agreed to.

Mr. Toll, with leave introduced

House File No. 102,

Joint resolution asking additional mail facilities,

Which was read a first time.

Mr. Bowen,

From the committee on Enrolled bills, reported that they had presented to the Governor for his approval

House Files No. 39, 50 and 54.

Mr. Sawyer,

From the committee on Agriculture, submitted the following report :

MR. SPEAKER :—

The committee to whom was referred

House File No. 61,

A bill for an act regulating mills and millers, have had the same under consideration, and the committee agreed to disagree, and part of the committee recommend the passage of the first section of

the bill, striking out all the rest, and the balance of the committee recommend the indefinite postponement of the whole bill.

Mr. Holmes

Moved the report be concurred in.

Mr. Barner

Moved to amend the motion as follows:

"Excepting so much as recommends the indefinite postponement of the bill."

Mr. Clark

Moved to re-commit the bill to a select committee of five.

Mr. Hardie, of Dubuque,

Moved the following amendment:

"Which shall consist in part of Messrs. "Mills" and "Toll."

Agreed to.

The question recurring upon the motion as amended,

It was adopted, and the bill so referred.

The Chair appointed Messrs. Clark, Roberts, Mills, Toll, and Hardie of Dubuque the committee.

Mr. Cort offered the following resolution:

Resolved, That the committee on the Judiciary, to whom was referred

House File No. 47,

Do, and they are hereby requested to report on said bill to-morrow morning.

Adopted.

The House then adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Holmes,

From the committee on Federal Relations, to whom was referred House File No. 101,

Joint resolution in relation to naturalization laws, with an amendment of an additional resolution, and recommend its passage.

On motion of Mr. Hardie, of Dubuque,

The forty-second rule was suspended, and the bill read a third time.

Mr. Hardie, of Dubuque,

Asked a division of the question, and that the resolutions be voted upon separately, and upon the passage of the first resolution demanded the yeas and nays, which were as follows :

Yeas 56, nays 5.

YEAS—

Messrs. Arnold, Bailey, Barker, Bryson, Barner, Bigelow, Bortorf, Bowen, Clausen, Clark, Cloud, Copeland, Cort, Davis, Dorland, Doud, Galbraith, Gillet, Green, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Hershberger, Holmes, Inskip, Jones, Jordan, Kirkpatrick, Kelsay, Kurtz, Lothian, Larimer, McDow, Milliser, Mendenhall, Moer of Mills, Moore of Dubuque, Noble, Pease, Rand, Reeder, Richardson, Roberts, Rodman, Rogers, Stanton, Thomas, Toll, Van Valkenburgh, Wilson of Webster, Wilson of Mahaska, Wing, Wyatt, Speaker.—56.

NAYS—

Price, Sawyer, Williams, Wooden, Wright of Cedar.—5.

The second and third resolutions were then passed, and the title of the joint resolution agreed to.

BILLS INTRODUCED AND READ A FIRST TIME.

By Mr. Greene,

House File No. 103,

Joint resolution in relation to naturalization laws.

By Mr. Price,

House File No. 164,

A bill for an act to establish a certain State road therein named.

By Mr. Jordan,

House File No. 105,

A joint resolution to procure additional mail facilities.

By Mr. Hershberger,
House File No. 106,

A bill for an act further to define the duties of Drainage Commissioners.

On motion of Mr. Williams the bill was rejected.

By Mr. Noble,
House File No. 107,

A bill for an act to amend sections 2527 and 2531 of the code of Iowa.

By Mr. Thomas,
House File No. 108,

A bill for an act authorizing and requiring the payment of certain moneys due the normal schools at Andrew and Oskaloosa.

By Mr. Noble,
House File No. 109,

A bill for an act to amend section 505 of the code of Iowa, in relation to the redemption of lands sold for taxes.

Senate File No. 24,

An act to amend Chapter 47 of the session laws of 1854-5.

Senate File No. 55,

A bill for an act to repeal the last clause of section 2704 of the code of Iowa.

Mr. Holmes,

Moved the bill be rejected, whereupon Mr. Barker,
Demanded the yeas and nays,

Which were as follows :

Yeas, 48, nays, 16.

YEAS—

Messrs. Arnold, Barker, Bryson, Barner, Bigelow, Bottorf, Clausen, Clark, Cloud, Copeland, Cort, Dorland, Edmundson, Finney, Galbraith, Green, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Hershberger, Lothian, Larimer, McDow, Mills, Mendenhall, Moer of Mills, Moore of Dubuque, Price, Perry, Rand, Reeder, Richardson, Rodman, Sawyer, Scoville, Stanton, Thomas, Toll, Van Valkenburgh, Wilson of Webster, Wilson of Mahaska, Wyatt, Speaker.—48.

NAYS—

Messrs. Bailey, Bowen, Davis, Doud, Gillett, Jones, Milliser,, Noble, Pease, Rogers, Williams, Wing, Wooden, Wright of Cedar.
—16.

Message from the Senate,
By their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate has passed the following bills, in which the Senate asks the concurrence of the House, to-wit :

Senate File No. 46,

A bill for an act to change the name of Summersett, in Adair county, to Fosterville.

Also,

Senate File No. 52,

An act further regulating pleadings in criminal cases.

Also,

Senate File No. 65,

Joint resolution to Congress to enlarge the boundaries of the State of Iowa.

Also,

Senate File No. 35,

A bill for an act to incorporate Wintersett.

Also,

Senate File No. 63,

A bill for an act authorizing the county recorder of Linn county, Iowa, to transcribe certain records of said county.

CHAS. C. NOURSE,
Secretary.

Messrs. Scoville and Finney, with leave, recorded their votes on the question of the passage of

House File No. 101,

Both voting yea.

Mr. Sullivan, with leave, introduced

House File No. 110,

A bill for an act to amend an act entitled an act to establish a ferry at Boatmen's Mill in Lee county.

Which was read a first time.

Mr. Gillett, with leave, introduced the following resolution :

Resolved, That the committee on Military Affairs, to whom was referred

House File No. —,

In reference to members changing seats, be instructed to report as soon as their general health will permit.

Adopted.

On motion,

The House adjourned.

FRIDAY MORNING, DECEMBER 19th, 1856.

House met pursuant to adjournment.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Rodman was excused from attendance upon the House.

The Chair announced Messrs. Barker, Holmes, Richardson, Clausen and Scoville as a special committee on revised school laws.

PETITIONS AND REMONSTRANCES.

Mr. Barker

Presented the petition of B. J. O'Halloran, and 2075 other citizens of Dubuque, praying the repeal of an act entitled an act for the suppression of intemperance.

Mr. Hardie, of Dubuque,

Moved to refer the petition to a select committee of four, with instructions to report a bill in accordance with the wishes of the petitioners.

Mr. Wooden

Moved to amend by striking out the instructions contained in the motion,

Whereupon,

Mr. Hardie demanded the yeas and nays,

Which were as follows :

Yeas 36, Nays 24.

YEAS—

Messrs. Arnold, Bailey, Bryson, Barner, Clausen, Copeland, Davis, Dorland, Edmundson, Gillett, Green, Hershberger, Holmes, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Moer, of Mills, Noble, Price, Perry, Rand, Richardson, Roberts, Sawyer, Stanton, Thomas, Toll, Williams, Wilson, of Mahaska, Wing, Wooden, Wright, of Cedar—35.

YEAS—

Messrs. Barker, Bigelow, Bottorf, Clark, Cloud, Cort, Doud, Finney, Galbraith, Griswold, Gossage, Hardie, of Dubuque, Hardy, of Van Buren, Jordan, Kelsay, Larimer, McDow, Milliser, Mendenhall, Moore, of Dubuque, Pease, Reeder, Scoville, Sullivan, Van Valkenburgh, Wyatt—24.

The motion to refer as amended was then adopted.

Mr. Rand presented

The petition of citizens praying for a change in the boundaries of the first judicial district.

Referred to the committee on the Judiciary.

Mr. Galbraith

Rose to a question of privilege, respecting the report of proceedings of this House, as published in the Iowa Capital Reporter.

Mr. Rand presented

The petition of citizens of Burlington, praying for a change in certain alleys in the city of Burlington.

Referred to the committee on Incorporations.

Mr. Cort introduced

House File No. 111,

Joint resolution asking for additional mail facilities.

REPORTS OF COMMITTEES.

Mr. Bigelow reported
House File Nos. 75 and 73,
As correctly engrossed.

Mr. Rand,
From the committee on Incorporations,
To whom was referred the petition of William Garnett and others of the city of Burlington, praying for an alteration in the city charter thereof, reported
House File No. 112,
A bill for an act amending the city charter of Burlington, Iowa.

Mr. Wooden,
From the committee on Judiciary,
To whom was referred
House File No. 47,
A bill for an act to exempt certain property from taxation, reported the same back with the recommendation that it be indefinitely postponed.

Mr. Green
Offered a substitute, and moved its adoption.

Mr. Holmes
Moved that the bill and substitute be referred to the committee of the Whole House, and made the special order of business on Wednesday after the first Monday in January, at 2 o'clock P. M.
Carried.

Mr. Wooden,
To whom was referred
House File No. 52,
A bill for an act to amend election returns, reported the same back with the recommendation that it do not pass.

On motion of Mr. Clausen,
It was referred

To the committee of the Whole House, and made the special order for Thursday, after the first Monday in January, at two o'clock, P. M.

Mr. Wooden,
From the same committee,
To whom was referred

House File No. 77,

A bill for an act to repeal chapter 61 of the acts of the fourth General Assembly, reported the same back, and recommended its passage.

Mr. Cort,

Moved to amend so as to give the widows a dower of one-half.

It was lost.

The bill was then ordered to be engrossed, and read a third time to-morrow.

On motion of Mr. Finney

The House then adjourned.

TWO O'CLOCK, P. M

House met.

Leave of absence was granted to Mr. Jones.

Mr. Dorland, with leave, introduced

The petition of J. D. Hoag, asking for the payment of certain moneys due him from the State, which was referred to the committee on Claims, with instructions to report as soon as practicable.

House File No. 30,

A bill for an act amendatory to an act providing for the taking up of water crafts found adrift, lost goods and estrays, being the special order of business,

On motion of Mr. Cloud,

It was suspended.

Mr. Barner,

From the committee to whom was referred

House File No. 91,

A bill for an act defining the boundaries of the fifteenth judicial district, reported the same back without recommendation.

On motion of Mr. Holmes,

The bill was laid upon the table.

Mr. Wooden,

From the committee on the Judiciary, reported back

House File No. 78,

A bill for an act in relation to the construction of county buildings, without recommendation.

On motion of Mr. Cloud,

The bill was laid upon the table.

BILLS INTRODUCED AND READ A FIRST TIME.

By Mr. Davis,

House File No. 113,

A bill for an act to amend section 1464, chapter 85 of the code of Iowa.

By Mr. Bryson,

House File No. 114,

A bill for an act to change the name of Columbus.

Senate File No. 35,

A bill for an act to incorporate the city of Winterset, in Madison county.

On motion of Mr. Roberts,

The forty-second rule was suspended, the bill read a second and third time, passed, and the title agreed to.

Senate File No. 52,

A bill for an act further regulating pleadings in criminal cases.

Senate File No. 65,

A joint resolution and memorial to Congress, to extend the boundaries of the State of Iowa.

Senate File No. 68,

A bill for an act authorizing the county Judge of Linn county to transcribe certain county records.

Senate File No. 71,

A bill for an act to change the name of Summersett, in Adair county, to Fontanelle.

The forty-second rule was suspended, the bill read a second and third time, passed, and the title agreed to.

Mr. Rand introduced

House File No. 115,

A bill for an act in relation to county funds and the manner of drawing the same from the county treasury.

BILLS ON THEIR SECOND READING.

House File No. 64,

Laid on the table.

House File No. 93,

Ordered to be engrossed and read a third time to-morrow.

House File No. 95,

A bill for an act to locate a State road therein named.

The forty-second rule was suspended, and the bill read a third time.

On motion of Mr. Bailey,

The following title was substituted:

“A bill for an act to establish a State road from Fort Des Moines, by way of Greenbush, St. Charles, La Porte, to the south-west corner of Union county.

House File No. 96,

Ordered to be engrossed and read a third time to-morrow.

House File No. 100,

Referred to a special committee composed of Messrs. Finney, Franklin and Price.

House File No. 102,

Joint resolution asking additional mail facilities.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

House File No. 103,

Ordered to be engrossed and read a third time to-morrow.

House File No. 104,

Referred to the Committee on Roads and Highways.

House File No. 106,

Ordered to be engrossed and read a third time to-morrow.

House File No. 107,

Referred to the committee on compensation of Public Officers.

House File No. 108,

Referred to the Committee on Schools and State University.

House File No. 109,

Referred to the Committee on the Judiciary.

House File No. 110,

A bill for an act to amend an act entitled an act to establish a ferry at Boatman's Mill, across the Des Moines river, in Lee county.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Senate File No. 24,

Referred to the Committee on the Judiciary.

Senate File No. 17,

A bill for an act to amend an act requiring County Judges to give bond.

On motion of Mr. Cloud,

The bill was indefinitely postponed.

Senate File, No. 20,

A bill for an act relating to evidence.

Mr. Hardie

Moved the bill be indefinitely postponed.

Upon which question,

Mr. Wooden demanded the yeas and nays,

Which were as follows,

Yeas 29, nays 36.

YEAS:

Messrs. Barker, Bottorf, Bowen, Clark, Cort, Doud, Finney, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Kelsay, Kurtz, Larimer, McDow, Milliser, Mendenhall, Moore of Dubuque, Pease, Reeder, Sawyer, Scoville, Sullivan, Van Valkenburgh, Wilson of Webster, Wilson of Mahaska, Wyatt—29.

NAYS—

Messrs. Arnold, Bailey, Bryson, Barner, Bigelow, Clausen, Cloud, Copeland, Davis, Dorland, Edmundson, Gillett, Green, Hershberg—

er, Holmes, Inskip, Jones, Kirkpatrick, Lewis, Lothian, Mills, Moer of Mills, Noble, Price, Perry, Rand, Richardson, Roberts, Rogers, Stanton, Thomas, Toll, Williams, Wing, Wooden, Wright of Cedar, Speaker—36.

Message from the Senate, .
By their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills and asks the concurrence of the House therein.

Senate File No. 28,

A bill for an act to repeal an act in relation to divorce and alimony, &c.

Senate File No. 33,

A bill for an act to repeal part of section 1464 of code of Iowa.

Senate File No. 36,

Joint resolution asking additional mail facilities.

Senate File No. 43,

Joint resolution in relation to the establishment of a custom house and marine hospital.

Senate File No. 69,

Joint resolution and memorial for certain mail facilities.

Senate File No. 50.

A bill for an act authorizing private persons to sue out writs of mandamus and quo warranto.

Senate File No. 51,

A bill for an act repealing so much of chapter 166 of the code of Iowa, as gives the right of challenge to the pannel of the grand jury.

Senate File No. 64,

Joint resolution asking additional mail facilities.

Senate File No. 69,

A bill for an act to amend the charter of the City of Council Bluffs.

Senate File No. 72,
An act providing for the re-survey of lands in certain cases.

Also,

Senate File No. 75,
A bill for the distribution of the property of school district No. 3, of Bloomfield township, Davis county, Iowa.

C. C. NOURSE,
Secretary.

MR. SPEAKER:—

I herewith return to the House the following bills, the same having passed the Senate without amendment.

House File No. 55,

Joint resolution and memorial to Congress for land to aid in the construction of McGregor's, St. Peters and Missouri River Railroad.

House File No. 65,

An act to create the county of Hamilton.

House File No. 68,

Joint resolution asking a daily mail from Iowa City to Council Bluffs.

Also,

House File No. 70,

A bill for an act to change the name of Blakesburgh to Cleveland.

Also,

House File No. 79,

Joint resolution asking additional mail facilities.

Also,

House File No. 80,

Joint resolution for additional mail facilities.

Also,

House File No. 82,
Joint resolution and memorial for additional mail facilities.

Also,

House File No. 84,
Joint resolution asking additional mail facilities.

CHAS. C. NOURSE,
Secretary.

MR. SPEAKER :

I herewith present for your signature the following bills, the same having passed both branches of the General Assembly, and been duly enrolled by the Senate.

Senate File No. 12,

An act to provide for the election of an additional Justice of the Peace in Center township, Decatur county, Iowa.

Also,

Senate File No. 19,
An act reducing the width of certain State roads therein named.

Also,

Senate File No. 25,
An act legalizing the articles of incorporation of the Dubuque and Bellevue Railroad company, and for other purposes.

CHARLES C. NOURSE,
Secretary Senate.

Mr. Hardie, of Dubuque,
Moved to refer the bill to the committee on the Judiciary.
Lost.

The bill was then ordered to a third reading to-morrow.

Senate File No. 27,
Referred to the committee on the Judiciary.

Senate File No. 51,
Referred to the committee on Roads and Highways.

Senate File No. 61,
Joint resolution to procure additional mail facilities.

The forty-second rule was suspended, the bill read a third time, passed, and the title agreed to.

BILLS ON THIRD READING.

House File No. 15,

A bill for an act to establish a State road from Fort Des Moines to the south line of the State of Iowa.

Passed and the title agreed to.

House File No. 73,

A bill for an act to establish a State road, therein named.

Passed and the title agreed to.

House File No. 75,

A bill for an act to incorporate the town of Centreville.

Passed and the title agreed to.

House File No. 85,

A joint resolution for additional mail facilities.

Passed and the title agreed to.

House File No. 17,

A bill for an act to legalize the organization of Ringgold county, and the election and official acts of its officers,

Was taken up, and

The amendment of the Senate agreed to.

House File No. 29,

A bill for an act to provide for the election of an additional Justice of the Peace in Davenport township, in Scott county,

Was taken up, and

The amendment of the Senate concurred in.

On motion of Mr. Clark,

The House resolved itself into a committee of the Whole House to consider

House File No. 72,

A bill for an act supplemental to an act to accept the grant of land to the State of Iowa.

The same being the special order of business for this afternoon at 3 o'clock P. M.

At 4 o'clock the committee rose and reported the bill back to the House, with the amendment that it be laid upon the table and 200 copies ordered to be printed.

The report of the committee was concurred in.

The House then adjourned.

SATURDAY MORNING, DECEMBER 24th, 1856.

Prayer by the Chaplain.

Journal of yesterday read and corrected.

The Chair announced

Messrs. Hardie of Dubuque, Roberts, Kirkpatrick, Gossage and Wright as a select committee, to whom was referred sundry petitions on the subject of Temperance.

PETITIONS AND REMONSTRANCES.

Mr. Cloud presented

The petition of L. D. Palmer and others, praying certain amendments in the city charter of Muscatine,

Which, on his motion,

Was referred to the delegation from Muscatine county.

Mr. Cloud also presented

The petition of Christian Hershe and others, asking for the location of a certain State road therein named.

Referred to the committee on Roads and Highways.

Mr. Kurtz presented

The petition of E. D. Waln and others, praying that no change may be made in the present Prohibitory Liquor Law.

Referred to the select committee on the subject of Temperance.

On motion of Mr. Holmes,

3000 copies of the report of the commissioners appointed to revise the school laws, were ordered to be printed for the use of the House.

REPORTS OF COMMITTEES.

Mr. Wing,

From the committee on Claims, to whom was referred the petition of J. D. Hoag, reported

House File No. 116,

A joint resolution relative to the claim of J. D. Hoag, as a Commissioner to locate a permanent seat of government for the State of Iowa.

Read a first time.

Mr. Cloud,

From the committee to whom was referred the petition of citizens of Muscatine, reported

House File No. 117,

A bill for an act to amend the city charter of Muscatine, which was

Read first time.

Mr. McDow,

From the select committee to whom was referred

Senate File No. 58,

A bill for an act to vacate an alley in the town of Keosauqua,

Reported the same back and recommended its passage.

The bill was ordered to a third reading to-morrow.

BILLS INTRODUCED AND READ A FIRST TIME.

Senate File No. 28,

A bill for an act to repeal an act entitled an act in relation to divorce and alimony.

Senate File No. 43,

Joint resolution in relation to the establishment of a custom house and marine hospital in the City of Keokuk.

Senate File No. 33,

A bill for an act to repeal section 1464 of the code of Iowa.

Senate File No. 36,

Joint resolution asking additional mail facilities,

Senate File No. 46,

A bill for an act to establish a recorder's office in the city of Keokuk.

Senate File No. 50,

A bill for an act authorizing private persons to sue out writs of mandamus and quo warranto.

Senate File No. 63,

Joint resolution for additional mail facilities in the counties of Iowa, Tama, Marshall and Hardin.

Senate File No. 62,

Joint resolution for additional mail facilities.

Senate File No. 67,

A bill for an act to amend the City Charter of Council Bluffs.

On motion of Mr. Larimer,

The forty-second rule was suspended, the bill read a second time and referred to a select committee.

The Chair appointed

Messrs. Larimer, Wyatt and Kelsay, said committee.

Senate File No. 72,

A bill for an act providing for the reservation of lands in certain cases.

Senate File No. 75,

A bill for an act for the distribution of the property of school district No. 3, in Bloomfield township, in Davis county.

House File No. 118,

A bill for an act allowing additional fees to the Clerk of the Supreme Court in certain cases.

The forty-second rule was suspended, the bill read a second time, and

Referred to the committee on the Judiciary.

BILLS ON THEIR SECOND READING.

House File No. 111,

Ordered to be engrossed and read a third time to-morrow.

House File No. 112,

Referred to the delegation from Des Moines county.

House File No. 113,

Referred to the committee on the Judiciary.

House File No. 114,

A bill for an act to change the name of Columbus to Capoli.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Mr. Rand,

From the committee to whom was referred

House File No. 112,

Reported the same back with one amendment, and recommended its passage.

The report was concurred in, and

The forty-second rule suspended, the bill read a third time, passed and the title agreed to.

House File No. 115,

Referred to the Committee on Incorporations.

Senate File No. 52,

Referred to the committee on the Judiciary.

On motion of Mr. Barker,

House File No. 66,

A bill for an act to repeal an act entitled an act for the suppression of intemperance,

Was taken from the table and referred to the special committee on the subject of Temperance.

Senate File No. 65,

Ordered to be engrossed and read a third time to-morrow.

Senate File No. 68,

Ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Barner,

House File No. 91,

A bill for an act creating the Fifteenth Judicial District,

Was taken up, and

Referred to the Committee on the Judiciary.

On motion of Mr. Davis,
 House File No. 48,
 Providing for improvements in the Iowa Penitentiary,
 Was taken up, and
 Referred to the Committee on Ways and Means.

BILLS ON THIRD READING.

Senate File No. 20,
 A bill for an act relating to evidence.

Mr. Barker

Moved that the bill be re-committed to the committee on the Judiciary.

Lost.

Mr. Bower

Moved the House adjourn.

Lost.

Mr. Wilson, of Webster,

Moved to lay the bill on the table.

Lost.

The question recurring upon the passage of the bill,
 Mr. Hardie demanded the yeas and nays,

Which were as follows :

Yeas 35, nays 27.

YEAS—

Messrs. Arnold, Bailey, Bryson, Bigelow, Clausen, Cloud, Copeland, Davis, Dorland, Edmundson, Gillett, Hershberger, Holmes, Inskeep, Kirkpatrick, Kurtz, Lewis, Mills, Moer, of Mills, Price, Perry, Rand, Richardson, Roberts, Rogers, Stanton, Thomas, Toll, Williams, Wilson, of Mahaska, Wing, Wooden, Wright, of Cedar, Speaker.—37.

NAYS—

Messrs. Barker, Bottorf, Bowen, Clark, Cort, Doud, Finney, Galbraith, Griswold, Gossage, Hardie, of Dubuque, Hardy, of Van Buren, Jordan, Kelsay, Larimer, McDow, Milliser, Mendenhall, Moore, of Dubuque, Pease, Reeder, Sawyer, Scoville, Sullivan, Van Valkenburgh, Wilson, of Webster, Wyatt.—27.

On motion,
The House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Bigelow,
From the committee on Engrossed Bills, reported
House Files No. 21, 77, 93, 96, 103 and 105,
As correctly engrossed.

BILLS ON THIRD READING.

Senate File No. 58,
A bill for an act to locate a State Road from Clayton City to the
Des Moines River.
Passed and the title agreed to.

House File No. 21,
A bill for an act to restrain swine from running at large in Har-
rison and Monona counties.
Passed and the title agreed to.

House File No. 77,
A bill for an act to repeal chapter 61 of the acts of the Fourth
General Assembly.
Passed and the title agreed to.

House File No. 93,
A joint resolution asking for additional mail facilities.
Passed and the title agreed to.

House File No. 96,
A bill for an act to authorize school district No. 2, in Le Claire
township, Scott county, to borrow money.
Passed and the title agreed to.

House File No. 103,

A joint resolution in relation to the naturalization laws of the United States.

Passed and the title agreed to.

House File No. 105,

Joint resolution to procure additional mail facilities.

Passed and the title agreed to.

On motion of Mr. Roberts,

The House resolved itself into a committee of the Whole House to consider

House File No. 36,

A bill for an act to amend an act entitled an act in relation to fences.

At three o'clock and thirty minutes the committee rose and reported the bill back to the House with sundry amendments, and recommended its passage.

The report of the committee was concurred in and bill ordered to be engrossed and read a third time to-morrow.

The House then adjourned.

MONDAY MORNING, DECEMBER 22, 1856.

House met pursuant to adjournment.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Messrs. Barner, Holmes and Cort rose to questions of privilege, in relation to the report of the proceedings of this House, as published in the Iowa Capital Reporter.

REPORTS OF COMMITTEES.

Mr. Toll,

From the committee on Engrossed Bills, reported

House Files Nos. 17, 29, 55, 65, 68, 70, 79 80 and 82,
As correctly engrossed.

Mr. Barner,

From the Committee to whom was referred

House File No. 91,

A bill for an act to create the fifteenth judicial district, reported a substitute therefor.

The substitute was adopted, and,

On motion of Mr. Toll,

Referred to the Committee on the Judiciary.

Mr. Arnold,

From the committee to whom was referred

House File No. 92,

A bill for an act to repeal chapter 43 of the code of Iowa, entitled corporations for pecuniary profit, reported a substitute.

The substitute was adopted, and ordered to be engrossed and read a third time to-morrow.

Mr. Rand,

From the committee on Incorporations, to whom was referred

House File No. 115,

A bill for an act to amend the charter of the City of Burlington, Reported the same back with an amendment, and recommended its passage.

The amendment was concurred in and the bill was ordered to be engrossed and read a third time to-morrow.

Mr. Cloud,

From the committee on Ways and Means, reported back

House File No. 48,

A bill for an act providing for improvements in the Iowa Penitentiary,

With one amendment and recommended its passage.

The amendment was concurred in, the forty-second rule suspended, the bill read a third time, passed and the title agreed to.

Mr. Cloud,

From the select committee appointed to investigate the condition of the School Fund, reported

House File No. 119,

A bill for an act relating to the school funds of this State.

On motion of Mr. Cloud,

The forty-second rule was suspended, the bill read a second time, passed and the title agreed to.

Mr. Sawyer,

From the Committee on Agriculture, to whom was referred
House File No. 74,

Reported the same back to the House, and recommended its indefinite postponement.

On motion of Mr. Cloud,

The bill was laid upon the table.

Message from the Senate,

By their Secretary.

MR. SPEAKER :

I herewith present for your signature

Senate File No. 6,

Joint resolution and memorial to procure certain mail facilities.

Also,

Senate File No. 17,

An act to amend an act entitled an act to require county Judges to give bail.

Also,

Senate File, No. 71,

A bill to change the name of Summersett, in Adair county, to Fontanelle.

Also,

Senate File No. 59,

An act to locate a State road from Clayton City to the Des Moines river.

Also,

Senate File No. 20,

A bill for an act relating to evidence.

The same having passed.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, in which it asks the concurrence of the House.

Senate File No. 34,
Joint resolution and memorial for additional mail facilities.

Also,
Senate File No. 47,
A bill for an act providing for the education of the blind.

Also,
Senate File No. 76,
An act to amend the charter of the town of Fairfield.

Also,
Senate File No. 82,
An act to vacate a sub-division of land by C. F. Conn, in Lee county

Also,
Senate substitute for
House File No. 99,
A bill for an act providing for transcribing the records of Pottawatomie county.

C. C. NOURSE,
Secretary.

I also herewith return
House File No. 62,
A act authorizing the school fund Commissioner of Warren county to pay certain monies.

Also,
House File No. 39,
A bill for an act for the relief of David Hain.

Also,
House File No. 2,
Joint resolution instructing our Senators and Representatives in Congress in relation to Slavery, and the admission of Kansas into the Union.

Also,

House File No. 39,
A bill for an act for the relief of David Hain.

Also,

House File No. 62,
An act authorizing the school fund Commissioner of Warren county to pay certain monies, the same having passed the Senate without amendment.

CHAS. C. NOURSE,
Secretary.

Mr. Wooden,

From the committee on the Judiciary, instructed by resolution of this House, to enquire into the expediency of the State purchasing an additional number of Supreme Court Reports, reported

House File No. 120,

A bill for an act to amend chapter 161 of the acts of the Fourth General Assembly.

Read a first time.

Messrs. Griswold, Pease, Wilson, of Mahaska, Doud, Clark, and Jordan were granted leave of absence.

Mr. Larimer,

From the select committee to whom was referred

Senate File No. 69,

A bill for an act to amend the charter of the City of Council Bluffs,

Reported the same back with two amendments.

The question being upon concurring in the report of the committee,

Mr. Cloud asked a division of the question.

The first amendment was then adopted.

Upon the question of the adoption of the second amendment,

Mr. Larimer demanded the yeas and nays,

Which were as follows,

Yeas 20, nays 33.

YEAS:

Messrs. Bottorf, Bowen, Cort, Finney, Galbraith, Gossage, Har-

die, of Dubuque, Hardy, of Van Buren, Larimer, McDow, Milliser, Mendenhall, Moore, of Dubuque, Reeder, Sawyer, Scoville, Sullivan, Van Valkenburgh, Wilson, of Webster, Wyatt—20.

NAYS—

Messrs. Arnold, Bailey, Barker, Bryson, Barner, Clausen, Cloud, Copeland, Dorland, Edmundson, Gillett, Hershberger, Holmes, Inskip, Kirkpatrick. Kurtz, Lewis, Mills, Moer, of Mills, Noble, Perry, Rand, Richardson, Roberts, Rogers, Stanton, Thomas, Toll, Williams, Wing, Wooden, Wright, of Cedar, Speaker—33.

The forty-second rule was then suspended, the bill read a third time,

Passed and the title agreed to.

Mr. Mills,

From the Committee on Roads and Highways, reported back
House File No. 81,

And

Senate File No. 51,

Without amendment, and recommended their passage.

Ordered to be engrossed and read a third time to-morrow.

BILLS INTRODUCED AND READ A FIRST TIME.

By Mr. Moore, of Dubuque,

House File No. 121,

A bill for the relief of persons paying a road poll tax.

The forty-second rule was suspended, the bill read a second time, and

Referred to the Committee on Ways and Means.

By Mr. Barker,

House File No. 122,

A bill for an act to amend chapter 62, title 13, of the Code of Iowa, and to close up assignments for the benefit of creditors.

The forty-second rule was suspended, the bill read a second time, and

Referred to the Committee on the Judiciary.

By Mr. Perry,

House File No. 123,

A bill for an act to amend chapter 37, section 513, of the Code of Iowa.

The forty-second rule was suspended, the bill read a second time, and

Referred to the Committee on Ways and Means.

By Mr. Gillett,
House File No. 124,

A bill for an act to establish a State road from Cedar river, in Mitchell county, to Mason City, in Cerro Gordo county.

Mr. Scoville,
From the Committee on Engrossed Bills, reported
House Files Nos. 11 and 36,
As properly engrossed.

Mr. Barker introduced the following resolution :

Resolved, That the Judiciary Committee be instructed to report a bill allowing the prevailing *party* in district and supreme courts a reasonable compensation, as costs, against the opposite party, in cases of defences put in evidently for delay, and in cases of unreasonable defences and prosecutions.

Adopted.

By Mr. Arnold,
House File No. 125,

A bill for an act to establish a State road from Waterloo, via Lafayette, Marietta and Edenville to Fort Des Moines.

By Mr. Bottorf,
House File No. 126,

A bill for an act to re-locate part of a State Road.

By Mr. Sawyer,
House File No. 127,

A bill for an act for the relief of James McDonald.

The rule was suspended, the bill read a second time and referred to the committee on claims.

Mr. Cloud, with leave, introduced the following resolution :

Resolved, That the Auditor of State be instructed to open the coal house, in order that the firemen of this House may get at the coal therein contained.

Adopted.

Mr. Sullivan introduced substitute for

House File No. 72,

A bill for an act supplemental to an act accepting the grant of land to the State of Iowa.

Read a first time, and

On motion of Mr. Sullivan,

The forty-second rule was suspended, the bill read a second time, laid upon the table and 200 copies ordered to be printed for the use of the General Assembly.

Mr. Sullivan,

From the committee to whom was referred

House File No. 107,

Reported the same with the recommendation that it be indefinitely postponed.

Report concurred in.

The House then adjourned.

MONDAY, DECEMBER 22, 1856—TWO O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Hardie, of Dubuque,

Moved to re-consider the vote indefinitely postponing

House File No. 107,

Which motion prevailed.

On motion of Mr. Hardie, of Dubuque,

House File No. 107,

Was laid on the table.

Mr. Davis had leave of absence.

BILLS INTRODUCED AND READ A FIRST TIME.

Senate File No. 34,

Joint resolution asking additional mail facilities.

Senate File No. 76,

A bill for an act to amend the charter of the town of Fairfield.

Senate File No. 82,

A bill for an act to vacate a subdivision of land by C. F. Conn, in Lee county.

Senate File No. 47,

A bill for an act providing for the education of the blind.

On motion of Mr. Cloud,

The following resolution was adopted :

Resolved, That the State Binder be directed to deliver without delay, to this House, any and all bills, pamphlets and documents now in his hands and ready for delivery, printed for the use of the House.

BILLS ON THEIR SECOND READING.

House File No. 128,

Read a second time, and

On motion of Mr. Rand

Referred to the Committee on Corporations.

House File No. 86,

Read a second time, and

Ordered to be engrossed and read third time to-morrow.

House File No. 116,

Read a second time, and

On motion of Mr. Cloud,

Referred to the Committee on Ways and Means.

House File No. 117,

Read a second time, and,

On motion of Mr. Cloud,

The forty-second rule was suspended, the bill read a third time, passed, and the title agreed to.

Senate File No. 28,

Read a second time, and,

On motion of Mr. Dorland,

The bill was

Referred to the Committee on the Judiciary.

The Secretary of the Senate returned
House File No. 119,
The same having passed the Senate.

Senate File No. 36,
Read a second time, and,
On motion of Mr. Sullivan,
The forty-second rule was suspended, and the bill read a third
time, passed, and the title agreed to.

Senate File No. 51,
Read a second time, and,
On motion of Mr. Holmes,
Referred to the committee on the Judiciary.

Senate File No. 63,
Read a second time, and
On motion of Mr. Barner,
The forty-second rule was suspended, the bill read a third time,
passed and the title agreed to.

BILLS ON THIRD READING.

Senate File No. 72,
On motion of Mr. Holmes,
It was indefinitely postponed,

Senate File No. 75,
On motion of Mr. Barner,
Was referred to the committee on Schools and State University.

House File No. 26,
Mr. Price moved to lay upon the table.
Lost.
The bill was then passed and the title agreed to.

House File No. 81,
Passed and the title agreed to.

House File No. 111,
Passed and the title agreed to.

Messrs. Reeder and Stanton were granted leave of absence.

Senate File No. 38,
Passed and the title agreed to.

Senate File No. 53,
Passed and the title agreed to.

Senate File No. 65,
Passed and the title agreed to.

Senate File No. 68,
Passed and the title agreed to.

Senate substitute for
House File No. 99,
Was adopted.
Passed and the title agreed to.

Mr. Kirkpatrick reported
House File No. 66,

With the recommendation that it be laid on the table and 200 copies be ordered printed for the use of the House.

Report concurred in.

Mr. Noble, with leave, introduced the following resolution :

Resolved, That the clerk of this House be and is hereby instructed to refund to Messrs. Wright and Bailey the sum of \$7 50, paid by them for the table at which they have their seats in this Hall.

Mr. Cort moved to refer the resolution to the committee on Ways and Means.

On motion of Mr. Cloud,
The resolution was laid upon the table.

Mr. Price was granted leave of absence.

BILLS ON THEIR SECOND READING.

Senate File No. 43,
The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Senate File No. 50,
On motion of Mr. Cloud,
Was indefinitely postponed.

Senate File No. 64,
On motion of Mr. Dorland,

The forty-second rule was suspended, the bill read a third time, passed, and the title agreed to.

Messrs. Dattoif and Lewis were granted leave of absence.

Mr. Kirkpatrick,

From the committee to whom was referred

House File No. 44,

Reported the same back with amendment, and recommended its passage.

Amendment concurred in, and the bill ordered to a third reading to-morrow.

Mr. Hardie

Moved to re-consider the vote taken to indefinitely postpone

House File No. 50,

Carried.

On motion of Mr. Hardie,

The bill was

Referred to the committee on the Judiciary.

On motion of Mr. Sullivan,

Senate File No. 47,

Was taken up and

Read a first time.

On his motion,

The forty-second rule was suspended, and the bill read a second time.

On motion of Mr. Cloud,

It was

Referred to the committee on the Judiciary.

Mr. Toll

Submitted the following report :

The committee on Enrolled Bills would respectfully report :

That they have presented to the Governor for his signature

House File Nos. 17, 65, 79, 55, 80, 82, 84, 68 and 70.

Also,

That they have examined

House File No. 119,

An act relating to the school fund of the State.

Also,

House File No. 39,
An act for the relief of David Hain.

Also,

House File No. 2,
Joint resolution on instructions to our Senators and Representatives in Congress in relation to Slavery and the admission of Kansas into the Union.

Also,

House File No. 62,
An act authorizing the school fund commissioners of Warren county, to pay certain charges.
And found the same correctly enrolled.

C. H. TOLL,
Chairman.

Mr. Holmes

Moved that all members who wish to go home in the morning have leave of absence.

Mr. Bowen

Moved to amend by including all officers except the Chief Clerk.
Lost.

The original motion was then adopted.

On motion of Mr. Barner,

House File No. 91,
Was taken from the table, and
Referred to the Committee on the Judiciary.

Mr. Mills, with leave, introduced

House File No. 129,
A bill for an act establishing a State road from Muscatine to Grandview, in Louisa county.
Read a first time.

On motion of Mr. Holmes,

The House adjourned until 8 o'clock to-morrow morning.

TUESDAY MORNING, DECEMBER 23d, 1856.

House met pursuant to adjournment.

The Speaker being absent,
Mr. Cloud,
On motion of Mr. Roberts,
Was called to the Chair.

A quorum not being present,
On motion of Mr. Lewis,
The House adjourned until Monday, the fifth day of January
next.

MONDAY MORNING, JANUARY 5th, 1857, {
TEN O'CLOCK, A. M. }

The House met pursuant to adjournment.

The House was called to order by the assistant clerk (in the absence of the chief clerk,) who announced the absence of the Speaker,

Whereupon,
On motion of Mr. Cloud,
Mr. Holmes was elected Speaker, *pro tem*.

Prayer by the Chaplain.

The journals of the 22d and 23d of December were read and approved.

On motion of Mr. Cloud,
A call of the House was ordered.

Mr. Sullivan moved that further proceedings under the call be dispensed with.

Lost.

The call proceeding,

The following named gentlemen were found to be absent:

Messrs. Bailey, Barner, Bigelow, Burris, Dorland, Doud, Edmundson, Finney, Franklin, Galbraith, Gillett, Green, Griswold, Hardy, of Van Buren, Inskeep, Jones, Kirkpatrick, Kelsay, Kurtz, Lothian, McDow, Milliser, Mendenhall, Mordan, Noble, Pease, Perry, Rand, Rogers, Sawyer, Toll, Van Valkenburgh, Williams, Wilson, of Webster, Wilson, of Mahaska, Wing, Wright, of Cedar, Speaker—37.

On motion of Mr. Sullivan,

Further proceedings under the call were dispensed with.

Mr. Cloud moved that the House now adjourn.

Lost.

PETITIONS AND MEMORIALS PRESENTED.

By Mr. Cloud,

The petition of sundry citizens of Kossuth county, praying for the creation of the county of Sumner,

Which was referred to the committee on New Counties.

Also,

The petition of certain members of the legal profession of Lee county, praying for an increase of the salaries of the Judges of the Supreme and district courts, which,

On motion of Mr. Cloud,

Was referred to the committee on compensation of public officers.

By Mr. Arnold,

The petition of citizens of Marshall, Hardin, Webster and other counties, praying for the establishment of a State road from Iowa City to Mankato, in Minnesota Territory, which,

On his motion, was

Referred to the Committee on Roads and Highways.

Also,

The petition of certain citizens, praying for the establishment of a State road from Belmont or Centerbury to Peola, in Palo Alto county.

Referred to the committee on Roads and Highways.

By Mr. Wyatt,

The petition of citizens of Audubon county, praying for the repeal of a certain act approved Feb. 5, 1851, and the re-enactment of an act approved Jan. 15, 1851, which was

Referred to the committee on New Counties.

By Mr. Davis,

The petition of citizens of Story county, asking the establishment of a State road from the south east corner of Story county to the Fort Des Moines and Marietta State road.

Referred to the committee on Roads and Highways.

On motion of Mr. Cloud,

The House adjourned until two o'clock this afternoon.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

On motion of Mr. Cloud,

A call of the House was ordered,

Whereupon,

The following named gentlemen were found to be absent :

Messrs. Bailey, Bigelow, Burris, Dorland, Doud, Finney, Franklin, Gillett, Green, Griswold, Hardy of Van Buren, Inskeep, Jones, Kirkpatrick, Kurtz, Lothian, Larimer, McDow, Milliser, Mendenhall, Mordan, Pease, Rand, Roberts, Rogers, Sawyer, Toll, Van Valkenburgh, Wilson of Webster, Wilson of Mahaska, Wing, Wright of Cedar, Wyatt—36.

On motion of Mr. Mills,

Further proceedings under the call were suspended.

RESOLUTIONS OFFERED.

By Mr. Barker,

Resolved, That the Secretary of State procure a corps of reporters, to report the debates and proceedings of the Convention that

will meet on the 19th inst., for the purpose of amending the Constitution of the State of Iowa, and that the expense be paid as other expenditures of the Convention are paid.

On motion of Mr. Barner,

The resolution was laid upon the table.

By Mr. Wooden,

Resolved, That a committee of five be appointed by the Speaker, whose duty it shall be to report a bill apportioning the State into Senatorial and Representative Districts.

Mr. Clark moved to strike out "five" and insert "seven,"

Which motion prevailed.

The resolution as amended, was then adopted.

Mr. Perry, with leave,

Presented the petition of Isaac Miller and others, praying for the establishment of a State road from Oquawka to Mt. Pleasant,

Which,

On motion of Mr. Perry, was

Referred to the Committee on Roads and Highways.

BILLS INTRODUCED AND READ A FIRST TIME.

By Mr. Cloud,

House File No. 130,

A bill for an act fixing the salaries of the Governor, State Officers, Judges of the Supreme Court and Judges of the District Courts of the State of Iowa.

On motion of Mr. Cloud,

The forty-second rule was suspended, the bill read a second time and

Referred to the committee on Compensation of Public Officers.

Also,

House File No. 131,

A bill for an act to amend section 211 of chapter 22 of the code of Iowa.

On motion of Mr. Cloud,

The forty-second rule was suspended, the bill read a second time, and

Referred to the committee on Compensation of Public Officers.

By Mr. Price,

House File No. 132,

A bill for an act to authorize the county judge of Keokuk county to have the road record of said county transcribed and legalized.

By Mr. Arnold,

House File No. 133,

A bill for an act to establish a State road from Marietta to the Missouri River.

On motion of Mr. Arnold,

The forty-second rule was suspended, the bill read a second time, and

Referred to the committee on Roads and Highways.

Also,

House File No. 134,

A bill for an act to locate a State road from Clarksville, in Butler county, to Fort Des Moines, in Polk county.

On motion of Mr. Arnold,

The forty-second rule was suspended, the bill read a second time, and

Referred to the committee on Roads and Highways.

By Mr. Cloud,

House File No. 135,

A bill for an act to repeal chapter 35 of the acts of the extra session of the General Assembly, held in July, 1856.

Also,

House File No. 136,

A bill for an act amendatory to chapter 136 of the code of Iowa.

On motion of Mr. Cloud,

The forty-second rule was suspended, the bill read a second time, and

Referred to the Committee on the Judiciary.

Also,

House File No. 137,

A bill for an act relating to the proof of book accounts in case of non-residents.

On motion of Mr. Cloud,

The forty-second rule was suspended, the bill read a second time and

Referred to the committee on the Judiciary.

By Mr. Moer, of Mills,

House File No. 138,

A bill for an act defining the rights and privileges of the Platts-mouth Ferry Company.

On motion of Mr. Moer,

The forty-second rule was suspended, the bill read a second time and referred to a select committee,

Composed of the delegations from the Missouri Slope.

By Mr. Wyatt,

House File No. 139,

A bill for an act defining the rights of pre-emptors on the 500,000 acre grant made to the State upon her admission into the Union.

By Mr. Moer, of Mills,

House File No. 140,

A bill for an act to authorize the sale of sections numbered 16, in Ringgold county.

By Mr. Davis,

House File No. 141,

A bill for an act to incorporate the city of Fort Des Moines, in Polk county.

Also,

House File No. 142,

A bill for an act to establish a State road from Waterloo, in Blackhawk county, to Fort Dodge in Webster county.

On motion of Mr. Davis,

The forty-second rule was suspended, the bill read a second time, and

Referred to the Committee on Roads and Highways.

Also,

House File No. 143,

A bill for an act to locate a State road from Cedar Falls, *via* Steamboat Rock, to Fort Des Moines.

On motion of Mr. Davis,

The forty-second rule was suspended, the bill read a second time, and

Referred to the Committee on Roads and Highways.

Also,

House File No. 144,

A bill for an act to incorporate Lithopolis University.

By Mr. Scoville,

House File No. 145,

Joint resolution asking for additional mail facilities from Wintersett to Osceola.

By Mr. Sullivan,

House File No. 146,

A bill for an act for counties voting on Railroad stock.

Also,

House File No. 147,

A bill for an act changing the name and style of the Fort Madison, West Point, Keosauqua and Bloomfield Railroad company.

On motion of Mr. Sullivan,

The forty-second rule was suspended, the bill read a second and third times, passed, and the title agreed to.

By Mr. Moore, of Dubuque,

House File No. 148,

A bill for an act requiring the township Trustees of New Wine township, Dubuque county, to order the election of an additional Justice of the Peace.

On motion of Mr. Moore,

The forty-second rule was suspended, and the bill read a second time, and referred to a committee composed of the delegation from Dubuque county.

Mr. Scoville,

From the committee on Engrossed Bills, with leave, reported

House File Nos. 92 and 115,

As correctly engrossed.

BILLS ON THEIR SECOND READING.

House File No. 120,
Ordered to be engrossed and read a third time to-morrow.

House File No. 124,
Referred to the committee on Roads and Highways.

House File No. 125,
Referred to the committee on Roads and Highways.

House File No. 126,
Referred to the committee on Roads and Highways.

House File No. 129,
Referred to the committee on Roads and Highways.

Senate File No. 84,
Referred to the committee on Roads and Highways.

Senate File, No. 76,
Ordered to be engrossed and read a third time to-morrow.

Senate File No. 82,
Ordered to a third reading to-morrow.

Substitute for

House File No. 92,
A bill for an act to annul chapter 43 of the code of Iowa.
On motion of Mr. Barker,
It was re-committed to the committee on the Judiciary.

House File No. 115,
A bill for an act in relation to county funds, and the manner of
drawing the same from the county treasury,
Was read a third time, and upon the question,
" Shall the bill pass,"
Was rejected.

Senate File No. 75,
A bill for an act for the distribution of the property of school dis-
trict No. 3, in Davis county, Iowa.
On motion of Mr. Price,
The bill was laid upon the table.

On motion of Mr. Barker,
Substitute for

House File No. 71,

Was taken from the table.

Mr. Barker moved to refer the bill to the committee on Railroads.

Mr. Mills moved to amend by instructing the committee to so amend the second section of said bill as to provide for the taxation of said roads as other property is taxed, instead of by the mile, as is required in said section.

Mr. Barner moved the House now adjourn.

Lost.

Mr. Mills, with leave, withdrew his amendment.

The bill was then

Referred to the committee on Railroads.

On motion of Mr. Larimer,

The House adjourned.

TUESDAY MORNING, JANUARY 6th, 1857, {
TEN O'CLOCK, A. M. }

House met pursuant to adjournment.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Message from the Senate

By their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills in which they ask the concurrence of the House—to wit:

Senate File No. 85,

An act to change the name of Frink's Grove to Avon.

Also,

Senate File No. 86,

A bill for an act vacating certain alleys in the town of Bloomfield,
Iowa.

Also,

Senate File No. 88,

A joint resolution, relating to the Woodworth planing machine.

I also herewith return

House File No. 114,

A bill for an act to change the name of Columbus to Capoli, the
same having passed the Senate without amendment.

CHAS. C. NOURSE,

Secretary.

PETITIONS PRESENTED.

By Mr. Edmundson,

The petition of citizens of Jasper county, asking the sale or other
disposition of certain lands therein named.

On his motion, it was

Referred to the committee on Public Lands.

By Mr. Arnold,

The petition of William C. Smith and others, praying for the re-
lief of the minor heirs of Henry M. Beeson.

On motion of Mr. Arnold,

Referred to the Committee on the Judiciary.

By Mr. Clausen,

The petition of certain persons, praying that certain territory now
attached to Winnesheik county may be attached to the county of
Howard,

Which, on his motion,

Was referred to the committee on County Organization.

By Mr. Jordan,

The petition of citizens of Marion county, praying the passage
of a law, prohibiting swine and sheep from running at large, or to
submit the same to the people to decide on.

Referred to the committee on Agriculture.

By Mr. Arnold,

The petition of Morris Hastings and others, praying for the relief of Robert Allison and others.

On motion of Mr. Arnold,

The petition was referred to the committee on Schools and State University.

By Mr. Cloud,

The petition of Alexander Clark and one hundred and twenty-one others, praying that certain privileges may be extended to colored persons within the State,

Which,

On motion of Mr. Cloud, was

Referred to the committee on the Judiciary.

By Mr. Holmes,

The petition of Benjamin Lake and others, asking for a change in the State road leading from Fairview, in Jones county, to Pioneer Grove.

On motion of Mr. Holmes,

The petition was referred to the delegation from Jones county.

By Mr. Lewis,

The petition of certain citizens of Washington county, asking that every section line in said county be declared a public highway.

On motion of Mr. Lewis,

The petition was referred to the committee on Roads and Highways.

On motion of Mr. Copeland,

The committee on Roads and Highways were instructed to report a general law upon the same subject.

By Mr. Jordan,

The petition of H. Polson and others, praying the establishment of a State road from Red Rock in Marion county, via Wheeling to Indianola, in Warren county.

On motion of Mr. Jordan,

The petition was laid upon the table.

By Mr. Roberts,

The petition of citizens of Madison county, praying the location of the State Penitentiary within said county.

On motion of Mr. Roberts,

The petition was referred to the committee on Public Buildings.

By Mr. Wooden,

The petition of Calvin Cole and others, citizens of Johnson county, praying the enactment of a "Statute" prohibiting swine and sheep from running at large.

On motion of Mr. Wooden,

The petition was referred to the committee on Agriculture.

By Mr. Galbraith,

The petition of Thomas Wilkinson and others, asking the establishment of a State road from the Des Moines river in Van Buren county, to the Missouri river on the State line.

On motion of Mr. Galbraith,

The petition was referred to the committee on Roads and Highways.

RESOLUTIONS OFFERED.

By Mr. Arnold,

House File No. 149,

Joint resolution asking for additional mail facilities from Marietta to Steamboat Rock.

Read a first time.

By Mr. Mills,

Resolved, That so much of the Auditor's Report as refers to additional pay to Wm. H. Merritt for printing, be referred to the Committee on the Judiciary, and that they report to this House, what action (if any) is necessary to recover the amount of \$6,764.19 said to have been wrongfully paid for work done in 1852-3.

Adopted.

By Mr. Hardie, of Dubuque,

Resolved, That the committee on Military Affairs be and are hereby instructed to inquire into what disposition has been made of the State arms, and the propriety of permitting the rendezvous and drilling, within this State, of troops intended for the invasion of other States or Territories of the United States.

Upon the question of the adoption of the resolution,

Mr. Hardie demanded the yeas and nays,
Which were as follows,
Yeas 32, nays 16.

YEAS—

Messrs. Barker, Bryson, Bottorf, Bowen, Clausen, Cloud, Copeland, Cort, Galbraith, Griswold, Gossage, Hardie, of Dubuque, Holmes, Jordan, Kirkpatrick, Kelsay, Larimer, Mills, Moore, of Dubuque, Price, Reeder, Richardson, Roberts, Rodman, Rogers, Sawyer, Scoville, Stanton, Sullivan, Thomas, Van Valkenburgh, Wing, Wooden, Wyatt—32.

NAYS—

Messrs. Arnold, Barner, Clausen, Davis, Edmundson, Fry, Hershberger, Kurtz, Lewis, Lothian, Moer, of Mills, Noble, Perry, Williams, Wooden, Speaker—16.

Mr. Wright, of Cedar, was excused from voting.

By Mr. Bottorf,

Resolved, That the Secretary of State be requested to furnish the officers of this House with stationery, pens and knives of the same quality that the members have received.

Lost.

By Mr. Rodman,

House File No. 150,
Joint resolution to procure additional mail facilities.
Read a first time.

House File No. 151,
Joint resolution asking for additional mail facilities.
Read a first time.

REPORTS OF COMMITTEES.

Mr. Barker,

From the committee to whom was referred
House File No. 122,
Reported the same back without amendment, and recommended its passage.

On motion of Mr. Barner,
The bill was laid upon the table.

Mr. Moer, of Mills,
From the committee on Public Printing, reported
House File No. 152,
A bill for an act to amend an act of the Fifth General Assembly,
And recommended its passage.
Read a first time.

Mr. Cloud,
From the committee on Ways and Means, reported back
House File No. 121,
A bill for an act for the relief of persons paying a road poll tax,
With the recommendation that it be laid upon the table.
Report concurred in.

Mr. Williams,
From the committee on Ways and Means, reported back
House File No. 59,
And recommended its passage.
Ordered to be engrossed and read a third time to-morrow.

Mr. Bowen submitted the following report :
The Committee on Enrolled Bills, report that they have examined

House File No. 62,
An act authorizing the school fund commissioner of Warren county, to pay certain monies.

Also,
Senate substitute for
House File No. 99,
An act to authorize the County Judge of Pottawatomie county to have transcribed certain records of said county.

Also,
House File No. 114,
A bill for an act to change the name of Columbus to Capoli.
And found them correctly enrolled.

T. W. BOWEN,
Chairman.

Mr. Barker,

From the committee to whom was referred

House File No. 12,

A bill to increase the number of voting places, reported a substitute for the same.

The substitute was adopted, and

Ordered to be engrossed and read a third time to-morrow.

Mr. Cloud,

From the committee on Ways and Means, to whom was referred

House File No. 123,

Reported the same back and recommended its passage.

On motion of Mr Cloud,

The bill was laid upon the table.

Mr. Moore, of Dubuque,

From the committee to whom was referred

House File No. 127,

Reported the same back with the recommendation that it pass.

Mr. Cloud

Moved that the bill be indefinitely postponed.

Lost.

The bill was then ordered to be engrossed and read a third time to-morrow.

Mr. Wooden,

From the committee on the Judiciary, to whom was referred

Senate File No. 51,

Reported the same back, and recommended its passage.

Ordered to be engrossed and read a third time to-morrow.

Mr. Barner,

From the select committee to whom the same was referred, reported back

Substitute for

House File No. 91,

And recommended its passage.

Mr Thomas

Moved the bill be laid upon the table.

Motion lost.

The bill was then ordered to be engrossed and read a third time to-morrow.

Mr. Wooden,

From the committee on the Judiciary, to whom was referred
Senate File No. 37,

Reported the same back with one amendment, and recommended
its passage.

The amendment was concurred in, and the bill ordered to be en-
grossed and read a third time to-morrow.

Mr. Wooden also reported substitute for

House File No. 148,

And recommended its passage.

The substitute was adopted and ordered to be engrossed and read
a third time to-morrow.

Mr. Wooden also reported

House File No. 28,

With the recommendation that it pass.

Ordered to be engrossed and read a third time to-morrow.

Mr. Wooden also reported back

House File No. 27,

A bill further regulating the service of original notices,

And recommended its passage.

On motion of Mr. Cloud,

The bill was re-committed to the committee on the Judiciary.

Mr. Wooden also reported back

House File No. 136,

A bill for an act amendatory to chapter 136 of the code of Iowa.

And recommended its passage.

On motion of Mr. Barner,

The bill was laid upon the table.

The Secretary of the Senate transmitted to the House, by order
of the Senate, a communication from his excellency, the Governor.

Mr. Holmes,

From the committee to whom was referred the petition of citizens
of Fairview, Jones county, reported

House File No. 153,

A bill for an act to change a part of the State road from Fairview,
Jones county, to Pioneer Grove.

Read a first time.

Mr. Wooden,

From the committee on the Judiciary, reported back
Senate substitute for

House File No. 24,

A bill for an act to amend chapter 49 of the session laws of 1854
and 1855.

And recommended its passage.

Ordered to a third reading on to-morrow.

Mr. Barner,

From the committee to whom was referred

House File No. 92,

Reported the same back and recommended its passage.

On motion of Mr. Sullivan,

The bill was laid upon the table.

BILLS INTRODUCED AND READ A FIRST TIME.

By Mr. Barner,

House File No. 154,

A bill for an act in relation to the estates of decedents and minors.

On motion of Mr. Barner,

The forty-second rule was suspended, the bill read a second time, and

Referred to the Committee on the Judiciary.

By Mr. Edmundson,

House File No. 155,

A bill for an act to enforce the collection of taxes in the county of Jasper, for the year 1854.

On motion of Mr. Edmundson,

The forty-second rule was then suspended, the bill read a second time, and

Referred to a select committee of five.

The Chair appointed

Messrs. Edmundson, Roberts, Galbraith, Kelsay and Lothian,
said committee.

By Mr. Moer, of Mills,

House File No. 156,

A bill for an act to authorize the selection of grand and petit jurors in Mills county,

On motion of Mr. Moer,

The forty-second rule was suspended, the bill read a second time, and

Referred to the committee on the Judiciary.

By Mr. Rodman,

House File No. 157,

A bill for an act to amend an act entitled an act to incorporate the town of Guttenberg.

On motion of Mr. Rodman,

The forty-second rule was suspended, the bill read a second time, and

Referred to a select committee, composed of the delegation from Clayton county.

By Mr. Barker,

House File No. 158,

A bill for an act to authorize the city of Dubuque, to subscribe to the capital stock of the Dubuque, St. Peters and St. Paul Railroad company.

On motion of Mr. Hardie, of Dubuque,

The forty-second rule was suspended, the bill read a second time, and

Referred to the delegation from Dubuque.

By Mr. Barner,

House File No. 159,

A bill for an act to amend section 455 of the code of Iowa.

On motion of Mr. Barner,

The forty-second rule was suspended, the bill read a second time, and

Referred to the committee on Agriculture.

Also,

House File No. 160,

A bill for an act in relation to personal property.

Also,

House File No. 161,

A bill for an act to amend chapter 117 of the code of Iowa.

Also,

House File No. 162,

A bill for an act to repeal chapter 84 of the laws of the General Assembly of the State of Iowa.

By Mr. Jordan,

House File No. 163,

A bill for an act to establish a State road from Red Rock, in Marion county, to Indianola, in Warren county.

By Mr. Williams,

House File No. 164,

A bill for an act defining what shall constitute a copy of the original survey as contemplated in section 112 of the code.

By Mr. Richardson,

House File No. 165,

A bill for an act to locate a State road between Audubon and the Minnesota line.

On motion of Mr. Arnold,

The forty-second rule was suspended, the bill read a second time, and

Referred to the committee on Roads and Highways.

On motion of Mr. Gossage,

The House adjourned.

TWO O'CLOCK, P. M

The House met pursuant to adjournment.

The Speaker announced

Messrs. Wyatt, Larimer, and Moer of Mills, as the select committee to whom was referred

House File No. 138.

BILLS INTRODUCED AND READ A FIRST TIME.

By Mr. Rodmæn,

House File No. 166,

A bill for an act authorizing county Judges of the several counties to subscribe for county papers.

By Mr. Cloud,

House File No. 167,

A bill for an act relating to escheats.

Mr. Speaker announced a communication from Mrs. E. M. Wright which was read by order of the House,

Whereupon,

On motion of Mr. Mills,

The communication was ordered to be entered upon the journal, and is as follows :

TORONTO, CLINTON Co., IOWA, {
December 30, 1856. }

To the Honorable Members of the House of Representatives:

Mrs. E. M. Wright wishes me to return her warmest thanks and heartfelt gratitude for the deep sympathy you expressed at the loss of her beloved husband; and with a feeling and grateful heart most cheerfully accepts, in the time of sorrow, your kind and tender sympathies for herself and children.

EDWIN BLAKESLEE, M. D.

BILLS ON THEIR SECOND READING.

House File No. 132,

Ordered to be engrossed and read a third time to-morrow.

House File No. 135,

A bill for an act to repeal chapter 35 of the extra session held in July, 1856.

On motion of Mr. Cloud,

The 42nd rule was suspended, the bill read a third time, passed, and the title agreed to.

House File No. 139.

Referred to the committee on Public Lands.

House File No. 140,
Referred to the committee on Public Lands.

House File No. 141,
Referred to the Committee on the Judiciary.

House File No. 144,
Referred to the committee on Schools and State University.

House File, No. 145,
Ordered to be engrossed and read a third time to-morrow.

Mr. Barner

Moved to re-consider the vote by which

House File No. 115,

A bill for an act in relation to county funds, and the manner of drawing the same from the county Treasury, was rejected,

Carried.

The bill was then read a third time, and

On motion of Mr. Holmes,

Was re-committed to the committee on Ways and Means.

BILLS ON THIRD READING.

House File No. 120,

A bill for an act to amend chapter 161 of the acts of the fifth General Assembly, entitled

“An act to provide for the appointment of a reporter of the decisions of the Supreme Court and for other purposes.

Passed and the title agreed to.

Senate File No. 76,

A bill for an act to amend the charter of the town of Fairfield.

Passed and the title agreed to.

Senate File No. 82,

A bill for an act to vacate a sub-division of land by C. F. Conn, in Lee county.

Passed and the title agreed to.

On motion of Mr. Rand,

House File No. 136,

A bill for an act amendatory to chapter 136 of the code of Iowa, was taken from the table.

The bill was then ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Mills,

House File No. 98,

A bill for an act in relation to roads,

Was taken from the table.

Whereupon,

On his motion,

The House resolved itself into a committee of the Whole, to consider the same.

Message from the Senate,

By their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the following bills have passed the Senate, and that the concurrence of the House of Representatives is asked thereto.

House File No. 13,

A bill for an act to change the boundaries of the ninth judicial district.

Also,

Senate File No. 74,

A bill for an act providing for additional security of public money.

Also,

Senate File No. 96,

A bill for an act vacating a certain grave-yard therein named, and authorizing the sale of the ground occupied by said grave-yard.

Also,

Senate File No. 97,

A bill for an act authorizing the county Recorder of Davis county to re-index certain records therein named.

C. C. NOURSE,
Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed

Senate File No. 101,

A bill for an act to extend the corporate limits of the city of Osceola.

I herewith return

House File No. 147,

A bill for an act to change the name of the Fort Madison, W. P. K. & B. Railroad Company,

With an amendment, in which the concurrence of the House is asked.

I also return herewith

House Files No. 81 and 117,

The same having passed the Senate without amendment.

CHAS. C. NOURSE,

Secretary.

At 4 o'clock and 10 minutes the committee rose, reported progress and asked leave to sit again,

Which leave was granted.

The House adjourned.

WEDNESDAY MORNING, JANUARY 7th, 1857, }
TEN O'CLOCK, A. M. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Morong.

Journal of yesterday read and corrected.

PETITIONS PRESENTED.

By Mr. Cloud,

The petition of citizens of Muscatine, praying for the repeal of the act of the extra session of the 5th General Assembly, extending the corporate limits of the city of Muscatine.

Also,

The remonstrance of other citizens against any change in the said act.

On motion of Mr. Cloud,

The petition and remonstrance were

Referred to the Committee on Incorporations.

By Mr. Barker,

The petition of James A. Hadley and others, praying the repeal of an act entitled an act for the suppression of intemperance.

On motion of Mr. Barker,

The petition was

Referred to the Committee on the subject of temperance.

By Mr. Cloud,

A communication from the city authorities of Muscatine, asking the location of the asylum for the blind, or deaf and dumb, in that city.

On motion of Mr. Cloud,

It was

Referred to the committee on Charitable Institutions.

Also,

The petition of citizens of Muscatine county, asking the enactment of a law for the protection of game.

On motion of Mr. Cloud,

The petition was

Referred to the committee on Agriculture.

By Mr. Wyatt,

The petition of citizens of Audubon county, praying that the county treasurer of Cass county may be required to refund certain monies to the proper authorities of Audubon county.

On motion of Mr. Wayatt,

The petition was

Referred to the Committee on Ways and Means.

By Mr. Griswold,

The petition of citizens of Lee county, asking that a portion of a State road therein named, may be vacated.

On motion of Mr. Griswold,

The petition was

Referred to the committee on Roads and Highways.

By Mr. Bailey,

The petition of citizens of Black Hawk county, praying that three terms of the District Court of said county may be held each year.

On motion of Mr. Bailey,

The petition was

Referred to the Committee on the Judiciary.

By Mr. Dorland,

The petition of citizens of Salem township, Henry county, praying the division of said township, for voting purposes.

On motion of Mr. Dorland,

The petition was

Referred to the committee on township and county organizations.

Mr. Pease was excused from attendance upon the House.

By Mr. Bailey,

The petition of citizens of Black Hawk county, praying the establishment of a State road between points therein named.

On motion of Mr. Bailey,

The petition was

Referred to the committee on Roads and Highways.

RESOLUTIONS OFFERED.

By Mr. Sullivan,

Resolved, That a committee of seven be appointed, whose duty it shall be to report a bill to this House providing for the organization of an Agricultural College in this State, to be in part endowed as a branch of the State University, and in part by the several counties in the State taking stock, as a permanent endowment of the same.

Mr. Hardie, of Dubuque,

Offered the following substitute:

That a special committee of seven members be appointed to enquire into the expediency of providing for the establishment of an

Agricultural College, and that said committee be required to report upon the same without delay.

The substitute was lost.

The original resolution was then adopted.

By Mr. Arnold,

House File No. 168,

Joint resolution asking for additional mail facilities from Waterloo to Steamboat Rock, which was

Read a first time.

By Mr. Holmes,

Resolved, That in the opinion of this House, the practice now prevalent in this State, of counties and incorporated towns subscribing to the stock of Railroad companies will prove destructive to the best interests of our State, and should be prohibited by law.

On motion of Mr. Hardie, of Dubuque,

The resolution was

Referred to the committee on the Judiciary.

Mr. Bailey, with leave, presented

The petition of citizens of Black Hawk county, asking the establishment of a State road.

On his motion,

The petition was

Referred to the committee on Roads and Highways.

REPORTS OF COMMITTEES.

Mr. Dorland,

From the committee on schools and State University, to whom was referred

House File No. 1,

Reported the same back with an amendment, and recommended its passage.

The amendment was adopted, and the bill ordered to be engrossed and read a third time to-morrow.

Mr. Scoville submitted the following report :

The committee on Engrossed Bills, beg leave to report, That they have examined

House Files No. 59, 127, 145 and 132,

Also, substitute for

House Files No. 91, 148 and 12,

And find them correctly engrossed.

D. W. SCOVILLE,
Chairman.

Mr. Edmundson,

From the committee to whom was referred

House File No. 155,

A bill for an act to enforce the collection of taxes in the county of Jasper, for the year 1854,

Reported the same back without amendment, and recommended its passage.

On motion of Mr. Edmundson,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Mr. Barner,

From the committee on the Judiciary, to whom was referred

House File No. 118,

Reported the same back with one amendment and recommended its passage.

Mr. Wooden,

From the Judiciary committee, submitted a minority report, recommending that the bill do not pass.

The bill was laid upon the table.

Mr. Wooden,

From the Judiciary committee, to whom was referred

House File No. 156,

Reported the same back and recommended its passage.

The bill was ordered to be engrossed and read a third time tomorrow.

Mr. Dorland,

From the committee on Schools and State University, to whom was referred the petition of citizens of Marshall county, praying relief, reported

House File No. 169,

A bill for an act allowing pre-emptors on the sixteenth section to purchase the land on which the same are made.

Read a first time.

Mr. Wyatt,

From the committee to whom was referred

House File No. 138,

Reported the same back and recommended its passage.

Ordered to be engrossed and read a third time to-morrow.

Mr. Wooden,

From the Judiciary committee, to whom was referred

House File No. 35,

Reported the same back with one amendment and recommended its passage,

The amendment was concurred in.

On motion of Mr. Bailey,

The word "exclusively" was stricken out.

On motion of Mr. Wyatt,

The bill was laid upon the table.

Message from the Senate,

By their Secretary.

MR. SPEAKER:

I herewith present for your signature, the following bills—the same having passed both branches of the General Assembly, and been duly enrolled by the Senate:

Senate File, No. 46,

A bill for an act to establish a recorder's office in the city of Keokuk.

Also,

Senate File No. 38,

A bill for an act to vacate an alley in the city of Keosauqua.

Also,

Senate File No. 43,

Joint resolution in relation to establishing a custom house and marine hospital in the city of Keokuk.

Also,

Senate File No. 53,

A bill for an act to locate a State road from Mt. Air in Ringgold county, to Clarinda, in Page county.

Also,

Senate File No. 63,
Joint resolution asking for additional mail facilities.

Also,

Senate File No. 64,
Joint resolution to procure additional mail facilities.

Also,

Senate File No. 65,
Joint resolution asking to enlarge the boundaries of the State of Iowa.

Also,

Senate File No. 68,
A bill for an act authorizing the County Judge of Linn county, to transcribe certain records of said county.

Also,

Senate File No. 36,
Joint resolution for increased mail facilities.

CHAS. C. NOURSE,
Secretary.

Mr. Dorland,

From the committee on schools and State University, to whom was referred

House File No. 144,

Reported the same back without recommendation.

Ordered to be engrossed and read a third time to-morrow.

Mr. Sullivan, with leave,

Submitted a report from the Dean of the Medical branch of the State University,

Which,

On motion of Mr. Sullivan,

Was laid upon the table.

Mr. Sullivan also presented

The petition of the Trustees and Faculty of the Medical Branch of the State University, praying the donation of five thousand dollars, for purposes therein named.

BILLS INTRODUCED AND READ A FIRST TIME.

By Mr. Wooden,

House File No. 170,

A bill for an act to amend sections 1956, 7 and 8 of the code of Iowa.

Also,

House File No. 171,

A bill for an act to preserve fences.

By Mr. Sullivan,

House File No. 172,

A bill for an act to provide for recording town plats.

By Mr. Rodman,

House File No. 173,

A bill for an act to establish a State road from Guttenburg, in Clayton county, to Independence, in Buchanan county.

On motion of Mr. Rodman,

The forty-second rule was suspended, the bill read a second time, and

Referred to the committee on Roads and Highways.

By Mr. Richardson,

House File No. 174,

A bill for an act to authorize the McGregors, St. Peters and Missouri river Railroad company to accept and appropriate a grant of land, and to authorize and encourage said company to build a Railroad from McGregors Landing, westerly through the State.

On motion of Mr. Arnold,

The forty-second rule was suspended, the bill read a second time, and

Referred to the committee on Railroads.

By Mr. Clausen,

House File No. 175,

A bill for an act in relation to certain new counties.

On motion of Mr. Clausen,

The forty-second rule was suspended, the bill read a second time, and

Referred to the committee on County and Township Organization.

By Mr. Wyatt,

House File No. 176,

A bill for an act to recel chapter 81 of the session laws, approved February 5th, 1851.

By Mr. Noble,

House File No. 177,

A bill for an act for the re-location of the burial ground in Delhi, and to provide for the removal of the dead.

On motion of Mr. Noble,

The forty-second rule was suspended, the bill read a second and third times, passed, and the title agreed to.

By Mr. Edmundson,

House File No. 178,

A bill for an act to incorporate the town of Newton, in Jasper county.

On motion of Mr. Edmundson,

The forty-second rule was suspended, the bill read a second time and

Referred to the committee on Incorporations.

By Mr. Wilson, of Mahaska,

House File No. 179,

A bill for an act to legalize the organization of Howard county.

On his motion,

The forty-second rule was suspended, the bill read a second time and

Referred to the Committee on the Judiciary.

By Mr. Gossage,

House File No. 181,

A bill for an act to change the name of Abbis Jane Reid to Abbis Jane Hielt.

On his motion,

The forty-second rule was suspended, the bill read a second time and

Referred to the Committee on the Judiciary.

By Mr. Holmes,

House File No. 182,

A bill for an act to provide for the collection of damages sustained by owners of personal property by railroad companies.

On his motion,

The forty-second rule was suspended, the bill read a second time, and

Referred to the Committee on the Judiciary.

The House then adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Clausen, with leave,

Presented the remonstrance of citizens against the alteration of the boundaries of Mitchell county, which,

On his motion,

Was referred to the Committee on County and Township Organization.

BILLS ON THEIR FIRST READING.

Senate File No. 74,

A bill for an act for the additional security of public money.

Senate File No. 85,

A bill for an act to change the name of Frinks Grove to Avon.

Senate File No. 86,

A bill for an act vacating certain alleys in the town of Bloomfield, Iowa.

Senate File No. 88,

Joint resolution in relation to Woodworth's planing machine.

Senate File No. 96,

A bill for an act vacating a certain grave-yard therein named, and authorizing the sale of the lots.

The forty-second rule was suspended, the bill read a second time, and

Referred to the delegation from Davis county.

Senate File No. 97,

A bill for an act authorizing the county Judge of Davis county to re-index certain records therein named.

Senate File No. 101,

A bill for an act to extend the corporate limits of the city of Oskaloosa.

On motion of Mr. Fry,

The forty-second rule was suspended, the bill read a second time, and

Referred to the committee on Incorporations.

BILLS ON THEIR SECOND READING.

House File No. 149,

Joint resolution asking for additional mail facilities from Marietta to Steamboat Rock.

The forty-second rule was suspended, the bill read a second time, passed, and the title agreed to.

House File No. 150,

Ordered to be engrossed and read a third time to-morrow.

House File No. 151,

Ordered to be engrossed and read a third time to-morrow.

House File No. 152,

Mr. Holmes

Moved to refer to the committee on Ways and Means.

Mr. Mills

Moved to lay the bill upon the table, and order 150 copies to be printed for the use of the House.

Motion adopted.

Mr. Hardie, of Dubuque, with leave,

Introduced the following resolution :

Resolved, That the Auditor of the State be requested to furnish the House with any information that may be in his possession, as to the amount of money paid to John Brown, on his claim as Com-

missioner to locate a permanent seat of Government of the State of Iowa, under an act approved Feb. 22, 1847, and if before said money was paid to said Brown, he, (Brown,) relinquished to the State all claim he had in lots in "Monroe City," and restored the State as fully as when he purchased said lots, to his title in the same, as provided for under joint resolution No. 16, of the acts of the regular session of 1854 and 5, and approved January 18, 1855.

Adopted.

House File No. 153,
Ordered to be engrossed and read a third time to-morrow.

House File No. 169,
Referred to the committee on the Judiciary.

House File No. 161,
Referred to the Committee on the Judiciary.

The secretary of the Senate presented to the House a communication from his excellency, the Governor.

House File No. 162.
Referred to the Committee on the Judiciary.

House File No. 163,
Referred to the committee on Roads and Highways.

House File No. 164,
Ordered to be engrossed and read a third time to-morrow.

House File No. 166,
On motion of Mr. Holmes,
Was indefinitely postponed.

House File No. 167,
On motion of Mr. Barner,
Was indefinitely postponed.

BILLS ON THIRD READING.

Substitute for
House File No. 12,
A bill for an act to increase the number of voting places.
Passed and the title agreed to.

House File No. 59,

A bill for an act for the relief of W. W. Williamson.

Upon the question of the passage of the bill,

Mr. Wyatt demanded the yeas and nays,

Which were as follows :

Yeas 35, nays 23.

YEAS—

Messrs. Arnold, Baiey, Barker, Bryson, Barner, Bigelow, Bottorf, Clansen, Cloud, Copeland, Davis, Dorland, Edmundson, Hardie, of Dubuque, Hershberger, In-keep, Kirkpatrick, Kelsay, Kurtz, Lottian, Mills, Moer, of Mills, Price, Perry, Richardson, Roberts, Rodman, Rogers, Stanton, Wilson, of Mahaska, Wing, Wooden, Wright, of Cedar, Speaker—35.

NAYS—

Messrs. Bowen, Clark, Cort, Galbraith, Gossage, Hardy, of Van Buren, Holmes, Jordan, Lewis, Larimer, McDow, Miliser, Mendenhall, Moore, of Dubuque, Noble, Reeder, Sawyer, Scoville, Sullivan, Thomas, Toll, Van Valkenburgh, Wyatt—23.

The title of the bill was then agreed to.

Substitute for

House File No. 91,

A bill for an act creating the fourteenth judicial district and fixing the time of holding courts therein.

Passed and the title agreed to.

House File No. 127,

A bill for an act for the relief of James McDonald.

Mr. Holmes

Moved to lay the bill upon the table.

Motion lost.

Upon the question of the passage of the bill,

Mr. Holmes demanded the yeas and nays,

Which were as follows,

Yeas 19, nays 41.

YEAS—

Messrs. Potterf, Bowen, Edmundson, Finney, Galbraith, Griswold, Gossage, Hardy of Van Buren, Jordan, Kelsay, Larimer, McDow, Milliser, Mendenhall, Sawyer, Scoville, Sullivan, Van Valkenburgh, Wooden—19.

NAYS—

Messrs. Arnold, Bailey, Barker, Bryson, Barner, Bigelow, Clausen, Clark, Cloud, Copeland, Cort, Davis, Dorland, Hardie of Dubuque, Herslberger, Holmes, Inskoop, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Moer of Mills, Moore of Dubuque, Noble, Price, Perry, Reeder, Richardson, Roberts, Rodman, Rogers, Stanton, Thomas, Toll, Williams, Wilson of Mahaska, Wing, Wright of Cedar, Wyatt, Speaker—41.

House File No. 132,

A bill for an act to authorize the county judge of Keokuk county to have the road record transcribed and to legalize the same.

Passed and the title agreed to.

House File No. 136,

A bill for an act amendatory to chapter 136 of the code of Iowa.

Passed and the title agreed to.

House File No. 155,

Joint resolution in relation to additional mail facilities.

Passed and the title agreed to.

House File No. 148,

A bill for an act to provide for the election of an additional justice of the New Wine Township, Dubuque county.

Passed and the title agreed to.

Substitute for

Senate File No. 24,

A bill for an act to amend chapter 49 of the session laws of 1854 and 1855.

Passed and the title agreed to.

Senate File No. 28,

A bill for an act to repeal an act entitled, "An act in relation to divorce and alimony."

Mr. Clark

Moved to re-committ the bill to a select committee of five.

Motion lost.

Upon the question of the passage of the bill,

Mr. Holmes demanded the yeas and nays,

Which were as follows,

Yeas 29, nays 31.

YEAS—

Messrs. Arnold, Bailey, Barker, Bryson, Bigelow, Bottorf, Bowen, Clark, Cloud, Copeland, Finney, Galbraith, Griswold, Gossage, Inskip, Jordan, Kelsay, Larimer, Milliser, Mendenhall, Moer, of Mill-, Noble, Price, Roberts, Rogers, Stanton, Toll, Wooden, Wright of Cedar—29.

NAYS—

Messrs. Barner, Clausen, Cort, Davis, Dorland, Edmundson, Fry, Hardie, of Dubuque, Hardy, of Van Buren, Hershberger, Holmes, Kirkpatrick, Kurtz, Lewis, Lothian, McDow, Mills, Moore, of Dubuque, Perry, Reeder, Richardson, Rodman, Sawyer, Scoville, Thomas, Van Valkenburgh, Williams, Wilson, of Mahaska, Wing, Wyatt, Speaker—31.

On motion of Mr. Cloud,

The regular order of business was suspended, and the communications from the Governor were taken from the table.

Mr. Cloud

Moved that the reading of the resolutions be dispensed with, and that they be entered upon the journals of the House.

Motion lost.

Mr. Dorland

Moved the House adjourn until 7 o'clock, P. M.,

Upon which,

The yeas and nays were demanded,

Which were as follows :

Yeas 34, Nays 27.

YEAS :—

Messrs. Arnold, Bailey, Barner, Bottorf, Clausen, Davis, Dorland, Edmundson, Fry, Gossage, Hardie of Dubuque, Hershberger,

Holmes, Inskip, Kirkpatrick, Kelsay, Lewis, Mills, Mendenhall, Moer of Mills, Noble, Perry, Reeder, Roberts, Rodman, Rogers, Sawyer, Stanton, Thomas, Toll, Williams, Wilson of Mahaska, Wing, Wright of Cedar—34.

NAYS:—

Messrs. Barker, Bryson, Bigelow, Bowen, Clark, Cloud, Cope-land, Cort. Finney, Galbraith, Griswold, Hardy of Van Buren, Kurtz, Lothian, Larimer, McDow, Milliser, Moore of Du-buque, Price, Richardson, Scoville, Sullivan, Van Valkenburgh, Wooden, Wyatt, Speaker—27.

SEVEN O'CLOCK, P. M.

House met pursuant to adjournment.

The gentlemen composing the Committee of Investigation of the Public Instruction, were excused from attendance upon the House.

The matters communicated by the Governor, being the order of business,

On motion of Mr. Mills,
The same were laid upon the table.

BILLS ON THIRD READING.

Senate File, No. 47,
Passed and the title agreed to.

Senate File No. 51,
Read a third time, and
Lost.

Senate File No. 76,
Passed and the title agreed to.

House File No. 174,
Was taken up, and

The Senate amendment concurred in.

On motion of Mr. Holmes,
House File No. 78,
Was taken from the table.

Mr. Barner

Moved the bill be re-committed to the Committee on Ways and Means.

Mr. Arnold

Moved to amend by referring it to the Committee on the Judiciary.

Lost.

The motion to recommit to the Committee on Ways and Means then prevailed.

Mr. Dorland, with leave, introduced the following resolution :

Resolved, (the Senate concurring), That the House of Representatives will meet the Senate in the Hall of the House, on Monday, the 12th inst., at half past 2 o'clock, P. M., for the purpose of electing an Associate Judge of the Supreme Court, in the place of Norman W. Isbell, resigned ;—a State Printer ;—a State Binder, and Warden of the Penitentiary.

Adopted.

On motion of Mr. Barker,

The resolution in relation to reporters for the Constitutional Convention was taken from the table.

Mr. Barker, with leave, introduced

House File No. 183,

Joint resolution in relation to reporters for the Constitutional Convention, which was

Read a first time.

On motion of Mr. Barker,

The forty-second rule was suspended, and the joint resolution read a second time by its title.

Mr. Barner

Moved to further suspend the forty-second rule, and read the resolution a third time now.

Motion lost.

Mr. Sullivan

Moved to amend the resolution by fixing the number of Stenographers at two.

Mr. Mills

Moved to amend the motion by striking out the word "two," and inserting "one."

Adopted.

Mr. Barner

Moved to re-consider the vote last taken.

Lost.

The amendment to the resolution was then adopted, and,

On motion of Mr. Mills,

It was ordered to be engrossed and read a third time to-morrow.

Mr. Barker, with leave, introduced

House File No. 184,

A bill for an act for revising and consolidating the laws incorporating the city of Dubuque, and to establish a city court therein, which was

Read a first time.

When,

On motion of Mr. Barker,

The forty-second rule was suspended, the bill read a second time by its title, and

Referred to a select committee from Dubuque.

Mr. Barner, with leave, introduced

House File No. 185,

A bill for an act to amend an act entitled an act to incorporate the city of Davenport, and the several acts amendatory thereto,

Which was read a first time, and,

On motion of Mr. Barner,

The forty-second rule was suspended, the bill read a second time by its title, and referred to a select committee composed of the delegation from Scott county.

The House then adjourned.

THURSDAY MORNING, JANUARY 8th, 1857.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Morong.

Journal of yesterday read and approved.

Mr. Speaker announced as the select committee to report a bill establishing a State Agricultural College,

Messrs. Sullivan, Richardson, Williams, Moore, of Dubuque, Kelsay, Arnold and Edmundson.

As the select committee to apportion the State into Senatorial and Representative Districts,

Messrs. Wooden, Wyatt, Bigelow, Milliser, Cort, Moer, of Mills, and Dorland.

PETITIONS PRESENTED.

By Mr. Bailey,

The petition of citizens of Barklay Township, in Black Hawk county, praying for relief.

Referred to the Committee on Schools and State University.

By Mr. Dorland,

The petition of citizens, praying for the establishment of a State road from Waterloo to Grundy Centre.

Referred to the committee on Roads and Highways.

By Mr. Toll,

The petition of citizens of the town of Clinton, asking the passage of an act incorporating said town.

Referred to the Committee on Incorporations.

By Mr. Hardy, of Van Buren,

The petition of James C. Brown and others, praying that a part of a State road therein named may be vacated.

Referred to a select committee composed of Messrs. Hardy, of Van Buren, Stanton and Scoville.

By Mr. Bailey,

The petition of Thos. Sherwood and others, asking that the name of the town of New Haven may be changed to that of Independence.

Referred to a select committee composed of Messrs. Bailey, Noble and Rogers.

Also,

The petition of P. P. Parker and others, praying a change in the boundary line between Butler and Grundy counties.

Referred to the Committee on New Counties.

Also,

The petition of James Barkley and others praying the location of a State road from Vinton to West Union.

Referred to the committee on Roads and Highways.

Mr. Clark

Presented the memorial of Henry P. Scholte, in relation to the Improvement of the Des Moines River.

Referred to the Committee on the Des Moines River Improvement.

On motion of Mr. Sullivan,

200 copies of the report of the Dean of the Medical Branch of the State University, were ordered to be printed for the use of the House.

Messrs. Franklin and Mordan were excused from attendance upon the House on account of illness.

RESOLUTIONS OFFERED.

By Mr. Price,

Resolved, That this House meet to-morrow morning, and every morning thereafter during the present session, at the hour of nine o'clock A. M.

Adopted.

Mr. Cort

Moved to suspend the regular order of business and take up House File No. 47,

Motion lost.

By Mr. Hardie, of Dubuque,

Resolved, That during the balance of this session no member shall be permitted to speak longer than ten minutes, nor more than once on the same question, without the unanimous consent of the House.

Adopted.

Mr. Cort

Moved to re-consider the vote last taken,
Which motion prevailed.

On motion of Mr. Holmes,
The resolution was laid upon the table.

Message from the Senate,
By their Secretary.

MR. SPEAKER :

I am directed to inform the House of Representatives that the Senate has passed the following bills in which the concurrence of the House is asked :

Senate File No. 103,
Joint resolution for an appropriation to build a custom house, &c.,
in the city of Burlington.

Also,
Senate File No. 106,
Bill for an act to grant an additional Justice of the Peace in the township of New Wine, Dubuque county.

Senate File No. 66,
A bill for an act fixing the salaries of the Supreme and District Judges of the State and to provide for their payment.

CHAS. C. NOURSE,
Secretary.

MR. SPEAKER :

I herewith present for your signature
Senate File No. 35,
A bill for an act to incorporate Winterset.
The same having passed both branches of the General Assembly,
and been duly enrolled by the Senate.

C. C. NOURSE,
Secretary.

By Mr. Holmes,

House File No. 186,

Joint resolution donating the present Capitol Buildings of the State to the State University,

Which was read a first time.

Mr. Price

Moved the joint resolution be rejected.

On motion,

The House adjourned.

TWO O'CLOCK, P. M

The House met pursuant to adjournment.

The question for the House being the motion of Mr. Price to reject House File No. 186,

Mr. Holmes demanded the yeas and nays,

Which were as follows:

Yeas 33, Nays 26.

YEAS—

Messrs. Arnold, Bailey, Barker, Bryson, Barner, Bigelow, Clausen, Cloud, Copeland, Curt, Dorland, Fry, Gossage, Hardie of Dubuque, Hershberger, Kirkpatrick, Kurtz, Lothian, Milliser, Mills, Moore of Dubuque, Noble, Price, Perry, Reeder, Richardson, Rodman, Rogers, Williams, Wilson of Mahaska, Wing, Wooden, Wright of Cedar—33.

NAYS—

Messrs. Bottorf, Bowen, Clark, Davis, Edmundson, Finney, Galbraith, Griswold, Hardy of Van Buren, Holmes, Jordan, Kelsay, Lewis, Larimer, McDow, Mendenhall, Roberts, Sawyer, Scoville, Stanton, Sullivan, Thomas, Toll, Van Valkenburgh, Wyatt, Speaker—26.

On motion of Mr. Hardie

The vote by which

Senate File No. 28,

Was lost, was re-considered.

On motion of Mr. Cloud,

The bill was laid upon the table.

On motion of Mr. Mills,

The vote by which

Senate File No. 51,

Was lost, was re-considered.

On motion of Mr. Barker,

The bill was laid upon the table.

On motion of Mr. Cort,

House File No. 47,

A bill for an act to exempt certain property from taxation,

Was taken up.

The gentlemen composing the delegation from Scott county were excused from attendance upon the House.

Mr. Cloud

Moved to indefinitely postpone the bill.

Mr. Gossage

Moved the bill be laid upon the table.

Lost.

Upon the question of the indefinite postponement of the bill,

The Yeas and Nays were demand and

Were as follows :

Yeas 11, Nays 36.

YEAS—

Messrs. Arnold, Bryson, Barner, Clark, Cloud, Davis, Dorland, Edmundson, Holmes, Inskeep, Jordan, Kirkpatrick, Kurtz, Mills, Price, Richardson, Roberts, Rogers, Sawyer, Stanton, Toll, Wing, Speaker—21.

NAYS:

Meessrs. Bailey, Barker, Bigelow, Bottorf, Bowen, Clansen, Copeland, Cort, Finney, Fry, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardie of Van Buren, Hershberger, Kelsay, Lew-

is, Lothian, Larimer, McDow, Milliser, Mendenhall, Moer of Mills, Moore of Dubuque, Noble, Perry, Reeder, Rodman, Scoville, Sullivan, Thomas, Van Valkenburgh, Williams, Wilson of Mahaska, Wright of Cedar, Wyatt—36.

Mr. Scoville

Moved to amend by striking out “\$1000,” and inserting “\$500.”
Adopted.

Mr. Barker

Moved to amend by inserting the following:

“No person shall be entitled to more than one exemption under this act during the same year.”

Adopted.

Mr. Sullivan

Moved to amend by striking out the words “following property,” and the word “also,” and insert the word “homestead.”

Lost.

Mr. Barner

Moved to amend by striking out the last section and inserting “this act to take effect and be in force from and after the first day of March A. D., 1859.”

Lost.

The bill was then ordered to be engrossed and read a third time to-morrow.

REPORTS OF COMMITTEES.

Mr. Toll submitted the following report:

The committee on Enrolled Bills report that they have presented to the Governor for his approval

Senate substitute for

House File No. 99,

A act to authorize the county Judge of Pottawatamie county to transcribe certain records of said county.

House File No. 2,

Joint resolution and instructions to our Senators and Representatives in Congress in relation to Slavery and the admission of Kansas into the Union.

House File No. 62,

An act authorizing the school fund Commissioner of Warren county to pay certain monies.

House File No. 114,
An act to change the name of the town of Columbus.

The committee on Enrolled Bills report that they have examined
House File No. 147,
An act to change the name and style of the Fort Madison, West Point, Keosauqua and Bloomfield Railroad company.

House File No. 117,
An act amendatory to the act incorporating the city of Muscatine.

House File No. 13,
An act to change the boundaries of the ninth judicial district.

House File No. 81,
An act to alter the State road from Overmen's Ferry, in Muscatine county, to Washington Ferry, in Cedar county,
And find them correctly enrolled.

C. H. TOLL,
Chairman.

Mr. Bigelow submitted the following report:
The committee on Engrossed Bills, have examined
House File No. 159,
Joint resolution and memorial for additional mail facilities.

Also,
House File No. 164,
A bill for an act defining what shall constitute a copy of the original survey, as contemplated in section 112 of the code.

Also,
House File No. 153,
A bill for an act to change a part of the State road running from Fairview, in Jones county, to Pioneer Grove, in Cedar county.

Also,
House File No. 183,
Joint resolution authorizing the Secretary of State to employ a reporter for the Constitutional Convention.

Also,

House File No. 151,
Joint resolution for increase of mail facilities.
And find the same correctly engrossed.

BIGELOW,
Chairman.

Mr. Barker submitted the following report:
Your committee to whom was referred

House File No. 141,
An act to incorporate the city of Des Moines,
Beg leave to report,

That we have had the same under consideration, and believing it to be in its general features in due form of law, recommend its passage.

Your committee would respectfully suggest that so much of section forty-four of the act as gives to the city council power to prevent the rolling of hoops in the streets, be so amended as not to infringe upon the recent *fashion* of the ladies, while engaged in the innocent amusement of "*rolling hoops*" in the streets, especially while the side-walks may be *covered with ice*.

A. T. BARKER,

Mr. Sullivan moved the House adjourn,
Motion lost.

Mr. Barner,
From the committee on compensation of public officers, to whom was referred

House File No. 130,
Reported the same back with amendments.

Mr. Price
Moved to lay the bill and amendments upon the table.
Lost.

On motion of Mr. Mills,
The bill was re-committed to the committee on compensation.

On motion of Mr. Gossage,
The House adjourned.

FRIDAY MORNING, JANUARY 9, 1857, {
NINE O'CLOCK, A. M. }

The House met pursuant to adjournment.

Journal of yesterday read and approved.

PETITIONS PRESENTED.

By Mr. Mills,

The petition of sundry citizens praying the location of a State road from Wesslebury to Cavanaugh's Ferry.

Referred to the committee on Roads and Highways.

By Mr. McDow,

The petition of Jonas Houghton and 46 others, praying the location of a certain State road therein named.

Referred to a committee composed of Messrs. McDow, Hardy, of Van Buren, and Van Valkenburgh.

By Mr. Holmes,

The petition of A. G. Brown and 71 others, asking that the name of Pierce township, in Jones county, may be changed to that of Wyoming.

Referred to a select committee composed of the delegation from Jones county.

By Mr. Rodman,

The petition of Christian Wise and 200 others, praying the repeal of an act entitled an act for the suppression of intemperance.

Referred to the Committee on the subject of Temperance.

By Mr. Sullivan,

The remonstrance of J. P. Lowe and other citizens, against the repeal of an act entitled an act for the suppression of intemperance.

Referred to the Committee on the subject of Temperance.

By Mr. Wooden,

The petition of J. S. Jones, asking for relief.

Referred to the Committee on Claims.

Also,

The petition of Geo. W. Clark and 17 other members of the bar of Johnson county, asking a change in the time of holding the sessions of the district court of said county.

Referred to the Committee on the Judiciary.

By Mr. Gossage,

House File No. 188,

Joint resolution asking additional mail facilities.

Read a first time.

By Mr. Fry,

House File No. 148,

Joint resolution for additional mail facilities.

Read a first time.

Mr. Rand, with leave introduced.

House File No. 187,

A bill for an act to amend an act to incorporate the city of Muscatine.

Read a first time.

REPORTS OF COMMITTEES.

Mr. Rodman,

From the committee to whom was referred

House File No. 157,

Reported the same back and recommended its passage.

Ordered to be engrossed and read a third time to-morrow.

Mr. Mills,

From the committee to whom was referred

House File No. 34,

Reported the same back and recommended its passage.

Ordered to be engrossed and read a third time to-morrow.

Mr. Barner,

From the committee on compensation of officers, to whom was referred

House File No. 130,

Reported a substitute therefor.

The substitute was adopted, and

Ordered to be engrossed and read a third time to-morrow.

Mr. Sawyer,

From the committee on Agriculture, to whom was referred
House File No. 159,
Reported a substitute for the same,
Which substitute the House refused to adopt.

Mr. Price,

From the committee on Public Lands, to whom was referred
House File No. 139,
Reported the same back and recommended its passage.
Ordered to be engrossed and read a third time to-morrow.

Also,

House File No. 140,
Without recommendation.
On motion of Mr. Barner,
The bill was indefinitely postponed.

Mr. Larimer, with leave, introduced

House File No. 190,
Joint resolution in relation to marine hospital and port of entry
in the city of Council Bluffs.
The forty-second rule was suspended, the bill read a second and
third time, passed and the title agreed to.

Mr. Cloud,

From the committee on Railroads, to whom the same was referred,
reported back
Substitute for
House File No. 72,
With amendments, and recommended its passage.

Message from the Senate,
By their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representa-
tives that the following bills have passed the Senate, and the concur-
rence of the House is asked therein:

Senate File No. 111,

A bill for an act for an additional Justice of the Peace in Wapello
county.

Also,

Senate File No. 115,

A bill for an act to incorporate the city of Wapello.

Also,

Senate File No. 116,

Joint resolution for the relief of Mary Ann Cheney and heirs.

Also,

Senate File No. 117,

A bill for an act amending an act fixing the boundaries of the tenth judicial district.

Also,

Senate File No. 118,

A bill for an act authorizing the school fund Commissioner of Clayton county to procure a safe for the use of his office.

CHAS. C. NOURSE,

Secretary.

On motion of Mr. Roberts,
The House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Rodman, with leave, introduced the following resolution :

Resolved, That the select committee to whom was referred

House File No. 43,

A bill for an act entitled an act for the suppression of intemperance, be and are hereby instructed to report the same back to-morrow morning, in order that it may be put upon its passage.

Upon the question of the passage of the resolution,

Mr. Hardie, of Dubuque, demanded the yeas and nays,
Whereupon,

On motion of Mr. Holmes,

A call of the House was ordered, and the following named gentlemen found to be absent :

Messrs. Arnold, Bailey, Burris, Bowen, Doud, Edmundson, Franklin, Gillett, Green, Hardy of Van Buren, Jones, Kelsay, Lewis, Larimer, Moore of Dubuque, Mordan, Pease, Richardson, Sawyer, Sullivan, Williams, Wilson.

Messrs. Wilson of Webster, and Jones were granted leave of absence.

The Sergeant-at-arms was directed to bring in the absent members.

Mr. Barker

Moved to suspend further proceedings under the call,

Whereupon,

Mr. Hardie demanded the yeas and nays,

Which were as follows :

Yeas 19, nays 31.

YEAS—

Messrs. Barker, Bigelow, Bottorf, Clausen, Cloud, Copeland, Cort, Finney, Griswold, Gossage, Hershberger, Milliser, Mills, Price, Reeder, Rodman, Van Valkenburgh, Wyatt, Speaker—19.

NAYS—

Messrs. Bailey, Bryson, Barner, Clark, Davis, Dorland, Fry, Galbraith, Hardie, of Dubuque, Holmes, Inskeep, Jordan, Kirkpatrick, Kurtz, Lewis, Lothian, McDow, Mendenhall, Moer of Mills, Noble, Perry, Rand, Roberts, Rogers, Scoville, Stanton, Thomas, Toll, Wilson of Mahaska, Wing, Wooden, Wright of Cedar—31.

Mr. Dorland moved to suspend further proceedings under the call,

Upon which question

Mr. Hardie demanded the yeas and nays,

Which were as follows :

Yeas 36, nays 14.

YEAS—

Messrs. Cloud, Dorland, Fry, Hershberger, Mills, Price, Perry,

Reeder, Roberts, Rogers, Toll, Wilson, of Mahaska, Wing, Speaker—14.

NAYS—

Messrs. Bailey, Barker, Bryson, Barner, Bigelow, Clausen, Clark, Copeland, Davis, Finney, Galbraith, Griswold, Gossage, Hardie, of Dubuque, Holmes, Inskeep, Jordan, Kirkpatrick, Kurtz, Lothian, Larimer, McDow, Milliser, Mendenhall, Moer, of Mills, Noble, Rand, Rodman, Scoville, Stanton, Thomas, Van Valkenburgh, Wooden, Wright, of Cedar, Wyatt—36.

Several gentlemen appeared and took their seats.

On motion of Mr. Dorland,

Further proceedings under the call were dispensed with.

Mr. Dorland

Moved to amend the resolution by striking out all after the word "report," and insert the words "by to-morrow morning."

Mr. Barker

Moved to lay the amendment upon the table,

Upon which question,

Mr. Hardie demanded the yeas and nays,

Which were as follows :

Yeas 31, nays 29.

YEAS—

Messrs. Barker, Bigelow, Bottorf, Clausen, Clark, Cloud, Copeland, Cort, Finney, Fry, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Hershberger, Jones, Jordan, Kurtz, Larimer, McDow, Milliser, Mendenhall, Moore of Dubuque, Price, Reeder, Roberts, Rodman, Scoville, Sullivan, Van Valkenburgh, Wyatt—31.

NAYS—

Messrs. Arnold, Bailey, Bryson, Barner, Davis, Dorland, Edmundson, Holmes, Inskeep, Kirkpatrick, Lewis, Lothian, Mills, Moer of Mills, Noble, Perry, Rand, Richardson, Rogers, Sawyer, Stanton, Thomas, Toll, Williams, Wilson of Mahaska, Wing, Wooden, Wright of Cedar, Speaker—29.

Mr. Cloud

Moved to lay the resolution on the table,

Upon which question,

Mr. Hardie, of Dubuque, demanded the yeas and nays,

Which were as follows :

Yeas 33, Nays 27.

YEAS :—

Messrs. Arnold, Bailey, Barner, Cloud, Davis, Dorland, Edmundson, Fry, Hershberger, Holmes, Inskeep, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Moer of Mills, Noble, Price, Perry, Rand, Richardson, Roberts, Rogers, Sawyer, Stanton, Thomas, Toll, Wilson of Mahaska, Wing, Wooden, Wright of Cedar, Speaker—33.

NAYS—

Messrs. Parker, Bryson, Bigelow, Bottorf, Clausen, Clark, Copeland, Cort, Finney, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Larimer, McDow, Milliser, Mendenhall, Moore of Dubuque, Reeder, Rodman, Scoville, Sullivan, Van Valkenburgh, Williams, Wyatt—27.

Message from the Senate,

By their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has indefinitely postponed

House File No. 110,

A bill for an act to amend an act entitled an act to establish a ferry at Boatman's Mill, in Lee county.

The Senate has also passed the following bills in which the concurrence of the House is asked, to wit :

Senate File No. 112,

A bill for an act to incorporate Sioux City.

Also,

Senate File No. 114,

A bill for an act to incorporate the town of Tipton, in Cedar county.

CHAS. C. NOURSE,
Secretary.

The order of business before the House being the motion to fill the blank in section one of the substitute for

House File No. 72,

With "one hundred dollars,"

Mr. Cloud offered the following substitute, for said section :

SEC. 1. *Be it enacted by the General Assembly of the State of Iowa,* That the said Railroad Companies mentioned in the act to which this is a supplement, shall annually pay into the county treasury of each county through which either of said roads may pass, the sum of one hundred dollars per mile for each mile of road in operation in said county on the first day of April of that year, which said sum shall be in lieu of all other taxes upon said road, and the stock owned or issued, and the lands granted to this State by Congress, and now held by said Rail Road Companies, by virtue of the act of the extra session of the Fifth General Assembly, except the taxes assessed by cities and incorporated towns; said tax to be divided between the State, county, and other municipal corporations, exclusive of cities and incorporated towns, in the proportion that other taxes are levied and collected.

Said tax shall be a lien upon said roads, and all the property belonging to each, that shall take precedence of all other claims and demands. *Provided,* That this section shall not be so construed as to include depots, grounds, and other property of said Rail Road Companies, not being a part of the road itself, but all such property shall be taxed as other property is taxed.

• Mr. McFarland

Moved to amend by striking out "And the lands granted to this State by Congress, and now held by said railroad companies, by virtue of the act of the extra session of the Fifth General Assembly."

And upon the question of its adoption,

Mr. Cloud demanded the yeas and nays,

Which were as follows :

Yeas 31, Nays 24.

YEAS—

Messrs. Bailey, Bryson, Bottorf, Clark, Copeland, Dorland, Finney, Fry, Griswold, Gossage, Hardy, of Van Buren, Hershberger, Jordan, Kurtz, Lewis, McDow, Milliser, Mills, Mendenhall, Moore, of Dubuque, Noble, Perry, Reeder, Roberts, Rodwan, Rogers, Saw-

yer, Scoville, Stanton, Van Valkenburgh, Wilson, of Mahaska, Wooden, Wright, of Cedar, Wyatt, Speaker—37.

NAYS—

Messrs. Arnold, Barker, Barner, Bigelow, Clausen, Cloud, Davis, Edmundson, Galbraith, Hardie, of Dubuque, Holmes, Inskeep, Kirkpatrick, Kelsay, Lothian, Larimer, Moer, of Mills, Rand, Richardson, Sullivan, Toll, Williams, Wing—24.

Mr. Sullivan

Moved the following amendment,

“Provided that all lands granted to said companies shall not be subjected to taxation until the title is vested in said companies in fee simple.”

Mr. Cort

Moved to amend the amendment as follows :

“Provided, That nothing in this section shall be so construed as to exempt any of the lands, stations, buildings, machinery, machine shops, depots, and buildings of any description, and all other property belonging to said company, including rolling stock, but shall be subject to taxation as the property of other citizens of the State.”

On motion of Mr. Mills,

The bill and amendments were re-committed to the committee on Railroads.

The House then adjourned.

SATURDAY, JANUARY 10th, 1857, }
NINE O'CLOCK A. M. }

House met pursuant to adjournment.

Prayer by the Chaplain.

Journal of yesterday read and approved.

PETITIONS PRESENTED.

By Mr. Wing,

The petition of Isaac D. Caster, praying for relief.

Referred to the committee on the Judiciary.

By Mr. Bailey,

The petition of Charles Mullan, asking the passage of an act vacating the court house square in the town of Waterloo, in Black Hawk county.

Referred to a select committee composed of Messrs. Bailey, Noble and Wright, of Cedar.

By Mr. Cloud,

The remonstrance of Henry Funk and others, against any change in the corporate limits of the City of Muscatine.

On motion of Mr. Cloud,

It was laid upon the table.

Also,

The petition of citizens of Muscatine county, asking a re-survey of a part of the State road leading from Muscatine to Iowa City.

Mr. Hardy, of Van Buren, with leave, introduced,

House File No. 192,

Joint resolution in relation to State Printing.

Mr. Cloud

Moved to lay the resolution upon the table,

Upon which question,

Mr. Clark demanded the yeas and nays,

Which were as follows,

Yeas 23, nays 30.

YEAS—

Messrs. Arnold, Bailey, Clausen, Cloud, Davis, Dorland, Edmundson, Hershberger, Holmes, Inskip, Kurtz, Lewis, Lothian, Moer, of Mills, Price, Richardson, Rodman, Stanton, Thomas, Toll, Wilson, of Mahaska, Wing, Wooden, Speaker—23.

NAYS—

Messrs. Barker, Bryson, Barner, Bottorf, Bowen, Clark, Copeland, Cort, Finney, Galbraith, Griswold, Gossage, Hardie, of Dubuque, Hardy, of Van Buren, Jordan, Kelsay, Larimer, McDow,

Melliser, Mendenhall, Moore, of Dubuque, Noble, Perry, Reeder, Sawyer, Scoville, Sullivan, Van Valkenburgh, Wilson, of Mahaska, Wing, Wooden, Wright, of Cedar, Wyatt—30.

By Mr. Wooden,

The remonstrance of James D. Templin and 17 others, against any change in the time of holding courts in Johnson county.

Referred to the Committee on the Judiciary.

By Mr. Sawyer,

The petition of David Wright and 50 others, asking a change in a part of a road therein named.

Referred to the committee on Roads and Highways, with instructions to report a bill on the subject.

By Mr. Hardie, of Dubuque,

The petition of citizens asking the passage of an act authorizing townships to vote upon the subject of permitting sheep and swine to run at large.

Referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. Rodman,

From the Committee on the Library, to whom was referred the communication from the Governor, reported the same back and recommended that it be laid upon the table.

Report concurred in.

Mr. Barker,

From the committee to whom was referred

House File No. 76,

Reported a substitute therefor.

Substitute adopted and

Ordered to be engrossed and read a third time to-morrow.

Mr. Hardie submitted the following report:

The committee on Ways and Means, to whom was referred

House File No. 116,

Joint resolution relating to the claim of Joseph D. Hoag, as commissioner, to locate a permanent seat of government,

Report,

That we have had the same under consideration, and find that said claim has several times heretofore been brought before the General Assembly of this State for investigation, and as often rejected, for the reason that said Hoag had, in his action on said matter, been governed more by private considerations in advancing his own interests, by doubtful speculations in town lots in Monroe city, than by any upright determination to advance the true interests of the State, whose agent he was, and your committee cannot see any good reason for a re-consideration of the action of former legislatures on said subject.

They recommend that further consideration of the subject be indefinitely postponed.

HOLMES,
CLOUD,
FINNEY,
HARDIE,

Committee.

Mr. Richardson,

From the committee to whom was referred

House File No. 175,

Reported the same back and recommended its passage.

The bill was laid upon the table.

Mr. Bailey,

From the select committee to whom was referred the petition of citizens of the town of New Haven, reported

House File No. 192,

A bill for an act to change the name of the town of New Haven, which was

Read a first time.

Mr. Holmes,

From the committee on Ways and Means, to whom was referred

House File No. 78,

Reported the same back, and recommended that it be laid upon the table.

Report concurred in.

Message from the Senate

By their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, in which the Senate asks the concurrence of the House of Representatives, to wit :

Senate File No. 90,

A bill for an act providing for the Deaf and Dumb Asylum.

Also,

Senate File No. 120,

An act to legalize the re-survey of the town of Bedford, in Taylor county, and bill to establish the corners of lots therein.

Also,

Senate File No. 7,

An act to amend an act regulating the interest on money.

Also,

Senate File No. 95,

A bill for an act to amend a portion of chapter 136 of the code of Iowa.

Also,

Senate File, No. 62,

Joint resolution for additional mail facilities.

CHARLES C. NOURSE,

Secretary Senate.

MR. SPEAKER :

I herewith return the following bills, which have passed the Senate without amendment, to-wit :

House File No. 93,

A memorial and joint resolution for additional mail facilities.

Also,

House File No. 102,

Joint resolution for additional mail facilities.

Also,

House File No. 85,

Joint resolution for additional mail facilities.

Also,

House File No. 60,
Joint resolution for additional mail facilities.

I also return

House File No. 25,

A bill for an act in relation to the boundaries of the tenth judicial district.

The same having been indefinitely postponed by the Senate.

C. C. NOURSE,

Secretary.

Mr. Cloud,

From the committee on Railroads, to whom was referred
Substitute for

House File No. 72,

Reported the same back with a substitute for the first section, and the recommendation that sections five and six be stricken out.

Mr. Inskeep, with leave,

Introduced the following resolution :

Resolved, That hereafter no member be allowed to speak longer than two hours at one time, nor more than four times in one day on the same subject.

Adopted.

Mr. Barker

Introduced a substitute for the
Substitute for

House File No. 72,

Mr. McFarland

Moved to lay the substitute for the substitute on the table,
Whereupon

Mr. Barker demanded the yeas and nays,

Which were as follows :

Yeas 29, nays 31.

YEAS—

Messrs. Arnold, Bailey, Bryson, Barner, Bottorf, Cloud, Copeland, Davis, Edmundson, Fry, Hardy, of Van Buren, Inskeep, Kurtz, Lewis, McDow, Milliser, Price, Rand, Reeder, Rogers, Sawyer, Sullivan, Thomas, Toll, Van Valkenburgh, Williams, Wooden, Wright of Cedar, Speaker—29.

NAYS—

Messrs. Barker, Bigelow, Bowen, Clausen, Clark, Cort, Dorland, Finney, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hersberger, Holmes, Jordan, Kelsay, Lothian, Larimer, Mendenhall, Moer of Mills, Moore of Dubuque, Noble, Perry, Richardson, Roberts, Rodman, Scoville, Stanton, Wilson, of Mahaska, Wing, Wyatt—31.

Mr. Mills was excused from voting.

Mr. Kirkpatrick was granted leave of absence.

On motion of Mr. Noble,

The substitute for the substitute was received, laid upon the table, and 150 copies ordered to be printed for the use of the General Assembly.

Mr. Cloud

Moved the amendment reported by the Committee on Railroads, be adopted.

Mr. Roberts

Moved to amend the amendment as follows:

“But all lands owned by said companies for stations, depots, machine or work shops, with all the buildings thereon, together with all personal property of every kind, including the rolling machinery of the several roads, shall be taxed as other property is taxed; *Provided*, That that portion of said roads included in the stations and depot grounds, shall be exempt from that part of the said roads taxed at the rate of \$100 per mile.”

Mr. McFarland

Moved the amendment be laid upon the table.

Mr. Cort

Moved to amend the motion by adding the report of the committee and the amendment be laid upon the table.

The amendment of Mr. Roberts was then laid upon the table.

Mr. Cort offered the following amendment:

Provided, That nothing in this section shall be so construed as to exempt any of the lands, stations, buildings, machinery, machine shops, depots, and buildings of every description and all other property belonging to said companies, including rolling stock, shall be subject to taxation as all other property within this State.

On motion of Mr. Cloud.
The amendment was laid upon the table.

The question recurring upon the motion of Mr. Cloud to adopt the amendment reported by the committee,

The yeas and nays were demanded, and
Were as follows :

Yeas 47, Nays 11.

YEAS—

Messrs. Arnold, Bailey, Barker, Bryson, Barner, Bigelow, Bottorf, Clausen, Cloud, Copeland, Davis, Dorland, Edmundson, Finney, Galbraith, Griswold, Hardie, of Dubuque, Hardy, of Van Buren, Herslberger, Holmes, Inskip, Jordan, Kelsay, Kurtz, Lewis, Lottian, Larimer, McDow, Milliser, Mendenhall, Moer, of Mills, Noble, Price, Perry, Rand, Richardson, Rodman, Rogers, Sawyer, Sullivan, Toll, Van Valkenburgh, Williams, Wing, Wooden, Wright, of Cedar, Speaker—47.

NAYS—

Messrs. Clark, Cort, Gossage, Moore, of Dubuque, Roberts, Scoville, Stanton, Thomas, Wilson, of Mahaska, Wyatt—11.

Mr. Fry was excused from voting.

Mr. Cloud

Moved the bill be ordered to be engrossed and read a third time to-morrow.

Mr. Moore, of Dubuque,

Moved to amend by laying the bill upon the table, and ordering 150 copies printed for the use of the House.

Lost.

The bill was then

Ordered to be engrossed and read a third time to-morrow.

Mr. Moer, of Mills,

Moved to re-consider the vote by which the substitute for the substitute for

House File No. 72,

Was laid upon the table and ordered to be printed.

Carried.

On motion of Mr. McFarland,

It was laid upon the table.

Mr. Dorland was granted leave of absence.

Mr. Hardy, of Van Buren,

From the select committee to whom was referred the petition of J. A. Brown and others, reported

House File No. 193,

A bill for an act to vacate a part of a State road.

On his motion,

The forty-second rule was suspended, the bill read a second time, and

Ordered to be engrossed and read a third time to-morrow.

Mr. Rand,

From the committee on Incorporations, to whom was referred

House File No. 178,

Reported the same back with amendment, and recommended its passage.

The amendment was adopted,

The forty-second rule was suspended, the bill read a third time passed, and the title agreed to.

Also,

Senate File No. 101,

And recommended its passage.

The bill was read a third time,

Passed and the title agreed to.

Mr. Bigelow

Submitted the following report :

The committee on Engrossed Bills have examined

House File No. 1,

An act to create school district No. 5 out of parts of Washington township, Dubuque county, and Otter Creek township, Jackson county, Iowa.

Also,

House File No. 156.

An act to authorize the selection of a grand and petit jury in Mills county.

Also,

House File No. 144,

An act to incorporate Lithopolis University.

Also,

House File No. 138,

An act defining the rights and privileges of the Plattsmouth Ferry Company,

And find the same correctly engrossed.

BIGELOW,
Chairman.

Mr. McDow,

From the committee to whom was referred the petition of James Houghton and others, reported

House File No. 194,

A bill for an act to locate a State road from Farmington to Mt. Sterling.

Read a first time.

Mr. Hardie,

From the select committee to whom was referred

House File No. 158,

Reported the same back and recommended its passage.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Mr. Barker,

From the committee on the Judiciary, reported

House File No. 195,

A bill for an act to authorize the Supreme and District Courts to adopt rules to regulate the practice in civil and criminal cases.

Mr. Wright, of Cedar, was granted leave of absence.

Mr. Toll, with leave,

Presented the petition of citizens of Camanche, praying the passage of an act incorporating said town.

Mr. Finney,

From the committee to whom was referred

House File No. 100,

Reported the same back with one amendment and recommended its passage.

The amendment was concurred in and the bill

Ordered to be engrossed and read a third time to-morrow.

Mr. Toll submitted the following report:

The committee on Enrolled Bills report that they have presented to the Governor for his approval:

House File No. 81,

An act to alter the State road from Overman's Ferry, in Muscatine county, to Washington Ferry, in Cedar county.

House File No. 19,

An act to change the boundaries of the ninth judicial district.

House File No. 117,

An act amendatory to the act incorporating the city of Muscatine.

House File No. 147,

An act to change the name and style of the Fort Madison, West Point, Keosauqua, and Bloomfield Railroad company.

C. H. TOLL,
Chairman.

Message from the Senate,

By their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed

Senate File No. 84,

A bill for an act to legalize the sale of school lands in Decatur county, Iowa.

Senate File No. 122,

Joint resolution of the General Assembly to procure additional mail facilities.

Senate File No. 124,

An act to locate a certain road.

Also,

Senate File No. 125,

A bill for an act to re-establish a portion of the town of Toolsboro.

Also,

Senate File No. 126,
A bill for an act to amend the charter of Lyons City.

Also,

Senate File No. 122,
Joint resolution to procure additional mail facilities.

Also,

House File No. 33,
A bill for an act authorizing the sub-divisions of land in this State, with an amendment providing for the taking effect of the act.

In all of which the concurrence of the House is asked.

CHAS. C. NOURSE,
Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the following resolution :

Resolved, (the Senate concurring), That the House of Representatives will meet the Senate in the hall of the House, on Monday, the 12th inst., at half past 2 o'clock, P. M., for the purpose of electing an Associate Judge of the Supreme Court, in the place of Norman W. Isbell, resigned;—a State Printer;—a State Binder and Warden of the Penitentiary.

CHARLES C. NOURSE,
Secretary of the Senate.

Mr. Holmes,

From the select committee to whom was referred the petition of citizens of Pierce township, reported

House File No. 196,

A bill for an act to change the name of Pierce township to Wyoming.

Mr. Cloud,

From the Committee on Railroads, to whom was referred

House File No. 174,

Reported a substitute therefor.

The substitute was adopted,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Mr. Milliser,
From the committee to whom was referred
House File No. 96,
Reported the same back with an amendment.

The amendment was adopted, and
The bill ordered to be engrossed and read a third time to-morrow.

BILLS ON FIRST READING.

By Mr. Wooden,
House File No. 197,
A bill for an act to create the county of Humboldt.

The forty-second rule was suspended, the bill read a second time
and

Referred to the committee on Judiciary.

By Mr. Fry,
House File No. 198,

A bill for an act to make the bridge across North Skunk at Union
Mills a part of the public Highway,

The forty-second rule was suspended, the bill read a second time,
and

Referred to the committee on Roads and Highways.

By Mr. Cloud,
House File No. 199,

A bill for an act fixing the time of holding courts in the eighth
judicial district.

By Mr. Noble,
House File No. 200,

A bill for an act providing for a county record of original entries
of land within its boundaries.

The forty-second rule was suspended, the bill read a second time,
and

Referred to the committee on the Judiciary.

By Mr. Bailey,
House File No. 201,

A bill for an act to specify who is liable for the payment of taxes.
The forty-second rule was suspended, the bill read a second time,
and

Referred to the Committee on the Judiciary.

By Mr. Rodman,
House File No. 202,

A bill for an act supplemental to an act entitled an act for the suppression of intemperance, and to amend the same.

The forty-second rule was suspended, the bill read a second time and

Referred to a select committee of Five.

By Mr. Richardson,
House File No. 203,

A bill for an act to change the name of the town of West Point to West Union.

The forty-second rule was suspended, the bill read a second time and

Referred to the delegation from Fayette county.

Mr. Rodman,
House File No. 204,

A bill for an act entitled an act in relation to conveyances and devises of personal and real estate for religious purposes.

By Mr. Barner,
House File No. 205,

A bill for an act to amend chapter 37 of the laws of the Fourth General Assembly.

By Mr. Kelsay,
House File No. 206,

A bill for an act regulating the time of holding courts in the counties composing the Sixth Judicial District.

The forty-second rule was suspended, the bill read a second and third time, passed and the title agreed to.

By Mr. Clark,
House File No. 207,

Joint resolution for additional mail facilities.

The forty-second rule was suspended, the joint resolution read a second time, and

Ordered to be engrossed and read a third to-morrow.

By Mr. Inskeep,
House File No. 208,

A bill for an act to change the name of George Granger.

By Mr. Bowen,
House File No. 209,

A bill for an act to change a certain State road in Appanoose county.

The forty-second rule was suspended, the bill read a second time, and

Referred to the committee on Roads and Highways.

By Mr. Scoville,
House File No. 210,

A bill for an act fixing the time of holding courts in the ninth judicial district.

The forty-second rule was suspended, the bill read a second time, passed, and the title agreed to.

By Mr. Kelsay,
House File No. 211,

A bill for an act to locate a State road from the Missouri river to Fort Des Moines.

By Mr. Bailey,
House File No. 212;

A bill for an act to amend chapter 61 of the laws of the fifth General Assembly.

By Mr. McFarland,
House File No. 213,

A bill for an act fixing the time of holding courts in the first judicial district.

The forty-second rule was suspended, the bill read a second time, passed, and the title agreed to.

By Mr. Williams,
House File No. 214,

A bill for an act to vacate High street, in the town of Adell.

The forty-second rule was suspended, the bill read a second time, and

Ordered to be engrossed and read a third time to-morrow.

Mr. Dorland, with leave,
Introduced the following resolution :

Resolved, That no new bill, except such as may be reported by committees, shall be introduced into this House during the present session, after Monday next.

On motion of Mr. Hardie,
The resolution was laid upon the table.

By Mr. Kelsay,
House File No. 215,
A bill for an act to exempt certain lands from taxation.

The House then adjourned until Monday morning at nine o'clock.

MONDAY, JANUARY, 12th 1857. }
NINE O'CLOCK A. .M }

House met pursuant to adjournment.

Prayer by the Chaplain.

Journal of Saturday read and corrected.

Mr. Speaker announced Messrs. Rodman, Bailey, Richardson, Toll and Galbraith as the select committee to whom was referred House File No. 202.

On motion of Mr. Rodman
House File No. 202,
Was taken up and read.

Mr. Galbraith

Was excused from serving upon the committee announced by Mr. Speaker, and Mr. Moore of Dubuque appointed to fill the vacancy.

PETITIONS PRESENTED.

By Mr. Clausen,

Two petitions from citizens of Mitchell county, asking a change in the boundaries of Mitchell and Howard counties.

Also

The remonstrance of C. E. Hale and 203 others, against said change,

Mr. Clausen

Moved that all petitions and remonstrances on said subject, together with House File No. 180, be referred to a select committee, composed of the delegation from the tenth judicial district.

Mr. Inskeep

Moved to amend by referring to a select committee of five.

Lost.

The motion of Mr. Clausen then prevailed.

By Mr. Wooden,

The remonstrance of James W. Howard and 200 others, against any alteration in the time of holding courts in Johnson county.

Referred to the Committee on the Judiciary.

Also,

A communication from Wm. Crum, in relating to the State Printing.

Referred to the committee on State Printing.

By Mr. Inskeep,

The petition of J. S. Watson and others asking the location of a more direct State road from Newton to Iowa City.

Referred to the Committee on Roads and Highways.

Also,

The petition of citizens asking the establishment of a State road from Sigourney to Vinton.

Referred to the Committee on Roads and Highways.

By Mr. Toll,

The petition of H. A. Hart and others asking an alteration in the State road from Camanche to Anamosa.

Referred to the committee on Roads and Highways.

Message from the Senate,
By their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, in which the Senate asks the concurrence of the House, to wit :

Senate File No. 69,
A bill for an act to amend the charter of the city of Council Bluffs.

Also,
Senate File No. 73,
A bill for an act further regulating the suing out of writs of error, in the District Court.

Also,
Senate File No. 140,
A bill for an act to incorporate the city of Winterset, in Madison county.

Also,
Senate File No. 130,
A bill for an act to authorize Paul C. Jeffries to transcribe certain records in Wapello county.

Also,
Senate File No. 33,
A bill for an act to provide for the taking of depositions in the case of non-resident defendants.

Also,
Senate File No. 137,
A bill for an act providing for the indexing of certain records in Washington county.

CHAS. C. NOURSE,
Secretary.

MR. SPEAKER :

I herewith return the following bills, the same having passed the Senate without amendment :

House File No. 75,
A bill for an act to incorporate the town of Centreville.

House File No. 149,
Joint resolution for additional mail facilities.

House File No. 120,
A bill for an act to amend chapter 161, of the laws of the Fifth
General Assembly.

House File No. 135,
A bill for an act to repeal chapter 35, of the laws of the extra ses-
sion of the Fifth General Assembly.

House File No. 190,
Joint resolution in relation to marine hospital and port of entry
at Council Bluffs.

House File No. 50,
A bill for an act to incorporate the town of Glenwood.

House File No. 48,
A bill for an act providing for improvements in the Iowa Peniten-
tiary.

House File No. 155,
A bill for an act authorizing the collection of taxes in the county
of Jasper, &c.

Also,
Substitute for
House File No. 91,
A bill for an act creating the fourteenth judicial district.

House File No. 111,
Joint resolution asking for additional mail facilities.

CHARLES C. NOURSE,
Secretary Senate.

I also return the following House Files, the same having been
amended by the Senate, in which amendment the Senate asks the
concurrence of the House of Representatives.

House File No. 96,
A bill for an act authorizing school district No. 2 in Scott county,
to borrow money.

Also,

House File No. 101,
Joint resolution relating to naturalization laws.

Also,

House File No. 132,
A bill for an act authorizing the county Judge of Keokuk county to have the road record of said county transcribed, and to legalize the same.

Also,

Substitute for
House File, No. 148,
An act authorizing the election of an additional Justice of the Peace.

House File No. 145,
Joint resolution for additional mail facilities from Winterset to Osceola.

CHAS. C. NOURSE,
Secretary.

MR. SPEAKER :

I also return herewith
Senate File No. 47,

Which was amended by the House of Representatives, by striking out section second, the Senate having refused to concur in the amendment of the House.

CHAS. C. NOURSE,
Secretary.

RESOLUTIONS OFFERED.

By Mr. Barker,

Resolved, That in the opinion of this House, chapter 45 of the acts of the fifth General Assembly, entitled "an act for the suppression of Intemperance," ought to be repealed.

Mr. Price

Moved to lay the resolution upon the table,
Upon which question,

Mr. Clark demanded the yeas and nays,
Which were as follows :

Yeas 31, Nays 27.

YEAS—

Messrs. Arnold, Bailey, Bryson, Clausen, Cloud, Copeland, Davis, Edmundson, Fry, Gillett, Hershberger, Holmes, Jones, Lewis, Lothian, Mills, Moer, of Mills, Noble, Price, Perry, Rand, Richardson, Roberts, Rogers, Thomas, Toll, Williams, Wilson, of Mahaska, Wing, Wooden, Speaker—31.

NAYS—

Messrs. Barker, Bigelow, Bottorf, Clark, Cort, Finney, Galbraith, Griswold, Gossage, Hardie, of Dubuque, Hardy of Van Buren, Jordan, Kelsay, Larimer, McDow, Milliser, Menderhall, Moore, of Dubuque, Reeder, Rodman, Sawyer, Scoville, Stanton, Sullivan, Van Valkenburgh, Wyatt—28.

By Mr. Clark,

Resolved, (the Senate concurring) That the Senate and House of Representatives of the State of Iowa do adjourn *sine die* on the 19th inst.

Mr. Cloud moved to lay the resolution upon the table.

Lost.

Mr. Moer of Mills, moved to strike out "19th" and insert "21st."

Mr. Jones moved to amend the amendment by striking out "21st" and inserting "23d."

Lost.

Upon the question of the adoption of the resolution,

The yeas and nays were demanded and

Were as follows:

Yeas 19, Nays 40.

YEAS—

Messrs. Biglow, Bryson, Bottorf, Bowen, Clark, Cort, Davis, Finney, Fry, Galbraith, Gossage, Jones, Jordan, Larimer, Moore, of Dubuque, Roberts, Rodman, Scoville, Wing—19.

NAYS—

Messrs. Arnold, Bailey, Barker, Clausen, Cloud, Copeland, Edmundson, Gillett, Griswold, Hardie of Dubuque, Hardy of Van Buren, Hershberger, Holmes, Inskeep, Kelsay, Lewis, Lothian, Milliser, McDow, Mills, Mendenhall, Moer of Mills, Noble, Price, Perry,

Rand, Reeder, Richardson, Rogers, Sawyer, Stanton, Thomas, Toll, Van Valkenburgh, Williams, Wilson of Mahaska, Wooden, Wyatt, Speaker—40.

By Mr. Clark,

Resolved, That a committee composed of one from each representative district be appointed, whose duty it shall be to enquire into the expediency of re-districting the State into judicial districts.

And be it further

Resolved, That said committee be instructed to report on or before the 14th inst.

Lost.

By Mr. Moer of Mills,

Resolved, That the kindness and liberality displayed by the superintending officers of the Chicago and Rock Island, and the Mississippi and Missouri Rail Roads, by furnishing the members of this House with free tickets over their respective roads, merit, and hereby receive our warmest thanks.

Resolved, That the clerk of the House be requested to furnish the Presidents of the said Rail Roads with a copy of the above resolution.

Adopted.

By Mr. Cloud,

Resolution relative to the publication of House Documents and Journal.

Resolved, That 1500 copies of the Journal of the House of Representatives, be printed and distributed as follows :

Five copies to each member ;—five copies to each organized county ;—and the balance deposited in the office of the Secretary of State ;—and that a like number of " House Documents " be printed separate, and distributed in the same manner.

Resolved, That for indexing the above Journal and Documents, the Chief Clerk be allowed the sum of one hundred dollars.

Resolved, That for superintending the printing and distributing the Journals as aforesaid, the chief clerk be allowed the sum of four hundred dollars.

Mr. Arnold

Moved to amend by inserting the words "and assistant clerk" after the words "chief clerk" where they occur in the resolutions.
Adopted.

The resolutions, as amended, were then adopted.

By Mr. Wyatt,

Resolved, That a committee of five be appointed by the Speaker of this House, to inquire if there is any law or order of the Treasury Department by which the State of Iowa can draw for school purposes five per cent. on the amount of land entered in this State by land warrants; and if not, to recommend such legislation as in their opinion will most speedily and certainly secure the payment of the same to the State of Iowa, by the General Government.

Adopted.

Mr. Scoville

Moved to take up

House File, No. 191,

Motion lost.

By Mr. Parker,

Resolved, That the Speaker of this House be authorized and requested to appoint a member of the Judiciary committee, to act during the absence of Mr. Franklin, a member of that committee.

Adopted.

REPORTS OF COMMITTEES.

Mr. Mills,

From the committee on Roads and Highways, to whom was referred

House Files Nos. 104, 124, 125, 129, 133, 142, 143, 163, 165 and 173,

Reported back

House File No. 216,

And recommended its passage.

The bill was read a first time, when,

The forty-second rule was suspended, and the bill read a second time.

On motion of Mr. Bailey,

The bill was laid upon the table.

Mr. Mills,

From the committee on Roads and Highways, to whom was referred the petition of Thomas M. Isett and others, reported

House File No. 217,

And recommended its passage.

The bill was read a first time.

Mr. Mills

Also reported back

House File No. 126,

With one amendment, and recommended its passage.

The amendment was concurred in, and the bill

Ordered to be engrossed and read a third time to-morrow.

Mr. Mills

Also reported back

House File No. 198,

With amendments, and recommended its passage.

The amendments were concurred in, and the bill

Ordered to be engrossed and read a third time to-morrow.

Mr. Arnold,

From the committee to whom was referred the petition of Wm. C. Smith, reported

House File No. 218,

A bill for an act authorizing the Administrators of Henry M. Benson to perform certain acts.

The forty-second rule was suspended, the bill read a second time, and

Ordered to be engrossed and read a third time to-morrow.

Mr. Bigelow

Submitted the following report :

The committee on Engrossed Bills report

House File No. 157,

A bill for an act to amend an act entitled an act to incorporate the town of Guttenberg.

Also,

An act fixing the salaries of the Governor, State Officers and Judges of the Supreme and District Courts of the State of Iowa.

Also,

A bill for an act defining the rights of pre-emptors upon the 500,-000 acre grant of land to the State of Iowa on her admission into the Union.

Also,

House File No. 130,

An act fixing the salaries of Governor, State Officers and Judges.

Also,

House File No. 47,

An act to exempt certain property from taxation.

Also,

House File No. 72,

An act supplemental to an act approved July 14th, 1856, in relation to a grant of lands for railroad purposes.

Also.

House File No. 214,

A bill for an act to vacate Hight street in the town of Adel.

Also,

House File No. 193,

A bill for an act to vacate a State road therein named,
And find the same correctly engrossed.

BIGELOW,
Chairman.

Mr. Hardie,

From the committee on Ways and Means, to whom was referred the petition of D. W. Hains and others, praying for the passage of an act causing the county of Cass and State of Iowa to refund to the county of Audubon the amount of tax collected by the county of Cass for the years 1853-4, during which time the county of Cass was a township of Audubon county, and are of opinion that the passage of an act in accordance with the prayer of the petitioners would be inexpedient, therefore recommend that the prayer of the petitioners be not granted.

The report was concurred in.

Mr. Williams,

From the committee to whom was referred

House File No. 115,

Reported the same back and recommended its passage.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Mr. Cloud

From the committee on Ways and Means to whom was referred the petition of the Trustees of the medical branch of the State University, reported

House File No. 219,

A bill for an act for the relief of the medical branch of the State University.

The bill was read a first time, when

The forty-second rule was suspended, the bill read a second time, and

Ordered to be engrossed and read a third time to-morrow.

Mr. Rand

From the committee on Incorporations, reported

House File No. 220,

A bill for an act to incorporate the City of Clinton, Clinton county, Iowa.

The bill was read a first time, when

The forty-second rule was suspended, the bill read a second and third times, passed and the title agreed to.

Also,

House File No. 221,

A bill for an act to incorporate the City of Camanche,

The bill was read a first time, when

The forty-second rule was suspended, the bill read a second and third times, passed and the title agreed to.

Mr. Holmes,

From the committee on Ways and Means to whom was referred

House File No. 25,

Reported the same back with the recommendation that it be laid upon the table.

The report was concurred in.

Mr. Rand,

From the Committee on Incorporations, to whom was referred

House File No. 197,

Reported the same back, and recommended its passage.

Mr. Wooden

Moved the bill be ordered to be engrossed, and read a third time to-morrow.

On motion of Mr. Cloud,

The bill was laid upon the table.

Mr. Finney,

From the Committee on Ways and Means, to whom was referred

House File No. 45,

Reported the same back and recommended that it be laid upon the table.

Mr. Wooden,

From the Committee on the Judiciary, to whom was referred

House File No. 128,

Reported the same back and recommended its passage.

The forty-second rule was suspended, the bill read a third time, Passed and the title agreed to.

Mr. Wooden

Also reported back

House File No. 181,

And recommended its passage.

Mr. Hardie, of Dubuque,

Moved to re-commit the bill to the Judiciary Committee.

Lost.

On motion of Mr. Cloud,

The bill was referred to select committee composed of Messrs. Barker and Gossage.

BILLS INTRODUCED AND READ A FIRST TIME.

By Mr. Cloud,

House File No. 222,

A bill for an act amendatory to an act incorporating the city of Muscatine.

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

By Mr. Moer, of Mills,

House File No. 223,

A bill for an act to review and more correctly define the locality of the State road leading from Glenwood to Chariton.

The forty-second rule was suspended, the bill read a second time, and

Referred to the committee on Roads and Highways.

By Mr. Cloud.

House File No. 224,

A bill for an act relating to school and university lands and school funds.

The forty-second rule was suspended, the bill read a second time and

Referred to the select committee on School Lands.

By Mr. Davis,

House File No. 225,

A bill for an act to promote education.

The forty-second rule was suspended and the bill read a second time.

Mr. Holmes moved the further consideration of the bill be indefinitely postponed.

On motion of Mr. Davis,

The bill was referred to the committee on Schools and State University.

By Mr. Jones,

House File No. 226,

A bill for an act to locate road.

The forty-second rule was suspended, the bill read a second and third time, passed and the title agreed to.

Also,

House File No. 227,

A bill for an act to change the name of the town of Jefferson, in Warren county.

The forty-second rule was suspended, the bill read a second and third time, passed and the title agreed to.

By Mr. Price,

House File No. 228,

A bill for an act to repeal chapter 72 of the acts of the fifth General Assembly.

By Mr. Wyatt,
House File No. 229,

A bill for an act appointing a Commissioner to ascertain what portion of the sixteenth sections, the 500,000 acre grants and the saline lands belonging to the State have been sold.

The forty-second rule was suspended, and the bill read a second time.

On motion of Mr. Holmes,
The bill was

Referred to the Committee on Ways and Means.

Mr. Sullivan,

From the select committee appointed to enquire into the expediency of establishing a State Agricultural College, reported

House File No. 230,

A bill for an act for the establishment of a State Agricultural College.

The forty-second rule was suspended, the bill read a second time, and,

On motion of Mr. Hardie, of Dubuque,

Was laid on the table, and 200 copies ordered to be printed for the use of the General Assembly.

By Mr. Sullivan,
House File No. 231,

Joint resolution in relation to lands donated to the State of Iowa for public buildings.

The forty-second rule was suspended, the resolution read a second time, and

Laid upon the table.

Also,

House File No. 232,

A bill for an act to amend the charter of the city of Keokuk.

The forty-second rule was suspended, the bill read a second time, and

Ordered to be engrossed and read a third time to-morrow.

By Mr. Edmundson,
House File No. 233,

A bill for an act in relation to the swamp lands of this State.
The forty-second rule was suspended, the bill read a second time,
and
Referred to the Committee on the Judiciary.

By Mr. Clausen,
House File No. 234,

A bill for an act to establish a State road from Osage, in Mitchel county, *via* Vienna, to the State line.

The forty-second rule was suspended, the bill read a second time,
and

Referred to the committee on Roads and Highways.

By Mr. Toll,

A bill for an act to amend chapter 41 of the code of Iowa.

The forty-second rule was suspended, the bill read a second time
and

Referred to the committee on Incorporations.

Mr. Sullivan,

From the committee on compensation of Public Officers, reported
back

House File No. 131,

On motion of Mr. Sullivan,

The bill was referred to the committee of the Whole House, and
made the special order for this evening at seven o'clock.

Mr. Cort

Moved to take up

House File No. 1,

Motion lost.

Mr. Kelsay was appointed by the Chair upon the Judiciary committee, in place of Mr. Franklin.

The Speaker announced as the select committee on the five per cent. fund, Messrs. Wyatt, Edmundson, Scoville, Davis and Arnold.

On motion of Mr. Sawyer,
The House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Hardy, of Van Buren,

Moved to take from the table

House File No. 191,

Joint resolution in relation to State printing.

Upon which question

The yeas and nays were demanded,

Which were as follows :

Yeas 29, nays 28.

YEAS—

Messrs. Barker, Barner, Bigelow, Bottorf, Clark, Cort, Finney, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jones, Jordan, Larimer, McDow, Milliser, Mendenhall, Moore of Dubuque, Noble, Perry, Reeder, Rogers, Sawyer, Scoville, Sullivan, Van Valkenburgh, Wright of Cedar—29.

NAYS—

Messrs. Arnold, Bryson, Clausen, Cloud, Copeland, Davis, Dorland, Fry, Gillett, Hershberger, Holmes, Inskeep, Kurtz, Lewis, Lothian, Mills, Moer, of Mills, Rand, Richardson, Rodman, Stanton, Thomas, Toll, Williams, Wilson of Mahaska, Wing, Wooden, Wyatt, Speaker—28.

On motion of Mr. Holmes,

The House took a recess of fifteen minutes to allow the messengers an opportunity to prepare the Hall for the reception of the Senate.

At two o'clock and fifteen minutes the House was called to order.

Messrs. Coolbaugh and Cleaver were announced as a committee from the Senate to inform the House that the Senate was ready to meet the House in Joint Convention.

On motion of Mr. Mills,

A committee was appointed by the Chair to inform the Senate that the House was ready to meet the Senate in Joint Convention. The Chair appointed Messrs. Mills and Barker said committee.

The committee, after a few moments' delay, returned and reported that they had discharged that duty.

The President and members of the Senate, preceded by their Sergeant-at-Arms, entered the Hall of the House of Representatives, and having been duly announced took the seats assigned them.

JOINT CONVENTION OF BOTH HOUSES,

The President of the Senate acting as President of the Convention, and the chief clerk of the House acting as Secretary.

The President directed the roll of members of the Convention to be called, when the following named members were found absent:

Messrs. Franklin, Doud, Thurston, Kirkpatrick, Green, Pease, Wilson of Webster, Hamilton, Mathews, Mordan and Burris.

On motion

The above named gentlemen were excused.

Mr. Anderson moved that the Convention proceed to the election of a Judge of the Supreme Court.

Adopted.

The President appointed Mr. Coolbaugh Teller on the part of the Senate.

The Speaker appointed Mr. Holmes, Teller on the part of the House.

Mr. Cook nominated Lacon D. Stockton.

Mr. Neal nominated H. H. Trimble.

The Convention then proceeded to a vote, which resulted as follows :

For L. D. Stockton, - - - - -	63 votes.
“ H. H. Trimble, - - - - -	32 “
	—
Whole number of votes, - - - - -	96
Necessary to a choice, - - - - -	49

Mr. Stockton receiving a majority of all the votes cast, was de-

clared duly elected Associate Judge of the Supreme Court of the State of Iowa, to fill the vacancy in said office occasioned by the resignation of Norman W. Isbell, for the unexpired term of said office.

Those voting for L. D. Stockton were :

Messrs. Anderson, Atkins, Arnold, Brown, Bailey, Bryyson, Barner, Bigelow, Carter, Cattell, Cleaver, Cook, Clausen, Cloud, Copeland, Davis, Dorland, Edmundson, Foster, Fry, Grinnell, Gillett, Hogan, Hershberger, Holmes, Inskeep, Jenkins, Jordan of Polk, Jones, Kirkwood, Kurtz, Loughridge, Lewis, Lothian, McCoy, McPherson, McFarland, Mills, Moer of Mills, Noble, Price, Perry, Reed, Rusch, Rand, Reeder, Richardson, Rodman, Roberts, Rogers, Sanders, Sawyer, Stanton, Thompson, Thomas, Toll, Wilkinson, Williams, Wilson of Mahaska, Wing, Wooden, Wright of Cedar, President—63.

Those voting for H. H. Trimble, were

Messrs. Brigham, Burge, Barker, Bottorf, Bowen, Coolbaugh, Clark, Cort, Dale, Finney, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jordan of Marion, Kelsay, Larimer, McCulloch, McDow, Milliser, Mendenhall, Moer of Dubuque, Neal, Ramsay, Stewart, Scoville, Sullivan, Test, Van Valkenburgh, Warner, Wyatt—32.

H. H. Trimble voted for Winslow T. Barker.

On motion of Mr. Sullivan,

The Convention proceeded to the election of State Printer.

Mr. Hardie, of Dubuque,
Nominated H. D. La Cossitt.

Mr. Wooden
Nominated John Teesdale.

The Convention then proceeded to a vote, which resulted as follows :

For John Teesdale, - - - - -	63
“ H. D. La Cossit, - - - - -	33
	—
Whole number of votes - - - - -	96
Necessary to a choice - - - - -	49

Those voting for J. Teesdale were

Messrs. Anderson, Atkins, Arnold, Bailey, Bryson, Barner, Bigelow, Carter, Cattell, Cleaver, Cook, Clausen, Cloud, Copeland, Davis, Dorland, Edmundson, Foster, Fry, Griswold, Gillett, Hogan, Hershberger, Holmes, Inskip, Jenkins, Jordan of Polk, Jones, Kirkwood, Kurtz, Loughridge, Lewis, Lothian, McCoy, McPherson, McFarland, Mills, Moer of Mills, Noble, Price, Perry, Reed, Rusch, Rand, Reeder, Richardson, Roberts, Rodman, Rogers, Saunders, Sawyer, Stanton, Thompson, Thomas, Toll, Wilkinson, Williams, Wilson of Mahaska, Wing, Wooden, Wright of Cedar, and Mr. President—63.

Those voting for H. D. La Cossitt, were

Messrs. Brigham, Brown, Burge, Barker, Bottorf, Bowen, Coolbaugh, Clark, Cort, Dale, Finney, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jordan of Marion, Kelsay, Larimer, McCulloch, McDow, Milliser, Mendenhall, Moer of Dubuque, Neal, Ramsay, Stewart, Scoville, Sullivan, Test, Trimble, Van Valkenburgh, Warner and Hyatt.—33.

Mr. Teesdale having received a majority of all the votes cast, was declared duly elected State Printer for the term of two years, from the first day of May, 1857.

On motion of Mr. Anderson

The Convention proceeded to the election of a State Binder.

Mr. Cleaver nominated Wm. M. Coles of Scott county.

Mr. Sullivan nominated Wm. Lee of Johnson county.

The clerk proceeded to call the roll,

Wherenpon,

Wm. M. Coles received	- - - - -	63	votes
Wm. Lee received	- - - - -	33	“

Necessary to a choice,	- - - - -	49
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Mr. Coles having received a majority of all the votes cast, was declared duly elected State Binder for two years, from and after the expiration of the term of the present incumbent.

Those gentlemen voting for Wm. M. Coles were—

Messrs. Anderson, Atkins, Arnold, Brown, Bailey, Bryson, Barner, Bigelow, Carter, Cattell, Cleaver, Cook, Clausen, Cloud, Cope-land, Davis, Dorland, Edmundson, Foster, Fry, Griswold, Gillett, Hogan, Hershberger, Holmes, Inskeep, Jones, Jenkins, Jordan, of Polk, Kirkwood, Kurtz, Loughridge, Lewis, Lothian, McCoy, McPherson, McFarland, Mills, Moer of Mills, Noble, Price, Perry, Reed, Rusch, Rand, Reeder, Richardson, Roberts, Rodman, Rogers, Saunders, Sawyer, Stanton, Thompson, Thomas, Toll, Wilkinson, Williams, Wilson of Mahaska, Wing, Wooden, Wright of Cedar, and Mr. President—63.

Those gentlemen voting for Mr. Lee were—

Messrs. Brigham, Burge, Bottorf, Bowen, Coolbaugh, Clark, Cort, Dale, Finney, Galbraith, Griswold, Gossage, Hardie, of Dubuque, Hardy of Van Buren, Jordan of Marion, Kelsay, Larimer, McCullough, McDow, Milliser, Mendenhall, Moore of Dubuque, Neal, Ramsay, Stewart, Scoville, Sullivan, Test, Trimble, Van Valkenburgh, Weaver and Wyatt—33,

Mr. Anderson introduced the following resolution :

Resolved, That we deem it inexpedient to elect a warden of the Penitentiary at this meeting of the Joint Convention.

Adopted.

The certificates of election were made out and duly attested in the presence of the Convention, of which the following are true duplicates :

This is to certify,

That at an election by the General Assembly of the State of Iowa, in Joint Convention of the Senate and House of Representatives, on Monday, the 12th day of January, A. D. 1857, Lacon D. Stockton was duly elected a Judge of the Supreme Court of the State of Iowa, to fill the vacancy in said office occasioned by the resignation of Norman W. Isbell, for the unexpired term of said office.

{ Hall of House of Representatives,
{ January 12th, 1857.

ABNER K. McCRARY,
President of the Senate.
Pro tem.

SAMUEL McFARLAND,
Speaker of the House of Representatives.

Attest:

W. H. HOLMES,
W. N. COOLBAUGH, } Tellers.

Hall of the House of Representatives, }
Iowa City, January 12th, A. D., 1857. }

This will certify,

That at an election by the General Assembly of the State of Iowa, in Joint Convention of the Senate and House of Representatives, this 12th day of January, A. D. 1857, John Teesdale was duly elected State Printer for the term of two years from and after the first day of May, A. D. 1857.

A. H. McCrARY,
President of Senate.
Pro tem.

SAMUEL McFARLAND,
Speaker of the House of Representatives.

Attest:

W. N. COOLBAUGH, } Tellers.
W. H. HOLMES, }

Hall of the House of Representatives, }
Iowa City, January 12th, A. D. 1857. }

This will certify,

That at an election of the General Assembly of the State of Iowa, in Joint Convention of the Senate and House of Representatives this 12th day of January A. D. 1857, Wm. M. Cowles, was elected to the office of State Binder for the term of two years from and after the expiration of the present incumbent.

A. H. McCrARY,
President of the Senate.
Pro tem.

SAMUEL McFARLAND,
Speaker of the House of Representatives.

Attest:

W. N. COOLBAUGH, } Tellers.
W. H. HOLMES, }

On motion of Mr. Cloud,
The Joint Convention adjourned *sine die*.

The Senate having retired from the hall, the House was called to order, and

On motion of Mr. Cloud,
Proceeded with the regular order of business.

BILLS INTRODUCED AND READ A FIRST TIME.

By Mr. Clausen,
House File No. 236,
A bill for an act to change the name of Georgian Zenuolnur to Georgian Solner.

The forty-second rule was suspended, the bill read a second and third time passed, and the title agreed to.

Mr. Scoville with leave presented
The petition of 300 citizens asking a location of a branch of the State University at Chariton.

Referred to the committee on Schools and State University.

Senate File No. 37,
A bill for an act to provide for the taking of depositions, in cases of non-resident defendants.

The forty-second rule was suspended, the bill read a second time, and

Referred to the committee on the Judiciary.

Senate File No. 7,
A bill for an act to amend an act regulating the interest on money.

Senate File No. 117,
A bill for an act fixing the boundaries of the Tenth Judicial District.

Senate File No. 126,
A bill for an act to amend the charter of Lyons City.

Senate File No. 122,
Joint resolution for additional mail facilities.

Senate File No. 121,
A bill for an act to legalize the re-survey of the town of New Bedford in Taylor county.

Senate File No. 73,

A bill for an act regulating the suing out writs of error in the District Courts.

Senate File No. 130,

A bill for an act to authorize Paul C. Jeffries to transcribe certain records in Wapello county.

The forty-second rule was suspended, the bill read a second and third times, passed and the title agreed to.

Senate File No. 49,

A bill for an act to incorporate the city of Winterset, in Madison County, Iowa.

The forty-second rule was suspended, the bill read a second and third times, passed and the title agreed to.

Senate File No. 84,

A bill for an act legalizing the sale of school lands in Decatur County, Iowa.

Senate File No. 124,

A bill for an act to locate a certain State road, and to vacate a certain other State road in Marshall and Jasper counties.

Senate File No. 118,

A bill for an act authorizing the School Fund Commissioner of Clayton County to procure a safe for the use of his office.

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Senate File No. 115,

A bill for an act to amend an act entitled an act to incorporate the city of Wapello.

Senate File No. 115,

A bill for an act for an additional Justice of the Peace in Wapello County.

Senate File No. 66,

A bill for an act fixing the salaries of Supreme and District Judges in this State, and to provide for their payment.

The forty-second rule was suspended, the bill read a second time, and

Laid upon the table.

Senate File No. 103,

Joint resolution for an appropriation to build a custom House in the city of Burlington, Iowa.

The forty-second rule was suspended, the bill read a second and third time, passed, and the title agreed to.

Senate File No. 137,

A bill for an act providing for the indexing of certain records in Washington county.

The forty-second rule was suspended, the bill read a second time, and

Referred to the Committee on the Judiciary.

Senate File No. 106,

A bill for an act to grant an additional Justice of the Peace in New Vienna Township, Dubuque county.

Senate File No. 90,

A bill for an act providing for the Deaf and Dumb Asylum.

Senate File No. 95,

A bill for an act to amend a portion of chapter 136 of the code of Iowa.

Senate File No. 62,

Joint resolution for additional mail facilities.

Senate File No. 112,

A bill for an act to incorporate Sioux City.

The forty-second rule was suspended, the bill read a second and third time, passed and the title agreed to.

Senate File No. 114,

A bill for an act to incorporate the town of Tipton, Cedar county.

The forty-second rule was suspended, the bill read a second and third time, passed, and the title agreed to.

Senate File No. 69,

A bill for an act to amend the charter of the city of Council Bluffs.

The forty-second rule was suspended, the bill read a second and third time, passed, and the title agreed to,

Senate File No. 116,

A bill for an act for the relief of Mary Ann Cheney and heirs.

Senate File No. 125,

A bill for an act to re-establish a portion of the town of Toolsboro'.

BILLS ON THEIR SECOND READING.

House File No. 191,

Mr. Holmes moved the joint resolution be indefinitely postponed, Whereupon,

Mr. Barker demanded the yeas and nays,

Which were as follows :

Yeas 38, Nays 22.

YEAS—

Messrs. Arnold, Bailey, Bryson, Barner, Bigelow, Clausen, Cloud, Copeland, Davis, Dorland, Edmundson, Fry, Gillett, Hershberger, Holmes, Inskeep, Jones, Kurtz, Lothian, Mills, Moer of Mills, Noble, Price, Perry, Rand, Reeder, Richardson, Rodman, Rogers, Thomas, Toll, Williams, Wilson of Mahaska, Wing, Wooden, Wright of Cedar, Speaker.—38.

NAYS—

Messrs. Barker, Bottorf, Clark, Cort, Finney, Franklin, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Larimer, McDow, Milliser, Mendenhall, Moore of Dubuque, Sawyer, Scoville, Sullivan, Van Valkenburgh, Wyatt—22.

House File No. 194,

Ordered to be engrossed and read a third time to-morrow.

House File No. 189,

The forty-second rule was suspended, the bill read a second time, and

Referred to the committee on Internal Improvements.

House File No. 187,

On motion of Mr. Cloud,

Referred to a select committee of one.
The Chair appointed Mr. Cloud said committee.

On motion of Mr. Inskip,
The House adjourned until 7 o'clock P. M.

SEVEN O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Cloud moved that the House proceed with the regular order of business.

Adopted.

Messrs. Dorland, Cort, Rogers and Arnold were excused from attendance upon the House during the evening.

BILLS ON THEIR SECOND READING.

House File No. 195,

Mr. Barner moved to lay the bill upon the table.

Lost.

On motion of Mr. Cloud,

The bill was ordered to be engrossed and read a third time to-morrow.

The House then resolved itself into a committee of the Whole (Mr. Wooden in the Chair) to consider

House File No. 131,

A bill for an act to amend chapter 22 of the code of Iowa.

At eight o'clock and fifteen minutes the committee rose and reported the bill back to the House and recommended that it be indefinitely postponed.

Upon the question of concurring in the report of the committee,

Mr. Cloud demanded the yeas and nays,

Which were as follows :

Yeas 30, Nays 20.

YEAS—

Messrs. Bailey, Bryson, Clausen, Copeland, Davis, Gillett, Gosage, Hardy of Van Buren, Hershberger, Holmes, Inskeep, Kelsay, Lewis, Lothian, Larimer, McDow, Moer of Mills, Moore of Dubuque, Noble, Price, Perry, Reeder, Richardson, Sawyer, Scoville, Stanton, Thomas, Wilson of Mahaska, Wright of Cedar, Wyatt, Speaker—31.

NAYS—

Messrs. Barker, Barner, Bigelow, Bottorf, Clark, Cloud, Edmundson, Finney, Griswold, Milliser, Mills, Mendenhall, Rand, Rodman, Sullivan, Toll, Williams, Wing, Wyatt—20.

Mr. Barker moved to take up
Senate File No. 66,

On motion of Mr. Barner,
The House adjourned.

TUESDAY, MORNING, JANUARY 13th, 1857. }
TEN O'CLOCK. }

House met pursuant to adjournment.

Prayer by the Chaplain.

Journal of yesterday read and corrected.

Message from the Senate,
By Mr. Spencer, their Assistant Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the following bills have passed the Senate, and the concurrence of the House is asked therein, to-wit :

Senate File No. 40,

A bill for an act to protect the wool growing interests of the State, by the destruction of wolves.

Senate File No. 81,

A bill for an act making further appropriations for the State Insane Asylum.

Senate File No. 143,

A bill for an act to vacate the town of Ivanhoe, in Linn county.

Senate File No. 144,

A bill for an act supplemental to an act providing for a Recorder's office in the city of Keokuk.

Senate File No. 140,

A bill for an act to authorize Henry and Stephen Harrel to convey their interest in certain lands.

GEO. E. SPENCER,
Assistant Secretary Senate.

MR. SPEAKER:

I am further directed by the Senate to inform the House of Representatives that the Senate has passed, without amendment,

House File No. 105,

A joint resolution for additional mail facilities.

GEO. E. SPENCER,
Assistant Secretary Senate.

Mr. Hardie of Dubuque, with leave introduced the following resolution:

Resolved, That Mr. W. A. Adams, reporter for the "Nonpareil," at Dubuque, and the "Dubuque Daily Republican," be permitted to occupy a seat within the bar of this House; and also be entitled to such other privileges as are granted to other reporters during this session.

Adopted.

Messrs. Barker, Cloud, Wyatt, Roberts, Barner and Kelsay rose to questions of privilege in relation to reports of their action, as published in various journals.

On motion of Mr. Holmes,

The vote by which

House File No. 131,

Was indefinitely postponed, was re-considered.

Mr. Gossage moved the bill be laid upon the table.

Lost.

The House refused to concur in the recommendation of the committee of the whole to indefinitely postpone the bill.

Mr Holmes moved to amend the bill by striking out "\$1,300" and insert "\$1,200."

Mr. Moore of Dubuque, moved to amend the amendment by striking out "\$1,200," and insert "1000."

Lost.

The amendment of Mr. Holmes then prevailed.

On motion of Mr. Holmes,

The bill was ordered to be engrossed and read a third time to-morrow.

Mr. Cloud moved that the House now resume the order of business of yesterday.

Adopted.

BILLS ON SECOND READING.

House File No. 215,

The forty-second rule was suspended and the bill

Referred to the committee on Judiciary.

House File No. 196,

Ordered to be engrossed and read a third time to-morrow.

House File, No. 208,

On motion of Mr. Wing,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

House File No. 188,

On motion of Mr. Gossage,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

House File No. 211,

On motion of Mr. Kelsay,

It was referred to a select committee of three.

The Chair appointed Messrs. Kelsay, Davis and Edmundson said committee.

House File No. 192,

Mr. Bailey moved to amend by inserting "Iowa City Republican."

Adopted.

The bill was then

Ordered to be engrossed and read a third time to-morrow.

House File No. 168,

Referred to the Committee on Ways and Means.

House File No. 199,

Mr. Holmes moved to amend by inserting the word "each."

Adopted.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Senate File No. 84,

On motion of Mr. Cloud,

It was

Referred to the committee on the Judiciary.

Senate File No. 62,

On motion of Mr. Gossage,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Senate File No. 106,

On motion of Mr. Holmes,

The bill was

Referred to the delegation from Dubuque county.

Senate File No. 125,

Ordered to be engrossed and read a third time to-morrow.

Senate File No. 111,

On motion of Mr. Finney,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Senate File No. 122,

On motion of Mr. Bowen,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Senate File No. 121,

On motion of Mr. Clark,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

House File No. 97,

On motion of Mr. Gossage,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Senate File No. 86,

On motion of Mr. Inskip,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Senate File No. 88,

On motion of Mr. Rand,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Senate File No. 85,

On motion of Mr. Inskip,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Senate File No. 116,

On motion of Mr. Arnold,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Senate File No. 115,

On motion of Mr. Barner,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Senate File No. 126,

On motion of Mr. Toll,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

House File No. 228,

Mr. Davis

Moved the bill be indefinitely postponed.

Mr. Barker

Moved the bill be laid upon the table.

Motion adopted.

House File No. 205,
On motion of Mr. Dorland,
The bill was
Referred to the committee on the Judiciary.

House File No. 170,
On motion of Mr. Finney,
The bill was
Referred to the committee on the Judiciary.

House File No. 172,
On motion of Mr. Barner,
The bill was
Referred to the Committee on the Judiciary.

House File No. 179,
On motion of Mr. Wiison, of Mahaska,
The bill was
Referred to the committee on Agriculture.

House File No. 212,
On motion of Mr. Bailey,
The bill was
Referred to the committee on the Judiciary.

House File No. 176,
On motion of Mr. Dorland, was
Referred to the committee on the Judiciary.

On motion of Mr. Barker,
House File No. 122,
Was taken from the table.

The forty-second rule was suspended, the bill read a third time,
passed, and the title agreed to.

House File No. 169,
Mr. Cloud
Moved the bill be referred to the select committee on schools.

Mr. Barner

Moved to amend by striking out "schools," and inserting "Public Lands."

Lost.

Mr. Cloud's motion was then lost.

Mr. Dorland

Moved the bill be ordered to be engrossed and read a third time to-morrow.

Mr. Cort

Moved to amend the bill so that its provisions will apply to none but actual settlers.

On motion of Mr. Cloud,
It was laid upon the table.

Senate File No. 73,
On motion of Mr. Mills,
Was ordered to be engrossed and read a third time to-morrow.

House File No. 204,
On motion of Mr. Holmes, was
Ordered to be engrossed and read a third time to-morrow.

Senate File No. 95,
On motion of Mr. Dorland, was
Referred to the committee on the Judiciary.

Senate File No. 117,
On motion of Mr. Rodman, was
Referred to the delegation from the tenth judicial district.

On motion of Mr. Gossage,
Senate File No. 75,
Was taken from the table.

The bill was then read a third time, passed, and the title agreed to.

On motion of Mr. Rodman,
House File No. 101,
Was taken up, and the amendments of the committee concurred in, the joint resolution passed, and the title agreed to.

Mr. Rodman, with leave,
Introduced the following resolution :
Resolved, That the Chief Clerk be hereby instructed to request the Secretary of State to send immediately copies of the joint resolutions on the subject of the naturalization laws, to our Senators and Representatives in Congress.

Adopted.

Senate File No. 90,
On motion of Mr. Arnold, was
Referred to the Committee on Ways and Means.

Senate File No. 74,
On motion of Mr. Bailey, was
Laid upon the table.

Senate File No. 171,
On motion of Mr. Holmes, was
Referred to the committee on Agriculture.

Senate File No. 7,
Mr. Hardie, of Dubuque,
Moved the bill be ordered to be engrossed and read a third time
to-morrow.

Mr. Holmes
Moved to amend by laying the bill upon the table,
Upon which question,

Mr. Hardie demanded the yeas and nays,
Which were as follows:
Yeas 32, nays 27.

YEAS—

Messrs. Cloud, Copeland, Cort, Dorland, Edmundson, Fry, Griswold, Gossage, Hardy of Van Buren, Holmes, Kurtz, Lewis, Lothian, McDow, Mills, Mendenhall, Moer of Mills, Moore of Dubuque, Noble, Price, Perry, Rand, Reeder, Roberts, Stanton, Sullivan, Thomas, Van Valkenburgh, Williams, Wilson of Mahaska, Wing, Speaker—32.

NAYS—

Messrs. Arnold, Bailey, Barker, Bryson, Bigelow, Bottorf, Bowen, Clark, Finney, Galbraith, Gillett, Hardie of Dubuque, Hershberger, Jones, Jordan, Kelsay, Milliser, Rodman, Rogers, Sawyer, Scoville, Toll, Wooden, Wright of Cedar—27.

Mr. Gossage moved to take up substitute for
House File No. 72,
Lost.

Mr. Milliser moved to take up
Senate File No. 96,
Lost.

BILLS ON THIRD READING.

Substitute for
House File No. 72,

A bill for an act supplemental to an act to accept the grant of land to the State of Iowa.

Mr. Coit moved to amend section first by adding, by way of rider, the following proviso :

Provided, That nothing in this section shall be so construed as to exempt from taxation the one hundred and twenty sections of land to which the several companies are entitled after the completion of every twenty miles of either of said roads, as specified in the land grant from the United States, as well as all other lands that the several companies are now and may hereafter be entitled to.

The rider was read three times and adopted.

Mr. Bailey moved that the House now adjourn.
Lost.

Upon the question of the passage of the bill,
The yeas and nays were demanded and
Were as follows :
Yeas 50, Nays 9.

YEAS—

Messrs. Arnold, Bailey, Bryson, Barner, Bigelow, Bottorf, Clark, Cloud, Copeland, Davis, Dorland, Edmundson, Finney, Gillett, Griswold, Hardy of Van Buren, Hershberger, Holmes, Jones, Kurtz, Lewis, Lothian, Larimer, McDow, Mills, Mendenhall, Moer of Mills, Moore, Noble, Perry, Price, Rand, Reeder, Richardson, Roberts, Rodman, Rogers, Sawyer, Scoville, Stanton, Sullivan, Thomas, Toll, Van Valkenburgh, Williams, Wing, Wooden, Wright of Cedar, Speaker—50.

NAYS—

Messrs. Barker, Fry, Galbraith, Gossage, Hardie of Dubuque, Kelsay, Milliser, Wilson of Mahaska—9.

The title of the bill was then agreed to.

On motion,
The House then adjourned.

TWO O'CLOCK, P. M

The House met pursuant to adjournment.

Mr. Dorland

Moved to re-consider the vote taken yesterday, upon the resolution offered by Mr. Cloud, in relation to printing and indexing the Journal of the House.

Motion lost.

Mr. Clausen

Was excused from attendance upon the House, on account of illness.

BILLS ON THEIR THIRD READING.

House File No. 157,

A bill for an act to amend the charter of the city of Guttenburg,
was

Passed and the title agreed to.

House File No. 214,

A bill for an act to vacate High street in the town of Adell.
Passed and the title agreed to.

House File No. 192,

A bill for an act to vacate a state road.
Passed and the title agreed to.

House File No. 1,

A bill for an act to create school district No. 5, out of part of Washington township, Dubuque county.

Passed and the title agreed to.

House File No. 138,

A bill for an act defining the rights and privileges of the Platts-mouth ferry company.

Passed and the title agreed to.

House File No. 47,

A bill for an act to exempt certain property from taxation.

Upon the question "shall the bill pass?"

Mr. Cloud demanded the yeas and nays,

Which were as follows :

Yeas 29, nays 30.

YEAS—

Messrs. Bryson, Bowen, Cort, Edmundson, Finney, Galbraith, Gillett, Griswold, Hardie of Dubuque, Inskeep, Kirkpatrick, Lewis, Larimer, McDow, Milliser, Mendenhall, Moer of Mills, Moore of Dubuque, Perry, Reeder, Rodman, Scoville, Stanton, Thomas, Toll, Williams, Wilson, of Mahaska, Wooden, Wright, of Cedar, Wyatt—29.

NAYS—

Messrs. Bailey, Barker, Barner, Bigelow, Bottorf, Clark, Cloud, Copeland, Davis, Dorland, Doud, Gossage, Hardy of Van Buren, Hershberger, Holmes, Jordan, Kelsay, Kurtz, Lothian, Mills, Noble, Price, Rand, Richardson, Roberts, Rogers, Sawyer, Sullivan, Van Valkenburgh, Wing, Speaker—30.

House File No. 130,

A bill for an act fixing the salaries of the Governor, State Officers, Supreme and District Judges.

Mr. Holmes moved to re-commit the bill to a select committee of five, with instructions to amend by striking out the graduation clause.

Mr. Clark moved to lay the bill upon the table.

Lost.

Mr. Barker moved to amend the motion of Mr. Cloud by striking out the instructions,

And upon this question,

Demanded the yeas and nays,

Which were as follows :

Yeas 23, Nays 36.

YEAS—

Messrs. Arnold, Bailey, Barker, Bryson, Bigelow, Cloud, Copeland, Davis, Dorland, Edmundson, Galbraith, Hardie of Dubuque, Holmes, Inskeep, Kurtz, Lothian, Mills, Scoville, Stanton, Sullivan, Thomas, Wooden, Speaker—23.

NAYS—

Messrs. Barner, Bottorf, Clark, Cort, Doud, Finney, Gillett, Griswold, Gossage, Hardy of Van Buren, Hershberger, Jordan, Kirkpatrick, Kelsay, Lewis, Larimer, McDow, Milliser, Mendenhall, Moer of Mills, Moore of Dubuque, Noble, Price, Perry, Rand, Reeder, Richardson, Roberts, Rodman, Rogers, Sawyer, Toll, Van Valkenburgh, Williams, Wilson of Mahaska, Wing, Wright of Cedar, Wyatt—36.

Mr. Clark

Moved to amend by instructing the committee to report a bill re-districting the State.

Lost.

Upon the question to re-commit the bill to a select committee,

Mr. Barker demanded the yeas and nays,

Which were as follows :

Yeas 34, Nays 28.

YEAS—

Messrs. Arnold, Barker, Bryson, Bottorf, Bowen, Clark, Copeland, Cort, Doud, Gillett, Griswold, Hardy of Van Buren, Hershberger, Holmes, Inskeep, Kelsay, Kurtz, Lewis, Larimer, McDow, Milliser, Mendenhall, Moer of Mills, Moore of Dubuque, Reeder, Richardson, Roberts, Scoville, Sullivan, Thomas, Van Valkenburgh, Wooden, Wyatt—34.

NAYS—

Messrs. Barner, Bigelow, Cloud, Davis, Dorland, Edmundson, Finney, Fry, Galbraith, Gossage, Hardie of Dubuque, Jordan, Kirkpatrick, Lothian, Mills, Price, Perry, Rand, Rodman, Rogers, Sawyer, Stanton, Toll, Williams, Wilson of Mahaska, Wing Wright of Cedar, Speaker—28.

Mr. Jones was excused from voting.

The Chair appointed Messrs. Cloud, Kelsay and Arnold said select committee.

On motion of Mr. Holmes,
Senate File No. 66,

Was taken from the table.

On motion of Mr. Arnold,

The forty-second rule was suspended, and the bill read a third time.

Upon the question of its passage,

Mr. Lewis demanded the yeas and nays,

Which were as follows :

Yeas 37, Nays 24.

YEAS—

Messrs. Arnold, Bailey, Barker, Bryson, Bigelow, Bottorf, Cloud, Copeland, Cort, Davis, Dorland, Doud, Griswold, Hardie of Dubuque, Hershberger, Holmes, Inskip, Kirkpatrick, Lothian, Milliser, Mendenhall, Moer of Mills, Rand, Richardson, Rodman, Rogers, Stanton, Sullivan, Thomas, Toll, Williams, Wilson, of Mahaska, Wing, Wooden, Wright of Cedar, Speaker.—37.

NAYS—

Messrs. Barner, Bowen, Clark, Edmundson, Finney, Fry, Galbraith, Gillett, Gossage, Hardy of Van Buren, Jones, Jordan, Lewis, Larimer, McDow, Moore of Dubuque, Price, Perry, Roberts, Sawyer, Scoville, Van Valkenburgh, Wyatt.—24.

The title of the bill was then agreed to.

Mr. Hardie, of Dubuque,

Moved to re-consider the vote last taken.

On motion of Mr. Wyatt,

A call of the House was ordered.

Mr. Hardie, of Dubuque,

Moved that further proceedings under the call be suspended,

Whereupon,

Mr. Wyatt demanded the yeas and nays,

Which were as follows :

Yeas 45, nays 14.

YEAS—

Messrs. Arnold, Barker, Bailey, Bryson, Barner, Bigelow, Bot-

torf, Cloud, Copeland, Cort, Davis, Dorland, Doud, Edmundson, Fry, Galbraith, Gillett, Holmes, Inskip, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Larimer, McDow, Mills, Mendenhall, Rand, Richardson, Rodman, Rogers, Stanton, Sullivan, Thomas, Toll, Van Valkenburgh, Wilson of Mahaska, Wing, Wooden, Wright of Cedar, Speaker.—45.

NAYS—

Messrs. Bowen, Clark, Finney, Griswold, Gossage, Moer of Mills, Moore, Price, Perry, Reeder, Sawyer, Scoville, Wyatt.—14.

House File No. 234,

A bill for an act defining the rights of pre-emptors.

On motion of Mr. Wyatt,

The bill was

Laid upon the table.

House File No. 144,

A bill for an act to incorporate Lithopolis University.

Passed, and the title agreed to.

House File No. 150,

Joint resolution, asking for additional mail facilities.

Passed, and the title agreed to.

House File No. 151,

Joint resolution asking for additional mail facilities.

Passed and the title agreed to.

House File No. 153,

A bill for an act to change a part of a State road leading from Fairview to Pioneer Grove.

Passed and the title agreed to.

House File No. 156,

A bill for an act to authorize the selection of a grand and petit jury in Mills county.

Passed and the title agreed to.

House File No. 164,

A bill for an act defining what shall constitute a copy of the original survey, as contemplated in section 113, of the Code of Iowa.

Passed and the title agreed to.

House File No. 183,

Joint resolution authorizing the Secretary of State to employ a reporter for the Constitutional Convention.

The resolution was read a third time, and

Lost.

Senate File No. 34,

Joint resolution for additional mail facilities.

Passed and the title agreed to.

Senate File No. 96,

A bill for an act to vacate a certain grave-yard therein named, and to authorize the sale of the ground.

Passed and the title agreed to.

Senate File No. 137,

A bill for an act to provide for the taking of depositions in cases of non-resident defendants.

Passed and the title agreed to.

House File No. 33,

A bill for an act authorizing the subdivision of lands, with Senate amendments thereto, was taken up and

The amendments concurred in.

Senate File No. 47,

A bill for an act to provide for the education of the blind, with the House amendments thereto, in which the Senate refuse to concur, was taken up, and

On motion of Mr. Clark,

The House receded from its amendments.

House File No. 154,

Joint resolution asking for additional mail facilities, with the Senate amendment, was taken up, and

The amendment concurred in.

Message from the Senate,

By their Secretary.

MR. SPEAKER :

I herewith present for your signature,

Senate File No. 24,

An act to amend chapter 49 of session laws of 1854-5.

Also,

Senate File No. 76,

An act to amend the charter of the town of Fairfield.

The same having passed both branches of the General Assembly and been duly enrolled by the Senate.

CHARLES C. NOURSE,

Secretary of the Senate.

Senate substitute for

House File No. 148,

A bill for an act to provide for the election of an additional Justice of the Peace with amendments of the Senate, was taken up, and

The amendments concurred in.

House File No. 132,

A bill for an act to authorize the County Judges of Keokuk County, to have the road record of said County transcribed, and to legalize the same, was taken up, and

The amendments of the Senate concurred in.

House File No. 96,

A bill for an act to authorize school district No. 2, in Le Claire township, Scott county, to borrow money, was taken up with the amendments of the Senate thereto, and

The amendments concurred in.

Mr. Barner,

With leave, from the committee to whom was referred

House File No. 185,

Reported the same back with sundry amendments and recommended its passage.

The amendments were severally concurred in, and

On motion of Mr. Barner,

Ordered to be engrossed and read a third time to-morrow.

Mr. Bigelow, with leave, introduced the following report:

The Committee on Engrossed Bills report

House File No. 207,

Joint resolution asking Congress for additional mail facilities.

Also,

House File, No. 100,
An act to amend the charter of Ottumwa.

Also,

House File No. 126,
An act to locate part of a State road.

Also,

House File No. 219,
An act for the relief of the medical department of the State university.

Also,

House File No. 198,
An act to make the bridge across North Skunk river, a part of the public highway.

Also,

House File No. 76,
An act regulating the licensing showmen.

Also,

House File No. 218,
An act authorizing the administrators of the estate of Henry M. Beeson to perform certain acts.
And find the same correctly engrossed.

BIGELOW,
Chairman.

Mr. Cloud moved

To take up

House File No. 218,

A bill for the relief of the medical branch of the State University.

Carried.

Mr. Barker

Moved to amend by way of rider as follows:

Provided: That a like sum of money be, and the same is hereby appropriated to the branch of the State University located at Dubuque; said appropriation to be governed in all cases by the

same provisions as govern the appropriation contained in the foregoing sections relating to the branch at Keokuk.

Upon the question of the adoption of the amendment,

Mr. Barker demanded the yeas and nays,

Which were as follows:

Yeas 12, nays 47.

YEAS—

Messrs. Bailey, Barker, Cloud, Copeland, Cort, Hardie of Dubuque, Jordan, Kelsay, Moore of Dubuque, Noble, Thomas, Wooden—12.

NAYS—

Meessrs. Arnold, Bryson, Barner, Bigelow, Bottorf, Clark, Cloud, Davis, Dorland, Doud, Edmundson, Finney, Fry, Galbraith, Griswold, Gossage, Hardy of Van Buren, Hershberger, Holmes, Inskip, Jones, Kirkpatrick, Kurtz, Lewis, Larimer, McDow, Milliser, Mills, Mendenhall, Moer of Mills, Price, Perry, Rand, Reeder, Roberts, Rodman, Rogers, Sawyer, Seoville, Stanton, Sullivan, Toll, Van Valkenburgh, Williams, Wilson of Mahaska, Wing, Wright of Cedar, Wyatt, Speaker—47.

The bill was then passed and the title agreed to.

Mr. Toll,

From the committee on Enrolled Bills, submitted the following report:

HOUSE OF REPRESENTATIVES, }
January 13, 1857. }

The committee on Engrossed bills, report that they have examined

House File No. 102,

Joint resolution for additional mail facilities from Fulton, Ill., via Clinton, De Witt, Mechanicsville, Lisbon, Mt. Vernon to Cedar Rapids.

From De Witt via Tipton to Iowa City.

House File No. 93,

Joint resolution for additional mail facilities from McGregor's Landing to Glenmary and Bristol in Worth county.

House File No. 85,

Joint resolution for additional mail facilities from Indianola, Warren county, to Princeton, Mercer county.

House File No. 60,

Joint resolution for additional mail facilities from Ottumwa, Wapello county, to Chariton, Lucas county.

House File No. 149,

Joint resolution for additional mail facilities from Marietta, Marshall county, to Steamboat Rock, Hardin county.

House File No. 190,

Joint resolution in relation to a Marine Hospital and Port of Entry at the City of Council Bluffs.

House File No. 135,

An act to repeal chapter thirty-five of the acts passed at the extra session of the General Assembly of the State of Iowa, held July, A. D. 1856.

House File No. 101,

Joint resolution relating to naturalization laws, &c.

House File No. 75,

An act to incorporate the town of Centreville, Iowa.

House File No. 101,

Joint resolution relating to naturalization laws, &c.

House File No. 13,

An act to change the boundaries of the ninth judicial district.

House File No. 81,

An act to alter the state road from Overman's ferry in Muscatine county, to Washington ferry in Cedar county.

House File No. 47,

An act to change the name and style of the Fort Madison, West Point, Keosauqua and Bloomfield Rail Road Company.

House File No. 117,

An act amendatory to the act incorporating the city of Muscatine.

C. H. TOLL,
Chairman.

Mr. Barker

From the Committee on the Judiciary, to whom was referred
House File No. 120,

Reported a substitute therefor.

The substitute was adopted, and

Ordered to be engrossed and read a third time to-morrow.

Mr. Barker

Also reported a substitute for

House File No. 181,

The substitute was adopted, and

Ordered to be engrossed and read a third time to-morrow.

Mr. Barker

Also reported back

Senate File No. 106,

And recommended its passage.

On motion of Mr. Hardie, of Dubuque,

The forty-second rule was suspended, the bill read a third time,
passed and the title agreed to.

Mr. Davis,

With leave, introduced

House File No. 237,

Joint resolution asking additional mail facilities.

Read a first time.

The House then adjourned.

WEDNESDAY, JANUARY 14th, 1857, }
NINE O'CLOCK, A. M. }

House met pursuant to adjournment.

On motion of Mr. Larimer,

The reading of the Journal was dispensed with.

PETITIONS PRESENTED.

By Mr. Gillett,

The petition of 300 citizens of Chickasaw county, asking the appointment of three commissioners to re-locate the county seat of Chickasaw county.

Referred to the committee on County and Township Organizations.

By Mr. Inskeep,

The petition of citizens asking the location of a certain State road therein named.

Referred to the committee on Roads and Highways.

By Mr. Cloud,

The remonstrance of citizens of Muscatine, against any change in corporate limits of that city.

On motion of Mr. Cloud,

It was laid upon the table.

By Mr. Lewis,

The petition of Hiram Scofield and 114 others, voters of the town of Washington, praying the passage of an act incorporating said town.

Also,

The remonstrance of certain citizens of said town against its incorporation.

The petition and remonstrance were

Referred to the committee on Incorporations.

By Mr. Inskeep,

The petition of Jesse Conn and 121 others, in relation to additional mail facilities.

Referred to the committee on Federal Relations.

By Mr. Bryson,

The petition of citizens praying for an appropriation to a certain Academy of learning therein named.

Referred to the committee on Schools and State University.

By Mr. Lewis,

The petition of A. H. Patterson and 60 others, praying for the

repeal of the act locating the seat of government at Fort Des Moines.

Referred to the committee on Public Buildings.

By Mr. Jones,

The petition of citizens of Warren county, praying the enactment of a general hog law.

The petition was referred to the committee on Agriculture.

By Mr. Kirkpatrick,

The remonstrance of 40 citizens against any repeal of the present Prohibitory Liquor Law.

Referred to the select committee on the subject of Temperance.

By Mr. Noble,

The petition of sundry citizens asking the passage of an act to vacate Main street in the town of Rockville.

Referred to the delegation from Dubuque and Delaware counties.

Also,

The petition of Members of the bar of Delaware county, asking a change in the time of holding the District Court in said county.

Referred to the delegation from the Second Judicial District.

By Mr. Kirkpatrick,

The petition of citizens of Grandy county, asking a division of Butler county;

Referred to the committee on New Counties.

By Mr. Kirkpatrick,

The petition of citizens of Washington and Louisa counties, asking the establishment of a certain State road, accompanied with a bill.

Referred to the Committee on Roads and Highways.

The Chair

Presented the remonstrance of 68 citizens of Wright county, against any change in the boundaries of said county.

Referred to the committee on New Counties.

By Mr. Barker,

The petition of citizens of Dubuque county, praying the repeal of an act entitled an act for the suppression of intemperance.

Mr. Hardie of Dubuque,

Moved to refer the petition to a select committee of three, with instructions to report a bill in accordance with the prayer of the petitioners.

Mr. Arnold

Moved to amend by striking out "select committee" and inserting "standing committee on the subject of temperance,"

Whereupon,

Mr. Hardie of Dubuque demanded the yeas and nays,

Which were as follows :

Yeas 30, Nays 23.

YEAS—

Messrs. Arnold, Bailey, Bryson, Barner, Clausen, Cloud, Copeland, Dorland, Gillett, Hershberger, Holmes, Inskcep, Kirkpatrick, Lewis, Lothian, Moer of Mills, Noble, Price, Perry, Rand, Rogers, Stanton, Thomas, Toll, Williams, Wing, Wooden, Wright of Cedar, Speaker—30.

NAYS—

Messrs. Barker, Bigelow, Bottorf, Clark, Cort, Finney, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Larimer, McDow, Milliser, Mendenhall, Moore of Dubuque, Reeder, Rodman, Sawyer, Scoville, Sullivan, Van Valkenburgh, Wyatt—23.

Message from the Senate,

By Mr. Spencer, their Assistant Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed substitute for

House File No. 6,

A bill for an act fixing the boundaries of the thirteenth judicial district, and the time of holding courts therein.

And asks the concurrence of the House therein.

GEO. E. SPENCER,

Ass't Sec'y Senate.

Mr. Hardie, of Dubuque,

Moved to refer the petition to a select committee of three.

Lost.

Mr. Barker

Moved the petition be referred to the Committee of the Whole House, and be made the special order for to-morrow evening at seven o'clock.

Mr. Holmes

Moved to amend by laying the petition upon the table.

Whereupon,

Mr. Barker demanded the yeas and nays,

Which were as follows :

Yeas 32, nays 28.

YEAS—

Messrs. Bailey, Bryson, Barner, Clausen, Cloud, Dorland, Edmundson, Fry, Hershberger, Holmes, Inskip, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Moer of Mills, Noble, Perry, Rand, Rogers, Sawyer, Stanton, Thomas, Toll, Williams, Wing, Wooden, Wright of Cedar, Speaker—32.

NAYS—

Messrs. Arnold, Barker, Bigelow, Bottorf, Clark, Copeland, Cort, Finney, Galbraith, Gillett, Griswold, Gossage, Hardie, of Dubuque, Hardy, of Van Buren, Jordan, Larimer, McDow, Milliser, Mendenhall, Moore of Dubuque, Price, Reeder, Richardson, Rodman, Scoville, Sullivan, Van Valkenburgh, Wyatt—28.

Mr. Barker

Presented the petition of W. A. Dier and 71 other citizens, asking a repeal of the law known as the prohibitory law and the enactment of a license law.

Mr. Barker

Moved to refer the petition to a select committee of three.

Mr. Holmes

Moved to amend by laying the petition upon the table.

Whereupon,

Mr. Barker demanded the yeas and nays,

Which were as follows :

Yeas 31, Nays 32.

YEAS—

Messrs. Bailey, Bryson, Clausen, Davis, Dorland, Edmundson, Fry, Hershberger, Holmes, Inskip, Jones, Kirkpatrick, Kurtz,

Lewis, Lothian, Mills, Perry, Rand, Richardson, Rogers, Sawyer, Stanton, Thomas, Toll, Williams, Wilson of Mahaska, Wing, Wooden, Wright of Cedar, Speaker—31.

NAYS—

Messrs. Aarnold, Barker, Bigelow, Bottorf, Clark, Cloud, Copeland, Cort, Finney, Galbraith, Gillett, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Larimer, McDow, Mendenhall, Moer of Mills, Moore of Dubuque, Noble, Reeder, Roberts, Rodman, Scoville, Sullivan, Van Valkenburgh, Wyatt—22.

Mr. Bailey

Moved to amend by referring the petition to the select committee on the subject of Temperance.

Adopted.

Mr. Edmundson presented

The remonstrance of sundry citizens of Jasper county, against any change in the Prohibitory Liquor Law.

Referred to the select committee on the subject of Temperance.

Mr. Perry presented

The petition of certain citizens, asking the establishment of a certain State road.

Referred to the committee on Roads and Highways.

Mr. Wooden presented

The petition of E. C. Lyon and others, asking a change in the time of holding district courts in Johnson county.

Referred to the committee on the Judiciary.

RESOLUTIONS OFFERED.

By Mr. Bigelow,

Resolved, That it is the sense of this House that an act entitled "an act for the suppression of Intemperance," approved January 22, 1855, should be repealed, and chapter fifty-five of the code be revised.

Mr. Inskeep

Moved to lay the resolution on the table,

Whereupon,

Mr. Bowen demanded the yeas and nays,

Which were as follows:

Yeas 35, nays 31.

YEAS—

Messrs. Arnold, Bailey, Bryson, Barner, Clausen, Cloud, Copeland, Davis, Dorland, Edmundson, Fry, Gillett, Hershberger, Holmes, Inskeep, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Moer of Mills, Perry, Rand, Richardson, Rogers, Sawyer, Thomas, Toll, Williams, Wilson of Mahaska, Wing, Wooden, Wright of Cedar, Speaker—35.

NAYS—

Messrs. Barker, Bigelow, Bottorf, Bowen, Clark, Cort, Doud, Finney, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Larimer, McDow, Milliser, Mendenhall, Moore of Dubuque, Noble, Pease, Price, Reeder, Roberts, Rodman, Scoville, Stanton, Sullivan, Van Valkenburgh, Wyatt—30.

By Mr. Inskeep,

House File No. 238,

Joint resolution for additional mail facilities.

Read a first time.

REPORTS OF COMMITTEES.

Mr. Bigelow submitted the following report :

The committee on Engrossed Bills report,

House File No. 232,

An act to amend the charter of the City of Keokuk.

Also,

House File No. 209,

An act to change a certain State road in Appanoose county

Also,

House File No. 131,

An act to amend section 211 of chapter 22 of the code of Iowa.

Also,

House File No. 194,

An act to establish certain State roads therein named.

Also,

House File No. 218,

A bill for an act authorizing the administrators of the estate of H. M. Beeson to perform certain acts.

Also,

House File No. 181,

A bill for an act to change the name of Abbis Jane Ridel to Abbis Jane Hiatt.

Also,

House File No. 195,

An act to authorize the Supreme and District Courts to adopt rules and regulate the practice of law in civil cases.

Also,

House File No. 180,

A bill for an act legalizing the organization of Howard county.
And find the same correctly engrossed.

BIGELOW,
Chairman.

Mr. Holmes

From the committee on Ways and Means, to whom was referred
House File No. 168,
Reported back a substitute therefor and recommended its passage.

The substitute was adopted,

The forty-second rule was suspended, the bill read a third time,
passed and the title agreed to.

Mr. Wooden,

From the committee to whom was referred the petitions of citizens of Johnson county relative to the time of holding courts therein, reported

House File No. 239,

A bill for an act to define the time of holding courts in the Fourth Judicial District.

The forty-second rule was suspended, the bill read a second and third time, passed and the title agreed to.

Mr. Rodman

From the select committee to whom was referred

Senate File No. 117,

Reported the same back and recommended its passage.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Mr. Dorland

From the committee on Schools and State University, to whom was referred

House File No. 103,

Reported a substitute therefor.

The substitute was adopted,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Mr. Bailey

From the select committee to whom was referred the petition of Charles Mullen, reported

House File No. 240,

A bill for an act to vacate the public square in Waterloo, Black Hawk county.

Read a first time, when

The forty-second rule was suspended, the bill read a second time, and

Referred to the committee on Judiciary.

Mr. Dorland

From the committee on Schools and State University, to whom was referred

House File No. 71,

Reported the same back and recommended its passage.

Ordered to be engrossed and read a third time to-morrow.

Mr. Arnold

From the committee on Schools and State University, to whom was referred

House File No. 224,

Reported the same back with an amendment to the first section and recommended its passage.

The amendment was concurred in,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Mr. Rand,

From the Committee on Incorporations, reported back

House File No. 235,

And recommended its passage.

On motion of Mr. Bailey,

The bill was

Re-committed to the Committee on the Judiciary.

Mr. Mills,

From the Committee on Roads and Highways, to whom was referred

The petition of David Wright and others, reported

House File No. 241,

A bill for an act to vacate a part and re-locate a part of a territorial road in Lee county.

Read a first time.

Also,

House File No. 242,

A bill for an act to vacate a part of a territorial road in Lee county.

Read a first time.

Also,

Reported back

House Files Nos. 223 and 234,

And recommended their passage.

The bills were severally

Ordered to be engrossed and read a third time to-morrow.

Mr. Cloud,

From the Committee on Ways and Means, reported a substitute for

House File No. 229,

And recommended its passage.

The substitute was adopted, and

Ordered to be engrossed and read a third time to-morrow.

Also,

Senate File No. 90,

Without amendment, and recommended its passage.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Mr. Cloud,

From the select committee to whom was referred

House File No. 187,

Reported the same back to the House, and recommended that it be laid upon the table.

The report was concurred in.

Also,

From the select committee to whom was referred

House File No. 130,

With an amendment striking out the fourth, fifth and sixth sections.

On motion of Mr. Barner,

The bill was re-committed to the committee with instructions to provide salaries for the deputies of the State officers.

Mr. Kelsay.

From the committee to whom was referred

House File No. 211,

Reported the same back and recommended its passage.

Ordered to be engrossed and read a third to-morrow.

Mr. Wing,

From the committee on Claims, to whom was referred the petition of J. L. Jones, reported adversely to the prayer of the petitioner.

The report was concurred in.

Mr. Wooden,

From the Judiciary committee, reported back

House File No. 200,

And recommended its passage.

Ordered to be engrossed and read a third time to-morrow.

Also,

House File, No. 109,

And recommended its passage.

Report concurred in.

On motion of Mr. Noble,

House File No. 200,

Was taken up.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Mr. Wing

Moved to take up

House File No. 144,

Lost.

Mr. Toll, with leave, introduced

House File No. 243,

Joint resolution for additional mail facilities.

Read a first time.

Mr. Roberts, with leave,

Introduced the following:

Resolved, That the committee on Charitable Institutions be instructed to report on the bill referred to them relating to the location of the Deaf and Dumb Asylum, at or near Winterset, Madison county, by next Monday.

Adopted.

Mr. Copeland, with leave, introduced

House File No. 244,

A bill for an act to authorize the county Judge of Jefferson county to have the road surveys of said county transcribed and indexed.

Read a first time.

Mr. Inskeep, with leave, introduced

House File No. 145,

A bill for an act to locate a State road in the counties of Johnson, Iowa and Benton.

Read a first time.

On motion of Mr. Bailey,

House File No. 216,

A bill for an act to locate a certain State road therein named,

Was taken up.

Mr. Holmes

Moved to amend the bill by striking out "J. H. Lee," and inserting "S. B. Cunningham."

Adopted.

Mr. Dorland

Moved the bill be re-committed to the committee on Roads and Highways.

Lost.

Mr. Mills

Moved the bill be ordered to be engrossed and read a third time to-morrow.

Mr. Wright, of Cedar,

Moved to amend by striking out section two of the bill.

Adopted.

Mr. Bailey

Moved to amend by striking out from that portion of the bill establishing a road from Waterloo to Fort Dodge, the name of "W. C. Wilson," and insert "G. W. Miller."

Mr. Inskeep

Moved to amend by inserting the name of Fry, instead of Miller.

Adopted.

The bill was then

Ordered to be engrossed and read a third time to-morrow.

BILLS INTRODUCED AND READ A FIRST TIME.

By Mr. Lewis,

House File No. 246,

A bill for an act to incorporate the city of Washington, Washington county.

The forty-second rule was suspended, the bill read a second time, and

Referred to the committee on Incorporations.

By Mr. Wooden,

House File No. 247,

A bill for an act further to amend an act to incorporate Iowa City.

The forty-second rule was suspended, the bill read a second time and

Laid upon the table.

By Mr. Jordan,

House File No. 248,

A bill for an act restraining swine and sheep from running at large in Marion county.

The forty-second rule was suspended, and the bill read a second time.

Mr. Clark

Moved the bill be ordered to engrossed and read a third time tomorrow.

Mr. Finney

Moved to amend by referring the bill to the committee on Agriculture.

On motion of Mr. Dorland,
The bill was laid upon the table.

By Mr. Wright of Cedar,
House File No. 249,

A bill for an act to amend chapter fifty-nine of the acts of the fifth General Assembly.

By Mr. Wilson of Mahaska,
House File No. 250,

A bill for act for the suppression of intemperance.

The forty-second rule was suspended, and the bill read a second time,

When,

On motion of Mr. Rodman,

It was referred to the committee of the whole and made the special order for Friday at 7 o'clock P. M.

By Mr. Wooden,
House File No. 251,

A bill for an act to provide for the redemption of real estate sold for taxes.

Also,

House File No. 252,

A bill for an act regulating the compensation of Justices of the Peace.

Also,

House File No. 253,

A bill for an act providing for the completion of the State House at Iowa City.

By Mr. Gillett,
House File No. 254,

A bill for an act to legalize the acts of the commissioners appointed to locate the seat of Floyd county.

The forty-second rule was suspended, the bill read a second time and

Referred to the committee on Township and County Organization.

By Mr. Price,

House File No. 255,

A bill for an act to amend chapter 118 of the acts of the Fifth General Assembly.

The forty-second rule was suspended, the bill read a second and third times, passed and the title agreed to.

By Mr. Hardie, of Dubuque,

House File, No. 256,

A bill for an act to amend so much of chapter 136 of the code as refers to Coroners' fees.

The forty-second rule was suspended, the bill read a second time, and ordered to be engrossed and read a third time to-morrow.

Also,

House File No. 257,

A bill to license and regulate the sale of malt, spirituous and vinous liquors in the State of Iowa.

On motion of Mr. Holmes,

The further reading of the bill was dispensed with.

On motion of Mr. Holmes,

The bill was referred to the committee of the Whole House, and made the special order of Friday at one o'clock, P. M.

By Mr. Gillett,

House File No. 258,

A bill for an act to vacate the public square in the town of Freeman, and to donate the same to Floyd county, for certain purposes.

The forty-second rule was suspended, the bill read a second time, and

Referred to the delegation from Chickasaw county, with instructions.

Senate File No. 144,

A bill for an act supplementary to an act providing a Recorder's office in the city of Keokuk.

Senate File No. 149,

A bill for an act to authorize Henry and Stephen Harrel to convey their interest in certain lands.

Senate File No. 143,

A bill for an act to vacate the town plat of Ivanhoe, in Linn county.

Senate File No. 81,

A bill for an act making further appropriations for the Insane Asylum.

The forty-second rule was suspended, the bill read a second time, and

Referred to the committee on Ways and Means.

Senate File No. 40,

A bill for an act to protect the wool growing interests of the State, by the destruction of wolves.

The forty-second rule was suspended, and the bill read a second time.

Mr. Wyatt

Moved to refer the bill to the committee of the Whole House, and make it the special order for this evening, at seven o'clock, P. M.

Lost.

On motion of Mr. Dorland,

It was referred to the committee on Agriculture

Mr. Bailey

Moved that the vote by which

House File No. 47,

Was lost, be re-considered.

Lost.

BILLS ON SECOND READING.

House File No. 237,

On motion of Mr. Dorland

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

BILLS ON THIRD READING.

House File No. 185,

A bill for an act to change the name of Abbis Jane Reid to Abbis Jane Hiitt.

Passed and the title agreed to.

House File No. 126,

A bill for an act to re-locate a part of a State road in Van Buren county.

Passed and the title agreed to.

House File No. 209,

A bill for an act to change a certain State road in Appanoose county.

Passed and the title agreed to.

House File No. 232,

A bill for an act to amend the charter of the city of Keokuk.

Passed and the title agreed to.

House File No. 100,

A bill for an act to amend the charter of Ottumwa.

Passed and the title agreed to.

House File No. 307,

Joint resolution for additional mail facilities.

Passed and the title agreed to.

House File No. 194,

A bill for an act to establish a State road therein named.

Passed and the title agreed to.

House File No. 218,

A bill for an act authorizing the administrators of Henry M. Beeson to perform certain acts.

House File No. 198,

A bill for an act to make the bridge across North Skunk River a part of the public highway.

Passed and the title agreed to.

Substitute for

House File No. 180,

A bill for an act to legalize the organization of Howard county.

Passed, and the title agreed to.

House File No. 131,

A bill for an act to amend section 211 of chapter 22 of the code of Iowa.

Passed, and the title agreed to.

House File No. 195,

A bill for an act to authorize the Supreme and District Courts to regulate the practice of law in civil and criminal cases.

Passed and the title agreed to.

Mr. Toll

With leave submitted the following report:

HOUSE OF REPRESENTATIVES, }
January 14, 1857. }

The committee on Enrolled Bills, would report, That they have compared

House File No. 48,

An act providing for improvements in the Iowa Penitentiary.

And find it correctly enrolled.

C. H. TOLL,
Chairman.

Substitute for

House File No. 76,

A bill for an act regulating the licensing of showmen.

Passed and the title agreed to.

Senate File No. 73,

A bill for an act further regulating the suing out writs of error in the District Courts.

Passed and the title agreed to.

Senate File No. 125,

A bill for an act to re-establish a part of the town of Toolsborough.

Passed and the title agreed to.

On motion of Mr. Holmes,

The House adjourned until 7 o'clock P. M.

SEVEN O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Barner, with leave,
Introduced the following resolution :

Resolved, That the Editors of the Davenport Gazette be, and they are hereby requested to furnish this House with the name of the Reporter or Legislative Correspondent who writes for that paper from this House over the signature of "Republican."

Be it further resolved, That the Chief Clerk of this House forward a copy of this resolution to the Editors aforesaid, as soon as the same can reasonably be done.

Adopted.

Mr. Mills

Moved that the House resolve itself into a committee of the Whole to consider

House File No. 98,
Lost.

Mr. Mills

Moved that the House take from the committee of the Whole
House File No. 98,

Lost.

Message from the Senate,
By their Assistant Secretary, Mr. Spencer.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed

Senate File No. 37,

A bill for an act to provide for the appointment of Warden of the Penitentiary, and to amend the several acts relative to the discipline and government of the Penitentiary, in which the concurrence of the House is asked.

GEO. E. SPENCER,
Ass't Sec'y Senate.

On motion of Mr. Barner,
House File No. 118,

A bill for an act allowing the Clerk of the Supreme Court certain fees.

Was taken from the table.

On motion of Mr. Cloud,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

On motion of Mr. Wooden,
House File No. 66,

A bill for an act to incorporate religious societies.

Was taken from the table.

On motion of Mr. Hardie, of Dubuque,

The House resolved itself into a committee of the whole, for the purpose of considering

House File No. 66.

At half past eight o'clock the committee rose, reported the bill back to the House, and recommended that it be

Referred to a select committee.

The report was concurred in, and

The Chair

Appointed Messrs. Barker, Kirkpatrick and Wooden said committee.

Mr. Scoville,

From the Committee on Engrossed Bills, reported

House Files Nos. 71, 192, 204, 223, and 234,

As correctly engrossed.

On motion of Mr. Holmes,

House File No. 204,

Was taken up.

Mr. Gossage

Moved to refer the bill to a select committee composed of Messrs. Barker, Kirkpatrick and Wooden, with instructions.

On motion of Mr. Dorland,

The bill was

Referred to the committee on the Judiciary.

On motion of Mr. Cloud,

Senate File No. 37,

A bill for an act to provide for the appointment of a Warden of the State Penitentiary.

Was taken up.

On motion of Mr. Holmes,

The forty-second rule was suspended, the bill read a second and third times, passed and the title agreed to.

On motion of Mr. Wooden,

The House adjourned.

THURSDAY MORNING, JANUARY 15th, 1857. }
 NINE O'CLOCK A. M. }

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Arnold,

The further reading of the Journal was dispensed with.

On motion of Mr. Stanton,

The vote by which the House concurred in the report of the committee on Claims, upon the petition of J. L. Jones, was re-considered.

The House then refused to concur in the report of the committee.

On motion of Mr. Stanton,

The petition was re-committed to the committee on Claims.

On motion of Mr. Hardie, of Dubuque,

House File No. 257,

Was taken up and 150 copies ordered to be printed for the use of the General Assembly.

Mr. Bowen

Presented the petition of citizens of Wayne county, asking the establishment of a certain State road.

Referred to the committee on Roads and Highways.

Mr. Brown introduced the following resolution :

Resolved, That a committee of five be appointed to ascertain the amount of mileage to which each member is entitled.

Adopted.

REPORTS OF COMMITTEES.

Mr. Sawyer,

From the committee on Agriculture, to whom was referred

House File No. 179,

Reported the same back and recommended its passage.

On motion of Mr. Cloud,

The bill was re-committed to the committee with instructions to fill blanks and annex an enacting clause.

Mr. Cloud,

From the select committee to whom was referred

House File No. 130,

Reported the same back to the House, with amendments, which amendments were concurred in.

Mr. Wooden

Moved to lay the bill upon the table.

Lost.

On motion of Mr. Lewis,

The bill was re-committed to the committee, with instructions to strike out \$1500, and insert \$1200.

Mr. Rand, from the committee on Incorporations, to whom was referred

House File No. 246,

Reported the same back with sundry amendments.

The amendments were concurred in.

Mr. Lewis

Moved the forty-second rule be suspended, and the bill read a second time now.

Lost.

On motion of Mr. Lewis,

The vote by which the report of the committee on Incorporations was concurred in, was re-considered.

On motion of Mr. Cloud,

The bill was re-committed to the committee on Incorporations with instructions.

Mr. Gillett

Moved to re-consider the vote by which

House File No. 130,

Was re-committed to the select committee,

Whereupon,

Mr. Cloud demanded the yeas and nays,

Which were as follows :

Yeas 41, nays 21.

YEAS—

Messrs. Arnold, Barker, Bryson, Barner, Bigelow, Bottorf, Clausen, Clark, Cloud, Copeland, Davis, Dorland, Edmundson, Finney, Franklin, Hardie of Dubuque, Hershberger, Holmes, Inskeep, Kirkpatrick, Kurtz, Larimer, Mills, Mendenhall, Noble, Price, Perry, Rand, Reeder, Richardson, Rodman, Rogers, Sawyer, Stanton, Sullivan, Thomas, Toll, Williams, Wilson of Mahaska, Wooden, Wright of Cedar, Speaker—41.

NAYS—

Messrs. Bowen, Cort, Doud, Fry, Galbraith, Gillett, Griswold, Gossage, Hardy of Van Buren, McDow, Moer of Mills, Moore of Dubuque, Pease, Roberts, Scoville, Van Valkenburgh, Wyatt—21.

The House then refused to re-commit the bill.

On motion of Mr. Hardie of Dubuque,

The vote by which section four of the amendments reported by the committee was adopted, was re-considered.

On motion of Mr. Hardie,

The amendment was laid upon the table.

Upon the question of the passage of the bill,

The yeas and nays were demanded, and

Were as follows :

Yeas 35, Nays 25.

YEAS—

Messrs. Arnold, Bailey, Bryson, Barner, Bigelow, Bottorf, Clausen, Cloud, Copeland, Davis, Edmundson, Hardie of Dubuque, Hershberger, Holmes, Inskeep, Kirkpatrick, Kurtz, McDow, Mills, Moore of Dubuque, Noble, Pease, Price, Perry, Richardson, Rodman, Rogers, Sawyer, Stanton, Thomas, Toll, Williams, Wilson of Mahaska, Wooden, Speaker—35.

NAYS—

Messrs. Barker, Bowen, Clark, Cort, Doud, Finney, Fry, Galbraith, Gillett, Griswold, Gossage, Hardy of Van Buren, Jones, Jordan, Lewis, Larimer, Mendenhall, Moer of Mills, Rand, Reeder, Roberts, Scoville, Van Valkenburgh, Wright of Cedar, Wyatt—25.

Mr. Cloud

Moved to amend the title by striking out "Judges of the Supreme and District Courts."

Carried.

The title of the bill as amended was then concurred in.

Message from the Senate,

By Mr. Spencer, their Assistant Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following, in which the Senate asks the concurrence of the House.

Senate File No. 153,

A bill for an act to change the name of Robert W. Thomer.

Also,

Senate File No. 154,

Memorial of the General Assembly of the State of Iowa for the repeal of duty on sugar and molasses.

Also,

Senate File No. 155,

Memorial of the General Assembly of the State of Iowa in favor of the Pacific Railroad.

Also,

Senate File No. 156,

Joint resolution in favor of a repeal of the duty on railroad iron.

Also,

Senate File No. 161,

Joint resolution for increased mail facilities.

Also,

Senate File No. 164,

An act to authorize an additional term of court in Tama county.

Also,

Senate File No. 165,

Joint resolution to procure additional mail facilities.

Also,

Senate File No. 167,

An act to authorize the re-survey of a State road in Keokuk county.

GEO. E. SPENCER,
Assistant Secretary Senate.

Mr. Rand,

From the Committee on Incorporations, to whom was re-committed

House File No. 246,

Reported back the bill, with one amendment.

The amendment was concurred in, and

On motion of Mr. Lewis,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Mr. Barner,

From the committee to whom was referred

House File No. 97,

Reported back the same, and recommended that it be laid upon the table.

The report was concurred in.

Mr. Sawyer,

From the committee to whom was referred

House File No. 179,

Reported a substitute therefor, and recommended its passage.

Mr. Barner

Moved to lay the substitute upon the table.

Lost.

On motion of Mr. Cort,

The forty-second rule was suspended, and the bill read a third time.

On motion of Mr. Dorland,

The bill was re-committed, with instructions to strike out "125 lbs" and insert "2150 solid inches."

Mr. Mills,

From the Committee on Roads and Highways, to whom was referred

The petition of J. W. Snyder and others, reported

House File No. 259,

A bill for an act to locate a state road from Deedsville to Brighton.

Read a first time.

Also,

House File No. 260,

A bill for an act to locate a state road therein named.

Read a first time.

Mr. Arnold,

From the committee to whom was referred

House File No. 24,

Reported the same back, and recommended its passage.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Mr. Gillett,

From the select committee to whom was referred

House File No. 238,

Reported the same back, and recommended its passage.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Mr. Arnold,

From the committee to whom was referred

House File No. 72,

Reported the same back, and recommended that it be laid upon the table.

The report was concurred in.

Mr. Barner,

From the Judiciary committee, reported back

Senate File No. 5,

And recommended its passage.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Also,

House File No. 212,

And recommended its indefinite postponement.

The report was concurred in.

Mr. Arnold,

From the committee to whom was referred

Senate File No. 84,

Reported the same back without recommendation.

The forty-second rule was suspended, and the bill read a third time.

On motion of Mr. Cloud,

The bill was laid upon the table.

Mr. Arnold,

From the committee to whom was referred

House File No. 201,

Reported the same back, and recommended its indefinite postponement.

Mr. Wooden

Submitted a minority report, recommending its passage.

On motion of Mr. Bailey,

The bill was re-committed to the committee on the Judiciary.

Mr. Arnold,

From the committee to whom was referred

House File No. 233,

Reported the same back with an amendment.

The amendment was concurred in, and the bill ordered to be engrossed and read a third time to-morrow.

Mr. Arnold,

From the committee to whom was referred

House File No. 205,

Reported the same back, and recommended its passage.

Mr. Wyatt

Moved the bill be indefinitely postponed.

On motion of Mr. Barker,

It was laid upon the table.

Mr. Barker

Rose to a question of privilege in relation to the report of proceedings of this House, as published in the Iowa Capital Reporter.

Mr. Barker,

From the committee to whom was referred

House File No. 50,

Reported a substitute therefor.

The substitute was adopted and the bill

Ordered to be engrossed and read a third time to-morrow.

Mr. Barner,

From the committee to whom the same was referred, reported back

House File No. 74,

And recommended its passage.

Mr. Barner moved

The forty-second rule be suspended, and the bill read a third time now.

Mr. Clark

Moved to amend by striking from the bill the word "wild," whenever the same occurs.

Lost.

The House refused to suspend the rule.

Mr. Wright of Cedar,

Moved to amend by striking from the bill the words "prairie chicken," wherever the same occurs in the bill.

Mr. Lewis

Moved to amend the amendment by striking out all after the words "wild turkey."

On motion of Mr. Larimer,
The House adjourned.

TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

The question recurring upon the amendment to the amendment
to

House File No. 75,

Mr. Cloud moved a call of the House.

The call was sustained,

Whereupon,

The following named gentlemen were found to be absent, and unexcused:

Messrs. Arnold, Clark, Cort, Dorland and Rogers.

Messrs. Kelsay, Lothian, Richardson, Wing, and Rand were excused from attendance.

Mr. Holmes

Moved that further proceedings under the call be suspended.

Lost.

The Sergeant-at-Arms was directed to bring in the unexcused absentees.

On motion of Mr. Wooden,
Further proceedings under the call were suspended.

The question recurring upon the amendment to the amendment, the same was lost.

The amendment of Mr. Wright of Cedar, was also lost.

Mr. Williams offered the following amendment, add to the first section, "except upon his own premises."

Adopted.

Message from the Senate,
By their Assistant Secretary.

MR. SPEAKER:

I herewith present for your signature the following bills, the same having passed both branches of the General Assembly.

Senate Files No. 130, 124, 118, 103, 141, 112, 69, 82, 101, and 36.

GEO. E. SPENCER,
Assistant Secretary Senate.

Mr. Hardy, of Van Buren,

Moved to amend by adding the following to section one:

"That it shall be unlawful for any person to catch any fish, either by hook, net, or in any other manner, during the months of May, June, July and August."

Mr. Hardie, of Dubuque,

Moved to amend the amendment by adding "except gudgeons."

On motion of Mr. Dorland,

The amendment and the amendment to the amendment, were laid upon the table.

Mr. Galbraith

Moved to amend by striking out the word "January," and inserting "March."

Lost.

Mr. Larimer

Moved to amend by striking out all after the enacting clause,

Whereupon,

The yeas and nays were demanded,

Which were as follows:

Yeas 22, nays 39.

YEAS—

Messrs. Arnold, Bailey, Bryson, Bowen, Doud, Edmundson, Galbraith, Gossage, Hardy of Van Buren, Jordan, Kelsay, Larimer, McDow, Mendenhall, Moore of Dubuque, Roberts, Rodman, Scoville, Van Valkenburgh, Wright of Cedar, Wyatt—22.

NAYS—

Messrs. Barker, Barner, Bigelow, Bottorf, Clausen, Cloud, Copeland, Davis, Dorland, Finney, Fry, Gillett, Griswold, Hardie of Dubuque, Hershberger, Holmes, Inskeep, Jones, Kirkpatrick, Kurtz, Lewis, Milliser, Mills, Moer of Mills, Noble, Pease, Price, Perry, Reeder, Rogers, Sawyer, Stanton, Thomas, Toll, Williams, Wilson of Mahaska, Wooden, Speaker—39.

Mr. Rodman

Moved to amend as follows:

“Insert after the words, “prairie chicken,” the words, “or old bachelor,” in the first section.”

On motion of Mr. Dorland,

The amendment was laid upon the table.

Mr. Roberts

Moved to amend by adding,

“This law shall only be enforced in such counties as shall decide at some regular election, by a majority of its voters, that they desire the law.”

On motion of Mr. Cloud,

The amendment was laid upon the table.

The question now being,

Shall the bill be engrossed and read a third time to-morrow,

Mr. Hardie of Dubuque,

Moved the previous question,

Which being sustained,

The question,

Shall the main question now be put,

Prevailed.

Whereupon,

On the question to engross and read a third time to-morrow,

The yeas and nays were demanded and

Were as follows:

Yeas 37, Nays 25.

YEAS—

Messrs. Barker, Barner, Bigelow, Bottorf, Clausen, Cloud, Copeland, Davis, Dorland, Fry, Gillett, Griswold, Hardie of Dubuque, Hershberger, Holmes, Inskeep, Jones, Kirkpatrick, Lewis, Milliser, Mills, Moer of Mills, Noble, Pease, Price, Rand, Reeder, Rodman, Rogers, Stanton, Sullivan, Thomas, Toll, Williams, Wilson of Mahaska, Wooden, Speaker—37.

NAYS—

Messrs. Arnold, Bailey, Bryson, Bowen, Clark, Cort, Doud, Edmundson, Finney, Galbraith, Gossage, Hardy of Van Buren, Jordan, Kelsay, Kurtz, Larimer, McDow, Mendenhall, Moore of Dubuque, Roberts, Sawyer, Scoville, Van Valkenburgh, Wright of Cedar, Wyatt—25.

Mr. Arnold,

From the Judiciary Committee, reported back

House File No. 88,

And recommended that it be laid upon the table.

The report was concurred in.

Mr. Bigelow submitted the following report :

The Committee on Engrossed Bills, report—

House File No. 196,

An act to change the name of Pierce township, in Jones county, to that of Wyoming.

Also,

Substitute for

House File No. 229,

An act requiring the school fund commissioners of the State to file a copy or transcript of the school lands, &c.

Also,

House File No. 211,

A bill for an act to locate a State road from the Missouri river to the Des Moines.

Also,

House File No. 47,

An act to exempt certain property from taxation.

Also,

House File No. 256,

A bill to amend so much of chapter 136 of the Code as refers to coroner's fees.

And find the same correctly engrossed.

BIGELOW,
Chairman.

Mr. Brown,

From the Committee to whom was referred

House File No. 254,

Reported the same back, and recommended its passage.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Also,

From the committee to whom was referred

Petitions of the citizens of Chickasaw county, reported

House File No. 261,

A bill for an act to locate the seat of justice of Chickasaw county.

The bill was read a first time, when

The forty-second rule was suspended, the bill read a second and third times, passed and the title agreed to.

Mr. Dorland,

From the Committee on Schools and State University, to whom was referred

House File No. 225,

Reported the same back without recommendation.

On motion of Mr. Cloud,

The bill was laid upon the table.

Mr. Toll submitted the following report :

HOUSE OF REPRESENTATIVES, }
January 15, 1857. }

The committee on Enrolled Bills report that they have presented to the Governor for his signature the following Bills :

House File No. 60,

Joint resolution asking for additional mail facilities.

House File No. 85,
Joint resolution asking for additional mail facilities.

House File No. 101,
Joint resolution on the subject of naturalization laws.

House File No. 93,
Joint resolution for additional mail facilities.

House File No. 102,
Joint resolution for additional mail facilities.

House File No. 75,
An act to incorporate the town of Centreville.

House File No. 48,
An act providing for improvements in the Iowa Penitentiary.

House File No. 135,
An act to repeal chapter thirty-five of the acts passed at the extra session of the General Assembly of the State of Iowa, held in July, A. D., 1856.

House File No. 149,
Joint resolution for additional mail facilities.

House File No. 190,
Joint resolution in relation to a Marine Hospital and Port of Entry at the City of Council Bluffs.

The committee on Enrolled Bills report that they have compared the following bills :

House File No. 91,
An act creating the fourteenth judicial district, and fixing the time of holding the court therein.

House File No. 111,
Joint resolution asking for additional mail facilities.

House File No. 105,
Joint resolution to procure additional mail facilities.

House File No. 120,
An act to amend chapter 161 of the laws of the fifth General

Assembly, providing for a State Reporter of the Supreme Court, and for other purposes.

House File No. 155,

An act to enforce the collection of the taxes in the county of Jasper for the year 1854.

House File No. 148,

An act to authorize the election of an additional Justice of the Peace.

House File No. 145,

Joint resolution asking for additional mail facilities.

House File No. 50,

An act to incorporate the town of Glenwood, in Mills county. And find them correctly enrolled.

C. H. TOLL,
Chairman.

Mr. Roberts,

From the committee to whom was referred the petitions of citizens of Butler and Grundy counties, reported

House File No. 262,

A bill for an act to change the boundary line between Butler and Grundy counties.

The forty-second rule was suspended, and the bill read a second time.

On motion of Mr. Gillett,

The bill was laid upon the table.

Mr. Clark

Moved to re-consider the vote last taken.

Lost.

Mr. Sawyer

From the committee to whom was referred

House File No. 40,

Reported the same back and recommended its passage.

Mr. Barner moved

To amend by inserting after the word "wolf," the word "rattlesnake."

On motion of Mr. Inskeep,
The amendment was laid upon the table.

Mr. Wright of Cedar,
Moved to amend by striking out the third section.
Lost

Mr. Roberts
Moved the bill be indefinitely postponed,
Whereupon
Mr. Gossage demanded the yeas and nays,
Which were as follows :
Yeas 29, Nays 25.

YEAS—

Messrs Barker, Bryson, Bigelow, Bottorf, Clausen, Cloud, Cort, Galbraith, Hardie of Dubuque, Hershberger, Jones, Jordan, Kelsay, Kurtz, Milliser, Mendenhall, Moore of Dubuque, Price, Reeder, Roberts, Rogers, Sawyer, Stanton, Van Valkenburgh, Wilson of Mahaska, Wright of Cedar, Wyatt, Speaker—29.

NAYS—

Messrs. Arnold, Bailey, Bowen, Dorland, Doud, Edmundson, Fry, Gillett, Griswold, Gossage, Holmes, Inskeep, Lewis, Larimer, Mills, Moer of Mills, Noble, Pease, Perry, Rodman, Scoville, Toll, Thomas, Williams—25.

Mr. Sawyer,
From the Committee on Agriculture, reported
House File No. 263,
A bill for an act to restrain sheep and swine from running at large in this state.
Read a first time,
When,
On motion of Mr. Hardie of Dubuque,
The forty-second rule was suspended, and the bill read a second time.

Mr. Van Valkenburgh
Moved the bill be indefinitely postponed.
Mr. Jordan
Offered a substitute, which was adopted.
Mr. Gossage

Moved that the further consideration of the bill be indefinitely postponed.

Whereupon,
The yeas and nays were demanded,
And were as follows :
Yeas 11, nays 46.

YEAS—

Messrs. Bowen, Copeland, Galbraith, Griswold, Hershberger, Kurtz, Reeder, Stanton, Thomas, Wilson of Mahaska, Speaker—11.

NAYS—

Messrs. Arnold, Bailey, Barker, Bryson, Bigelow, Bottorf, Clausen, Clark, Cloud, Cort, Davis, Dorland, Doud, Edmundson, Finney, Fry, Gillett, Gossage, Hardie of Dubuque, Hardy of Van Buren, Inskeep, Jones, Jordan, Kelsay, Lewis, Larimer, McDow, Milliser, Mendenhall, Moer of Mills, Moore of Dubuque, Noble, Pease, Price, Perry, Roberts, Rogers, Sawyer, Scoville, Sullivan, Toll, Van Valkenburgh, Williams, Wooden, Wright of Cedar, Wyatt—46.

The bill was
Ordered to be engrossed and read a third time to-morrow.

BILLS INTRODUCED AND READ A FIRST TIME.

By Mr. Pease,
House File No. 264,

A bill for an act to establish a ferry and build a bridge across the Des Moines River.

The forty-second rule was suspended, the bill read a second time and

Referred to the delegation from Lee county.

By Mr. Inskeep,
House File No. 265,

A bill for an act to locate a State road therein named.

The forty-second rule was suspended, and the bill read a second and third times, passed and the title agreed to.

Also,
House File No. 266,

A bill for an act to amend an act entitled an act in relation to county seats.

By Mr. Barner,

A bill for an act to provide for actions against rafts.

The forty-second rule was suspended, the bill read a second time and

Ordered to be engrossed and read a third time to-morrow.

Ry Mr. Griswold,

House File No. 268,

A bill for an act entitled an act to lay out and establish a State road from Ft. Madison to Keokuk.

The forty-second rule was suspended, the bill read a second and third times.

Passed, and the title agreed to.

By Mr. Clausen,

House File No. 268,

A bill for an act to establish a State road from Osage, in Mitchell county, to Algona, in Kossuth county.

The forty-second rule was suspended, the bill read a second and third times,

Passed, and the title agreed to.

By Mr. Davis,

House File No. 270,

A bill for an act for a State road from Newton in Jasper county, to Adell in Dallas county.

The forty-second rule was suspended, and the bill read a second time.

Mr. Cloud

Moved to amend by adding to the last section the words, "without expense to the State."

Adopted.

The forty-second rule was then further suspended, the bill read a third time,

Passed and the title agreed to.

By Mr. Jones,

House File No. 272,

A bill for an act amendatory to an act entitled an act for the suppression of intemperance.

The forty-second rule was suspended, the bill read a second time, and

Referred to the select committee on the subject of temperance.

By Mr. Bottorf,

House File No. 273,

A bill for an act amending an act allowing and regulating stay of execution in District and Justices Courts.

By Mr. Gillett,

House File No. 374,

A bill for an act to establish a State road from West Union to Clarksville.

The forty-second rule was suspended, and the bill read a second time.

On motion of Mr. Gillett,

The last section of the bill was amended by adding the words, without expense to the State.

The forty-second rule was then further suspended, the bill read a third time,

Passed and the title agreed to.

Mr. Wright, of Cedar,

Submitted the following report :

A majority of the select committee to whom was referred sundry petitions, bills, and remonstrances on the subjects of temperance and intemperance, have had the same under consideration, and report

House File No. 275,

A bill for an act amendatory to an act entitled an act for the suppression of intemperance.

E. WRIGHT,

B. F. ROBERTS,

A. J. KIRKPATRICK,

The forty-second rule was suspended, and the bill read a second time, by its title.

On motion of Mr. Price,

It was referred to the committee of the whole, and made the special order for to-morrow evening, at 7 o'clock.

Mr. Hardie of Dubuque,

Submitted the following report :

The minority of the select committee on the subject of temperance to whom was referred sundry petitions in favor of a repeal of the prohibitory liquor law, also a remonstrance against the same, beg leave to dissent from the report of a majority of said committee and recommend the adoption of

House File No. 257.

THOMAS HARDIE,
SAMUEL GOSSAGE,

The Chair

Presented to the House the following communication from Hon. John Pattee, Auditor of State.

AUDITOR'S OFFICE, IOWA, }
Iowa City, January 15, 1857. }

TO THE HON. S. MCFARLAND,

Speaker of the House of Representatives :

SIR:—I was informed by the Chief Clerk of the House this morning, that the House passed a resolution some time during the present session, that the Auditor inform that body in relation to a relinquishment, by John Brown, of his right to certain lots sold by him in Monroe City.

I am informed by the Secretary of State that such relinquishment, properly acknowledged, is now on file in his office.

Very Respectfully, &c.,

JNO. PATTEE,
Auditor of State.

By Mr. Barker,

House File No. 276,

A bill for an act to locate the seat of Justice of Mitchell county. The forty-second rule was suspended, the bill read a second time, and

Referred to the delegation from the tenth judicial district.

Mr. Gossage

Moved to adjourn.

Lost.

On motion of Mr. Sullivan,

House File No. 230,

Was taken from the table, and made the special order for to-morrow, at three o'clock P. M.

Senate File No. 153,

A bill for an act to change the name of Robert William Thorner.

The forty-second rule was suspended, the bill read a second and third time, passed, and the title agreed to.

Senate File No. 154,

Memorial of the General Assembly of the State of Iowa, for the repeal of the duty on sugar and molasses.

The forty-second rule was suspended, the memorial read a second and third times, passed, and the title agreed to.

Senate File No. 156,

Preamble and joint resolution in favor of the repeal of the duties on Railroad iron.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Senate File No. 155,

Memorial of the General Assembly, in favor of the Pacific Railroad.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Senate File No. 161,

Joint resolutions for additional mail facilities.

The forty-second rule was suspended, the joint resolutions read a second and third times,

Passed and the title agreed to.

Senate File No. 165,

Joint resolutions to procure additional mail facilities.

The forty-second rule was suspended, the bill read a second and third time,

Passed and the title agreed to.

Senate File No. 164,

A bill for an act to authorize an additional term of the District Court in Tama county.

The forty-second rule was suspended, the bill read a second time, and

Re-committed to the Committee on the Judiciary.

Senate File No. 167,

A bill for an act to authorize the re-survey of a State road in Keokuk county.

The forty-second rule was suspended, and the bill read a second time.

Mr. Dorland

Moved to amend by adding to the last section,

“ Provided that said re-survey, and the publication of this act, shall be without expense to the State.

Adopted.

The forty-second rule was then further suspended, the bill read a third time, and passed.

BILLS ON SECOND READING.

Senate File No. 144,

On motion of Mr. Sullivan,

Was amended by adding as follows :

“ Which shall be paid for as provided in the bill to which this is a supplement.”

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Mr. Wyatt

Moved that the House now adjourn.

Lost.

House File No. 245,

On motion of Mr. Inskeep,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

House File No. 245,

Mr. Cloud

Moved to amend by adding to the last section the words “ without expense to the State,”

Upon which question,

Mr. Wyatt demanded the yeas and nays,

Which were as follows,

Yeas 56, nays 4.

YEAS—

Messrs. Arnold, Bailey, Barker, Bryson, Barner, Bigelow, Bortorf, Clausen, Clark, Cloud, Copeland, Cort, Davis, Dorland, Doud, Edmundson, Finney, Fry, Gillett, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Hershberger, Holmes, Inskip, Jones, Jordan, Kirkpatrick, Kelsay, Kurtz, Lewis, Larimer, McDow, Milliser, Mills, Mendenhall, Moer of Mills, Moore of Dubuque, Mordan, Noble, Price, Perry, Reeder, Rodman, Rogers, Sawyer, Scoville, Stanton, Sullivan, Thomas, Toll, Van Valkenburgh, Williams, Wooden, Wright of Cedar, Speaker—56.

NAYS—

Messrs. Bowen, Galbraith, Pease, Wyatt—4.

The bill was then
Ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Arnold,
House File No. 216,
Was taken up.

On motion of Mr. Bowen,
The House then adjourned.

FRIDAY, JANUARY 16th, 1857, }
NINE O'CLOCK, A. M. }

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Hardie, of Dubuque,
The reading of the journal was dispensed with.

A call of the House was ordered,
Whereupon,

The following named gentlemen were found to be absent and unexcused:

Messrs. Bailey, Bowen, Copeland, Doud, Edmundson, Finney, Fry, Galbraith, Jordan, Kirkpatrick, Kurtz, Lewis, Larimer, Moer of Mills, Roberts, Rodman, Scoville, Sullivan, Williams, Wilson of Mahaska.

On motion,

Further proceedings under the call were suspended.

On motion of Mr. Clausen,

The vote by which

Senate File No. 40,

Was indefinitely postponed, was re-considered.

Mr. Thomas

Moved to amend y striking out the second section of the bill,

Which amendment prevailed.

On motion of Mr. Hardie, of Dubuque,

The bill was laid upon the table.

The Chair

Announced as the committee on mileage,

Messrs. Bowen, Barner, Inskeep and Lothian.

On motion of Mr. Cloud,

The order of business of yesterday was resumed.

House File No. 216,

Being the order of business,

On motion of Mr. Mills,

The forty-second rule was suspended, the bill read a third time,

Passed and the title agreed to.

BILLS ON THEIR SECOND READING.

House File No. 241,

The forty-second rule was suspended, the bill read a third time,

Passed and the title agreed to.

House File No. 243,

The forty-second rule was suspended, the bill read a third time,

Passed and the title agreed to.

House File No. 244,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

House File No. 238,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

House File No. 243,

Mr. Cloud moved the bill be indefinitely postponed.

On motion of Mr. Hardie of Dubuque,
The bill was

Referred to the committee on the Judiciary.

House File No. 260,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

House File No. 259,

On motion of Mr. Arnold,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

House File No. 266,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

House File No. 253,

Referred to the committee on Judiciary.

House File No. 173,

Referred to the Committee on the Judiciary.

House File No. 251,

Mr. Holmes moved to indefinitely postpone the bill.

On motion of Mr. Wooden,
It was

Referred to the committee on the Judiciary.

House File No. 253,

Mr. Wyatt moved to refer to the committee on Ways and Means with instructions to strike out so much as referred to the State treasurer.

On motion of Mr. Davis,
The bill was laid upon the table.

Senate File No. 148,
The forty-second rule was suspended, the bill read a third time,
passed and the title agreed to.

Senate File No. 149,
On motion of Mr. Dorland,
It was
Referred to the committee on the Judiciary.

BILLS ON THIRD READING.

Senate substitute for
House File No. 6,
A bill for an act fixing the boundaries of the thirteenth judicial
district.

The substitute was adopted, passed, and the title agreed to.

Senate File No. 59,
A bill for an act to locate a State road from Clayton City to the
Des Moines River.
Passed and the title agreed to.

House File No. 192,
A bill for an act to change the name of New Haven.
Passed and the title agreed to.

House File No. 234,
A bill for an act to locate a State road from Osage to the State
line.
Passed and the title agreed to.

House File No. 211,
A bill for an act for a State road from the Missouri river to Fort
Des Moines.
Passed and the title agreed to.

House File No. 196,
A bill for an act to change the name of Pierce township, in Jones
county, to Wyoming.
Passed and the title agreed to.

House File No. 256,

A bill for an act to amend chapter 136 of the code, so far as refers to Coroners' fees.

Passed and the title agreed to.

House File No. 71,

A bill for an act to establish a branch of the State University at or near Glenwood, in Mills county.

Passed and the title agreed to.

Substitute for

House File No. 229,

A bill for an act requiring the School Fund Commissioners of the State to file a copy or transcript of the school lands.

Passed and the title agreed to.

Senate substitute for

House File No. 50,

Was laid upon the table.

On motion of Mr. Moore,

The following resolution was adopted :

Resolved, That after Saturday next, the 17th inst., this House will not receive any resolution, or permit the introduction of any bill amendatory of the Code, or on any subject of a general nature, without unanimous consent of the House.

On motion of Mr. Bowen,

Senate File No. 84,

Was taken from the table.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Mr. Jones, with leave, introduced

House File No. 277,

Joint resolution in relation to printing joint resolutions.

Read a first time.

Mr. Mills

Moved to reject the joint resolution.

Motion lost.

Message from the Senate,

By their Secretary.

MR. SPEAKER :

I herewith return to the House of Representatives, the following bills—the same having passed the Senate without amendment :

House Files Nos. 115, 150 and 151,
Joint resolutions relating to additional mail facilities.

Also,
House Files Nos. 153 and 209,
Bills for acts in relation to state roads.

Also,
House File 158,
A bill for an act to authorize the city of Dubuque to subscribe to the capital stock of the Dubuque, St. Peters and St. Paul R. R. company.

Also,
House File No. 199,
A bill for an act fixing the times of holding courts in the eighth judicial district.

Also,
House File No. 203,
A bill for an act to change the name of West Point to West Union.

Also,
House File No. 228,
A bill for an act amending an act incorporating the city of Muscatine,

Also,
House File 227,
A bill for an act to change the name of the town of Jefferson.

Also,
House File No. 236,
A bill for an act to change names of certain places in Mitchell county.

The Senate has also passed
Senate File No. 171,

A bill for an act to amend an act entitled an act to incorporate the City of Mount Pleasant.

In which the concurrence of the House of Representatives is asked.

CHAS. C. NOURSE,
Secretary.

On motion of Mr. Wooden,
House File No. 197,

Was taken from the table.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

On motion of Mr. Mills,
House File No. 98,
Was taken from the table.

Mr. Mills

Moved the bill be ordered to be engrossed and read a third time to-morrow.

Mr. Hardie, of Dubuque,

Moved to amend the motion by taking up the amendments of the committee of the Whole.

Motion adopted.

The first, third, fourth, fifth and sixth amendments of the committee were concurred in.

The House refused to concur in the second amendment of the committee.

Mr. Clark

Moved to amend the sixth section of the bill by adding the word "six" after the word "sixty."

Lost.

Mr. Clark

Moved to amend section nine of the bill by striking out the word "free-holder," and inserting the words "persons having the qualifications of electors."

Lost.

Mr. Bailey

Moved to amend section seven by inserting after the word "county," the following,

"The point at which it crosses the said county lines."

Lost.

Mr. Clark

Moved that the further consideration of the bill be indefinitely postponed,

Whereupon,

The yeas and nays were demanded and

Were as follows:

Yeas 35, Nays 27.

YEAS—

Messrs. Arnold, Bailey, Bryson, Barner, Bigelow, Bottorf, Bowen, Clausen, Clark, Cort, Doud, Edmundson, Finney, Galbraith, Gillett, Gossage, Holmes, Inskeep, Jordan, Kirkpatrick, Kelsay, Lewis, Larimer, McDow, Pease, Price, Perry, Richardson, Rodman, Rogers, Scoville, Stanton, Wooden, Wyatt, Speaker—35.

NAYS—

Messrs. Barker, Cloud, Copeland, Davis, Dorland, Fry, Hardie of Dubuque, Hardy of Van Buren, Hershberger, Jones, Kurtz, Milliser, Mills, Mendenhall, Moer of Mills, Moore of Dubuque, Noble, Reeder, Roberts, Sawyer, Thomas, Toll, Van Valkenburg, Williams, Wilson of Mahaska, Wright of Cedar—27.

Mr. Clark,

With leave, introduced the following resolution:

Resolved, That a committee of five be appointed to act in conjunction with a similar committee of the Senate to district the State into Representative and Senatorial districts.

On motion of Mr. Holmes,

The resolution was laid upon the table.

Mr. Bailey,

With leave, introduced the following resolutions:

Resolved, That the state of Iowa in distributing its favors calculated to develop its resources and increase its general interests, should avoid particular partiality in the distribution of such as are of local as well as general benefit.

Resolved, That in the opinion of this House, if an agricultural college be established in this State it ought, in justice to northern Iowa, to be located as far north at least, as the centre of the State, Provided, A location can there be obtained equally as advantageous, and at no greater expense than in more southern portions of the State.

The resolutions were adopted.

Mr. Bigelow

Moved to re-consider the vote by which

House File No. 98,

Was indefinitely postponed.

Mr. Clark

Moved to lay the motion upon the table,

Whereupon,

The yeas and nays were demanded and

Were as follows:

Yeas 27, Nays 32.

YEAS—

Messrs. Arnold, Bailey, Bryson, Barner, Bottorf, Clausen, Clark, Cort, Davis, Dorland, Edmundson, Galbraith, Gillett, Gossage, Jordan, Kirkpatrick, Kelsay, Lewis, Larimer, Moore of Dubuque, Pease, Perry, Richardson, Rogers, Scoville, Stanton, Wyatt—27.

NAYS—

Messrs. Rarker, Bigelow, Bowen, Cloud, Copeland, Doud, Finney, Griswold, Hardie of Dubuque, Hardy of Van Buren, Hershberger, Jones, Kurtz, McDow, Milliser, Mills, Mendenhall, Moer of Mills, Noble, Preece, Reeder, Roberts, Rodman, Sawyer, Sullivan, Thomas, Toll, Van Valkenburgh, Williams, Wilson of Mahaska, Wooden, Wright of Cedar, Speaker—32.

The question recurring upon the motion to re-consider,

And the Chair having decided the motion to re-consider to be in order,

Mr. Dorland

Appealed from the decision of the Chair,

And upon the question,

“Shall the decision of the Chair be sustained?”

The yeas and nays were demanded,

And were as follows:

Yeas 54, nays 6.

YEAS—

Messrs. Bailey, Barker, Bryson, Garner, Bigelow, Bottorf, Bowen, Clausen, Clark, Cloud, Copeland, Cort, Doud, Edmundson, Finney, Fry, Gillett, Gossage, Hardie of Dubuque, Hardy of Van Buren, Hershberger, Holmes, Inskip, Jones, Jordan, Kirkpatrick, Kelsay, Kurtz, Lewis, McDow, Milliser, Mills, Mendenhall, Moer of Mills, Moore of Dubuque, Noble, Pease, Price, Perry, Reeder, Roberts, Rodman, Rogers, Sawyer, Scoville, Stanton, Sullivan, Thomas, Toll, Van Valkenburgh, Williams, Wilson of Mahaska, Wooden—54.

NAYS—

Messrs. Arnold, Davis, Dorland, Larimer, Wright of Cedar, Wyatt—6.

Mr. Galbraith was excused from voting.

Mr. Richardson was excused from attendance upon the House on account of illness.

The question recurring upon the motion to re-consider,

The yeas and nays were demanded, and

Were as follows:

Yeas 33, Nays 28.

YEAS—

Messrs. Barker, Bigelow, Cloud, Copeland, Cort, Davis, Fry, Hardie of Dubuque, Hardy of Van Buren, Hershberger, Jones, Kirkpatrick, Kurtz, Lewis, McDow, Milliser, Mendenhall, Moer of Mills, Moore of Dubuque, Noble, Reeder, Roberts, Rodman, Rogers, Sawyer, Thomas, Toll, Van Valkenburgh, Williams, Wilson of Mahaska. Wooden, Wright of Cedar, Speaker—33.

NAYS—

Messrs. Arnold, Bailey, Bryson, Barner, Bottorf, Bowen, Clausen, Clark, Doud, Edmundson, Finney, Galbraith, Gillett, Griswold, Gossage, Holmes, Inskip, Jordan, Kelsay, Larimer, Pease, Price, Perry, Reeder, Scoville, Stanton, Wyatt—28.

Mr. Milliser,

Moved to amend section seven by striking out all after the word "same" in the second line to the word "and" in the 4th line, and

insert as directed in the Code for surveying, laying out and platting county roads.

Amendment adopted.

On motion of Mr. Cloud,

The bill was amended by adding the following section :

Section 18. Alterations of territorial and state roads heretofore established may be made by pursuing the same course prescribed in the establishment of new roads, as in this act provided.

Mr. Wright of Cedar,

Moved to re-commit the bill to the Committee on the Judiciary.

Mr. Barker

Moved to amend the motion by referring to a select committee of five.

Amendment adopted.

The Chair appointed

Messrs. Barker, Milliser, Wyatt, Bigelow and Wilson of Mahaska, said committee.

On motion of Mr. Holmes,

The regular order of business for the day was taken up.

PETITIONS PRESENTED.

By Mr. Arnold,

The petition of citizens of Tama county, praying the passage of an act to legalize the sale of the land on which the town of Toledo is located.

Referred to the committee on the Judiciary.

By Mr. Hardy, of Van Buren,

The petition of Joseph Barker and 25 others, asking the establishment of a state road therein named.

Referred to the Committee on Roads and Highways.

Mr. Cloud,

Presented a communication from the Secretary of the State Agricultural Society.

Which,

On his motion,

Was referred to the select committee on the subject of the Agricultural college.

By Mr. Holmes,

The petition of Charles M. Gilbert and 30 others, citizens of Pierce township, asking a change in the name of said township.

The petition was

Laid upon the table.

RESOLUTIONS OFFERED.

By Mr. Griswold,

Resolved, That a committee of three be appointed to examine the books and papers of the Secretary of State, in reference to the relinquishment said by the Auditor of State, in his communication of yesterday to this House, to be properly acknowledged and on file in the office of the Secretary of State.

Adopted.

The Chair appointed

Messrs. Finney, Wooden and Price said committee.

By Mr. Kelsay,

Resolved, That the use of this Hall be given to Professor Smith, on next Sabbath evening, for the purpose of giving a free lecture upon the social relations of maiden, wife and mother.

Adopted.

The House then adjourned.

TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

REPORTS OF COMMITTEES.

Mr. Dorland,

From the committee on schools and State University, to whom was referred the petition of James Barkley and others, reported

House File No. 278,

A bill for an act to organize school district number one in Barkley township.

Read a first time.

On motion of Mr. Bailey,

The forty-second rule was suspended, and the bill read a second time.

On motion of Mr. Bailey,

The last section was amended by adding the word "act."

The forty-second rule was then further suspended, the bill read a third time, passed, and the title agreed to.

Mr. Mills,

From the committee on Roads and Highways, reported

House File No. 279,

A bill for an act to locate a part of a State road running from Camanche to Anamosa.

The forty-second rule was suspended, the bill read a second time, passed and the title agreed to.

Mr. Cloud,

From the committee on Ways and Means, to whom was referred Senate File No. 81,

Reported the same back with an amendment and recommended its passage.

The amendment was concurred in.

On motion of Mr. Barker,

The bill was laid upon the table.

Mr. Bigelow

Submitted the following report:

The committee on Engrossed Bills have examined

House File No. 185,

A bill for an act to amend an act entitled an act to incorporate the City of Davenport and the several acts amendatory thereto.

Also,

House File No. 74,

An act for the preservation of game in this State.

House File No. 233,
A bill for an act in relation to the swamp lands of this State.

And find the same correctly engrossed.

BIGELOW,
Chairman.

Message from the Senate
By their Secretary.

MR. SPEAKER :

The Senate has passed the following bills—and asks the concurrence of the House therein.

Senate File No. 157,
A bill for an act to incorporate the city of St. Charles.

Senate File No. 158,
A bill for an act concerning the Iowa Medical College.

Senate File No. 159,
A bill for an act to incorporate Albia, in Monroe county.

Senate File No. 160,
A bill for an act to repeal sections 3 and 4, of chapter 67, of the session laws of 1855, approved January 23d, 1855.

I also herewith return
House File No. 218,

An act authorizing the administrator of the estate of Henry M. Beeson to perform certain acts.

The same having passed the Senate without amendment.

CHAS. C. NOURSE,
Secretary.

MR. SPEAKER :

I herewith return to the House of Representatives
House File No. 239,

A bill for an act to define the times of holding courts in the fourth judicial district.

The same having passed the Senate without amendment.

I also return herewith

House File No. 213,

An act fixing the times of holding courts in the first judicial district.

With an amendment in which the concurrence of the House of Representatives is asked.

CHAS. C. NOURSE,
Secretary.

On motion of Mr. Barner,

House File No. 185,

Was taken up.

Read a third time, passed and the title agreed to.

Mr. Dorland,

From the committee on schools and State University, to whom was referred the petition of G. W. Adams, reported the same back, and recommended that its further consideration be indefinitely postponed.

The report was concurred in.

On motion of Mr. Bigelow,

The vote by which

House File No. 266,

Was laid on the table, was re-considered.

On motion of Mr. Rodman,

The bill was indefinitely postponed.

Mr. Dorland,

From the committee on schools and State University, to whom was referred the petition of citizens of Lucas county, praying the location of a branch of the State University at or near Chariton,

Reported the same back and recommended its indefinite postponement.

On motion of Mr. Wyatt,

The report was laid upon the table.

On motion of Mr. Clausen,

The vote by which the House concurred in the report of the committee on schools and State University, in relation to the petition of G. W. Adams and others, was re-considered.

On motion of Mr. Mills,
The House resolved itself into a committee of the whole, to consider

House File No. 230.

Mr. Mills

Was called to the chair.

At five o'clock the committee rose and

Reported the bill back to the House with sundry amendments,
and

Recommended that the bill be laid upon the table.

On motion of Mr. Wooden,

It was declared that when the House adjourn, it adjourn until tomorrow morning.

Mr. Milliser, with leave, introduced.

House File No. 180,

A bill for an act to provide for the purchase of a certain number of Webster's Dictionary and their distribution to the several school districts of the State.

The forty-second rule was suspended, the bill read a second time
and

Referred to the committee on Schools and State University.

On motion of Mr. Toll,

House File No. 172,

Was taken from the table, and referred to a select committee of three.

The Chair appointed

Messrs. Toll, Barker and Sullivan said committee.

Mr. Cloud was granted leave of absence for one day.

Mr. Wright of Cedar, with leave, introduced

House File No. 281,

A bill for an act for the further regulation of the collection of taxes and the sale of property for delinquent taxes.

The forty-second rule was suspended, the bill read a second time,
and

Referred to the committee on Ways and Means.

The House then adjourned.

SATURDAY, JANUARY 17th, 1857, }
 NINE O'CLOCK, A. M. }

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Gossage,
 The reading of the journal was dispensed with.

PETITIONS PRESENTED.

By Mr. Bailey,
 The petition of citizens of Blackhawk county, asking the vacation
 of a certain town plat.
 Referred to the committee on the Judiciary.

By Mr. Inskeep,
 The petition of citizens of Iowa county, praying the vacation of
 a state road.

RESOLUTIONS OFFERED.

By Mr. Barner,
Resolved, (the Senate concurring,) That the House of Representatives will meet the Senate in the Hall of the House, on Tuesday next, at half past two o'clock, P. M., for the purpose of electing a Senator to represent the state of Iowa in the Senate of the United States, to serve during the term expiring on the fourth of March, 1861.

Adopted.

By Mr. Rodman,
Resolved, That C. C. Flint and J. Blittman, editors of the Du-
 buque Republican, and Iowa Staats Zeitung, be allowed a seat in
 this House, and entitled to the customary privileges, as reporters.

Adopted.

By Mr. Griswold,
Resolved, That with the concurrence of the Senate the General

Assembly will adjourn *sine die* on the 26th day of January, inst., at 12 o'clock, M.

On motion of Mr. Holmes,
The resolution was laid upon the table.

BILLS INTRODUCED AND READ A FIRST TIME.

By Mr. Barker,
House File No. 282,
A bill for an act fixing the time of holding courts in the second judicial district.

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

House File No. 283,
A bill for an act to allow members of the Sixth General Assembly contingent expenses.

Mr. Hardie, of Dubuque,
Moved that the bill be indefinitely postponed,

And upon the question,
Demanded the yeas and nays,

Which were as follows :

Yeas 59, nays 4.

YEAS—

Messrs. Arnold, Bailey, Barker, Bryson, Barner, Bottorf, Clausen, Cloud, Copeland, Cort, Davis, Dorland, Doud, Edmundson, Fry, Galbraith, Gillett, Griswold, Gossage, Hardy of Dubuque, Hardy of Van Buren, Hershberger, Holmes, Inskeep, Jones, Jordan, Kirkpatrick, Kelsay, Kurtz, Larimer, McDow, Milliser, Mills, Mendenhall, Moer of Mills, Moore of Dubuque, Noble, Pease, Price, Perry, Rand, Reeder, Roberts, Rodman, Rogers, Sawyer, Stanton, Sullivan, Thomas, Toll, Van Valkenburgh, Williams, Wilson of Mahaska, Wooden, Wright of Colar, Wyatt, Speaker—59.

NAYS—

Messrs. Bigelow, Clark, Copeland, Sullivan—4.

By Mr. Bailey,

House File No. 284,

A bill for an act to create a certain town plat in Black Hawk county.

The forty-second rule was suspended, the bill read a second time and

Referred to the committee on the Judiciary.

By Mr. Moer of Mills,

House File No. 285,

Joint resolution in relation to Clarke's Report.

The forty-second rule was suspended, the bill read a second time and

Referred to the committee on Claims.

By Mr. Holmes,

House File No. 286,

A bill for an act to vacate a part of a state road.

The forty-second rule was suspended, the bill read a second time and

Ordered to be engrossed and read a third time to-morrow.

Messrs. Barker, Davis and Cloud,

Rose to questions of privilege in relation to a correspondence published in the Davenport Gazette, signed "Republican."

By Mr. Gillett,

House File No. 287,

A bill for an act to locate a state road from Fayetteville to Osage.

The forty-second rule was suspended, the bill read a second and third time, passed, and the title agreed to.

Also,

House File 288,

A bill for an act to locate a state road from Cedar Falls to Forest City.

The forty-second rule was suspended, the bill read a second and third time, passed and the title agreed to.

By Mr. Arnold,

House File No. 289,

A bill for an act for the promotion of educational interests.

The forty-second rule was suspended, the bill read a second time, and

Referred to the committee on schools and state university.

Also,

House File No. 290,

A bill for an act to regulate the sale and disposition of the lands on which the town plat of Toledo, Tama county, is located.

Senate File No. 171,

A bill for an act to amend an act entitled an act to incorporate the city of Mt. Pleasant.

The forty-second rule was suspended, the bill read a second time and

Referred to the committee on incorporations.

Senate File No. 157,

A bill for an act to incorporate the city of St. Charles.

The forty-second rule was suspended, the bill read a second time, and

Referred to the committee on incorporations.

Senate File No. 160,

A bill for an act to repeal sections 3 and 4 of chapter 67 of the acts of the session of 1854-5.

The forty-second rule was suspended, the bill read a second time, and

Referred to the committee on Judiciary.

Senate File No. 159,

A bill for an act to incorporate the city of Albia, Monroe county.

The forty-second rule was suspended, and the bill read a second time, and

Referred to the committee on incorporations.

Senate File No. 158,

A bill for an act concerning the Iowa Medical College.

The Chair

Laid before the House the following message from the Governor-

EXECUTIVE OFFICE, IOWA CITY, }
 January 16, 1867. }

To the Speaker of the House of Representatives:

Sir—I herewith return to the House of Representatives, for re-consideration, a bill entitled “An act to incorporate the town of Centreville.”

The eleventh section of the bill, referring to the town incorporated by the first section, declares “that the town council may propose amendments to this charter, which shall be submitted to the legal voters at the annual election, and if a majority of the votes cast for and against the amendment, be for the amendment, it shall thereupon become a part of this charter, Provided, That such amendment before being submitted for approval, shall be posted up at least sixty days in three public places, or be published in some weekly newspaper printed in the county.”

There is no limitation or restraint as to the subjects that may be embraced in these amendments. This section, if enacted into a law, would give to the town of Centreville the power to extend or curtail its boundaries at will—to contravene the general laws of the State by its ordinance, and to engage in enterprises entirely incompatible with the character and design of such corporations.

It surely cannot be the intention of the General Assembly, or the policy of the State, to confer upon any municipal corporation such unlimited powers as would be granted by the eleventh section of this bill.

JAMES W. GRIMES.

Mr. Galbraith

Moved the vote by which

House File No. 75,

Was passed, be re-considered, and

The Chair having decided said motion to be in order,

Mr. Cloud

Appealed from the decision of the Chair,

Whereupon,

The House refused to sustain the decision.

The question then being,

“Shall the said bill pass, notwithstanding the veto of the Governor?”

The yeas and nays were called,

And were as follows:

Yea 1, nays 54.

YEA—

Mr. Doud—1.

NAYS—

Messrs. Arnold, Bailey, Barker, Bryson, Barner, Bigelow, Bottorf, Clausen, Clark, Cloud, Copeland, Cort, Davis, Dorland, Edmundson, Finney, Fry, Galbraith, Gillett, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Hershberger, Holmes, Inskeep, Jones, Jordan, Kirkpatrick, Kelsay, Kurtz, McDow, Mendenhall, Moer of Mills, Moore of Dubuque, Noble, Pease, Price, Perry, Reeder, Roberts, Rodman, Sawyer, Stanton, Sullivan, Thomas, Toll, Van Valkenburgh, Williams, Wilson of Mahaska, Wooden, Wright of Cedar, Wyatt, Speaker—54.

Mr. Hardie, of Dubuque,

With leave, introduced

House File No. 191,

A bill for an act to define the rights and duties of inn-keepers in certain cases.

Read a first time, when

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

BILLS ON SECOND READING.

House File No. 277,

Referred to the Committee on Ways and Means.

BILLS ON THEIR THIRD READING.

House File No. 74,

A bill for an act for the preservation of game in this State.

On motion of Mr. Clark,

The bill was laid upon the table.

House File No. 233,

A bill for an act in relation to the swamp lands of this State.

Passed and the title agreed to.

Mr. Wooden,

With leave, introduced

House File No. 293,

A bill for an act to donate the east half of College Green, in Iowa City.

Read once, when

The forty-second rule was suspended, the bill read a second time, and

Referred to the Committee on Schools and State University.

Mr. Pease,

With leave submitted the following report.

MR. SPEAKER :

The committee to whom was referred

House File No. 264,

In relation to bridge and ferry across the Des Moines river, have had the same under consideration, and direct me to report the same back with the following amendments:

1. By striking out that part relating to exclusive privileges.
2. And inserting entire

Section 4,

Providing for fixing the rate of tolls to be charged.

The amendments were concurred in, and the bill

Ordered to be engrossed and read a third time to-morrow.

House File No. 289,

With Senate amendment was taken up, and

The amendment concurred in.

On motion of Mr. Barker,

Substitute for

Senate File No. 50,

Was taken from the table.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Mr. Toll,

With leave introduced

House File No. 294,

A bill for an act to amend chapter 12 of the acts of the extra session of the 5th General Assembly.

The bill was read once, when

The forty-second rule was suspended, the bill read a second and third times, passed and the title agreed to.

Also,

House File No. 105,

A bill for an act making it the duty of township Trustees to have guide-boards erected.

Read once.

The forty-second rule was then suspended, the bill read a second time, and

Referred to the committee on Roads and Highways.

Also,

House File No. 296,

Joint resolution in relation to the selecting and patenting of swamp lands.

Read a first time.

The forty-second rule was then suspended, and the joint resolution read a second time.

Mr. Hardy of Van Buren,

Moved to amend the first section by striking out the word "required" and inserting the word "requested."

Adopted.

Mr. Cloud

Moved the House do now adjourn.

Lost.

Mr. Wooden

Moved to take up

House File No. 239,

With the amendments reported by the committee of the whole House.

Adopted.

Mr. Holmes

Moved to amend the first amendment of the committee by striking out "13" and inserting "10."

Adopted.

The amendment as amended was then adopted.

The House refused to concur in the second amendment of the committee.

The third, fourth, fifth and sixth amendments of the committee were then adopted.

On motion of Mr. Sullivan,

Section two was amended by striking out the word "five" and inserting "six."

On motion of Mr. Sullivan,

Section two was amended by striking out the word "with" and inserting the word "and."

Mr. Holmes

Moved the bill and amendments be referred to a select committee of three.

Adopted.

The Chair announced as said committee,
Messrs. Holmes, Sullivan and Kirkpatrick.

On motion of Mr. Jones,
House File No. 257,
Was taken from the table.

Mr. Mills

Moved that the House do now resolve itself into a committee of the whole, to consider

House File No. 257,

Lost.

Mr. Jones

Moved to amend by striking out all after the enacting clause,

Upon which question,

The yeas and nays were demanded and

Were as follows,

Yeas 16, Nays 42.

YEAS—

Messrs. Bailey, Clausen, Cope and, Dorland, Holmes, Inskip, Jones, Kurtz, Mills, Perry, Rogers, Sawyer, Stanton, Thomas, Toll, Wilson of Mahaska, Wooden, Wright of Cedar, Speaker—19.

NAYS—

Messrs. Arnold, Barker, Pryson, Barner, Bigelow, Bottorf, Bowen, Clark, Cloud, Cort, Davis, Doud, Edmundson, Finney, Fry, Galbraith, Gillett, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Hershberger, Jordan, Kirkpatrick, Kelsay, Larimer,

McDow, Milliser, Mendenhall, Moer of Mills, Moore of Dubuque, Noble, Pease, Price, Reeder, Roberts, Rodman, Scoville, Sullivan, Van Valkenburgh, Williams, Wyatt—42.

Message from the Senate,
By their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has passed

Senate File No. 173,

A bill for an act to vacate certain alleys in the town of Leon, in Decatur county.

Also,

Senate File No. 177,

Joint resolution for additional mail facilities from Sioux City *via* Spirit Lake to Mankato.

Also,

Senate File No. 179,

A bill for an act to change the name of Bremen, in Monroe county, to Lavilla, and to enlarge the boundaries without taking a vote.

Also,

Senate File No. 180,

A bill for an act to amend chapter 136 of the Code.

Also,

Senate File No. 182,

A bill for an act to amend the charter of the city of Council Bluffs.

Also,

Senate File No. 183,

A bill for an act creating a new township in Van Buren county.

In all of which they respectfully ask the concurrence of the House of Representatives.

CHAS. C. NOURSE,
Secretary.

Mr. Clark

Moved the House resolve itself into a committee of the whole, for the purpose of considering said bill.

Motion lost.

The House then adjourned.

TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Moer of Mills,

With leave, introduced

The petition of James McAnddler and 183 other citizens of Taylor county, in relation to the county seat of said county.

Referred to to the Committee on township and county organization.

On motion of Mr. Larimer,

Senate File No. 182,

Was taken up.

The bill was read a first time, when

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

On motion of Mr. Kirkpatrick,

House File 275,

Was taken up, and 150 copies ordered to be printed for the use of the General Assembly.

Message from the Senate

By their Secretary.

MR. SPEAKER:

I am directed to inform the House of Representatives that the Senate has concurred in the resolution of the House of Representatives, in relation to a joint convention of the General Assembly,

for the election of a United States Senator, with the following amendment, to-wit :

Strike out Tuesday, the 20th inst., at half past two o'clock, P. M., and insert the 17th inst., at three o'clock, P. M.,

In which amendment the Senate asks the concurrence of the House of Representatives.

CHAS. C. NOURSE,
Secretary.

On motion of Mr. Cloud,
The House concurred in the amendment of the Senate.

Mr. Toll submitted the following report :

HOUSE OF REPRESENTATIVES, }
January 17, 1857. }

The committee on Enrolled Bills report that they have presented the following bills to the Governor for his signature :

House File No. 50,
An act to incorporate the town of Glenwood, in Mills county.

Senate File No. 91,
An act creating the fourteenth judicial district, and fixing the time of holding the courts therein.

House File No. 105,
Joint resolution to procure additional mail facilities.

House File No. 111,
Joint resolution to procure additional mail facilities.

House File No. 129,
An act to amend chapter 161 of the laws of the fifth General Assembly, entitled an act to provide for the appointment of a Reporter of the decisions of the Supreme Court, and for other purposes.

House File No. 155,
An act to enforce the collection of taxes in the county of Jasper, for the year 1854.

House File No. 145,
Joint resolution asking for additional mail facilities.

House File No. 148,

An act authorizing the election of an additional Justice of the Peace.

The committee on Enrolled Bills report that they have compared the following bills :

House File No. 151,

Joint resolution for increased mail facilities.

House File No. 150,

Joint resolution for increased mail facilities.

House File No. 153,

An act to change a part of the state road from Fairview, in Jones county, to Pioneer Grove, in Cedar county.

House File No. 209,

An act to change a part of a state road in Appanoose county.

House File No. 218,

An act authorizing the Administrator of the estate of H. M. Beeson to perform certain acts.

House File No. 213,

An act fixing the time of holding courts in the first judicial district.

House File No. 236,

An act to change the name of Georgian Zueulvner to Georgian Solner.

House File No. 227,

An act to change the name of the town of Jefferson.

House File No. 96,

An act to authorize school district No. two, in LeClaire township, Scott county, to borrow money.

House File No. 132,

An act authorizing the county Judge of Keokuk county to have the road record of said county transcribed, and legalize the same.

House File No. 33,

An act authorizing the sub-division of lands in this State,
And found the same correctly enrolled.

C. H. TOLL,
Chairman.

On motion of Mr. Wooden,

The Chair was requested to appoint a teller to act on the part of the House in the Joint Convention of the two House about to convene.

The Chair announced Mr. Wooden as teller on the part of the House.

On motion of Mr. Bigelow,

The House adjourned until fifteen minutes before three o'clock.

FIFTEEN MINUTES BEFORE THREE O'CLOCK.

The House was called to order.

On motion of Mr. Bowen,

House File No. 173,

Was taken up.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Mr. Pease, with leave, introduced

House File No. 297,

A bill for an act to vacate certain alleys in the town of West Point

Read once.

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Mr. Dorland

Moved that a committee of two be appointed to inform the Senate that the House is now ready and in waiting to receive them in Joint Convention.

Adopted.

The Chair appointed Messrs. Dorland and Moore of Dubuque said committee.

Mr. Finney submitted the following report :

The committee appointed to examine the books and vouchers of the Secretary of State in relation to the relinquishment of certain town lots in Monroe City, by John Brown, beg leave to report,

That they have examined the books relating to the same in the Secretary's office, and find no evidence that the same was ever relinquished by the said Brown, as was communicated to this House by the Auditor to have been.

The report was laid upon the table.

The committee appointed to inform the Senate that the House was ready to receive them in Joint Convention, reported by Mr. Dorland, their chairman, that they had discharged that duty.

At three o'clock the Senate, preceded by their President, entered the Hall of the House, and having been duly announced, took the seats assigned them.

JOINT CONVENTION.

The Hon. W. W. Hamilton, President of the Senate, presiding, and James W. Logan, Chief Clerk of the House, acting as Secretary.

The President having announced the object of the Joint Convention to be the election of a Senator to represent the State of Iowa in the Senate of the United States, for the unexpired term, ending six years after the 4th day of March, A. D. 1855,

Directed the Secretary to call the roll,

Whereupon,

The following named gentlemen were found to be absent :
Messrs. Burris, Franklin, Green, Mordan, Rand, and Wing.

On motion of Mr. Dorland,

The absentees were excused from attendance.

The President

Announced that Senator Anderson had been appointed teller on the part of the Senate.

Mr. Brigham

Nominated for Senator W. F. Coolbaugh, of Des Moines county.

Mr. Sanders

Nominated James Harlan, of Henry county.

There being no further nominations,

The Secretary was directed to call the roll ;

Whereupon,

The following result was had :

Whole number of votes, - - - - -	99
Necessary to a choice, - - - - -	50
Mr. Harlan received, - - - - -	63
Mr. Coolbaugh received, - - - - -	35
Mr. Barker received, - - - - -	1

Those voting for Mr. Harlan were :

Messrs. Anderson, Atkins, Arnold, Brown, Bailey, Bryson, Barn-er, Bigelow, Carter, Cattell, Cleaver, Cook, Clausen, Cloud, Cope-land, Davis, Dorland, Edmundson, Foster, Fry, Grinnell, Gillett, Hogan, Holmes, Hershberger, Inskeep, Jenkins, Jones, Jordan of of Polk, Kirkwood, Kirkpatrick, Kurtz, Loughridge, Lewis, Mat-thews, McCoy, McPherson, McCrary, McFarland, Mills, Moer of Mills, Noble, Price, Perry, Reed, Rusch, Reeder, Richardson, Rob-erts, Rodman, Rogers, Saunders, Sawyer, Stanton, Thomas, Toll, Wilkinson, Williams, Wilson of Mahaska, Wooden, Wright of Cedar, Mr. President—63.

Those voting for Mr. Coolbaugh were:

Messrs. Brigham, Burge, Barker, Bottorf, Bowen, Clark, Cort, Dale, Doud, Finney, Galbraith, Griswold, Gossage, Hardie of Du-buque, Hardy of Van Buren, Jordan of Marion, Kelsay, Larimer, McCulloch, McDow, Milliser, Mendenhall, Moore of Dubuque, Neal, Pease, Ramsay, Stewart, Scoville, Sullivan, Test, Thurston, Trimble, Van Valkenburgh, Warner, Wyatt—35.

Mr. Coolbaugh voted for W. T. Barker.

Mr. Harlan

Having received a majority of all the votes cast, was declared duly elected to represent the State of Iowa, in the Senate of the United States, for the unexpired term ending March 4th, A. D. 1861.

The certificate of election was made out and duly attested, in the presence of the joint convention, of which the following is a true duplicate:

HALL OF HOUSE OF REPRESENTATIVES, }
Iowa City, January 15, 1857. }

This will certify

That at an election by the General Assembly of the State of Iowa, held in joint convention of the Senate and House of Representatives, this 17th day of January A. D. 1857, James Harlan was duly elected a Senator, to represent the State of Iowa, in the United States Senate, for the unexpired term ending six years from and after the 4th day of March, A. D. 1855,

As witness our hands, in the presence of the General Assembly, this 17th day of January, A. D. 1857.

W. W. HAMILTON,
President of the Senate.

SAM'L McFARLAND,
Speaker of the House of Representatives.

Attest:

DANIEL ANDERSON,	}
Teller on part of the Senate,	
G. W. WOODEN,	
Teller on part of the House.	}

On motion of Mr. Saunders,
The Joint Convention adjourned, *sine die*.

The Senate having retired from the Hall,
The House was called to order—Speaker McFarland in the Chair.

Mr. Holmes
Moved that the House do now adjourn.
Lost.

Mr. Lewis, with leave, introduced
House File No. 298,

A bill for an act to amend sections 568 and 586 of the code, in relation to roads.

Read a first time, rule suspended, bill read a second time and
Referred to the committee on Ways and Means.

Mr. Wooden, with leave,

Introduced the following resolution :

Resolved, That the Democratic Convention, to meet in this city on Monday next, have the use of this Hall, from eleven o'clock, A. M., of said day.

Mr. Sullivan

Moved to amend by adding :

“The Republican Convention can have the use of the Hall from the same hour on the 22nd.”

Adopted.

The resolution was then adopted.

Mr. Toll,

To whom was referred

House File No. 172,

Reported a substitute,

Which substitute was adopted,

And re committed to the same committee.

Mr. Bigelow, with leave,

Submitted the following report :

Committee on Engrossed Bills have examined

House File No. 223,

An act to review a certain state road.

Also,

House File No. 267,

An act to provide for actions against rafts.

Also,

House File No. 242,

A bill for an act to vacate a part of a certain territorial road in Lee county.

And find the same correctly engrossed.

BIGELOW,
Chairman.

Mr. Sullivan, with leave,

Introduced a petition from citizens of Lee county, against the repeal of the prohibitory liquor law.

Referred to the select committee on the subject of Temperance.

The House then adjourned.

MONDAY, JANUARY 19th, 1857. }
NINE O'CLOCK A. M. }

The House met pursuant to adjournment.

Prayer by the Chaplain.

Journal of yesterday read and approved.

REPORTS OF COMMITTEES.

Mr. Dorland,

From the committee on Schools and State University, to whom was referred

House File No. 280,

Reported the same back and recommended its passage.

Mr. Barker

Moved the bill be laid upon the table.

Whereupon,

Mr. Dorland demanded the yeas and nays,

Which were as follows :

Yeas 20, Nays 33.

YEAS—

Messrs. Barker, Bottorf, Bowen, Clark, Copeland, Cort, Finney, Fry, Galbraith, Gossage, Hardie of Dubuque, Jordan, Kurtz, McDow, Mills, Moore of Dubuque, Perry, Reeder, Sawyer, Scoville—20.

NAYS—

Messrs. Arnold, Bailey, Bryson, Bigelow, Clausen, Davis, Dor-

land, Doud, Edmundson, Gillett, Griswold, Hardy of Van Buren, Hershberger, Holmes, Inskeep, Lewis, Milliser, Mendenhall, Noble, Pease, Price, Rodman, Rogers, Stanton, Sullivan, Thomas, Toll, Van Valkenburgh, Williams, Wilson of Mahaska, Wright of Cedar, Wyatt, Speaker—33.

Mr. Arnold

Moved the bill be ordered to be engrossed and read a third time to-morrow.

Mr. Barker

Moved to amend by re-committing the bill to the committee on Ways and Means.

Motion adopted.

Mr. Holmes,

From the select committee to whom was referred

House File No. 230,

A bill for an act to establish a State Agricultural College,

Reported the same back, with certain amendments, and recommended its passage.

Upon the question of concurring in the report of the committee,

The yeas and nays were demanded,

And were as follows:

Yeas 35, nays 29.

YEAS—

Messrs. Bailey, Barker, Bryson, Bottorf, Clansen, Clark, Dorland, Doud, Edmundson, Gillett, Hardie of Dubuque, Hardy of Van Buren, Hershberger, Holmes, Inskeep, Jordan, Larimer, McDow, Milliser, Mills, Moer of Mills, Pease, Perry, Rodman, Rogers, Sawyer, Sullivan, Thomas, Toll, Van Valkenburgh, Williams, Wilson of Mahaska, Wooden, Wright of Cedar, Wyatt—35.

NAYS—

Messrs. Arnold, Bigelow, Copeland, Cort, Finney, Fry, Galbraith, Griswold, Gossage, Kelsay, Kurtz, Mendenhall, Moore of Dubuque, Noble, Price, Perry, Reeder, Roberts, Rodman, Wilson of Mahaska, Speaker—29.

Mr. Scoville was excused from voting.

Mr. Wilson, of Mahaska,

Moved to amend section 8 of the bill as follows :

Insert after the word "purchase" the words "on or before the first day of June, A. D. 1857."

2nd. After the word "state" strike out the words "an improved farm," and insert the words "a tract of land in the county of Delaware."

3d. Strike out the words "five hundred acres" and insert the words "not less than two hundred, nor more than five hundred acres."

Mr. Arnold

Moved to lay the amendments upon the table,

Whereupon,

The yeas and nays were demanded, and

Were as follows :

Yeas 23, Nays 32.

YEAS—

Messrs. Arnold, Bottorf, Clark, Copeland, Dorland, Edmundson, Finney, Hershberger, Inskeep, Jordan, Lewis, Milliser, Mills, Mendenhall, Rogers, Sawyer, Scoville, Stanton, Sullivan, Thomas, Toll, Van Valkeburgh, Williams, Speaker—23.

NAYS—

Messrs. Bailey, Barker, Bryson, Bigelow, Clansen, Cort, Davis, Doud, Fry, Gillett, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Holmes, Kelsay, Kurtz, Lothian, Larimer, McDow, Meer of Mills, Moore of Dubuque, Noble, Price, Perry, Reeder, Roberts, Rodman, Wilson of Mahaska, Wooden, Wright of Cedar, Wyatt—32.

The amendments were then adopted,

And the bill

Ordered to be engrossed and read a third time to-morrow.

Message from the Senate,

By Mr. Spencer, their Assistant Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate has passed the following bills, and asks the concurrence of the House to the same.

Senate File No. 186,

A joint resolution and memorial in relation to the five per cent. funds.

Senate File No. 190,

A bill for an act to authorize the county judge of Marion county to build a court house.

Senate File No. 142,

A bill for an act to authorize W. W. Garner and others to sell certain real estate.

Senate File No. 73,

A bill for an act to organize the county of Worth and annex territory thereto.

Senate File No. 185,

A bill for an act establishing a school district in Van Buren township in Van Buren county.

Senate File No. 181,

A joint memorial to the Congress of the United States.

Senate File No. 114,

A bill for an act legalizing a certain state road therein named.

Substitute for

Senate File No. 120,

A joint resolution asking Congress to make the Iowa Southern Railroad, a branch of the Central Pacific Railroad.

Senate File No. 184,

A bill for an act changing the name of Burrington to Manchester.

Senate File No. 187,

Joint resolution asking Congress for a grant of land to aid in the construction of a certain railroad.

I am further directed by the Senate to inform the House of Representatives that the Senate has passed the following House Files, to-wit:

House File No. 193,

An act to vacate a part of a state road therein named.

House File No. 180,

A bill for an act legalizing the organization of Howard county.

House File No. 164,

A bill for an act defining what shall constitute a copy of the field notes of the original survey.

House File No. 100,

An act to amend the charter of Ottumwa.

House File 126,

An act to locate a part of a state road. •

Substitute for

House File No. 181,

An act to change the name of Abbis Jane Reid to Abbis Jane Hiatt.

House File No. 194,

An act to establish a certain state road therein named.

Substitute for

House File No. 168,

Joint resolution for additional mail facilities.

House File No. 183,

Joint resolution for additional mail facilities.

House File No. 57,

A bill for an act entitled an act to incorporate the town of Guttenberg.

I am further directed by the Senate to inform the House that the Senate has passed the following House bills, without amendments.

House File No. 15,

An act to establish a state road from Fort Des Moines to the south line of the State of Iowa.

Also,

House File No. 228,

An act entitled an act to incorporate Clinton City, in Clinton county, Iowa.

GEO. E. SPENCER,
Assistant Secretary Senate.

Mr. Toll,

From the committee to whom was referred

House File No. 172,

Reported a substitute therefor.

The substitute was adopted,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Mr. Noble,

From the committee to whom was referred the petition of citizens of the town of Rockville, reported

House File No. 299,

A bill for an act vacating a street in the town of Rockville, Delaware county, Iowa.

The bill was read a first time, when

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Mr. Moer of Mills,

From the committee to whom was referred the petition of citizens of Taylor county, reported

House File No. 300,

A bill for an act to locate the seat of justice of Taylor county.

The bill was read once, when

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Mr. Bigelow submitted the following report :

The committee on Engrossed Bills report,

House File No. 286,

An act to vacate part of a state road.

Also,

House File No. 263,

An act to amend section 114 of chapter 15 of the code and also to regulate the same.

Also,

House File No. 264,

An act to establish a ferry and build a bridge across the Des Moines River.

And find the same correctly engrossed.

BIGELOW,
Chairman.

Mr. Stanton,

From the committee on Claims, submitted the following report:

The undersigned, one of the members of the committee on Claims, to whom was referred the petition and claim of J. L. Jones to compensation for his services as instructor of the blind, beg leave to make the following report or statement of facts, to-wit:

That sometime previous to the establishment of the institution for the instruction of the blind, S. Bacon and J. L. Jones were employed in the city of Keokuk in the instruction of that unfortunate class of our fellow-citizens;—and that, although their services were voluntary, the said Bacon has since been compensated for his services, at the expense of the State, but that said Jones has never received anything for his services.

The undersigned, therefore, believe that said Jones should receive some compensation for his services, and would suggest the sum of \$125.

Respectfully submitted,

C. O. STANTON.

Mr. Stanton,

Introduced

House File No. 301,

A bill for an act for the relief of J. L. Jones.

Read once, when

The forty-second rule was suspended, and the bill read a second time.

Mr. Moore, of Dubuque,

Moved the bill be indefinitely postponed.

Lost.

Mr. Wooden

Moved the bill be

Ordered to be engrossed and read a third time to-morrow.

Mr. Finney

Moved to amend the motion by laying the bill upon the table.

Lost.

The bill was then

Ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Toll,

House File No. 220,

With the Senate amendment,

Was taken up, and

The amendment concurred in.

Mr. Mills,

With leave, introduced

House File No. 302,

A bill for an act to locate a State road therein named.

Read a first time, when

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Mr. Wright, of Cedar,

With leave, introduced

House File No. 303,

Joint resolution for additional mail facilities.

Read once.

The forty-second rule was then suspended, the resolution read a second and third times,

Passed and the title agreed to.

Mr. Wyatt,

With leave, introduced

The petition of citizens of Cass county, asking a change in the boundaries of Cass county.

Referred to the delegations from the Missouri Slope.

Mr. Holmes,

With leave, introduced

House File No. 304,

Joint resolution in relation to the independence of Liberia.

Read once.

PETITIONS PRESENTED.

By Mr. Wooden,

The remonstrance of citizens of Iowa City, against the donation of the east half of College Green.

Referred to the committee on Schools and State University.

By Mr. Griswold,

The remonstrance of citizens of Lee county, against any change in the present prohibitory liquor law.

Referred to the committee on the subject of temperance.

Mr. Dorland

From the Committee on Schools and State University, to whom was referred

House File No. 293,

Reported the same back, and recommended that it do not pass.

Report concurred in.

Mr. Dorland,

From the same committee, reported back

House File No. 289,

And recommended that it lay on the table.

BILLS INTRODUCED AND READ A FIRST TIME.

By Mr. Gillett,

House File No. 305,

A bill for an act to establish a state road from New Hampton to Oregon Grove.

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

On motion of Mr. Wooden,

House File No. 253,

Was taken up, and

Referred to the committee on Ways and Means.

Senate File No. 149,

A bill for an act to incorporate the town of Maquoketa, in Jackson county.

The forty-second rule was suspended, the bill read a second time,
and

Referred to the delegation from Jackson county.

Senate File No. 200,

A bill for an act to locate the seat of justice of Cerro Gordo county.

The forty-second rule was suspended, the bill read a second and third times,

Passed, and the title agreed to.

Message from the Senate,

By their Secretary.

MR. SPEAKER :

I herewith present for your signature the following bills;—the same having passed both branches of the General Assembly, and been enrolled by the Senate—to wit :

Senate Files Nos. 79, 115, 111, 73, 62, 31, 34, 86, 75, 117, 126, 106, 125, 116, 47, 85, 88, 90, 122, 52, 37, 154, 155, 153, 156, 165, 161, 143, 84.

CHAS. C. NOURSE,

Secretary.

Senate File No. 192,

Joint resolution relating to the use of the State Library.

The forty-second rule was suspended, the bill read a second and third times,

Passed, and the title agreed to.

Senate File No. 198,

A bill for an act to establish a recorder's office in the City of Lyons.

The forty-second rule was suspended, the bill read a second time and referred to a select committee, composed of Messrs. Toll, Gosage and Barker.

Senate File No. 296,

A bill for an act to perfect the title of David Rolls in and to an out-lot (No. 12,) in Albia, Monroe county.

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Senate File No. 194,

A bill for an act to legalize the acts of Francis H. Woolton as a notary public.

Senate File No. 183,

A bill for an act creating a new township in Van Buren county. The forty-second rule was suspended, the bill read a second time, and
Referred to the delegation from Van Buren county.

Senate File No. 195,

Joint resolution for additional mail facilities. The forty-second rule was suspended, the bill read a second and third time,
Passed and the title agreed to.

Senate File No. 185,

A bill for an act establishing a school district in Van Buren township, Van Buren county, Iowa.

Senate File No. 120,

Joint resolution and memorial asking Congress to make the Iowa Southern Railroad a branch of the Central Pacific Railroad. The forty-second rule was suspended, the bill read a second and third time,
Passed and the title agreed to.

Senate File No. 184,

A bill for an act changing the name of Burlington, Delaware county, to Manchester. The forty-second rule was suspended, the bill read a second and third time,
Passed and the title agreed to.

Senate File No. 187,

Joint resolution asking a grant of land to aid in the construction of a certain railroad. The forty-second rule was suspended and the bill read a second time.

Mr. Holmes

Moved to refer the bill to the committee on Internal Improvements.

Mr. Hardie, of Dubuque,
Moved to amend by referring to the committee on Railroads.
Adopted.

Senate File No. 186,
Joint resolution in relation to the five per cent. fund.
The forty-second rule was suspended, the bill read a second and third times, passed and the title agreed to.

Senate File No. 58,
A bill for an act legalizing a certain state road therein named.
The forty-second rule was suspended, the bill read a second and third time, passed and the title agreed to.

Senate File No. 190,
A bill for an act to authorize the County Judge of Marion county, to build a Court House upon the public square in the city of Knoxville.
The forty-second rule was suspended, and the bill read a second time.

Mr. Jordan
Moved to further suspend the forty-second rule, and read the bill a third time now.
Lost.

On motion of Mr. Bailey,
The bill was
Referred to the committee on the Judiciary.

Senate File No. 177,
Joint resolution for increased mail facilities.
The forty-second rule was suspended, the bill read a second and third times,
Passed and the title agreed to.

Senate File No. 142,
A bill for an act to authorize W. W. Garner and others, to sell certain real estate in Louisa county.
The forty-second rule was suspended, the bill read a second and third times,
Passed and the title agreed to.

Senate File No. 179,

A bill for an act to change the name of Bremen.

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Senate File No. 181,

Legislative memorial.

The forty-second rule was suspended, and the bill read a second time.

Mr. Arnold

Moved to refer the bill to the Committee on Internal Improvements.

Mr. Wyatt

Moved to amend the motion by referring the bill to the Committee on Federal Relations.

Lost.

Mr. Hardie

Moved to amend the motion by striking out "Internal Improvements," and inserting "Rail Roads."

Adopted.

The reference was then made.

Senate File No. 180,

A bill for an act to amend chapter 136 of the Code.

The forty-second rule was suspended, the bill read a second time, and

Referred to the committee on Judiciary.

The Chair laid before the House a communication from the Hon. E. Sells, Secretary of State, in relation to the relinquishment, by John Brown, of his title to certain lots in Monroe City.

On motion of Mr. Cloud,

The communication was laid upon the table.

Mr. Speaker

Also presented to the House a communication from the publishers of the Davenport Gazette, in answer to a resolution of this House, asking the name of the author of certain articles in said paper, signed "Republican."

Mr. Dorland

Moved to refer the communication to the committee on **Military Affairs**.

Mr. Davis

Moved to lay the communication upon the table.

Lost.

The reference to the committee on **Military Affairs** was then made.

BILLS ON THEIR SECOND READING.

Senate File No. 158,

Mr. Moer, of Mills,

Moved to refer the bill to a committee composed of the Physicians in the House.

Lost.

Mr. Sullivan

Moved the forty-second be suspended and the bill read a third time now.

Mr. Inskip

Moved to lay the bill upon the table.

Lost.

The forty-second rule was then suspended, the bill read a second time, passed and the title agreed to.

Mr. Toll

Submitted the following report :

The committee on Enrolled Bills report that they have examined the following bills :

House File No. 196,

An act to change the name of Pierce township, Jones county, to that of Wyoming.

House File 164,

An act defining what shall constitute a copy of the field notes of the original survey, as contemplated in section 112 of the code.

House File 207,

Joint resolution asking Congress for additional mail facilities.

House File No. 194,

An act to establish certain state roads therein named.

House File No. 100,
An act to amend the charter of Ottumwa.
And find them correctly enrolled.

C. H. TOLL,
Chairman.

BILLS ON THEIR THIRD READING.

House File No. 236,
A bill for an act to vacate a part of a state road.
Passed and the title agreed to.

House File No. 292,
A bill for an act to vacate a state road in Lee county.
Passed and the title agreed to.

House File No. 223,
A bill for an act to review a state road.
Passed and the title agreed to.

House File No. 264,
A bill for an act to provide for actions against rafts.
Passed and the title agreed to.

House File No. 267,
A bill for an act to establish a ferry and build a bridge across the
Des Moines River.
Passed and the title agreed to.

House File No. 291,
A bill for an act to define the rights and duties of Inn-keepers in
certain cases.
Passed and the title agreed to.

Substitute for
House File No. 263,
A bill for an act to amend section 114, chapter 15 of the code and
to regulate the same.

Mr. Bailey

Moved to re-commit the bill to the committee on Agriculture with
instructions to strike out the word "mean" and insert the word "in-
clude."

Lost.

The bill was then passed and the title agreed to.

House File No. 198,
With the Senate amendment was taken up and the amendment concurred in.

House File No. 15,
Was taken up and the amendment of the Senate concurred in.

On motion of Mr. Cloud,
House File No. 182,

Was taken up.

Mr. Barker submitted a substitute, which substitute was adopted and

Ordered to be engrossed and read a third time to-morrow.

Mr. Gossage moved the House do now adjourn.

Lost.

On motion of Mr. Gillett,
Substitute for
House File No. 52,
Was taken from the table.

On motion of Mr. Barker,
The bill was indefinitely postponed.

On motion of Mr. Griswold,
The concurrent resolution in relation to adjournment,
Was taken from the table.

Mr. Scoville
Moved to amend by striking out "26th" and inserting "23d".
Adopted.

On motion of Mr. Scoville,
The vote last taken was re-considered.

Mr. Scoville,
With leave of the House,
Then withdrew his motion.

Mr. Price moved to adjourn.

Lost.

On motion of Mr. Wright, of Cedar,
The resolution was laid upon the table.

Mr. Dorland

Moved that the vote by which

House File No. 293,

Was lost, be re-considered.

Adopted.

The bill was then laid upon the table.

On motion,

The House adjourned.

TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Holmes,

With leave, from the committee to whom was referred

House File No. 180,

Reported the same back, and recommended that the same be laid
upon the table.

The report was concurred in.

Message from the Senate,

By their Secretary.

MR. SPEAKER :

I am directed to inform the House of Representatives that the
Senate has passed the following bills, and asks the concurrence of the
House therein :

Senate File No. 48,

A bill for an act locating the institution for the blind.

Also,

Senate File No. 68,

A bill for an act to protect game.

Also,

Senate File No. 114,

A bill for an act in relation to the assessment of property.

Also,

Senate File No. 168,

A bill for an act fixing weights of lime and sand.

Also,

Senate File No. 148,

A bill for an act for an appropriation for a geological survey of the State.

I also return herewith the following House Bills which have passed the Senate without amendment :

House Files Nos. 211, 234 and 271,

Bills for acts relating to state roads.

Also,

House Files Nos. 237, 238 and 243,

Joint memorials for additional mail facilities.

Also,

House File No. 214,

A bill for an act to vacate High street in the town of Adell.

Also,

House File No. 278,

A bill for an act to organize school district, No. 2, Barclay township.

Also,

House File No. 258,

A bill for an act to vacate a public square in Freeman, Floyd county.

Also,

House File No. 229,

A bill for an act requiring school fund commissioners of this State to file copies of sales of school and other lands.

Also,

House File No. 244,

An act to authorize the county Judge of Jefferson county to have a record of certain surveys transcribed.

Also,

House File No. 254,

An act to legalize the acts of commissioners who located the seat of justice of Floyd county.

I also return herewith the following House bills, amended by the Senate, in which amendments the concurrence of the House of Representatives is asked.

House File No. 241,

A bill for an act to vacate and re-locate part of a territorial road.

Also,

House File No. 206,

A bill for an act fixing the times of holding courts in the sixth judicial district.

I also return

Substitute for

House File No. 12,

A bill for an act to increase the number of voting places, Which has been indefinitely postponed by the Senate.

CHARLES C. NOURSE,
Secretary Senate.

Mr. Wooden,

From the committee on Ways and Means, to whom was referred House File No. 253,

Reported the same back, and recommended its passage.

Mr. Wooden

Moved that the forty-second rule be suspended, and the bill read a third time now.

Lost.

Mr. Wyatt

Moved to amend the bill by striking out the second section.

Carried.

On motion of Mr. Dorland,

The bill was laid upon the table.

Mr. Arnold,

From the committee on the Judiciary, to whom was referred

House File No. 290,

Reported the same back, and recommended its passage.

The forty-second rule was suspended, the bill read a second time, passed and the title agreed to.

On motion of Mr. Moer, of Mills,

House File No. 206,

Was taken up, and the amendment of the Senate concurred in.

Mr. Bigelow

Submitted the following report :

Committee on Engrossed Bills report

House File No. 301,

An act for the relief of J. S. Jones.

Also,

House File No. 230,

An act providing for the establishment of a State Agricultural College.

And find the same correctly engrossed.

BIGELOW,
Chairman.

On motion of Mr. Arnold,

House File No. 289,

Was taken up.

Mr. Arnold offered a substitute, which substitute the House refused to adopt.

On motion of Mr. Holmes,

The bill was indefinitely postponed.

On motion of Mr. Kirkpatrick,

Senate File No. 81,

Was taken from the table, and

On motion of Mr. Dorland,

Referred to the committee on Charitable Institutions.

On motion of Mr. Gillett,

House File No. 262,

Was taken up and

Referred to the committee on New Counties.

Mr. Clark moved to take up the report of the Commissioner and Register of the Des Moines River Improvement.

On motion of Mr. Barker,

The report was referred to the committee on the Des Moines River Improvement, with instructions to report what portion of said report it is necessary to order to be printed.

Mr. Kirkpatrick,

From the committee to whom was referred

House File No. 67,

Reported the same back and recommended its passage.

On motion of Mr. Wooden,

It was

Referred to the committee on Ways and Means.

On motion of Mr. Hardie of Dubuque,

House File No. 257,

Was taken up.

Mr. Hardie of Dubuque, offered a substitute for section 16, which substitute was adopted,

Mr. Barker moved to amend section one by striking out from the third line the words "in quantities less than one."

On motion of Mr. Hardie of Dubuque,

The House resolved itself into a committee of the whole for the purpose of considering said bill.

At five o'clock and thirty minutes the committee rose and by Mr. Wyatt, their chairman, reported the bill back to the House with sundry amendments, and recommended its passage as amended.

Mr. Dorland

Moved a call of the House, which being sustained, Mr. Wooden was found to be absent and unexcused.

On motion of Mr. Clark,

Further proceedings under the call were suspended.

Mr. Hardie of Dubuque, moved that the report of the committee of the whole be concurred in.

Mr. Cloud moved that the House do now adjourn.

Whereupon.

Mr. Hardie of Dubuque, demanded the yeas and nays,

Which were as follows:

Yeas 31, Nays 32.

YEAS—

Messrs. Arnold, Bailey, Bryson, Clausen, Cloud, Copeland, Davis, Dorland, Edmundson, Fry, Hershberger, Holmes, Inskeep, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Noble, Perry, Roberts, Rogers, Sawyer, Thomas, Toll, Williams, Wilson of Mahaska, Wing, Wright of Cedar, Speaker—31.

NAYS—

Messrs. Barker, Bigelow, Bottorf, Bowen, Clark, Cort, Dond, Finney, Galbraith, Gillett, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Kelsay, Larimer, McDow, Milliser, Mendenhall, Moer of Mills, Moore of Dubuque, Pease, Price, Reeder, Rodman, Scoville, Stanton, Sullivan, Van Valkenburgh, Wooden, Wyatt—32.

The question recurring upon the motion to adopt the report of the committee of the whole,

The yeas and nays were demanded and were as follows:

Yeas 31, Nays 32.

YEAS—

Messrs. Barker, Bigelow, Bottorf, Bowen, Clark, Cort, Dond, Finney, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Hershberger, Jordan, Kelsay, Larimer, McDow, Milliser, Mendenhall, Moer of Mills, Moore of Dubuque, Pease, Price, Reeder, Rodman, Scoville, Stanton, Sullivan, Van Valkenburgh, Wyatt—31.

NAYS—

Messrs. Arnold, Bailey, Bryson, Clausen, Cloud, Copeland, Davis, Dorland, Edmundson, Fry, Gillett, Holmes, Inskeep, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Noble, Roberts, Rogers, Sawyer, Thomas, Toll, Williams, Wilson of Mahaska, Wing, Wooden, Speaker—32

On motion,

The House adjourned.

WEDNESDAY, JANUARY 21st, 1857. }
 NINE O'CLOCK, A. M. }

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Morong.

Journal of yesterday read and approved.

Mr. Kelsay

Moved to re-consider the vote by which the House concurred in the amendment of the Senate to

House File No. 206,

Adopted.

On motion of Mr. Kelsay,

The bill was referred to the delegation from the sixth judicial district.

On motion of Mr. Cloud,

The vote by which the House refused to concur in

House File No. 257,

As reported by the committee of the Whole, was re-considered.

On motion of Mr. Cloud,

The bill and amendments were laid on the table.

Message from the Senate,

By their Secretary.

MR. SPEAKER:

I am directed to inform the House of Representatives that the Senate has passed the following bills, and asks the concurrence of the House therein:

Senate File No. 39,

A bill for an act ceding to the United States jurisdiction and exemption from taxation on all lands for sites purchased by them.

Senate File No. 176,

A bill for an act to encourage agriculture.

Senate File No. 208,

A bill for an act to authorize the county of Clayton to issue bonds to aid in the construction of certain railroads.

Senate File No. 209,

A bill for an act to elect an additional Justice of the Peace in West Point, Lee county.

Senate File No. 212,

A bill for an act requiring the township Trustees of Clinton county to order the election of an additional Justice of the Peace.

Senate File No. 213,

A bill for an act to authorize the town of Tipton to convey public square.

I also return

House File No. 219,

An act for the relief of the Medical Department of the State University,

Which has passed the Senate with an amendment.

CHAS. C. NOURSE,

Secretary.

PETITIONS AND REMONSTRANCES.

By Mr. Moore, of Dubuque,

The remonstrance of citizens of Delaware county, against any change in the law prohibiting Indians, Mulattoes and Negroes from giving evidence in cases in which white persons are parties.

Mr. Moore

Moved to refer the remonstrance to the committee on the Judiciary.

On motion of Mr. Arnold,

The remonstrance was laid upon the table.

By Mr. Cloud,

The petition of S. S. Howe and others, praying for the dedication of the east half of College Green to the first Constitutional Presbyterian church of Iowa City.

Referred to the committee on Charitable Institutions.

On motion of Mr. Cloud,

House File No. 298,

Was taken from the table, and
Referred to the committee on Agriculture.

By Mr. Sawyer,
The petition of citizens of the town of West Point, asking the passage of an act vacating the public square in said town.
Referred to the committee on Schools and State University.

By Mr. Lothian,
The petition of J. Williams, and others, asking the vacation of a certain state road in Linn county.
Referred to the Committee on Roads and Highways.

By Mr. Jones,
The petition of citizens of Warren county, praying the enactment of a general hog law.
The petition was laid upon the table.

By Mr. Wooden,
The claim of Sydell and Bixby, and others.
Referred to the committee on Claims.

By Mr. Holmes,
The claim of C. L. D. Crockwell.
Referred to the committee on Claims.

On motion of Mr. Cloud,
All claims now in the hands of the chief clerk, were referred to the committee on Claims.

RESOLUTIONS OFFERED.

By Mr. Roberts,
Resolved, That the committee on Ways and Means, to whom was referred the bill for the location of the Deaf and Dumb Asylum, at or near Winterset, in Madison county, be instructed to report on tomorrow morning.
Adopted.

By Mr. Griswold,
House File No. 306,
Joint resolution in relation to a Homestead Law.
Read a first time, when

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

By Mr. Wyatt,

Resolved, That the chief clerk be instructed to appoint a fireman in the place of Mygatt—and that the committee on Ways and Means be instructed to pay the said Mygatt in proportion to his services rendered.

Adopted.

Mr. Toll

Submitted the following report :

The committee on Enrolled Bills report that they have presented the following bills to the Governor for his signature :

House File No. 209,

An act to change a certain state road in Appanoose county.

House File No. 236,

An act to change the name of Georgian Zuevner to Georgian Solner.

House File No. 96,

An act to authorize school district No. 2, in Leclare township, Scott county, to borrow money.

House File No. 22,

An act to change the name of the town of Jefferson in Warren county.

House File No. 218,

An act to authorize the administrator of Henry M. Becson to perform certain acts.

House File No. 213,

An act fixing the times of holding courts in the first judicial district.

House File No. 150,

Memorial and joint resolution for additional mail facilities in the interior of the State.

House File No. 151,
Joint resolution for increase of mail facilities.

House File No. 153,
An act to change a part of the state road running from Fairview in Jones county, to Pioneer Grove in Cedar county.

House File No. 33,
An act authorizing the sub-division of lands in this State.

House File No. 132,
An act authorizing the judges of Keokuk county to have the road record of said county transcribed and legalized.

The committee on Enrolled Bills, report that they have compared the following bills :

House File No. 239,
An act to fix the times of holding courts in the fourth judicial district.

House File No. 180,
An act legalizing the organization of Howard county.

House File No. 181,
An act to change the name of Abbis Jane Reid to Abbis Jane Hiatt.

House File No. 188,
Joint resolution for additional mail facilities.

House File No. 24,
An act requiring the plat of the town of Newton, in Jasper county, to be placed on record.

House File No. 193,
An act to vacate part of a certain road therein named.

House File No. 126,
An act to re-locate part of a state road.

House File No. 192,
An act to change the name of New Haven, in Buchanan county.

House File No. 6,

An act fixing the boundaries of the tenth judicial district, and the time of holding courts therein.

House File No. 115,

An act in relation to county funds, and the manner of drawing the same from the county treasurer.

House File No. 199,

An act fixing the time of holding courts in the eighth judicial district.

House File No. 203,

An act to amend section 38, of chapter 106 of the acts of the fourth General Assembly.

House File No. 158,

An act to authorize the city of Dubuque to subscribe to the capital stock of the Dubuque, St. Peters and St. Paul Rail Road company.

House File 222,

An act amendatory to the act incorporating the city of Muscatine.

The committee on Enrolled Bills report that they have examined the following bills:

House File No. 220,

An act to incorporate the city of Clinton.

House File No. 157,

An act to amend an act entitled an act to incorporate the town of Guttenberg.

House File 234,

An act to establish a state road from Osage, in Mitchell county, by Glenmary and Bristol, to the state line in Worth county.

And find them correctly enrolled.

C. H. TOLL,
Chairman.

REPORTS OF COMMITTEES.

Mr. Fry,

From the committee on the Des Moines River Improvement, to

whom was referred the report of the Commissioner and Register of said improvement,

Reported the same back to the House, and recommended that so much of said report be ordered to be printed for the use of the House as refers to the new contract.

On motion of Mr. Holmes,

Two hundred copies were ordered to be printed.

Mr. Barker,

From the committee to whom was referred

House File No. 184,

Reported the same back, and recommended its passage.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

On motion of Mr. Hardie, of Dubuque,

Senate File No. 39,

Was taken up.

The forty-second rule was suspended, the bill read a second and third times, passed and the title agreed to.

Mr. Hershberger,

From the committee to whom was referred

House File No. 147,

Reported the same back, and recommended its passage.

The forty-second rule was suspended, the bill read a second and third time,

Passed and the title agreed to.

Mr. Edmundson,

From the committee to whom was referred

House File No. 171,

Reported the same back, with two amendments, and recommended its passage.

The forty-second rule was suspended, the bill read a second and third time,

Passed and the title agreed to.

Mr. Wooden,

From the committee to whom was referred

House File No. 204,

Reported the same back, and recommended its passage.

On motion of Mr. Barker,
The bill was re-committed to the committee on the Judiciary.

BILLS INTRODUCED AND READ A FIRST TIME.

By Mr. Toll,
House File No. 307,

A bill for an act to prohibit the traffic in intoxicating drinks.

The forty-second rule was suspended, the bill read a second time
and

On motion of Mr. Holmes,
Was laid upon the table.

Mr. Mills,

From the committee on Roads and Highways, to whom was referred

House File No. 295,

Reported the same back, with one amendment, and recommended
its passage.

The amendment was concurred in,

When,

On motion of Mr. Holmes,
The bill was laid upon the table.

On motion of Mr. Rodman,

The following resolution was adopted :

Resolved, That the committee on the Judiciary be and are hereby
instructed to report back to the House

House File No. 209,

On Monday morning.

Mr. Cloud, with leave, presented

The petition of J. G. Stein and other citizens of Muscatine, asking
a modification of the present prohibitory liquor law.

Laid upon the table.

Also,

Two petitions from citizens of Muscatine, asking a change in the
city charter of Muscatine.

Laid upon the table.

On motion of Mr. Dorland,

The report of the committee on Claims, in relation to the claim of

J. D. Hoag, was taken from the table and the subject re-committed to the committee on Claims.

Mr. Kelsay,

From the committee to whom was referred

House File No. 202,

And amendments, reported a substitute for the same, which substitute was adopted.

BILLS INTRODUCED AND READ A FIRST TIME.

Senate File No. 186,

A bill for an act fixing the weight of lime and sand.

Senate File No. 58,

A bill for an act to protect game.

Senate File No. 48,

A bill for act for the permanent location of the Asylum for the Blind.

Senate File No. 108,

A bill for an act in relation to the assessment of property.

The forty-second rule was suspended and the bill read a second time.

Mr. Wright of Cedar,

Moved that the bill be ordered to be engrossed and read a third time to-morrow.

Mr. Stanton,

Moved the bill be laid upon the table,

Whereupon,

Mr. Wright demanded the yeas and nays,

Which were as follows:

Yeas 31, Nays 27.

YEAS—

Messrs. Bryson, Bottorf, Clausen, Cort, Doud, Finney, Fry, Griswold, Gossage, Hardy of Van Buren, Holmes, Kirkpatrick, Kurtz, Lothian, Larimer, McDow, Milliser, Mendenhall, Moore of Dubuque, Peuse, Perry, Reeder, Rogers, Sawyer, Stanton, Sullivan, Thomas, Van Valkenburgh, Williams, Wilson of Mahaska, Wing

NAYS—

Messrs. Bailey, Barker, Bigelow, Cloud, Copeland, Davis, Dorland, Edmundson, Hardie of Dubuque, Hershberger, Inskip, Jones, Jordan, Kelsay, Lewis, Mills, Moer of Mills, Noble, Price, Roberts, Rodman, Toll, Wooden, Wright of Cedar, Wyatt, Speaker—27.

Senate File No. 148,

A bill for an act making provision for the continuance of the geological survey of the State.

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Senate File No. 208,

A bill for an act to authorize the county of Clayton to issue bonds to aid in the construction of certain railroads.

The forty-second rule was suspended, the bill read a second time, and

Referred to the delegation from Clayton county.

Senate File No. 209,

A bill for an act to provide for the election of an additional justice of the peace, in West Point, Lee county.

The forty-second rule was suspended, the bill read a second time, and

Referred to the delegation from Lee county.

Senate File No. 213,

A bill for an act to authorize the town of Tipton, to convey a certain public square.

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Senate File No. 212,

A bill for an act requiring the township trustees of Camanche, Clinton county, to order the election of an additional justice of the peace.

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Senate File No. 176,

A bill for an act for the encouragement of scientific and practical agriculture.

The forty-second rule was then suspended, and the bill read a second time.

Mr. Hardie, of Dubuque,

Moved to refer the bill to the committee on Schools and State University.

Lost.

Mr. Wright

Moved to refer the bill to a select committee of five.

Mr. Mills

Moved to amend the motion by referring the bill to the committee on Agriculture.

Lost.

The bill was then referred to the select committee.

The Chair

Announced as said committee, Messrs, Wright, Davis, Clausen, Wooden and Galbraith.

Message from the Senate,
By their Secretary.

MR. SPEAKER:

I herewith return the following bills, having passed the Senate without amendment.

House File No. 185,
To incorporate Davenport.

House File No. 178,
To incorporate Newton.

House File No. 292,
To incorporate Centreville.

House File No. 118,
A bill for an act allowing fees to the clerk of the supreme court.

House File No. 200,

A bill for an act providing for county record of original land entries.

House File No. 233,

A bill for an act relating to swamp lands.

House File No. 298,

A bill for an act for a state road from Fort Madison to Montrose.

I also return the following bills, amended by the Senate, in which the concurrence of the House is asked.

Senate substitute for

House File No. 232,

To amend the charter of the city of Keokuk.

House File No. 141,

To incorporate the city of Des Moines.

House File No. 112,

To amend the charter of the city of Burlington.

House File No. 138,

A bill for an act defining the rights, &c., of the Plattsmouth ferry company.

I also return

House File No. 210,

A bill for an act fixing the time of holding courts in the ninth judicial district,

The further consideration of the same having been indefinitely postponed by the Senate.

Also,

House File No. 246,

A bill for an act to incorporate the city of Washington, amended by the Senate, in which amendment the concurrence of the House is asked.

The Senate has passed

Senate File No. 191,

A bill for an act to incorporate Burriss.

Senate File No. 175,

A bill for an act to incorporate Edyville.

In which the concurrence of the House is asked.

CHARLES C. NOURSE,
Secretary Senate.

On motion of Mr. Cloud,

House File No. 219,

Was taken up, and the amendment of the Senate concurred in.

Mr. Barker, with leave, introduced

House File No. 308,

A bill for an act to authorize the election of an additional Justice of the Peace in Jackson township, Bremer county, Iowa.

The bill was read a first time, when

The forty-second rule was suspended, the bill read a second time, and

Referred to a select committee, composed of Messrs. Gillett, Barker and Bigelow.

Mr. Arnold, with leave, introduced

House File No. 309,

A bill for an act to locate a state road from Marietta to Clear Lake.

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Mr. Wooden, with leave, introduced

House File No. 310,

A bill for an act to increase the duties of county Judges.

The forty-second rule was suspended, the bill read a second time, and

Referred to the committee on the Judiciary.

On motion of Mr. Davis,

Senate substitute for

House File No. 141,

Was taken up, and the substitute adopted.

On motion of Mr. Mills,

The House adjourned.

TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

The members from the tenth judicial district were excused from attendance upon the House during the afternoon.

On motion of Mr. Holmes,

The following resolution was adopted :

Resolved, That the use of this Hall be given to Dr. Lewis, of New York, to deliver a lecture upon the subject of Physical Education, this evening.

On motion of Mr. Bailey,

Senate File No. 105,

Was taken up, and referred to a select committee.

The Chair announced Messrs. Bailey, Williams, Pease, Gossage and Lewis as said committee.

BILLS ON THEIR SECOND READING.

House File No. 30,

Referred to the committee on Agriculture.

Senate File No. 194,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Senate File No. 194,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

BILLS ON THEIR THIRD READING.

House File No. 301,

A bill for the relief of J. L. Jones.

Passed and the title agreed to.

House File No. 230,

A bill for an act providing for the establishment of a State Agricultural College.

On the question, shall the bill pass,
 The yeas and nays were demanded, and
 Were as follows:
 Yeas 39, Nays 22.

YEAS—

Messrs. Arnold, Bailey, Barker, Bryson, Bottorf, Bowen, Clanssen, Clark, Cloud, Cort, Doud, Edmundson, Fry, Gillett, Griswold, Hardy of Van Buren, Hershberger, Inskeep, Jones, Kelsay, Larimer, Milliser, Mills, Mendenhall, Moer of Mills, Moore of Dubuque, Noble, Pease, Roberts, Rodman, Sullivan, Thomas, Toll, Van Valkenburgh, Williams, Wilson of Webster, Wilson of Mahaska, Wright of Cedar, Wyatt—39.

NAYS—

Messrs. Bigelow, Copeland, Dorland, Finney, Gossage, Hardie of Dubuque, Holmes, Jordan, Kirkpatrick, Kurtz, Lewis, Lothian, Price, Perry, Reeder, Rogers, Sawyer, Scoville, Stanton, Wing, Wooden, Speaker—22.

Mr. McDow was excused from attendance upon the House on account of illness.

House File No. 241,
 With the Senate amendment,
 Was taken up, and
 The amendment concurred in.

House File No. 246,
 Was taken up, and
 The Senate amendment concurred in.

The Senate amendment to
 House File No. 111,
 Was concurred in.

House File No. 138,
 Was taken up, and
 The Senate amendments concurred in.

Senate substitute for
 House File No. 232,
 Was laid upon the table.

Mr. Clark

Moved to re-consider the vote by which
House File No. 300,
Was indefinitely postponed,
Motion lost.

Mr. Sullivan

Moved to take up
Senate File No. 74,
Adopted.
The forty-second rule was suspended, the bill read a third time,
and
Referred to the committee on the Judiciary,
With instructions.

Mr Moore of Dubuque,
From the committee to whom was referred
House File No. 56,
Reported the same back, without recommendation.

On motion of Mr. Jones,
The bill was
Referred to the committee on Agriculture.

On motion of Mr. Holmes,
The vote by which
House File No. 212,
Was passed, was re-considered.
On his motion,
It was then
Referred to the delegation from Clinton county.

On motion of Mr. Moore, of Dubuque,
House File No. 121,
Was taken up.

On motion of Mr. Moore, of Dubuque,
It was re-committed to the committee on Ways and Means, with
instructions.

On motion of Mr. Bigelow,
House File No. 257,
With its amendments was taken from the table.

On motion of Mr. Hardie, of Dubuque,
The amendments of the committee of the whole, were acted upon separately.

The first amendment was then adopted.

On motion of Mr. Clausen,

The second amendment was amended by striking out the word "county" and inserting the words "township in which he resides."

The second, third and fourth amendments were then adopted.

Mr. Dorland

Moved to amend the fifth amendment, by adding "at the discretion of the county judge."

The fifth and sixth amendments were then adopted.

On motion of Mr. Holmes,

The seventh amendment was amended by adding the words "at his request."

The seventh amendment was then adopted.

Mr. Moer, of Mills,

Moved to re-consider the vote last taken.

Motion lost.

The eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth amendments were then adopted.

Mr. Hardie, of Dubuque,

Moved that the bill, as amended, be engrossed and read a third time to-morrow.

Mr. Clond

Moved to refer the bill to a select committee.

Mr. McFarland

Moved to amend the motion by instructing the committee to strike out the words "incorporated cities and towns," whenever they occur in the bill.

Mr. Bowen

Moved to adjourn.

Lost.

The question recurring upon the amendment to instruct the committee,

The yeas and nays were demanded,

And were as follows :

Yeas 30, nays 28.

YEAS—

Messrs. Arnold, Bailey, Bryson, Clausen, Cloud, Davis, Dorland, Ednundson, Fry, Hershberger, Holmes, Inskip, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Moore of Mills, Noble, Perry, Rogers, Sawyer, Stanton, Thomas, Toll, Wilson of Mahaska, Wing, Wright of Cedar, Speaker—30.

NAYS—

Messrs. Barker, Bigelow, Bottorf, Bowen, Copeland, Cort, Doud, Finney, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Kelsay, Larimer, Milliser, Moore of Dubuque, Price, Reeder, Roberts, Rodman, Scoville, Sullivan, Van Valkenburgh, Williams, Wilson of Webster, Wooden, Wyatt—28.

Upon the motion as amended, to refer the bill to a select committee with instructions,

The yeas and nays were demanded.

Mr. Hardie

Moved a call of the House.

The call was sustained.

Mr. Arnold

Moved that further proceedings under the call be suspended.

On motion of Mr. Hardie of Dubuque,
The motion to suspend the call was laid upon the table.

The call proceeding,

Messrs. Barner, Burris, Franklin, Gillett, Green, McDow, Mendenhall, Mordan, Pease, Rand and Richardson were found to be absent.

On motion,

The absentees were excused.

The question recurring upon the motion to re-commit to a select committee with instructions,

The yeas and nays were demanded, and

Were as follows :

Yeas 32, Nays 28.

YEAS—

Messrs. Arnold, Bailey, Bryson, Clausen, Cloud, Davis, Dorland, Edmundson, Fry, Hershberger, Holmes, Inskeep, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Moer of Mills, Noble, Perry, Rogers, Sawyer, Stanton, Thomas, Toll, Williams, Wilson of Mahaska, Wing, Wooden, Wright of Cedar, Speaker—32

NAYS—

Messrs. Barker, Bigelow, Bottorf, Bowen, Clark, Copeland, Cort, Doud, Finney, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Kelsay, Larimer, Milliser, Moore of Dubuque, Price, Reeder, Roberts, Rodman, Scoville, Sullivan, Van Valkenburg, Wilson of Webster, Wyatt—28.

The Chair

Appointed Messrs. Barker, Thomas and Bailey as the select committee.

Mr. Thomas

Was excused from serving on said committee.

On motion of Mr. Hardie, of Dubuque,

Mr. Cloud was appointed upon the select committee, in place of Mr. Thomas, excused.

Mr. Toll

With leave submitted the following report.

The Committee on Enrolled Bills, report that they have examined the following bills:

House File No. 168,

Joint resolution asking for additional mail facilities.

House File No. 278,

An act to organize school district No. 1, in Barclay township.

House File No. 178,

An act to incorporate the town of Newton, in Jasper county.

House File No. 198,

An act to make the bridge across North Skunk river, at Union Mills, a part of the public highway.

House File No. 243,

Joint resolution for additional mail facilities from Davenport to Sabula.

House File No. 238,

Joint resolution for additional mail facilities from Iowa City to Greencastle, Johnson county.

House File No. 258,

An act to vacate the public square in the village of Freeman, and to donate the same to Floyd county, for certain purposes.

House File No. 237,

Joint resolution for procuring additional mail facilities in the State of Iowa.

House File No. 219,

An act for the relief of the Medical Department of the State University.

House File No. 271,

An act to locate a state road from Newton, Jasper county, *via* Taylorville, to Adell, in Dallas county.

House File No. 229,

An act requiring the school fund commissioners of this State to file a copy or transcript of the school lands sold in their respective counties, with the Register of the state land office.

House File No. 214,

An act to vacate High street, in the town of Adell.

House File No. 244,

An act to locate a state road from the Missouri to Fort Des Moines.

House File No. 245,

An act to authorize the Judge of Jefferson county to have the surveys of said county transcribed and indexed.

House File No. 292,

An act to incorporate the town of Centreville.

House File No. 15,

An act to establish a state road from Fort Des Moines to the south line of the state of Iowa.

House File No. 185,

An act to amend an act entitled an act to incorporate the city of Davenport, and amend the several acts amendatory thereto.

And find them correctly enrolled.

C. H. TOLL,
Chairman.

On motion,
The House then adjourned.

THURSDAY, JANUARY 22d, 1857. }
NINE O'CLOCK A. M. }

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Toll,
The reading of the Journal was dispensed with.

On motion of Mr. Gossage,
The concurrent resolution in relation to adjournment, was taken from the table.

Mr. Wright moved to amend by striking out "25th" and inserting "27th."

Mr. Doud moved to lay the resolution on the table.

Whereupon,
Mr. Gossage demanded the yeas and nays,

Which were as follows :

Yeas, 27 Nays 29.

YEAS—

Messrs. Bailey, Barker, Clausen, Doud Edmundson, Hardy of

Dubuque, Hardy of Van Buren, Hershberger, Holmes, Kurtz, Mills, Moore of Dubuque, Noble, Perry, Rodman, Sawyer, Stanton, Sullivan, Thomas, Van Valkenburgh, Williams, Wilson, of Webster, Wilson of Mahaska, Wooden, Wright of Cedar, Wyatt, Speaker—27.

NAYS—

Messrs. Arnold, Bryson, Bigelow, Bottorf, Clark, Cloud, Copeland, Cort, Dorland, Fry, Galbraith, Gillett, Griswold, Gossage, Inskip, Jones, Jordan, Kelsay, Lewis, McDow, Mendenhall, Moer, of Mills, Pease, Price, Reeder, Roberts, Rogers, Scoville, Toll, Wing—29.

Message from the Senate,
By their Assistant Secretary, Mr. Spencer.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, in which the concurrence of the House of Representatives is asked :

Senate File No. 104,

A bill for an act to extend the jurisdiction of justices of the peace.

Senate File No. 133,

A bill for an act to fix the compensation of the Attorney General.

Senate File No. 214,

A bill for an act relating to hedges and hedge-growers.

Senate File No. 107,

A bill for an act regulating trials and appeals from county courts.

Senate File No. 45,

A bill for an act relating to the Navigation and Hydraulic Company, of the Mississippi Rapids.

Senate File No. 145,

A bill for an act in relation to insurance companies.

Senate File No. 138,

A memorial respecting the pre-emption laws.

I am further directed to inform the House of Representatives

that the Senate have passed the following House bills without amendment:

House File No. 256,

A bill for an act to amend so much of chapter 126 of the Code as refers to coroner's fees.

House File No. 297,

A bill for an act to vacate a certain alley in West Point.

House File No. 303,

A joint resolution asking for additional mail facilities.

House File No. 299,

A bill for an act vacating a street in Rockville, Delaware county.

House File No. 286,

An act to vacate part of a state road.

House File No. 290,

A bill for an act to legalize the sale of certain lands in Tama county.

House File No. 1,

A bill for an act to create school district No. 1, in Washington township, Dubuque county.

The Senate has also passed, with one amendment,

House File No. 128,

A bill for an act to amend the charter of the city of Burlington.

GEO. E. SPENCER,
Ass't Sec'y Senate.

Mr. Lewis

Moved to amend the amendment by striking out "27th," and inserting "28th,"

Whereupon,

Mr. Gossage demanded the yeas and nays,

Which were as follows:

Yeas 23, nays 34.

YEAS—

Messrs. Bailey, Clark, Copeland, Cort, Davis, Edmundson, Hardy of Van Buren, Hershberger, Kurtz, Lewis, Noble, Pease, Perry,

Reeder, Rodman, Rogers, Stanton, Wilson of Webster, Wooden, Wright of Cedar, Wyatt, Speaker—23.

NAYS—

Messrs. Arnold, Barker, Bryson, Bigelow, Bottorf, Clausen, Cloud, Dorland, Galbraith, Gillett, Griswold, Gossage, Hardie of Dubuque, Holmes, Inskip, Jones, Jordan, Kelsay, Larimer, McDow, Mills, Mendenhall, Moer of Mills, Moore of Dubuque, Price, Sawyer, Scoville, Sullivan, Thomas, Toll, Van Valkenburgh, Williams, Wilson of Mahaska, Wing—34.

The question recurring upon the amendment to strike out "26th," and insert "27th,"

Mr. Gossage demanded the yeas and nays,

Which were as follows:

Yeas 17, Nays 40.

YEAS—

Messrs. Bailey, Clark, Copeland, Edmundson, Hardy of Van Buren, Hershberger, Jordan, Lewis, McDow, Noble, Reeder, Rodman, Scoville, Wilson of Webster, Wilson of Mahaska, Wooden, Wright of Cedar, Wyatt—17.

NAYS—

Messrs. Arnold, Barker, Bryson, Bigelow, Bottorf, Clausen, Cloud, Cort, Davis, Dorland, Galbraith, Gillett, Griswold, Gossage, Hardie of Dubuque, Holmes, Inskip, Jones, Kirkpatrick, Kelsay, Kutz, Larimer, Mills, Mendenhall, Moer of Mills, Moore of Dubuque, Pease, Price, Perry, Roberts, Rogers, Sawyer, Stanton, Sullivan, Thomas, Toll, Van Valkenburgh, Williams, Wing, Speaker—40.

Upon the question of the adoption of the resolution, Mr. Gossage demanded the yeas and nays,

Which were as follows:

Yeas 26, Nays 29.

YEAS—

Messrs. Arnold, Bryson, Bigelow, Bottorf, Cort, Davis, Dorland, Gillett, Griswold, Gossage, Inskip, Jones, Kelsay, Larimer, Milliser, Mendenhall, Moer of Mills, Pease, Price, Roberts, Rogers, Scoville, Toll, Wilson of Webster, Wilson of Mahaska, Wing—26.

NAYS—

Messrs. Bailey, Barker, Cloud, Copeland, Hardie of Dubuque, Hardy of Van Buren, Hershberger, Holmes, Kirkpatrick, Kurtz, Lewis, Lothian, McDow, Mills, Moore of Dubuque, Noble, Perry, Reeder, Rodman, Sawyer, Stanton, Thomas, Van Valkenburgh, Williams, Wooden, Wright of Cedar, Wyatt, Speaker—29.

REPORTS OF COMMITTEES.

Mr. Wing,

From the committee to whom was referred

House File No. 116,

Reported a substitute for the same, and recommended its passage.

Mr. Clark

Moved the bill be indefinitely postponed,

Whereupon,

The yeas and nays were demanded,

And were as follows:

Yeas 23, nays 35.

YEAS—

Messrs. Bowen, Clark, Doud, Finney, Galbraith, Griswold, Gosage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Kelsay, Lothian, Larimer, McDow, Mendenhall, Pease, Roberts, Scoville, Sullivan, Toll, Van Valkenburgh, Wooden, Wyatt—23.

NAYS—

Messrs. Arnold, Bailey, Bottorf, Cloud, Copeland, Cort, Davis, Dorland, Edmundson, Fry, Hershberger, Holmes, Inskip, Jones, Kirkpatrick, Kurtz, Lewis, Milliser, Mills, Moer of Mills, Moore of Dubuque, Noble, Price, Perry, Reeder, Rogers, Sawyer, Stanton, Thomas, Williams, Wilson of Webster, Wilson of Mahaska, Wing, Wright of Cedar, Speaker—35.

Upon the question of the adoption of the substitute,

The yeas and nays were demanded, and

Were as follows:

Yeas 27, nays 30.

YEAS—

Messrs. Arnold, Bailey, Bottorf, Cloud, Cort, Davis, Dorland, Edmundson, Fry, Hershberger, Jones, Kirkpatrick, Lewis, Mills, Moore of Dubuque, Noble, Price, Perry, Reeder, Rogers, Sawyer,

Stanton, Williams, Wilson of Mahaska, Wing, Wright of Cedar,
Speaker—27.

NAYS—

Messrs. Barker, Bowen, Clark, Copeland, Doud, Finney, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Holmes, Jordan, Kelsay, Kurtz, Lothian, Larimer, McDow, Milliser, Mendenhall, Moer of Mills, Pease, Roberts, Scoville, Thomas, Toll, Van Valkenburgh, Wilson of Webster, Wooden, Wyatt—30.

On motion of Mr. Holmes,
The substitute was laid upon the table.

Mr. Barker,

With leave, presented
The petition of citizens of Woodbury, Plymouth and Sioux
counties, praying the location of a certain state road.
Referred to the committee on Roads and Highways.

Mr. Toll,

From the committee to whom was referred
House File No. 212,
Reported the same back and recommended its passage.
Passed and the title agreed to.

Mr. Edmundson,

From the committee to whom was referred
House File No. 157,
Reported the same back with amendments, and recommended its
passage.

Mr. Toll

Submitted the following report:

The committee on Enrolled Bills, report that they have presented
the following bills to the Governor for his signature:

House File No. 164,

An act defining what shall constitute a copy of the field-notes of
the original survey, as contemplated in section 112, of the Code.

House File No. 239,

An act fixing the times of holding courts in the fourth judicial district.

House File No. 207,
Joint resolution, asking Congress for additional mail facilities.

House File No. 196,
An act to change the name of Pierce township, in Jones county, to Wyoming.

House File No. 194,
An act to establish certain state roads therein named.

House File No. 100,
An act to amend an act to incorporate the city of Ottumwa, approved July 15, 1856.
And find them correctly enrolled.

C. H. TOLL,
Chairman.

Mr. Barker,
From the select committee to whom was referred

House File No. 257,
Reported the same back, amended as instructed by the House.

Mr. Dorland
Moved to lay the bill and amendments upon the table.

Lost.
The amendments of the committee were then concurred in.

On motion of Mr. Cloud,
The bill was
Ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Mills,
The House adjourned.

FRIDAY, JANUARY 23d, 1857. }
 NINE O'CLOCK, A. M. }

The House met pursuant to adjournment.

Prayer by the Chaplain.

Journal of yesterday read and approved.

PETITIONS AND REMONSTRANCES.

Mr. Speaker

Presented the remonstrance of citizens of Ringgold county, against any repeal of the present prohibitory liquor law.

Laid upon the table.

Also,

The petition of citizens of the same county, asking the enactment of a law prohibiting swine and sheep from running at large in said county.

Laid upon the table,

Mr. Roberts

Presented the remonstrance of citizens of Cass county against any alteration in the boundaries of said county.

Laid upon the table.

Message from the Senate,
 By their Secretary.

MR. SPEAKER:

I am directed to inform the House of Representatives that the Senate has passed the following bills, and asks the concurrence of House therein.

Senate File No. 202,
 A bill for an act legalizing the sale of certain lands.

Senate File No. 197,
 A bill for an act changing the number of a block in Benton City.

I also return herewith

House File No. 174,

A bill for an act to authorize railroad companies to accept and appropriate a grant of lands.

Passed the Senate without amendment.

Also,

House File No. 208,

An act to change the name of George Granger.

Amended by striking out all of section first, after the words, George Granger Custer,

In which the House is asked to concur.

CHAS. C. NOURSE,
Secretary.

Mr. Wooden presented

The petition of Geo. Fessler and 30 other citizens of Johnson county, praying a change in the location of a certain state road.

Referred to the committee on Roads and Highways.

RESOLUTIONS OFFERED.

By Mr. Cloud,

Resolved, That the Governor be and is hereby authorized to have five thousand copies of the report of the state Geologist printed and cause twenty-five copies of the same to be distributed to each member of the General Assembly, for the use of their constituents.
Adopted.

By Mr. Cloud,

Resolved, That the committee to whom was referred
Senate File No. 102,

Be instructed to report to-morrow.

Adopted.

By Mr. Dorland,

Resolved, That Dr. Lewis, of New York, be allowed the use of this Hall this evening, for the purpose of lecturing on the subject of Physical Education.

On motion of Mr. Mills,

The resolution was laid upon the table.

REPORTS OF COMMITTEES.

Mr. Arnold,

From the committee to whom was referred

Senate File No. 190,

Reported the same back without amendment or recommendation.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Mr. Cloud,

From the committee to whom was referred

House File No. 63,

Reported the same back without recommendation.

Mr. Copeland

Moved the bill be indefinitely postponed.

Mr. Stanton

Moved to amend the bill by striking out "Wintersett, Madison county," and insert "Fairfield, Jefferson county."

Lost.

Upon the question of the indefinite postponement of the bill,

The yeas and nays were demanded,

And were as follows:

Yeas 19, nays 41.

YEAS—

Messrs. Bailey, Clark, Cloud, Copeland, Edmundson, Galbraith, Gossage, Hardie of Dubuque, Inskeep, Kurtz, Lothian, Price, Reeder, Rodman, Rogers, Stanton, Wooden, Wright of Cedar, Wyatt—19.

NAYS—

Messrs. Arnold, Bryson, Bigelow, Bottorf, Cort, Davis, Dorland, Doud, Finney, Fry, Gillett, Griswold, Hardy of Van Buren, Holmes, Jones, Jordan, Kirkpatrick, Kelsay, Lewis, Larimer, McDow, Milliser, Mills, Mendenhall, Moer of Mills, Moore of Dubuque, Noble, Pease, Perry, Roberts, Sawyer, Scoville, Sullivan, Thomas, Toll, Van Valkenburgh, Williams, Wilson of Webster, Wilson of Mahaska, Wing, Speaker—41.

Mr. Barker was excused from voting.

Messrs. Barner and Clausen were excused from attendance upon the House, on account of illness.

Mr. Wright

Moved the bill be laid upon the table,

Whereupon,

Mr. Roberts demanded the yeas and nays,

Which were as follows:

Yeas 22, Nays 39.

YEAS—

Messrs. Bailey, Barker, Bryson, Clark, Cloud, Copeland, Edmundson, Galbraith, Gossage, Hardie of Dubuque, Inskcep, Kurtz, Lothian, Mills, Price, Reeder, Rogers, Stanton, Williams, Wilson of Webster, Wooden, Wright of Cedar—22.

NAYS—

Messrs. Arnold, Bigelow, Bottorf, Cort, Davis, Dorland, Doud, Finney, Fry, Gillet, Griswold, Hardy of Van Buren, Holmes, Jones, Jordan, Kirkpatrick, Kelsay, Lewis, Larimer, McDow, Milliser, Mendenhall, Moer of Mills, Moore of Dubuque, Noble, Pease, Perry, Roberts, Rogers, Sawyer, Seoville, Sullivan, Thomas, Toll, Van Valkenburgh, Wilson of Mahaska, Wing, Wyatt, Speaker—39.

Mr. Jones

Moved that the forty-second rule be suspended and the bill read a third timenow.

Lost.

On motion of Mr. Arnold,

The bill was

Ordered to be engrossed and read a third time to-morrow.

Mr. Kirkpatrick,

From the committee to whom was referred

Senate File No. 18,

Reported the same back with an amendment and recommended its passage.

The House refused to concur in the report of the committee.

On motion of Mr. Cloud,

The amendment was laid upon the table.

Mr. Cloud

Moved to amend the bill by striking out \$100,000 and inserting \$40,000.

Mr. Hardie of Dubuque,
 Moved to amend the amendment by striking out \$19,000 and inserting \$25,000.

Message from the Senate,
 By their Secretary.

MR. SPEAKER:
 I present herewith for your signature the following bills, passed with branches of the General Assembly, and enrolled by the Senate. Senate Files No. 167, 195, 50, 89, 96, 144, 200, 49, 158, 42.

CHAS. C. NOURSE,
 Secretary.

Mr. Barker
 Moved that the further consideration of the bill be postponed until tomorrow at 2 o'clock P. M.

Upon the question,
 The yeas and nays were demanded, and

Were as follows:
 Yeas 18, Nays 43.

YEAS—
 Messrs. Bailey, Barker, Bigelow, Bottorf, Clark, Cort, Finney, Galbraith, Gillett, Griswold, Hardie of Dubuque, Hardy of Van Buren, Jordan, Kelsay, Kurtz, Lothian, Moore of Dubuque, Wilson Webster—18.

NAYS—
 Messrs. Arnold, Bryson, Bowen, Cloud, Copeland, Davis, Dorr, Doud, Edmundson, Fry, Gossage, Holmes, Inskip, Jones, Kirkpatrick, Lewis, Larimer, McDow, Milliser, Mills, Mendenhall, Porter of Mills, Pease, Perry, Reeder, Roberts, Rodman, Rogers, Sawyer, Scoville, Stanton, Sullivan, Thomas, Toll, Van Valkenburgh, Williams, Wilson of Mahaska, Wing, Wooden, Wright of Cedar, Wyatt, Speaker—43.

The question recurring upon the amendment to the amendment,
 The yeas and nays were demanded,

And were as follows:
 Yeas 12, nays 43.

On motion of Mr. Cort,

The vote by which the amendment to strike out \$1,50" and insert "\$2,00," was lost, was re-considered.

The question recurring upon the adoption of the amenduement,

The yeas and nays were demanded,

And were as foliows:

Yeas 30, nays 29.

YEAS—

Messrs. Arnold, Barker, Bryson, Bigelow, Bottorf, Bowen, Clark, Cort, Dorland, Finney, Gillett, Hardie of Dubuque, Jones, Jordan, Kurtz, Lothian, Larimer, Moore of Dubuque, Noble, Pease, Price, Perry, Reeder, Rodman, Rogers, Sawyer, Scoville, Wilson of Webster, Wing, Wright of Cedar—30.

NAYS—

Messrs. Bailey, Cloud, Davis, Doud, Edmundson, Fry, Galbraith, Gossage, Hardy of Van Buren, Hershberger, Holmes, Kirkpatrick, Kelsay, Lewis, McDow, Milliser, Mills, Mendenhall, Perry, Stanton, Sullivan, Thomas, Toll, Van Valkenburgh, Williams, Wilson of Mahaska, Wooden, Wyatt, Speaker—29.

The forty-second rule was then suspended, and the bill read a third time,

When,

Upon the question of the passage of the bill,

The yeas and nays were demanded,

And were as follows:

Yeas 30, nays 26.

YEAS—

Messrs. Arnold, Barker, Bryson, Bigelow, Bottorf, Bowen, Clark, Cort, Davis, Dorland, Finney, Gillett, Hardie of Dubuque, Inskeep, Jones, Jordan, Kurtz, Lothian, Larimer, Moore of Dubuque, Noble, Pease, Price, Reeker, Rodman, Rogers, Sawyer, Scoville, Wilson of Webster, Wing, Wright of Cedar—36.

NAYS—

Messrs. Bailey, Cloud, Davis, Doud, Edmundson, Fry, Galbraith, Gossage, Hardy of Van Buren, Hershberger, Holmes, Kirkpatrick, Kelsay, Lewis, McDow, Milliser, Mills, Mendenhall, Perry, Stanton,

Sullivan, Thomas, Toll, Van Valkenburgh, Williams, Wilson of Mahaska, Wooden, Wyatt, Speaker—26.

The title of the bill was then agreed to.

Mr. Barker,

From the committee to whom was referred

Senate File No. 160,

Reported the same back, and recommended its passage.

The forty-second rule was suspended, the bill read a second and third times, passed and the title agreed to.

On motion of Mr. Toll,

A committee, consisting of Messrs. Sullivan and Scoville, was appointed, (with instructions to send for persons and papers,) to enquire into and report the cause of the mysterious disappearance of House File No. 220.

Mr. Brown,

From the committee on mileage, submitted their report, which,

On motion of Mr. Holmes,

Was referred to the committee on Claims.

Mr. Gillett,

From the committee to whom was referred

House File No. 308,

Reported the same back, with an amendment.

The amendment was concurred in, the forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Mr. Moer, of Mills,

From the committee to whom was referred sundry petitions, in relation to the boundaries of Howard and Minneshiek counties,

Reported the same back, and recommended the further consideration of the subject be indefinitely postponed.

Report concurred in.

Mr. Moore, of Dubuque, with leave,

Introduced the following:

Resolved, That the committee on Ways and Means are hereby required to report back

House File No. 121,

This afternoon.

Adopted.

Mr. Barker,

From the committee to whom was referred

House File No. 284,

And recommended its passage.

The forty-second rule was suspended, the bill read a third time passed and the title agreed to.

Also,

House File No. 240,

And recommended its passage.

The forty-second rule was suspended, the bill read a third time passed and the title agreed to.

Mr. Toll

Submitted the following report :

The committee on Enrolled Bills report that they have presented the following bills to the Governor for his signature.

House File No. 278,

An act to organize school district No. 1, in Barclay township.

House File No. 15,

An act to establish a state road from Fort Des Moines to the southern line of the State.

House File No. 211,

An act to locate a state road from the Missouri to Des Moines.

House File No. 244,

An act to authorize the judge of Jefferson county to survey said county, transcribe and index certain records.

House File No. 214,

An act to vacate High Street in the town of Adell.

House File No. 237,

Joint resolution for procuring additional mail facilities.

House File No. 258,

An act to vacate public square in Freeman and to donate the same to Floyd county.

House File No. 229,

Requiring school fund commissioners to file a copy or transcript school lands sold in their respective counties with the Register of the Land Office.

House File No. 271,

An act to locate a state road from Newton, Jasper county, to Adell, Dallas county.

House File No. 178,

An act to incorporate the town of Newton, Jasper county.

House File No. 292,

An act to incorporate the town of Centreville.

House File No. 238,

Joint resolution for additional mail facilities.

House File No. 185,

An act to amend an act to incorporate the city of Davenport.

House File No. 243,

Asking for additional mail facilities.

House File No. 198,

An act to build a bridge across North Skunk River at Union Mills.

House File No. 168,

Joint resolution asking for additional mail facilities.

House File No. 219,

An act for the relief of the medical department of the State University.

C. H. TOLL,
Chairman.

Mr. Barker,

From the committee to whom the same was referred, reported back

House File No. 170,

And recommended its passage.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Mr. Mills,

From the select committee to whom was referred
Sundry petitions and remonstrances from citizens of Muscatine
reported

House File 311,

A bill for an act establishing the boundaries of the city of Muscatine.

Read once, when

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Mr. Arnold,

From the committee to whom was referred

House File No. 149,

Reported the same back, and recommended its passage.

The forty-second rule was suspended, the bill read a third time and

Laid upon the table.

Mr. Wooden,

From the committee to whom was referred

House File No. 204,

Reported the same back with one amendment, and recommended its passage,

Mr. Dorland,

Moved to lay the bill upon the table,

Whereupon,

The yeas and nays were demanded,

And were as follows:

Yeas 30, nays 29.

YEAS—

Messrs. Barker, Bottorf, Clark, Cort, Dorland, Doud, Edmunds, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Varen, Buren, Hershberger, Holmes, Jordan, Kelsay, Kurtz, Lothian, Lamer, McDow, Milliser, Mendenhall, Moer of Mills, Moore of Dubuque, Noble, Stanton, Sullivan, Wilson of Webster, Wright of Cedar, Wyatt—30.

NAYS—

Messrs. Arnold, Bailey, Bryson, Bigelow, Cloud, Davis, Finney, Fry, Gillet, Holmes, Inskeep, Kirkpatrick, Lewis, Pease, Perry, Reeder, Roberts, Rodman, Rogers, Sawyer, Scoville, Thomas, Toll, Van Valkenburgh, Williams, Wilson of Mahaska, Wing, Wooden, Speaker—29.

Mr. Wooden, with leave, presented
Certain claims, which,
On his motion,
Were referred to the committee on Claims.

Mr. Roberts,
From the committee to whom was referred
House File No. 262,
Reported the same back, and recommended its passage.

On motion of Mr. Kelsay,
The House adjourned.

TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Sullivan,
From the committee appointed to enquire into the cause of the disappearance of certain House files,
Reported that said bills had been traced to the Senate, and that the committee entirely exonerated the Clerk of the House from all blame in the premises.
Report laid upon the table.

Mr. Cloud,
From the select committee appointed to examine into the affairs of the Superintendent of Public Instruction, submitted their report, which,

On motion of Mr. Holmes,
Was laid upon the table, and 500 copies, with the accompanying documents, ordered to be printed for the use of the House.

Mr. Kelsay, with leave,
Introduced the following resolution:
Resolved, That the House now take a recess of one hour, to enable the gentleman from Buncombe to confer with his constituents.

On motion of Mr. Dorland,
The resolution was laid upon the table.

Mr. Wooden
Moved to take from the table
House File No. 228,
Lost.

Message from the Senate.
By their Secretary.

MR. SPEAKER:

I am directed to inform the House of Representatives that the Senate has passed.

Senate File No. 169,

A bill for an act to regulate public schools in cities and towns.
Also,

Senate File No. 217,

Joint resolution in relation to university lands.

House File No. 177,

A bill for an act for the re-location of a burial ground in De
&c.

Amended by the Senate.

In all of which bills and amendments the Senate asks the concurrence of the House.

CHARLES C. NOURSE,
Secretary Senate.

MR. SPEAKER:

I herewith present for your signature

Senate Files Nos. 196, 186, 192, 184, 173, 177, 179, 182,

The same having passed both branches of the General Assembly and been enrolled by the Senate.

C. C. NOURSE,
Secretary

Mr. Hardie of Dubuque,

With leave, introduced the following resolution :

WHEREAS, Subject matter of great importance has, during the present session of the General Assembly, been referred to the committee on Military Affairs; and

WHEREAS, The report of said committee is looked for with the most intense interest by "all the world," including "the rest of mankind,"

Therefore be it Resolved, That the report of said committee be made the special order for Saturday evening next, at 7 o'clock, at which time the House shall resolve itself into a committee of the whole for the consideration of the same, with Hon. J. H. Sullivan in the Chair, and it shall be the duty of said Sullivan, in consideration of the *dignity* of his position on said occasion, to clothe himself, in accordance with *ancient usage*, in the *armor* now in the state library, and be otherwise "armed and equipped as the law directs."

Adopted.

Mr. Toll,

With leave, introduced the following resolution :

Resolved, That the committee to whom was referred the mysterious lost bills of this House, be also instructed to enquire and ascertain if possible, how, and in what manner, the Hon. Speaker's Code of Iowa, has estrayed or been stolen.

Resolved, further, That the loss of so valuable an article is truly calamitous at this particular time, on account of the scarcity of the "material aid" in the hands of the State Treasurer, and the Legislature having already exhausted its constitutional limits for contracting liabilities, no ability is left us to restore to the Hon. Speaker his valuable loss, except to procure the return of the original article, which purpose we hope the Honorable committee will be able to bring about, having great confidence in their known ability and judgment.

Resolution lost.

Mr. Toll,

With leave, introduced

House File No. 312,

Joint resolution asking for additional mail facilities.

Read once, when

The forty-second rule was suspended, the joint resolution second and third times,
Passed and the title agreed to.

Mr. Toll,
With leave, submitted the following report :

The committee on Enrolled Bills report that they have examined the following bills :

House File No. 118,
An act in relation to the fees of the clerk of the Supreme

House File No. 112,
An act to amend the charter of the city of Burlington.

House File No. 138,
An act defining the rights and privileges of Plattsmouth Company.

House File No. 303,
Joint resolution asking for additional mail facilities.

House File No. 290,
An act in relation to land in Toledo, Tama county.

House File No. 268,
An act to lay out a state road from Ft. Madison to Keokuk.

House File No. 254,
An act to legalize the acts of the commissioner for seat of justice of Floyd county.

House File No. 241,
An act to re-locate portions of a territorial road in Lee county.

House File No. 233,
An act in relation to the swamp lands of this state.

House File No. 200,
An act providing for records to be introduced into courts of this State.

House File No. 236,
An act to amend chapter 136 of the code.

House File No. 297,
An act to vacate certain alleys in West Point, Lee county.

House File No. 299,
An act vacating a street in Rockville, Delaware county.

House File No. 286,
An act to vacate part of a state road.

House File No. 1,
An act to create a school district in Dubuque county and Jackson
county.

And find them correctly enrolled.

C. H. TOLL,
Chairman.

Mr. Speaker
Laid before the House the following Veto Message from his ex-
cellency, the Governor :

EXECUTIVE OFFICE, IOWA CITY, }
January 23d, 1857. }

*To the Speaker of
the House of Representatives:*

I herewith return to the House of Representatives, where it origi-
nated, a bill entitled,

“An act for the relief of the Medical Department of the State
University.”

This bill proposes to grant the sum of five thousand dollars, ari-
sing from the interest of the University Fund of the State, to the
College of Physicians and Surgeons at Keokuk ; provided a similar
sum shall be raised by private contributions and devoted to the same
purpose. Believing that such appropriation would be an unwarrant-
able diversion of the fund, and a virtual violation of the law of
Congress, granting the land to the State, from which the fund was
derived, I am reluctantly constrained to withhold my assent to the
bill.

The act of Congress of the 20th July, 1840, granted a “quantity
of land not exceeding two entire townships, for the use and support
of a *University* within the said territory when it becomes a State,
and for no other use or purpose whatever.”

What was meant by the words “a *University*”? I understand the

word "University" to be a technical term as applied to college school. Webster defines it to be "An assemblage of colleges established in any place, with persons for instructing students in the sciences and other branches of learning, and where degrees are conferred." In Rees' Encyclopedia it is called "A collective term applied to an assemblage of several colleges established in a town, in which are professors in the several sciences, appointed to teach them to students." This definition surely cannot apply to colleges scattered through several cities and towns remote from each other; and the college of Physicians and Surgeons at Keokuk cannot be a component part of "an assemblage of colleges established in any one place," which are required, according to Webster, to make up a University.

I cannot believe that it was the intention of Congress to create a fund which was to be appropriated to the support of various professional schools throughout the State, nor do I believe it the policy of the State to make such appropriations, if the power existed.

So far as I know, it has not been the policy of any State to support young men with professional educations, but simply to prepare them to commence their professional training in schools supported by matriculating fees and private endowments.

Our ideas of a University, are, doubtless, in a great measure derived from the celebrated Universities of Oxford and Cambridge in England. They were founded in the 13th century, and are the best institutions of the kind in Europe. Each is an assemblage of several distinct college organizations, where literature and the sciences are taught, and all are united under a federal government with a Vice-Chancellor at the head.

The object of these institutions is to furnish to every student a knowledge of the languages and sciences as to enable him, if he please, to enter upon the technical study of a profession with advantage. But they do not furnish that technical knowledge at the University.

One of the colleges at Oxford supports what is called a reader in anatomy, and another a reader in chemistry. Every student thus acquaint himself with the general principles of anatomy, physiology, and chemistry, but no one can then graduate as a medical practitioner. Each University supports a professor of law, to whose lectures students are permitted to attend; but there is no law in England, who after graduation, has not been entered at one of the Inns of Court in London, and has not regularly pursued his profession there.

Doubtless the grantors expected, and the people of the state have a right to expect that the University of Iowa shall be established upon the same general principles.

They have a right to expect that the University shall furnish the ground-work of education that is important to the successful prosecution of every trade and profession in life. They expect this education to be universal in its character and application. A knowledge of the structure of the human frame, and of the general principles of chemistry, botany and physiology, are important not to the medical practitioner alone. No man can be regarded as educated without this knowledge. But it should be obtained at the University, whilst pursuing the regular course of instruction; and students should not be compelled to migrate to a distant part of the State for that purpose. So too, is a knowledge of the fundamental principles of our constitution and laws necessary to a respectable education of every student, but to acquire this knowledge it was not expected that he would be required to remove to a law school in another remote part of the State. A casual reading of the fifth section of the tenth article of the State constitution, might seem to indicate that it was intended that the General Assembly might establish branches of the University. The act of Congress admitting the State of Iowa into the Union, approved March 3d, 1845, confirms the grant made in 1840, and declares that it shall "be appropriated solely to the use and support of such University, in such manner as the Legislature may prescribe."

It will be observed that all the legislation of Congress on this subject is in the singular number, applying to one institution, and by no possibility to more than one. The Constitution declares that the interest arising from the University fund "shall be applied to the support of said University, with such branches as the public convenience may hereafter demand, for the promotion of literature, the arts and sciences, as may be authorized by the terms of such grant." The last clause evidently qualifies and controls the preceding portion of the sentence. But, without this qualification, the Constitution even, could not over-ride, the two anterior laws of Congress.

Convinced that Congress intended to use the word University as a technical term, and as it is used by lexicographers everywhere, I cannot believe that it is in the power of the General Assembly, to dis sever the institution, and appropriate the funds arising from the

sale of the University lands to the support of various college schools scattered over the State, although they may be called branches of the University.

Nor do I believe it to be the *duty* of the State, either unduly to grant or otherwise, to furnish to young gentlemen their professional education through the University. It is not the policy of States to create professional men and tradesmen; but if such duty does exist, it is to be done with as much force to attorneys, architects, sculptors, painters, engineers, carpenters and blacksmiths, as it does to physicians. Many would believe with as much force to the homeopathic, allopathic and eclectic schools of medicine, as to the allopathic.

The annual nett proceeds from the University fund, when all the lands are all sold, will not, according to my estimation, exceed twelve thousand dollars. This sum, if properly husbanded, will be barely adequate, with reasonable tuition fees, to support a respectable University. If strictly applied to the support of one institution, a University might be founded that would be honorable and useful to the State. Unfortunately for the course of sound learning, unwisely counsils prevailed at the first session of the General Assembly, and an attempt was then made to fritter away the University fund by establishing branches at Dubuque and Fairfield, and Normal schools, to be supported from the same fund, at Oskaloosa and Andrew. At a subsequent session, the college of physicians and surgeons at Keokuk was attached to the University as a branch. Bills are now in various stages of progress before the General Assembly, creating other branches at Glenwood, in Mills county, Fort Dodge, in Webster county, and an agricultural branch at Ames, in Delaware county.

No one can divine how many other branches are in contemplation, and will be established if the principal heretofore acted upon is not checked. Every one who will reflect upon the subject, will perceive that this policy of distribution, if continued, will reduce the present institution to a shadow, impair its efficacy, and defeat the whole object of the grant.

On the last night of the last annual session of the General Assembly, (January 25th, 1855,) a bill was passed into a law, entitled "An act directing the payment of certain monies to the Normal school of Oskaloosa and Andrew." I had at that time many doubts of the power of the General Assembly to pass the bill, but there was no time to examine the subject, and I hesitatingly approved.

For the purpose, however, of having the whole subject investigated and settled by a political decision, I advised members of the Board of Trustees of the University to decline drawing the orders contemplated, until required to do so by a writ of mandamus.

The persons representing the Normal Schools failed to sue out such writ, and no judicial investigation of the subject involved has been made.

Having since that time examined and maturely reflected upon the whole subject, I am compelled by my convictions to decline signing this bill.

JAMES W. GRIMES.

The question now being,

“Shall the bill pass, notwithstanding the veto message of the Governor,”

The yeas and nays were demanded,

And were as follows :

Yeas 32, Nays 27.

YEAS—

Messrs. Arnold, Bottorf, Bowen, Clark, Cloud, Cort, Davis, Doud, Fry, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Hershberger, Holmes, Jones, Jordan, Kelsay, Larimer, McDow, Milliser, Mendenhall, Moer of Mills, Moore of Dubuque, Pease, Price, Roberts, Scoville, Sullivan, Thomas, Van Valkenburgh, Wilson of Webster, Wilson of Mahaska—32.

NAYS—

Messrs. Bailey, Barker, Bryson, Bigelow, Copeland, Dorland, Edmundson, Finney, Gillett, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Noble, Perry, Reeder, Rodman, Rogers, Stanton, Toll, Williams, Wing, Wooden, Wyatt, Speaker—27.

Lost, there not being two-thirds of all the members present voting yea.

Mr. Wright was excused from voting.

Mr. Bigelow, with leave, submitted the following report :

The committee on Engrossed Bills report

House File No. 257,

An act to license and regulate the sale of malt, spirituous
nous liquors in the State of Iowa.

Also,

House File No. 152,

A bill for an act relating to State Printing.

And find the same correctly engrossed.

BIGELOW

Chair

On motion of Mr. Cloud,

House File No. 257,

Was taken from the table.

Mr. Larimer

Moved to refer the same to a select committee, with instructions to report a substitute, repealing the law passed by the Fifth al Assembly, entitled "An act for the suppression of intemp and the enactment of chapter 55 of the code of Iowa, reg the sale of intoxicating liquors, with a proviso that the en of chapter 55 of the code shall not prevent the mayor and al or other authorities, having charge of the government of cit incorporated towns to regulate, restrain and license the tr intoxicating liquors within their respective cities or town, b nance, as in their judgment the welfare of their respective ci towns may require.

Mr. Arnold

Moved to lay the motion upon the table,

Whereupon,

The yeas and nays were demanded,

And were as follows:

Yeas 27, nays 30.

YEAS—

Messrs. Arnold, Bryson, Bigelow, Cloud, Davis, Dorlan mundson, Fry, Gillett, Hershberger, Holmes, Jones, Kirkp Kurtz, Lewis, Lothian, Mills, Moer of Mills, Noble, Perry, I Rogers, Toll, Williams, Wilson of Mahaska, Wing, Speaker

NAYS—

Messrs. Bailey, Barker, Bottorf, Bowen, Clark, Copeland

Doud, Finney, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Kelsay, Larimer, McDow, Milliser, Mendenhall, Moore of Dubuque, Pease, Reeder, Rodman, Scoville, Stanton, Sullivan, Van Valkenburgh, Wilson of Webster, Wooden, Wyatt—30.

The question recurring upon the motion to re-commit,

Mr. Holmes

Moved a call of the House.

The call was sustained.

The Clerk began the call, when,

On motion of Mr. Wooden,

Further proceedings under the call were dispensed with.

The Chair

Here decided the motion of Mr. Larimer to re-commit the bill, with instructions, to be out of order,

From which decision.

Mr. Larimer appealed,

Whereupon,

The question,

“ Shall the decision of the Chair stand as the decision of the House ? ”

Prevailed.

Mr. Kelsay

Moved that the House do now adjourn.

Motion lost.

Mr. Rodman

Moved to re-commit the bill, with instructions to amend by adding the following proviso :

“ That nothing in the act entitled ‘ an act for the suppression of intemperance, ’ approved January 23, 1855, be so construed as to prevent the manufacture of beer, ale, wine and cider. ”

Adopted.

On motion of Mr. Dorland,

The resolution granting the use of the Hall to Dr. Lewis, of New York, for this evennig, was taken from the table.

On motion of Mr. Dorland,

The resolution was then adopted.

Mr. Sullivan

Moved further to instruct the committee to whom was referred
House File No. 257,

To strike out "the sum of \$100," and insert "the sum of

Mr. Wooden

Moved that the House do now adjourn,

Whereupon,

The yeas and nays were demanded,

And were as follows :

Yeas 16, nays 42.

YEAS—

Messrs. Arnold, Bailey, Bryson, Bottorf, Davis, Edmundson,
Fry, Griswold, Kirkpatrick, Kurtz, Lewis, Larimer, Mend
Wilson of Mahaska, Wing, Wooden—16.

NAYS—

Messrs. Barker, Bigelow, Bowen, Clark, Cloud, Copeland,
Dorland, Doud, Finney, Galbraith, Gillett, Gossage, Hardie
buque, Hardy of Van Buren, Hershberger, Holmes, Jones, J
Lothian, McDow, Milliser, Mills, Moer of Mills, Moore of Du
Noble, Perry, Reeder, Roberts, Rodman, Rogers, Sawyer, S
Stanton, Sullivan, Thomas, Toll, Van Valkenburgh, William
son of Webster, Wyatt, Speaker—42.

The question recurring upon the motion further to instruct
committee,

The yeas and nays were demanded,

And were as follows :

Yeas 25, nays 28.

YEAS—

Messrs. Barker, Bigelow, Clark, Cort, Doud, Finney, Gal
Griswold, Gossage, Hardie of Dubuque, Hardy of Van Bure
dan, Larimer, McDow, Milliser, Mendenhall, Moore of Du
Reeder, Roberts, Rodman, Scoville, Sullivan, Van Valken
Wilson of Webster, Wyatt—25.

NAYS—

Messrs. Arnold, Bailey, Bryson, Cloud, Copeland, Davis, D
Edmundson, Fry, Gillett, Hershberger, Holmes, Jones,

patrick, Kurtz, Lewis, Lothian, Mills, Moer of Mills, Noble, Perry, Rogers, Stanton, Thomas, Toll, Wilson of Mahaska, Wing, Speaker
—28.

The House then adjourned.

SATURDAY, JANUARY 24th, 1857.)
NINE O'CLOCK A. M. }

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Dorland,
The reading of the Journal of yesterday was dispensed with.

PETITIONS PRESENTED.

Mr. Clark

Presented the petition of citizens of Mahaska county, asking a change in the location of a certain state road.

Laid upon the table.

Mr. Hardie of Dubuque,

Presented the remonstrance of James Scott and 300 others against any change in the boundaries of Butler county.

On motion of Mr. Hardie of Dubuque,

House File No. 262,

Was taken from the table.

When,

On his motion,

The further consideration of said bill was indefinitely postponed.

On motion of Mr. Barker, the vote by which

Senate File No. 81,

Was passed, was re-considered.

Mr. Griswold

Moved that the bill be indefinitely postponed.

On motion of Mr. Holmes,
The motion was laid upon the table.

On motion of Mr. Barker,
The bill was re-committed to the committee on Ways and
with instructions to report the same back at two o'clock this
noon.

Mr. Edmundson

Moved to take up
Senate File No. 171,
Lost.

RESOLUTIONS OFFERED.

By Mr. Hershberger,
House File No. 313,
Joint resolution asking increased mail facilities.

Read once, when
The forty-second rule was suspended, the joint resolution
second and third times,

Passed and the title agreed to.

By Mr. Davis,
House File No. 314,
Joint resolution and memorial to Congress.

Read once, when
The forty-second rule was suspended, the memorial read a
and third times,

Passed and the title agreed to.

REPORTS OF COMMITTEES.

Mr. Moore, of Dubuque,
From the committee to whom was referred
House File No. 56,

Reported a substitute for the same, and recommended it
sage.

Mr. Mocr, of Mills,

Moved that the further consideration of the substitute be indefinitely postponed.

Mr. Perry,

Moved the substitute be

Re-committed to the committee on Agriculture.

Lost.

The motion to indefinitely postpone was then

Lost.

Mr. Perry

Moved to lay the substitute upon the table.

Lost.

The substitute was then adopted.

Mr. Jones

Moved that

The forty-second rule be suspended, and the bill be read a third time, now.

On motion of Mr. Thomas,

The substitute was

Re-committed to the committee on the Judiciary.

Mr. Mills,

From the committee on Roads and Highways, reported

House File No. 315,

A bill for an act to locate a state road from Sioux City to Rock River, in Sioux county.

Read once, when

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Mr. Moore, of Dubuque,

From the committee to whom was referred

House File No. 30,

Reported the same back, and recommended its passage.

On motion of Mr. Dorland,

The bill was indefinitely postponed.

Mr. Gillett,
From the committee to whom was referred
The report of the committee on mileage,
Submitted a majority report, recommending the allowance
sums named in said report.

Mr. Cloud
Moved to lay the bill upon the table.
Motion lost.

Mr. Bowen
Moved the report of the committee be adopted.

Mr. Arnold
Moved that the clerk be instructed to call the roll, and the
members be required as their names are called, to report the num
miles they may have actually to travel, in coming to, and going
the capital.

On motion of Mr. Rodman,
The bill was laid upon the table.

Mr. Moer, of Mills,
Moved the previous question.
Motion not sustained.

The question recurring upon the motion to adopt the report
of the committee,

The yeas and nays were demanded and were as follows:
Yeas 36, nays 21.

NAYS—

Messrs. Barker, Bryson, Bigelow, Bottorf, Bowen, Clausen,
Cort, Dorland, Finney, Galbraith, Gillett, Griswold, Gossage,
Hildreth of Dubuque, Hardy of Van Buren, Inskeep, Jones, Jordan,
Kramer, McDow, Milliser, Mendenhall, Moer of Mills, Moore of
Dubuque, Pease, Perry, Roberts, Rodman, Scoville, Sullivan, Thayer,
Van Valkenburgh, Wilson of Webster, Wooden, Wyatt.—36

NAYS—

Messrs. Arnold, Cloud, Copeland, Davis, Doud, Edmundson,
Hershberger, Holmes, Kirkpatrick, Kurtz, Lewis, Lothian,
Reeder, Rogers, Stanton, Toll, Williams, Wing, Speaker.—21

Messrs. Bailey, Wilson of Mahaska were excused from voting, under rule 16.

Mr. Barker,

To whom was referred

House File No. 257,

With instructions, reported the same back amended according to the instructions.

The amendment of the committee was concurred in.

Mr Barker moved

Further to amend the bill as follows :

Strike out all after the word "six months," in the second section.

Upon the adoption of which amendment,

The yeas and nays were demanded,

And were as follows:

Yeas 32, nays 28.

YEAS—

Messrs. Barker, Bottorf, Bowen, Clausen, Clark, Cort, Doud, Finney, Galbraith, Gillett, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Bur n, Jordan, Larimer, McDow, Milliser, Mendenhall, Moore of Dubuque, Pease, Perry, Reeder, Roberts, Rodman, Se ville, Stanton, Sullivan, Van Valkenburgh, Wilson of Webster, Wyatt, Speaker --32.

NAYS—

Messrs. Arnold, Bailey, Bryson, Bigelow, Cloud, Copeland, Davis, Dorland, Edmundson, Hershberger, Holmes, Inskeep, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Moer of Mills, Noble, Rogers, Thomas, Toll, Williams, Wilson of Mahaska, Wing, Wood—28.

Mr. Price was excused from voting.

Message from the Senate,

By their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate has passed

Senate File No. 222,

Joint resolution relating to duties of Attorney General in relative to swamp lands.

Also,

Senate File No. 218,

A bill for an act concerning school monies.

Also,

Senate File No. 76,

A bill for an appropriation for the State Historical Society.

In which the concurrence of the House is asked.

I also return herewith

House File No. 41,

A bill for an act to establish the twelfth judicial district.

Also,

Senate File No. 197,

A bill for an act to create the county of Humboldt.

The same having passed the Senate without amendment.

I also present for your signature,

Senate File No. 5,

A bill for an act regulating appeals from justices of the peace and mayors of cities.

Having passed both Houses of the General Assembly and approved by the Senate.

C. C. NOURSE,
Secretary

Mr. Barker

Moved to amend as follows :

Strike out all after the word "fined," to and including the word "jail," in section ten, and insert the following :

"Not less than fifty nor more than one thousand dollars, or be both fined and imprisoned not exceeding one year in the county jail, or be both fined and imprisoned."

Adopted.

Mr. Barker

Moved further to amend as follows :

Provided, That in all counties where a vote is taken, as provided in this act, and a majority of voters shall be against license, the act entitled an act for the suppression of intemperance and any amendments thereto, approved January 22, 1855, shall be and remain in force.

Section 20. This act shall be in force from and after its publication in the Capital Reporter and Iowa City Republican.

Upon the adoption of the amendment,

The yeas and nays were demanded,

And were as follows:

Yeas 37, nays 22.

YEAS—

Messrs. Arnold, Bailey, Barker, Bryson, Bigelow, Bottorf, Bowen, Clausen, Clark, Cort, Doud, Edmundson, Finny, Galbraith, Gillett, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Lewis, McDow, Milliser, Mendenhall, Moer of Mills, Moore of Dubuque, Pease, Perry, Reeder, Roberts, Rodman, Scoville, Sullivan, Van Valkenburgh, Williams, Wilson of Webster, Wyatt, Speaker.—37.

NAYS—

Messrs. Cloud, Copeland, Davis, Dorland, Edmundson, Fry, Hershberger, Holmes, Inskeep, Jones, Kirkpatrick, Kurtz, Lothian, Mills, Noble, Rogers, Stanton, Thomas, Toll, Wilson of Mahaska, Wing, Wooden.—22.

Mr. McFarland

Moved to re-consider the vote last taken,

Upon which question,

The yeas and nays were demanded,

And were as follows:

Yeas 27, Nays 32.

YEAS—

Messrs. Arnold, Bryson, Cloud, Copeland, Davis, Dorland, Edmundson, Fry, Hershberger, Holmes, Inskeep, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Moer of Mills, Noble, Rogers, Stanton, Thomas, Toll, Williams, Wilson of Mahaska, Wing, Wooden, Speaker.—27.

NAYS—

Messrs. Bailey, Barker, Bigelow, Bottorf, Bowen, Clausen, Cort, Doud, Finney, Galbraith, Gillett, Griswold, Gossage, I of Dubuque, Hardy of Van Buren, Jordan, Larimer, McDow liser, Mendenhall, Moore of Dubuque, Pease, Perry, Reeder, erts, Rodman, Scoville, Sullivan, Van Valkenburgh, Wils Webster—32.

The motion to re-consider was lost.

The question then recurring upon the passage of the bill,

The yeas and nays were demanded,

And were as follows :

Yeas 37, nays 23.

YEAS—

Messrs. Barker, Bigelow, Bottorf, Bowen, Clausen, Clark, Copeland, Cort, Doud, Finney, Galbraith, Gillett, Griswold, sage, Hardie of Dubuque, Hardy of Van Buren, Hershbeage dan, Lothian, McDow, Milliser, Mendenhall, Moer of Mills, of Dubuque, Pease, Perry, Reeder, Roberts, Rodman, Se Stanton, Sullivan, Van Valkenburgh, Williams, Wilson of We Wyatt.—37.

NAYS—

Messrs. Arnold, Bailey, Bryson, Davis, Dorland, Edmund Fry, Holmes, Inskeep, Jones, Kirkpatrick, Kurtz, Lewis, La Mills, Noble, Rogers, Thomas, Toll, Wilson of Mahaska, Speaker.—23.

The bill passed, and the title agreed to.

On motion,

The House adjourned.

TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion of Mr. Cloud,

The vote by which the report of the committee appointed to investigate the condition of the school fund, was ordered to be printed, was re-considered.

On motion of Mr. Cloud,

The said report was ordered to be printed with the Journals of the House.

Mr. Bigelow,

From the select committee to whom was referred

Senate File No. 208,

Reported the same back, without recommendation.

Mr. Rodman

Moved the bill be indefinitely postponed.

Motion lost.

Mr. Bigelow

Moved that

The forty-second rule be suspended, and the bill be read a third time, now.

Mr. Rodman,

Moved the bill be laid upon the table, and

Upon the question,

Demanded the yeas and nays,

Which were as follows:

Yeas 16, nays 32.

YEAS—

Messrs. Cloud, Finney, Galbraith, Jordan, McDow, Moore of Du-
buque, Pease, Reeder, Rodman, Scoville, Stanton, Thomas, Toll,
Williams, Wyatt—16.

NAYS—

Messrs. Arnold, Bailey, Barker, Bryson, Bigelow, Bottorf, (sen, Clark, Copeland, Cort, Edmundson, Fry, Gillett, Gris Hardie of Dubuque, Hardy of Van Buren, Holmes, Kirkpatrick, Kurtz, Milliser, Mills, Mendenhall, Moer of Mills, Noble, P Rogers, Van Valkenburgh, Wilson of Webster, Wilson of Mahaska, Wooden, Speaker—32.

Motion to lay upon the table lost.

On motion of Mr. Rodman,

The bill was referred to a select committee of three.

The Chair

Announced Messrs. Sullivan, Cloud and Edmundson as said committee.

Mr. Gossage

With leave, introduced the following resolution,
Resolved, That this House do adjourn *sine die* on Monday 28th, A. D. 1857, the Senate concurring therein.

Adopted.

Mr. Holmes

Moved to take up

Senate File No. 48,

Lost.

Mr. Clausen,

From the select committee to whom was referred

Senate File No. 102,

Reported a substitute for the same.

Upon the question of the adoption of the substitute,
The yeas and nays were demanded,

And were as follows:

Yeas 18, Nays 53.

YEAS—

Messrs. Bailey, Bryson, Bigelow, Clausen, Cort, Davis, Edmundson, Gillett, Jones, Kirkpatrick, Moer of Mills, Moore of Dubuque, Perry, Rogers, Stanton, Williams, Wilson of Webster, Wilson of Mahaska—17.

NAYS—

Messrs. Arnold, Bottorf, Bowen, Clark, Cloud, Dorland, Finney, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Holmes, Inskeep, Jordan, Kurtz, Lewis, Larimer, McDow, Milliser, Mills, Mendenhall, Noble, Pease, Reeder, Roberts, Sullivan, Thomas, Toll, Van Valkenburgh, Wyatt, Speaker—33.

The House refused to adopt the substitute.

Message from the Senate,
By their Secretary.

MR. SPEAKER :

I am directed to inform the House of Representatives, that the Senate has passed,

Senate File No. 166,

A bill for an act to fix the times of holding courts in the ninth judicial district.

Also,

Senate File No. 189,

A bill for an act to authorize O. A. Holmes to sell certain real estate.

In which the House of Representatives is asked to concur.

I also herewith return to the House of Representatives,

House File No. 282,

A bill for an act fixing the times for holding courts in the second judicial district.

The same having passed the Senate without amendment.

CHARLES C. NOURSE,
Secretary Senate.

I also present for your signature

Senate File No. 148,

An act making provisions for a geological survey of the State,

Passed the Senate and House of Representatives,

And duly enrolled.

CHAS. C. NOURSE,
Secretary.

On motion of Mr. Cloud,

The forty-second rule was suspended, and the bill read a third time now.

Mr. Gillett

Moved the further consideration of the bill be indefinitely postponed,

Whereupon,

The yeas and nays were demanded,

And were as follows :

Yeas 18, Nays 38.

YEAS—

Messrs. Bailey, Bryson, Clausen, Copeland, Davis, Dorland, Gillett, Jones, Kirkpatrick, Lewis, Moer of Mills, Perry, Rogers, Stanton, Thomas, Williams, Wilson of Webster, Wilson of Mahaska—18.

NAYS—

Messrs. Arnold, Barker, Bigelow, Bottorf, Bowen, Clark, Cort, Edmundson, Finney, Fry, Galbraith, Griswold, Gossage, Hardy of Dubuque, Hardy of Van Buren, Holmes, Inskip, Jordan, Kurtz, Larimer, McDow, Milliser, Mills, Mendenhall, Moore of Dubuque, Noble, Pease, Reeder, Roberts, Rodman, Scoville, Sullivan, Toll, Van Valkenburgh, Wooden, Wyatt, Speaker—38.

The House refused to indefinitely postpone the bill.

Upon the question of its passage,

The yeas and nays were demanded,

And were as follows :

Yeas 34, Nays 23.

YEAS—

Messrs. Arnold, Barker, Bigelow, Bottorf, Bowen, Clark, Cort, Finney, Fry, Galbraith, Griswold, Gossage, Hardy of Dubuque, Hardy of Van Buren, Holmes, Inskip, Jordan, Kurtz, Larimer, McDow, Milliser, Mills, Mendenhall, Noble, Pease, Reeder, Roberts, Scoville, Sullivan, Toll, Van Valkenburgh, Wooden, Wyatt, Speaker—34.

NAYS—

Messrs. Bailey, Bryson, Clausen, Copeland, Cort, Davis, Dorland, Edmundson, Gillett, Hershberger, Jones, Lewis, Moer of Mills, Moore of Dubuque, Perry, Rodman, Rogers, Stanton, Thomas, Williams, Wilson of Webster, Wilson of Mahaska—23.

The title of the bill was then agreed to.

Mr. Bigelow,
Submitted the following report :

The committee on Engrossed Bills report
House File No. 63,

An act to locate the asylum for the deaf and dumb and provide
for their education.

And find the same correctly engrossed.

BIGELOW,
Chairman.

Mr. Toll,
With leave, introduced
House File No. 316,
Read once, when
The forty-second rule was suspended, the bill read a second and
third times,
Passed and the title agreed to.

Mr. Dorland,
From the committee on Schools and State University, reported
House File No. 317,
A bill for an act to provide for the education of the State of Io-
wa.
Read a first time.

Mr. Gossage
Moved to lay the bill upon the table.
Lost.

On motion of Mr. Dorland,
The forty-second rule was suspended, and the bill read a second
time by its title.

Mr. Dorland
Moved to refer the bill to the committee of the Whole House, and
make it the special order for this evening, at 7 o'clock.

Mr. Hardie of Dubuque,
Moved to amend the motion by striking out "this evening," and
inserting "Monday evening."
Adopted.

The motion as amended, then prevailed.

On motion of Mr. Wooden,

House File No. 257,

Was taken from the table, and referred to the committee on County and Township Organization.

Mr. Roberts

Moved to take up

House File No. 63,

Lost.

Mr. Stanton

From the committee to whom the same was referred, reported back

House File No. 285,

And recommended its passage.

Mr. Cloud

Moved the bill be indefinitely postponed ;

Upon which question,

The yeas and nays were demanded,

And were as follows :

Yeas 34, nays 22.

YEAS—

Messrs. Bailey, Barker, Bryson, Bigelow, Bottorf, Cloud, Cort, Davis, Dorland, Edmundson, Gossage, Hardie of Dubuque, Hershberger, Holmes, Inskeep, Jones, Jordan, Kirkpatrick, Kurtz, Lewis, Mills, Mendenhall, Noble, Pease, Perry, Rogers, Toll, Williams, Wilson of Webster, Wilson of Mahoning, Wyatt, Speaker—34.

NAYS—

Messrs. Arnold, Bowen, Clausen, Finney, Fry, Galbraith, Griswold, Hardy of Van Buren, Larimer, McDow, Milliser, Moore of Mills, Moore of Dubuque, Roberts, Rodman, Scoville, Sullivan, Thomas, Van Valkenburgh, Wooden—22.

The bill was indefinitely postponed.

Mr. Toll

Submitted the following report :

The committee on Enrolled Bills report that they have presented the following bills to the Governor for his signature.

House File No. 277,

An act to vacate certain alleys in the town of West Point, Lee county.

House File No. 299,

An act to vacate a street in Rockville, Delaware county.

House File No. 1,

An act to create school district No. 5, out of Washington, Du-buque county, and Otter Creek, Jones county.

House File No. 256,

An act to amend so much of chapter 136 of the code in relation to Coroner's fees.

House File No. 200,

An act for county records.

House File No. 233,

An act in relation to swamp lands.

House File No. 241,

An act in relation to a territorial road in Lee county.

House File No. 254,

An act to legalize the acts of commissioners who located the seat of justice of Floyd county.

House File No. 268,

An act to establish a road from Ft. Des Moines to Keokuk.

House File No. 290,

An act to legalize the sale of the town plat of Toledo.

House File No. 303,

Joint resolution for additional mail facilities.

House File No. 112,

An act to amend the city charter of Burlington.

House File No. 138,

An act defining the rights and privileges of Plattsmouth Company.

House File No. 118,
An act in relation to clerk's fees of the Supreme Court.

C. H. TOLL
Chairman

Mr. Bowen
From the committee on Military Affairs,
Submitted the following report :

REPORT OF THE COMMITTEE ON MILITARY AFFAIRS.

*To the Honorable,
the House of Representatives :*

Your committee on Military Affairs have had the most profound sense of the important and solemn duties of their position. They have delayed their report until this late hour of the session, in order to fully mature the momentous considerations they have to present to your Honorable body. Your committee did not desire to be "half-cocked," on the *grave* questions before them; and here permit the committee to remark that the report that your committee has been "half-cocked" the greater part of the time they have been in the discharge of their duties, is a libel too gross to notice. Inasmuch as your committee has been on a *train* occasionally, it has been with a well-felt desire to test the best system of tactics only.

The committee have made the most thorough, practical investigation in their power, of the relative merits of "big guns, little guns, and pop guns." In experimenting with "big guns," they have taken their specimens from the floor of this House, and report the result of actual trial, that they will bear considerable loading, and never "hang fire." But the objections are that they are too longed in the report, and do little or no execution, rarely "hit the mark."

In our experiments with "little guns," we have taken our specimens from the body that meets in the other end of this Capitol. We give as the result, that said "guns" are generally "repeated" and will "go-off" any possible number of times without *re-locating*.

They rarely hit any mark, but are found to "scatter" to such an extent that the execution is as apt to be upon friends as foes.

to "pop guns," your committee found plenty of specimens in both Houses. They find that this class of "guns" generally "explode" the first fire, and are, in every case, "too big for their breeches."—They recommend that the manufacture of this article be discontinued.

In reference to the whereabouts of the State arms, upon which point your committee was instructed to enquire, we report that for all we know to the contrary, they are in a state of safe preservation, somewhere; where the committee hopes they will be permitted to remain, except on Christmas, New Years, and the Fourth of July, unless required to protect the various educational funds of this State. These arms are represented to your committee to be of the latest and most improved patents, warranted to kill or cripple in no case whatever. But the committee, after as full an investigation and trial as they could possibly make, give their emphatic preference to arms of an old patent, said to have been taken out by, our out of, General Adam, by which that renowned warrior was himself subsequently conquered, and which, from his day to ours, have held mankind captive. We mean the arms of woman!

We therefore recommend the arms of the girls of Iowa, as the most affectionate weapons to protect the peace of the State, and promote its happiness, growth and posterity; and we suggest that all dissenters from this opinion be condemned to serve in this Legislature every succeeding session hereafter, at one dollar per day, after the first fifty days.

On the subject of the rendezvous and drilling of foreign troops on the virgin soil of our young and growing State, your committee are of the decided opinion that when in the course of human events it becomes necessary for the purpose of advancing the interests of a great people, that it is all right and proper, providing, always, that the troops to be drilled are of the right stripe, and have for their object the subjugation of "Border Ruffians," and the planting of the strong banner of freedom upon the soil of "Poor Bleeding Kansas."

Your committee can scarcely refrain from expressing their virtuous indignation that any of God's creatures, bearing the human form divine, could be found so lost to all sense of justice as to object to such a course of proceeding; and can only account for it from the fact that they are steeped in the mire of patriotic devotion to a country, having for its guidance a constitution which recognizes the

southern part of our confederacy as having equal rights with other sections, that such troops, composed of the valiant sons of New England States, with hearts beating high with glorious expectations, did rendezvous and drill upon our soil during the past cannot and will not be denied. Nor will it be denied that troops marched into Kansas, and then marched back again, defeated with the season's campaign. "They came," they saw the phantom, but did not conquer.

Your committee, therefore, are of the opinion that under the surrounding circumstances,

That foreign troops may ever drill
Upon our soil for luck:
"Shriek for Freedom"; shriek at will,
And show the world their pluck.

Regarding it as part of their duty to report an efficient system of organization for the militia of the state, the committee submit the following resolutions:

Resolved, That the fighting population of the State be enrolled as follows:

All persons under one year of age, as *infantry*.

All persons engaged in lobbying to this Legislature, as *lobbyists* and miners.

All persons disposed to "ride a high horse," as *dragoons*.

All persons who have expressed or conceived the idea that the Legislature is not the most industrious, the most economical, the most orderly, grave and profound body, ever assembled in this House, shall constitute a "forlorn hope," their case being *forlorn*.

That his Excellency, the Governor, be commissioned as *Protector* of his people, and universal opener of water courses.

That the Trustees of the State University, the officers of the Des Moines River improvement, and the Superintendent of Public Instruction, be commissioned as *commissaries* and keepers of the military chest.

7th. That the member from Buncombe, be commissioned as leader of the Border Ruffian Division of the Army of Observation.

8th. That the member from Clayton, be commissioned as General-in-Chief of the German Allies, with instructions not to mistake his friends for his foes.

9th. That the member from Muscatine be commissioned as General-in-Chief of that wing of the army whose position is "Cloud-y" and who, though not neutrals, are not certain what ground they occupy.

10th. That every other member of this House be commissioned as Aids to His Excellency, with the rank of Major, and shall on all review days appear equipped as the law directs, with a better half, and several little responsibilities;—*Provided*, The Governor be exempt from the last named requirement.

Resolved, That in consideration of the *weighty* responsibility resting upon the head of our distinguished Chairman, this evening, and in view of the dignified position he now holds before the honorable Committee; we, the members, hereby pledge ourselves severally, to seriously and in good faith, observe the following rules, during the present sitting:

1. We will preserve that gravity befitting the solemn occasion and the melancholy subjects we have now under consideration.

2. No member shall speak oftener than he can help during the sitting of the Committee, nor shall more than three members be permitted to occupy the floor at one and the same time.

3. Should the outside pressure become too strong during the evening, and our natural or unnatural rights be endangered, we will stick to our Chairman like bricks, and back him in all his efforts to protect the committee, by force of arms, or otherwise.

4. Ladies shall be entitled to seats within the bar, under the eye and protection of our noble Chairman, but children in arms being looked upon as crying evils, shall not be considered on this occasion as privileged questions, therefore not in order.

5. During the evening it shall not be in order for *Wooden-headed*

members, or others, to refer to the subject of *private* correspondence on the opening up of the Missovri River.

Resolved, That this committee be now "discharged."

THOMAS M. BOWEN,
Chairman

Mr. Clausen,

From the select committee to whom was referred
House File No. 275,

Reported the same back with sundry amendments and recommended its passage.

The amendments were concurred in,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Messrs. Holmes and Brown were granted leave of absence on Monday morning.

On motion of Mr. Toll,

The vote by which
House File No. 116,

Was passed, was re-considered.

The bill was then referred to the delegation from Clinton county.

On motion of Mr. Dorland,

The following resolution was adopted.

Resolved, That Dr. Lewis of New York, be allowed the use of this Hall to-morrow evening, for the purpose of delivering a lecture on Physical Education.

Mr. Gossage,

From the select committee to whom was referred
House File No. 257,

Reported the same back with sundry amendments and recommended its passage.

Mr. Toll, with leave,

Presented the remonstrance of citizens of Clinton county against the passage of the bill.

On motion of Mr. Holmes,

The amendments to the bill were concurred in.

When,

On motion of Mr. Toll,

The bill was laid upon the table.

On motion of Mr. Wyatt,

The House adjourned until 7 o'clock this evening.

SEVEN O'CLOCK P. M.

The House met pursuant to adjournment.

Mr. Bowen

Moved a call of the House.

The following named gentlemen were found to be absent and unexcused:

Messrs. Arnold, Copeland, Davis, Dorland, Fry, Hardie of Dubuque, Holmes, Inskeep, Kirkpatrick, Kurtz, Lewis, Lothian, Larimer, McDow, Milliser, Perry, Reeder, Roberts, Rogers, Toll, Williams, Wilson of Mahaska and Wyatt.

The Sergeant-at-arms was directed to bring in the absentees.

Several gentlemen appeared and took their seats.

Mr. Holmes

Moved to suspend further proceedings under the call.

Motion lost.

Mr. Holmes

Moved the House adjourn,

Whereupon,

The yeas and nays were demanded,

And were as follows,

Yeas 13, nays 43.

YEAS—

Messrs. Bailey, Clausen, Copeland, Edmundson, Hershberger,

Holmes, Pease, Roberts, Rogers, Toll, Wilson of Mahaska
Speaker—13.

NAYS—

Messrs. Arnold, Barker, Bryson, Bigelow, Bottorf, Clark
Cort, Dorland, Doud, Finney, Galbraith, Gillett, Griswol
sage, Hardie of Dubuque, Hardy of Van Buren, Jones,
Kirkpatrick, Kurtz, Lewis, Larimer, McDow, Milliser, Mill
denhall, Moer of Mills, Moore of Dubuque, Noble, Perry,
Rodman, Scoville, Stanton, Sullivan, Thomas, Van Valke
Williams, Wilson of Webster, Wooden, Wyatt—43.

The House refused to adjourn.

Mr. Noble

Moved that those gentlemen found by the Sergeant-at-
the Senate Chamber, have leave of absence for the rest of th
ing.

Upon the question of the adoption of the motion,

The yeas and nays were demanded,

And were as follows :

Yeas 19, nays 36.

YEAS—

Messrs. Arnold, Bailey, Bowen, Clausen, Copeland, Gal
Hershberger, Jordan, Kirkpatrick, Lewis, McDow, Roberts, F
Stanton, Williams, Wilson of Mahaska—19.

NAYS—

Messrs. Barker, Bryson, Bigelow, Bottorf, Clark, Cloud,
Dorland, Doud, Edmundson, Finney, Fry, Gillett, Griswold
sage, Hardie of Dubuque, Hardy of Van Buren, Jones, Kurtz
imer, Mills, Mendenhall, Moer of Mills, Moore of Dubuque,
Reeder, Rodman, Scoville, Sullivan, Thomas, Van Valken
Wilson of Webster, Wooden, Wyatt, Speaker—36.

Messrs. Toll and Holmes were excused from voting.

The House refused to grant leave of absence.

Mr. Bailey

Moved that Mr. Kirkpatrick be excused from attendance up
House during the evening.

On motion of Mr. Mills,

The House resolved itself into a committee of the Whole, for the purpose of considering the report of the committee on Military Affairs.

Mr. Sullivan in the Chair.

At 8 o'clock and 30 minutes the committee rose and reported the report of the committee on Military Affairs back to the House, and humbly requested that they might never be required to consider the subject again.

Mr. Cloud,

From the committee on Ways and Means, to whom was referred Senate File No. 81,

Reported the same back to the House, and recommended its passage.

Mr. Cloud

Also reported back

House File No. 121,

And recommended that it be indefinitely postponed.

Upon the question of concurring in the report of the committee,

The yeas and nays were demanded,

And were as follows:

Yeas 18, nays 20.

YEAS—

Messrs. Bryson, Bottorf, Cloud, Davis, Dorland, Fry, Galbraith, Griswold, Hershberge, Jordan, Kurtz, Mills, Mendenhall, Stanton, Thomas, Van Valkenburgh, Wooden, Speaker—18.

NAYS—

Messrs. Barker, Clark, Cort, Hardie of Dubuque, Hardy of Van Buren, Jones, Lewis, Larimer, McDow, Milliser, Moore of Dubuque, Reeder, Rodman, Scoville, Sullivan, Wilson of Webster, Wilson of Mahaska, Wyatt—20.

The House refused to indefinitely postpone the bill.

On motion of Mr. Cloud,

The House adjourned.

MONDAY, JANUARY 24th, 185
NINE O'CLOCK, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Dorland,
The reading of the Journal was dispensed with.

Mr. Kelsay
Was granted leave of absence until 12 o'clock M. to-morrow.

Mr. Noble
Presented the petition of citizens of Delaware county, for
the enactment of a law in relation to roads.

Referred to the Committee on Roads and Highways.
With instructions, if practicable, to report a bill in accordance
with the prayer of the petitioners.

Mr. Toll
Presented the remonstrance of citizens of Clinton county
for the repeal of the act known as the prohibitory liquor law.
Laid upon the table,

RESOLUTIONS OFFERED.

By Mr. Cloud,
House File No. 318,
Joint resolution in relation to school and university funds.
The joint resolution was read once,
When
The forty-second rule was suspended, the bill read a second
third times,
Passed and the title agreed to.

Mr. Inskeep
Moved that Mr. Stanton be allowed leave of absence.
Lost.

By Mr. Wooden,

Resolved, That T. W. Wilson be and is hereby authorized to distribute the census reports, and other public documents, and mail matter to members of this House and be allowed the sum of fifty dollars therefor; and the Auditor of State be authorized to draw his warrant for the amount necessary to pay the postage therefor.

Mr. Clark

Moved to amend by striking out fifty dollars and inserting twenty-five dollars.

Lost.

The resolution was then adopted.

By Mr. Cort,

Resolved, That no member shall hereafter be excused from attendance upon this House during this session unless for sickness of himself or family.

Mr. Gossage

Moved to amend by adding "and that no member be allowed to speak longer than ten minutes on one subject.

Mr. Hardie, of Dubuque,

Moved to amend the amendment by striking out all after the word speak.

Lost.

The amendment was then adopted.

Mr. Moer, of Mills,

Moved to lay the resolution upon the table.

Lost.

Mr. Dorland,

Moved to amend the resolution by adding "unless by the unanimous consent of the House."

Adopted.

Mr. Clark

Moved the resolution be indefinitely postponed.

Lost.

Upon the question of the adoption of the resolution,

The yeas and were demanded,

And were as follows :

Yeas 30, nays 25.

YEAS—

Messrs. Arnold, Bailey, Bryson, Cloud, Copeland, Cort, L Dorland, Edmundson, Fry, Griswold, Gossage, Hershberger, J Jordan, Kirkpatrick, Kurtz, Lothian, Milliser, Moore of Dub Noble, Price, Reeder, Richardson, Roberts, Rodman, Toll, W of Webster, Wilson of Mahaska, Speaker—30.

NAYS—

Messrs. Barker, Bigelow, Bottorf, Clark, Finney, Galbraith lett, Hardie of Dubuque, Hardy of Van Buren, Inskeep, L Larimer, Mendenhall, Moer of Mills, Pease, Perry, Rogers, Sa Scoville, Stanton, Thomas, Van Valkenburgh, Williams, W Wyatt—25.

The resolution was then adopted.

By Mr. Hardie, of Dubuque,

WHEREAS, The Constitution of our State confines the *electoral franchise* to white male citizens of the United States,

AND WHEREAS, A convention is now in session, for the purpose of revising said Constitution,

AND WHEREAS, A portion of our citizens are in favor of advocating the *striking out* of the word "*white*" from the Constitution as used to define the right of citizenship, in order to place negroes and mulattoes upon an equal footing with the white citizens therefore,

Be it Resolved, That in the opinion of this House, section one of article two of the Constitution as it now stands, is right and proper and that it would be inexpedient to strike out the word white therefrom.

Mr. Lothian

Moved the resolution be laid upon the table,

Whereupon,

Mr. Hardie demanded the yeas and nays,

Which were as follows :

Yeas 14, nays 41.

YEAS—

Messrs. Bailey, Bryson, Dorland, Gillett, Kirkpatrick, Kurtz, Lewis, Lothian, Perry, Rodman, Rogers, Toll, Wooden, Speaker—14.

NAYS—

Messrs. Arnold, Barker, Bigelow, Bottorf, Clark, Cloud, Copeland, Cort, Davis, Edmundson, Finney, Fry, Galbraith, Gossage, Hardie of Dubuque, Hardy of Van Buren, Hershberger, Inskip, Jones, Jordan, Larimer, McDow, Milliser, Mendenhall, Moer of Mills, Moore of Dubuque, Noble, Pease, Price, Reeder, Richardson, Roberts, Sawyer, Scoville, Stanton, Sullivan, Thomas, Van Valkenburgh, Williams, Wilson of Webster, Wilson of Mahaska, Wyatt—41.

The House refused to lay the resolution on the table.

Mr. Griswold was excused from voting.

Mr. Wooden

Moved to refer the resolution to the committee on Federal Relations,

Whereupon,

The yeas and nays were demanded,

And were as follows:

Yeas 25, nays 30.

YEAS—

Messrs. Bailey, Bryson, Copeland, Dorland, Edmundson, Fry, Gillett, Inskip, Jones, Kurtz, Lewis, Lothian, Moer of Mills, Noble, Price, Perry, Reeder, Richardson, Roberts, Rogers, Stanton, Toll, Wooden, Speaker—25.

NAYS—

Messrs. Arnold, Barker, Bigelow, Bottorf, Clark, Cloud, Cort, Davis, Finney, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Hershberger, Jordan, Larimer, McDow, Milliser, Mendenhall, Moore of Dubuque, Rodman, Sawyer, Scoville, Thomas, Van Valkenburgh, Williams, Wilson of Webster, Wilson of Mahaska, Wyatt—30.

The motion to refer was lost.

Mr. Cloud

Moved to amend as follows :

Strike out all after the words "said Constitution" to the w
"therefore be it resolved."

Adopted.

Upon the question of the adoption of the resolution, as amended

The yeas and nays were demanded,

And were as follows :

Yeas 51, nays 6.

YEAS—

Messrs. Arnold, Bailey, Barker, Bryson, Bigelow, Bottorf, C
Cloud, Copeland, Cort, Davis, Edmundson, Finney, Fry, Galbr
Griswold, Gossage, Hardie of Dubuque, Hardy of Van Bu
Hershberger, Inskeep, Jones, Jordan, Kirkpatrick, Kurtz, L
Larimer, McDow, Milliser, Mendenhall, Moer of Mills, Moon
Dubuque, Pease, Price, Perry, Reeder, Richardson, Roberts, Ro
Sawyer, Scoville, Sullivan, Thomas, Toll, Van Valkenburgh,
liams, Wilson of Webster, Wilson of Mahaska, Wooden, W
Speaker—51.

NAYS—

Messrs. Dorland, Gillett, Lothian, Noble, Rodman, Stanton

The resolution was adopted.

By Mr. Hershberger,

House File No. 319,

Joint resolution for additional mail facilities.

Read once, when

The forty-second rule was suspended, the joint resolution re
second and third times,

Passed and the title agreed to.

Mr. Roberts,

With leave, presented

The petition of citizens of Wright county, in relation to a cha
in the boundaries of said county.

Referred to the committee on New Counties.

REPORTS OF COMMITTEES.

Mr. Moer of Mills,
From the committee to whom was referred
House File No. 247,
Reported the same back, and
Recommended that it be
Referred to the delegation from the fourth judicial district.
Report concurred in.

Mr. Barker,
From the committee to whom was referred
Senate File No. 27,
Reported a substitute therefor,
And recommended its passage.
Substitute adopted.
The forty-second rule was then suspended, the bill read a third
time,
Passed, and the title agreed to.

Message from the Senate,
By their Secretary.

MR. SPEAKER :

I am directed to inform the House of Representatives that the
Senate has passed
Senate File No. 229,
A bill for an act to legalize the acts of certain school officers.

Also,
Senate File No. 228,
A bill for an act to change the name of West Point to Lee City.

Also,
Senate File No. 199,
A bill for an act to attach the counties of Hancock and Winneba-
go to the county of Cerro Gordo.
In which the concurrence of the House is asked.

I also return herewith
House File No. 294,

A bill for an act to amend chapter twelve of the session laws of
the Fifth General Assembly.

Also,
 Substitute for
 House File No. 34,
 A bill for an act to authorize the re-survey of roads,
 The same having passed the Senate without amendment.

I also return herewith
 Substitute for
 House File No. 263,
 An act to amend section 114 of chapter 15 of the code and
 to regulate the same.
 Amended by the Senate.

Also,
 Substitute for
 House File No. 172,
 An act requiring proprietors of town plats to record the same
 Amended by the Senate,
 In which amendments the concurrence of the House of Representatives is asked.

The Senate has also passed
 Senate File No. 225,
 A bill for an act legalizing the issue of corporate bonds.
 In which the concurrence of the House is asked.

CHARLES C. NOURSE,
 Secretary Senate

The Senate has also passed, without amendment,
 House File No. 216,

CHAS. C. NOURSE,
 Secretary Senate

On motion of Mr. Cloud,
 Senate File No. 81,
 Was taken up,
 Passed, and the title agreed to.

Mr. Wooden,
 From the committee to whom was referred
 House File No. 310,
 Reported the same back with an amendment and recommended
 its passage.

The amendment was adopted and the bill
Ordered to be engrossed and read a third time to-morrow.

Mr. Gillett,

From the committee to whom was referred sundry claims, reported the same back and recommended their reference to the committee on Ways and Means.

Report concurred in.

On motion of Mr. Toll,
Substitute for

House File No. 172,

Was taken up and the amendments of the Senate concurred in.

Mr. Barker

Presented the claim of Sylvester, Harrison & Bro.,

Which,

On his motion,

Was

Referred to the committee on Claims.

Mr. Toll

Submitted the following report :

The committee on Enrolled Bills report that they have examined the following bills :

House File No. 221,

An act to incorporate Camanche.

House File No. 174,

An act to authorize the McGregors and St. Peters Railroad to accept certain grants of land.

And find them correctly enrolled.

C. H. TOLL,
Chairman.

BILLS INTRODUCED AND READ A FIRST TIME.

By Mr. Gillett,

House File No. 320,

A bill for an act to locate the seat of justice of Floyd county, and to repeal certain acts in relation thereto.

The forty-second rule was suspended, and the bill read a
time.

Mr. Barker

Moved to amend by adding to the last section the words "w
expense to the State."

Adopted.

The forty-second rule was then further suspended, the bill
third time,

Passed and the title agreed to.

Mr. Sullivan,

From the committee to whom was referred

Senate File No. —

Reported the same back,

Without recommendation.

Mr. Rodman

Moved to amend by inserting as follows:

"And a Railroad running up the Mississippi river, and th
Buck creek valley, to Saint Paul."

Mr. Bigelow

Moved to lay the amendment upon the table,

Upon which question,

The yeas and nays were demanded,

And were as follows:

Yeas 24, nays 25.

YEAS—

Messrs. Arnold, Bailey, Bigelow, Bottorf, Cort, Dorlan
mundson, Fry, Galbraith, Gillett, Inskoop, Jones, Milliser, M
hall, Moer of Mills, Moore of Dubuque, Noble, Price, Rich
Sullivan, Wilson of Webster, Wilson of Mahaska, Wooden-

NAYS—

Messrs. Bryson, Cloud, Copeland, Finney, Griswold, G
Hardie of Dubuque, Hardy of Van Buren, Kirkpatrick,
Lewis, Lothian, McDow, Pease, Perry, Reeder, Rodman, S
Scoville, Stanton, Thomas, Toll, Williams, Wyatt, Speaker-

The motion to lay upon the table was lost.

Upon the question of the adoption of the amendment,

The yeas and nays were demanded,

And were as follows:

Yeas 20, nays 27.

YEAS—

Messrs. Bryson, Cloud, Finney, Galbraith, Hardy of Van Buren, Jordan, Kirkpatrick, Kurtz, Lewis, Lothian, Moore of Dubuque, Pease, Reeder, Richardson, Rodman, Sawyer, Stanton, Thomas, Williams, Wyatt—20.

NAYS—

Messrs. Arnold, Bailey, Bigelow, Bottorf, Cort, Dorland, Edmondson, Gillett, Griswold, Gossage, Hardie of Dubuque, Hershberger, Inskeep, Jones, McDow, Milliser, Mendenhall, Moer of Mills, Noble, Price, Perry, Sullivan, Wilson of Webster, Wilson of Mahaska, Wooden, Speaker—29.

Mr. Scoville was excused from voting.

The House refused to adopt the amendment.

Mr. Rodman

Moved to amend by adding the following:

Nothing in this act shall be so construed as to authorize the county judge of Clayton county to submit to a vote of the people the question of issuing bonds to aid in the construction of the railroads named in section first, as a joint proposition.

On motion of Mr. Bigelow,

The amendment was laid upon the table.

Mr. Rodman

Offered a substitute for the bill and moved its adoption.

Mr. Gillett

Moved to lay the substitute on the table.

Whereupon,

Mr. Rodman

Demanded the yeas and nays,

Which were as follows:

Yeas 33, nays 11.

YEAS—

Messrs. Arnold, Bailey, Barker, Bryson, Bigelow, Bottorf, Cloud, Cort, Edmundson, Finney, Gillet, Griswold, Hardiebuque, Hardy of Van Buren, Inskeep, Jones, Kirkpatrick, Lothian, McDow, Milliser, Mendenhall, Moer of Mills, M. Dubuque, Noble, Pease, Price, Richardson, Wilson of W. Wooden, Wright, Speaker.—33.

NAYS—

Messrs. Davis, Hershberger, Lewis, Perry, Reeder, R. Sawyer, Stanton, Thomas, Williams, Wyatt—11.

The substitute was laid upon the table.

Mr. Rodman

Moved to lay the bill upon the table.

Lost.

On motion of Mr. Bigelow,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

By Mr. Dorland,

House File No. 321,

A bill for an act providing for the vacation of a part of a road in Henry county.

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

On motion of Mr. Scoville,

Senate File No. 160,

Was taken up.

The bill was read once, when

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

By Mr. Gillett,

House File No. 322,

A bill for an act to legalize the organization of school districts, in Butler township, Butler county.

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

On motion of Mr. Griswold,

Senate File No. 228,

Was taken up and read a first time.

Mr. Griswold, with leave,

Presented the petition of citizens of West Point in relation to the subject of said bill.

On motion of Mr. Griswold,

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

By Mr. Wilson of Webster,

House File No. 323,

A bill for an act to change the boundaries of Wright county.

The forty-second rule was suspended and the bill read a second time.

On motion of Mr. Bailey,

The last section of the bill was amended by adding the words "without expense to the State."

The forty-second rule was then suspended, the bill read a second and third times, passed and the title agreed to.

By Mr. Arnold,

House File No. 323,

A bill for an act to attach the county of Lee to the fifth judicial district.

The forty-second rule was suspended, the bill read a second time and

Referred to the committee on the Judiciary.

By Mr. Gosage,

House File No. 336,

Joint resolution in relation to the census returns.

On motion of Mr. Cloud,

The joint resolution was laid upon the table.

Senate File No. 197,

Mr. Cloud moved to amend by inserting in the last section words, "without expense to the State."

Adopted.

Mr. Arnold

Moved to amend the last section by inserting the words "City Republican."

Adopted.

The bill was then passed and the title agreed to.

Mr. Sawyer

Moved to take up

Senate File No. 225,

Motion lost.

Senate File No. 191,

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Senate File No. 175,

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Senate File No. 217,

The forty-second rule was suspended, and the bill read a second and third time.

Mr. Bailey

Moved to refer the bill to the committee on the Judiciary.

Lost.

The forty-second rule was then further suspended, the bill read a second and third time,

Passed and the title agreed to.

Senate File No. 225,

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Senate substitute for

House File No. 232,

The substitute was adopted.

Senate File No. 189,

The forty-second rule was suspended, and the bill read a second time.

On motion of Mr. Thomas,

The bill was referred to the delegation from Jackson county.

Senate File No. 199,

The forty-second rule was suspended, the bill read a second time, and

Referred to the committee on Judiciary.

Senate File No. 299,

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Senate File No. 201,

The forty-second rule was suspended, and the bill read a second time.

Mr. Barker

Moved to amend by adding:

Provided, That nothing hereafter done by school fund commissioners shall be deemed illegal.

Lost.

On motion of Mr. Cloud,

The bill was indefinitely postponed.

Senate File No. 77,

Ordered to a second reading on to-morrow.

Senate File No. 218,

The forty-second rule was suspended, and the bill read a second time,

When,

On motion of Mr. Cort,

The bill was laid upon the table.

Senate File No. 214,

Ordered to a second reading on to-morrow.

Senate File No. 107,

Ordered to a second reading on to-morrow.

Senate File No. 222,

The forty-second rule was suspended, and the bill read a second time.

On motion of Mr. Gossage,

The House adjourned.

TWO O'CLOCK, P.

The House met pursuant to adjournment.

On motion of Mr. Sullivan,

The vote by which the House concurred in the amendments of Senate to

House File No. 232,

Was re-considered.

The House then refused to concur in the amendments of Senate.

BILLS INTRODUCED AND READ A FIRST TIME.

Senate File No. 104,

The forty-second rule was suspended, the bill read a second and

On motion of Mr. Mills,

Was

Referred to a select committee of three.

The Chair

Announced Messrs. Mills, Barker and Cloud as said committee.

Senate File No. 45,

The forty-second rule was suspended, the bill read a second and

On motion of Mr. Barker,

Was

Referred to the committee on Ways and Means.

Senate File No. 133,

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Senate File No. 169,

The forty-second rule was suspended, the bill read a second time, and

Referred to the committee on Schools and State University.

Senate File No. 145,

The forty-second rule was suspended, and the bill read a second time.

Mr. Wooden

Moved to amend by striking out the words "par value" and inserting "market value."

Lost.

Mr. Barker

Moved to amend by striking out all after the word "publication" in the last section and insert "according to law."

Adopted.

The forty-second rule was then further suspended, the bill read a third time,

Passed and the title agreed to.

Mr. Speaker

Laid before the House the following communication from the Governor:

EXECUTIVE OFFICE, IOWA CITY, }
January 23d, 1857. }

To the Speaker of

the House of Representatives :

I return herewith a bill entitled "an act to vacate the public square in the village of Freeman, and to donate the same to Floyd county for certain purposes."

The bill provides that a certain public square in Freeman shall be vacated, and when vacated, that the ground shall be sold by the county Judge of Floyd county, and the proceeds of the sale appro-

priated to the construction of a Court House at St. Charles same county.

There can be no doubt of the power of the General Assembly to vacate a public square, street or alley; but I apprehend that when the vacation is made, the legislative power is exhausted. I think that the General Assembly can no more control the realty without public consent ceases, than they can control the private property of any citizen of the State.

In this case, if the county of Floyd owned the ground which was dedicated to public use by being laid off into a square, the title reverts to the county when the public use ceases. On the contrary, if the ground originally belonged to a private party, then despite the act of the General Assembly, the title must revert to the original proprietors. In the one case, the act would be useful; in the other it would be a nullity.

For these reasons, I withhold my assent from the bill.

JAMES W. GRIMM

The question being,
Shall the bill pass notwithstanding the objections of the yeas and nays,
nor,

The yeas and nays were demanded,

And were as follows:

Yeas 0, nays 56.

YEAS—

MESSRS. 0.

NAYS—

Messrs. Arnold, Bailey, Barker, Bryson, Bigelow, Bottorf, Cloud, Copeland, Cort, Davis, Dorland, Edmundson, Finney, Galbraith, Gillett, Griswold, Gossage, Hardy of Dubuque, Harberger, Inskeep, Jones, Jordan, Kirkpatrick, Kurtz, Lewis, Larimer, McDow, Milliser, Mills, Moer of Mills, Moore of Dubuque, Noble, Pease, Price, Perry, Reeder, Richardson, Roberts, Sawyer, Stanton, Sullivan, Thomas, Toll, Van Valkenburg, Williams, Wilson of Webster, Wilson of Mahaska, Wooden, Wyatt, Speaker—56.

The House refused to pass the bill.

Mr. Mendenhall

Was excused from attendance upon the House on account of illness.

Mr. Wooden

Moved to take up

House File No. 253,

Lost.

BILLS ON SECOND READING.

House File No. 63,

Mr. Cloud moved to lay the bill upon the table,

Whereupon,

The yeas and nays were demanded,

And were as follows:

Yeas 18, nays 37.

YEAS—

Messrs. Bailey, Barker, Bryson, Bigelow, Bottorf, Cloud, Copeland, Edmundson, Finney, Gossage, Hardie of Dubuque, Inskeep, Kurtz, Lothian, McDow, Mills, Price, Wooden, Wright—18.

NAYS—

Messrs. Arnold, Clausen, Clark, Cort, Davis, Dorland, Fry, Galbraith, Gillett, Griswold, Hershberger, Jones, Jordan, Kirkpatrick, Lewis, Larimer, Milliser, Moer of Mills, Moore of Dubuque, Noble, Pease, Perry, Reeder, Roberts, Rogers, Sawyer, Scoville, Sullivan, Stanton, Thomas, Toll, Van Valkenburgh, Williams, Wilson of Webster, Wilson of Mahaska, Wyatt, Speaker—37.

The motion to lay upon the table was lost.

The bill was then

Passed and the title agreed to.

Senate File No. 58,

Mr. Williams moved to amend by inserting in the first section after the word "person," "except on his own premises."

Adopted.

Mr. Wright

Moved to strike out the word "prairie chicken."

Lost.

Mr. Jones

Moved to amend by striking out "February", and inserting "January."

Lost.

On motion of Mr. Cort,

The forty-second rule was suspended and the bill read the first time.

Mr. Clark

Moved to refer the bill to a select committee,

With instructions.

Lost.

Upon the question of the passage of the bill

The yeas and nays were demanded,

And were as follows:

Yeas 40, nays 17.

YEAS—

Messrs. Bailey, Barker, Bryson, Bigelow, Bottorf, Clausen, Copeland, Cort, Davis, Dorland, Finney, Fry, Gillett, H. Dubuque, Hershberger, Inskeep, Jones, Kirkpatrick, Kurtz, Lothian, Mills, Moer of Mills, Moore of Dubuque, Noble, Perry, Reeder, Richardson, Roberts, Rogers, Stanton, Toll, Williams, Wilson of Webster, Wooden, Speaker—40.

NAYS—

Messrs. Arnold, Clark, Galbraith, Hadry of Van Buren, Larimer, McDow, Milliser, Price, Sawyer, Scoville, Vanburgh, Wilson of Mahaska, Wright, Wyatt—17.

The title of the bill was then agreed to.

Senate File No. 169,

The forty-second rule was suspended, and the bill read the second time.

Mr. Milliser

Moved to amend by striking out "one hundred and ten" and inserting "one hundred and thirty."

The forty-second rule was then further suspended, the bill read the third time,

Passed and the title agreed to.

Senate File No. 48,

Mr. Mills moved to amend as follows, after the words "stone or brick, insert the words or "stone and brick."

Mr. Clark

Moved to strike out "Oskaloosa in Mahaska county," and insert "Knoxville in Marion county."

Mr. Hardie of Dubuque,

Moved to amend the amendment by striking out "Knoxville in Marion" and insert "Dyersville in Dubuque."

Upon the question of the adoption of the amendment,
The yeas and nays were demanded,

And were as follows :

Yeas 27, nays 30.

YEAS—

Messrs. Arnold, Bailey, Barker, Bryson, Clausen, Cloud, Cort, Davis, Edmunson, Gillett, Griswold, Gossage, Hardie of Dubuque, Hersherberger, Inskeep, Jones, Kurtz, Lothian, Larimer, Mills, Moore of Dubuque, Noble, Richardson, Williams, Wilson of Webster, Wright, Wyatt—27.

NAYS—

Messrs. Bottorf, Clark, Copeland, Dorland, Finney, Fry, Galbraith, Hardy of Van Buren, Jordan, Kirkpatrick, McDow, Milliser, Moer of Mills, Pease, Price, Perry, Reeder, Roberts, Rodman, Rogers, Sawyer, Scoville, Stanton, Sullivan, Thomas, Toll, Van Valkenburgh, Wilson of Mahaska, Wooden, Speaker—30.

The amendment to the amendment was lost.

Mr. Lothian

Moved to amend the amendment by striking out Knoxville, Marion county, and inserting Cedar Rapids, Linn county.

Lost.

Mr. Cort

Moved to amend the amendment by striking out Knoxville, Marion county, and inserting Buncombe, Dubuque county.

Lost.

Mr. Wilson, of Webster,

Moved to amend the amendment by striking out Knoxvil
rion county, and inserting Webster City, Hamilton county.

Lost.

The question recurring upon the adoption of the amend
proposed by Mr. Clark,

The yeas and nays were demanded,

And were as follows:

Yeas 21, nays 35.

YEAS—

Messrs. Bailey, Barker, Clark, Edmundson, Finney, Gal
Hardie of Dubuque, Hardy of Van Buren, Jones, Jordan, La
McDow, Milliser, Moore of Dubuque, Pease, Scoville, Su
Van Valkenburgh, Wilson of Webster, Wright, Wyatt—21.

NAYS—

Messrs. Arnold, Bryson, Bottorf, Clausen, Cloud, Cop
Cort, Davis, Dorland, Fry, Gillett, Griswold, Gossage, He
ger, Inskeep, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, M
Mills, Noble, Price, Perry, Reeder, Richardson, Roberts, S
Stanton, Thomas, Toll, Williams, Wilson of Mahaska, W
Speaker—35.

The amendment was lost.

Mr. Bailey

Moved to amend by striking out Oskaloosa and insert W
striking out Mahaska, and insert Black Hawk, and twent
and insert eighty acres.

Mr. Price

Moved the previous question.

Motion not sustained.

Upon the question of the adoption of the amendment,
The yeas and nays were demanded,

And were as follows:

Yeas 23, nays 30.

YEAS—

Messrs. Bailey, Barker, Bigelow, Clausen, Cloud, Cort, Ec
son, Finney, Griswold, Hardie of Dubuque, Hershberger,

Kurtz, Lothian, Larimer, Moore of Dubuque, Perry, Richardson, Toll, Wilson of Webster, Wright, Wyatt—23.

NAYS—

Messrs. Arnold, Bryson, Clark, Copeland, Davis, Dorland, Fry, Galbraith, Gossage, Hardy of Van Buren, Inskeep, Kirkpatrick, Lewis, McDow, Milliser, Mills, Moer of Mills, Pease, Price, Reeder, Roberts, Sawyer, Scoville, Stanton, Sullivan, Thomas, Van Valkenburgh, Williams, Wilson of Mahaska, Speaker.—30.

The House refused to adopt the amendment.

Mr. Wilson of Webster

Moved to amend by striking out Oskaloosa and Mahaska, and insert New Castle, Hamilton county.

On motion of Mr. Price,

The amendment was laid upon the table.

Mr. Edmundson

Moved to amend by striking out Oskaloosa and Mahaska, and insert Newton, Jasper county.

Mr. Moer of Mills

Moved to lay the amendment on the table.

Lost.

The adoption of the amendment then prevailed.

On motion of Mr. Wilson of Webster,

The bill was indefinitely postponed.

Mr. Dorland

Moved to take up

House File No. 317,

Lost.

Mr. Wooden

Moved to take up

House File No. 253,

Lost.

House File No. 121,

Mr. Dorland

Moved to re-commit the bill to the committee on the Judiciary.

Mr. Clark

Moved to lay the motion to refer upon the table.

Lost.

Mr. Cort

Moved that the forty-second rule be suspended and the bill read a third time now.

Mr. Jones

Moved to amend by adding the following section :

That each county Judge be allowed to levy five mills on each dollar of the property in his county for county purposes.

Lost.

The forty-second rule was suspended, and the bill read a third time.

Upon the question of its passage,

The yeas and nays were demanded,

And were as follows :

Yeas 29, nays 27.

YEAS—

Messrs. Arnold, Bailey, Barker, Bryson, Bigelow, Clausen, Cort, Finney, Fry, Galbraith, Gillett, Griswold, Jones, Kirkpatrick, Lewis, Milliser, Moer of Mills, Moore of Duluth, Noble, Pease, Price, Reeder, Sullivan, Williams, Wilson of Duluth, Wyatt, Speaker—29.

NAYS—

Messrs. Bottorf, Clond, Copeland, Davis, Dorland, Edmundson, Gossage, Hardy of Van Buren, Hershberger, Inskeep, Kurtz, Larimer, McDow, Mills, Perry, Richardson, Roberts, Scoville, Stanton, Thomas, Toll, Van Valkenburgh, Wilson of Duluth, Waska, Wooden, Wright—27.

The bill was passed and the title agreed to.

Mr. Dorland

Moved to re-consider the vote by which

Senate File No. 102,

Was passed.

Lost.

House File No. 202,
Was taken up and the Senate amendments concurred in.

Substitute for

House File No. 263,
Was taken up and the amendments of the Senate concurred in.

The Senate amendment to
House File No. 177,
Was taken up and concurred in.

House File No. 216,
Together with the Senate amendment was taken up and the
amendment concurred in.

Mr. Dorland
Moved to re-consider the vote by which
Senate File No. 201,
Was indefinitely postponed.
Adopted.

The bill was then passed and the title agreed to.

On motion of Mr. Dorland,
Senate File No. 28,
Was taken from the table.

Upon the question of the passage of the bill
The yeas and nays were demanded,
And were as follows:
Yeas 42, nays 14.

YEAS—

Messrs. Arnold, Bailey, Barker, Bryson, Bigelow, Bottorf, Cloud, Copeland, Cort, Davis, Dorland, Fry, Galbraith, Gillett, Hardie of Dubuque, Hardy of Van Buren, Hershberger, Inskip, Jones, Jordan, Lothian, Larimer, McDow, Milliser, Mills, Moer of Mills, Noble, Pease, Price, Perry, Reeder, Richardson, Roberts, Sawyer, Scoville, Stanton, Sullivan, Toll, Van Valkenburgh, Wilson of Webster, Wooden, Wright—42.

NAYS—

Messrs. Clausen, Clark, Edmundson, Finney, Griswold, Kirkpat-

rick, Kurtz, Lewis, Moore of Dubuque, Rodman, Thomas, Williams, Wyatt, Speaker—14.

The bill was passed and the title agreed to.

On motion of Mr. Barker,
Substitute for
House File No. 152,
Was taken up.
Passed, and the title agreed to.

On motion of Mr. Arnold,
House File No. 253,
Was taken from the table.

Mr. Wooden
Moved to amend as follows:

Amend the first section by striking out the words "any monies in the State treasury," and inserting the words "the interest of the University fund."

Also,

Amend by adding in place of second section the words:

"This appropriation shall be drawn and expended under the superintendence of M. L. Morris, who shall be allowed two and a half per cent thereon, as a compensation therefor, to be paid out of said appropriation."

Mr. Hardie of Dubuque,

Moved to amend the second amendment by striking out all after the name of M. L. Morris.

Lost.

Mr. Sullivan

Moved to amend by striking out "five per cent" and inserting "two and a half per cent."

Adopted.

Mr. Wooden

Moved to amend the bill by adding—

"Provided, That the above named sum of \$4000 shall be drawn only as the work progresses."

Mr. Clark

Moved to lay the bill upon the table.

Lost.

On motion of Mr. Mills,

The bill was

Re-committed to the delegation from Johnson county.

On motion of Mr. Hardy, of Van Buren,

Senate File No. 179,

Was taken from the table,

And,

On his motion,

Was indefinitely postponed.

Mr. Edmundson,

From the committee to whom was referred

Senate File No. 159,

Reported the same back,

With amendments,

And

Recommended its passage.

The amendments were concurred in.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

On motion of Mr. Rodman,

House File No. 204,

Was taken from the table.

Mr. Rodman

Moved to refer the bill to the committee of the Whole House and make it the special order for to-morrow at 7 o'clock P. M.

Lost.

On motion of Mr. Bigelow,

The bill was indefinitely postponed.

On motion of Mr. Kirkpatrick,

House File No. 275,

Was taken from the table.

Mr. Dorland

Moved the bill be engrossed and read a third time to-morrow.

Mr. Cort

Moved the bill be indefinitely postponed.

Mr. Jordan

Moved the House do now adjourn.

Lost.

Upon the question of the indefinite postponement of the bill,

The yeas and nays were demanded,

And were as follows :

Yeas 19, nays 37.

YEAS—

Messrs. Barker, Bottorf, Clark, Cort, Finney, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Larimer, McDow, Milliser, Moore of Dubuque, Reeder, Scoville, Van Valkenburgh, Wilson of Webster, Wyatt—19.

NAYS—

Messrs. Arnold, Bailey, Bryson, Bigelow, Clausen, Cloud, Copeland, Davis, Dorland, Edmundson, Fry, Gillett, Hershberger, Inskip, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Mocr of Mills, Noble, Pease, Price, Perry, Richardson, Roberts, Rodman, Rogers, Stanton, Thomas, Toll, Williams, Wilson of Mahaska, Wooden, Wright, Speaker—37.

The motion to indefinitely postpone was lost.

On motion,

The House adjourned.

SEVEN O'CLOCK P. M.

The House met pursuant to adjournment.

Mr. Hardie, of Dubuque,
Moved a call of the House.

Whereupon,

The following named gentlemen were found to be absent and unexcused :

Messrs. Arnold, Bryson, Bottorf, Clausen, Clark, Cort, Davis, Doud, Edmundson, Galbraith, Hardy of Van Buren, Jones, Jordan, Kirkpatrick, Kelsay, Lothian, McDow, Milliser, Mills, Mendenhall, Moer of Mills, Moore of Dubuque, Roberts, Thomas, Toll, Van Valkenburgh, Wooden.

Messrs. Clausen and Mendenhall were excused.

The Sergeant-at-arms was directed to bring in the absent members.

Mr. Lewis

Moved to suspend further proceedings under the call.

Several members appeared and took their seats.

On motion of Mr. Dorland,

Further proceedings under the call were suspended.

On motion of Mr. Cort,

The House resolved itself into a committee of the Whole, for the purpose of considering
House File No. 317.

Message from the Senate,

By their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate has passed

Senate File No, 225,

In which the concurrence of the House of Representatives is asked.

CHAS. C. NOURSE,
Secretary.

At 7 1-2 o'clock the committee rose, and by their Chairman, Mr. Cort, reported the bill back to the House, and recommended its indefinite postponement.

Upon the question of concurring in the report of the committee,

The yeas and nays were demanded,

And were as follows:

Yeas 35, nays 18.

YEAS—

Messrs. Arnold, Barker, Bryson, Bigelow, Clark, Cloud, Copeland, Edmundson, Finney, Fry, Gillett, Griswold, Gossage, Hardie of Dubuque, Jordan, Kirkpatrick, Kurtz, Lothian, Larimer, McDow, Milliser, Moore of Dubuque, Pease, Perry, Price, Reeder, Richardson, Roberts, Rodman, Scoville, Stanton, Van Valkenburgh, Wilson of Webster, Wilson of Mahaska, Wyatt—35.

NAYS—

Messrs. Bailey, Cort, Davis, Dorland, Hardy of Van Buren, Hershberger, Jones, Lewis, Mills, Noble, Rogers, Sawyer, Thomas, Toll, Williams, Wooden, Wright, Speaker—18.

The report was concurred in.

House File No. 275,

Being the regular order of business,

Mr. Noble

Moved the House resolve itself into a committee of the whole to consider the same.

Lost.

Mr. Hardie of Dubuque,

Moved to amend by striking out all after the enacting clause and add the following:

“That chapter 45 of the act of the General Assembly, entitled, “An act for the suppression of intemperance,” approved January

22d, 1855, be and the same is hereby repealed and chapter 55 of the code of Iowa revised."

Mr. Arnold

Moved to lay the amendment upon the table.

Upon which question,

The yeas and nays were demanded,

And were as follows :

Yeas 31, nays 22.

YEAS—

Messrs. Arnold, Bailey, Bryson, Cloud, Copeland, Davis, Dorland, Edmundson, Fry, Gillett, Hershberger, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Noble, Price, Perry, Richardson, Roberts, Rogers, Sawyer, Stanton, Thomas, Toll, Williams, Wilson of Mahaska, Wooden, Wright, Speaker—31.

NAYS—

Messrs. Barker, Bigelow, Clark, Cort, Finney, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Joidan, Larimer, McDow, Moore of Dubuque, Pease, Reeder, Rodman, Scoville, Van Valkenburgh, Wilson of Webster, Wyatt—22.

The amendment was laid upon the table.

Mr. Larimer

Offered a substitute for

House File No. 275,

Which the Chair decided to be out of order,

Whereupon,

Mr. Larimer

Appealed from the decision of the Chair,

And,

Upon the question,

"Shall the decision of the Chair remain the decision of the House"?

The yeas and nays were demanded,

And were as follows :

Yeas 26, nays 26.

YEAS—

Messrs. Arnold, Bryson, Copeland, Davis, Dorland, Fry, Gillett, Hershberger, Jones, Kurtz, Lewis, Lothian, Mills, Perry, Richard-

son, Roberts, Rogers, Sawyer, Thomas, Toll, Williams, Wilson of Mahaska, Wooden, Wright, Speaker—26.

NAYS—

Messrs. Bailey, Barker, Bigelow, Clark, Cort, Edmundson, Finney, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Larimer, McDow, Moore of Dubuque, Noble, Pease, Price, Reeder, Scoville, Stanton, Sullivan, Van Valkenburgh, Wilson of Webster, Wyatt—26.

The House refused to sustain the decision of the Chair.

Mr. Dorland

Moved to lay the substitute on the table.

Adopted.

Mr. Wright

Moved to amend by adding the following section :

SEC. 9. That wherever the words "intoxicating liquors" are used in this act or the act to which this is amendatory, they shall be construed to include all malt, spirituous and vinous liquors.

Adopted.

Mr. McFarland

Moved the forty-second rule be suspended, and the bill read a third time now.

Lost.

Mr. Mills

Moved the bill be engrossed and read a third time to-morrow.

Message from the Senate,
By their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate has passed the following bills, in which the concurrence of the House is asked:

Senate File No. 224,

A bill for an act to change the boundaries of the first and second congressional districts.

Senate File No. 221,

A bill for an act to apportion the State and define the boundaries of representative districts.

CHAS. C. NOURSE,
Secretary.

Mr. Wright

Moved to amend the bill by adding the following :

Provided, That nothing in this section shall be so construed as to prevent the manufacture of cider from apples and wine from grapes and currants.

Adopted.

Upon the question,

Shall the bill be

Ordered to be engrossed and read a third time to-morrow.

The yeas and nays were demanded,

And were as follows :

Yeas 32, nays 21.

YEAS—

Messrs. Arnold, Bailey, Bryson, Cloud, Copeland, Davis, Dorland, Edmundson, Fry, Gillett, Hershberger, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Noble, Pease, Perry, Price, Richardson, Roberts, Rogers, Sawyer, Stanton, Thomas, Williams, Wilson of Mahaska, Wooden, Wright, Speaker—32.

NAYS—

Messrs. Barker, Bigelow, Bottorf, Clark, Cort, Finney, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Larimer, McDow, Milliser, Moore of Dubuque, Reeder, Scoville, Van Valkenburgh, Wilson of Webster, Wyatt—21.

The motion to engross prevailed.

On motion of Mr. McFarland,

Senate File No. 225,

Was taken up and read once,

The forty-second rule was suspended, and the bill read a second time.

Mr. McFarland

Moved the bill be referred to the committee of the Whole House

and be made the special order of business for to-morrow at two o'clock.

Mr. Hardie of Dubuque,

Moved to amend by ordering 150 copies to be printed for the use of the House.

Mr. Toll

Moved to amend the amendment by adding, provided the printing can be done at that hour.

Lost.

Mr. Milliser

Moved to amend by referring the bill to the committee on apportionment.

Lost.

The amendment to order the bill to be printed was then lost.

Mr. Barker

Moved to amend the motion to refer by inserting 7 o'clock.

Lost.

The motion to refer then prevailed.

On motion of Mr. Wooden,

Senate File No. 294,

Was taken up and read once.

Mr. Wooden

Moved to suspend the forty-second rule and read the bill a second time now.

Lost.

Mr. Dorland

Moved to take up the resolution in relation to extra pay to those persons employed upon the county returns.

Adopted.

Referred to the committee on Claims.

Mr. Lothian,

With leave, introduced

House File No. 336,

Read once,

When

The forty-second rule was suspended, and the bill read a second time.

Mr. Hardie of Dubuque,

Moved to amend the last section of the bill by adding the words,
"without expense to the State."

The forty-second rule was suspended and the bill read a third time,

Passed and the title agreed to.

Mr. Hershberger

Moved the House now adjourn.

Lost.

Mr. Richardson, with leave, introduced

House File No. 327,

Read once,

When

The forty-second rule was suspended and the bill read a second time.

On motion of Mr. Bigelow,

The bill was amended by adding to the last section "in the Iowa City Republican and Iowa Capital Reporter, without expense to the State."

The forty-second rule was then further suspended, the bill read a third time,

Passed and the title agreed to.

Mr. Rogers, with leave, introduced

House File No. 328,

Read once,

When

The forty-second rule was suspended, and the bill read a second time, and

Referred to the committee on Incorporations.

Mr. Toll

Moved that when the House adjourn it adjourn until to-morrow morning at 10 o'clock.

Adopted.

Mr. Wyatt

Moved to adjourn.

Lost.

Mr. Larimer
 Moved to take up
 Senate File No. 228,
 Adopted.

Mr. McFarland
 Moved the bill be
 Ordered to be engrossed and read a third time to-morrow.

Mr. Wyatt
 Moved the bill be indefinitely postponed,
 Upon which question,
 The yeas and nays were demanded,
 And were as follows :
 Yeas 29, nays 35.

YEAS—

Messrs. Barker, Bottorf, Cort, Finney, Galbraith, Griswold, Gosage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Larimer, McDow, Milliser, Moore of Dubuque, Pease, Scoville, Sullivan, Van Valkenburgh, Wilson of Webster, Wyatt—29.

NAYS—

Messrs. Arnold, Bailey, Bryson, Bigelow, Cloud, Copeland, Davis, Dorland, Edmundson, Fry, Gillett, Hershberger, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Noble, Price, Perry, Reeder, Richardson, Roberts, Rodman, Rogers, Sawyer, Stanton, Thomas, Toll, Wilson of Mahaska, Wooden, Wright, Speaker—35.

Lost.

Mr. Toll
 Submitted the following report:

The committee on Enrolled Bills report that they have presented the following bills to the Governor for his signature:

House File No. 220,
 An act to incorporate Clinton City.

House File No. 157,
 An act to amend an act entitled an act to incorporate the town of Guttenburg.

House File No. 180,

An act to legalize the organization of Howard county.

House File No. 193,

An act to vacate part of a certain road therein named.

House File No. 24,

An act requiring the plat of Newton, Jasper county to be placed on record.

House File No. 188,

Joint resolution for additional mail facilities.

House File No. 181,

An act to change the name of Abbis Jane Ried.

House File No. 126,

An act to re-locate part of a state road.

House File No. 234,

An act to locate a state road from Osage, Mitchell county, to the state line in Worth county.

House File No. 199,

An act fixing the time of holding courts in the eighth judicial district.

House File No. 213,

An act to amend section thirty-eight, chapter one hundred and six of the laws of the Fourth General Assembly.

House File No. 158,

An act to authorize the City of Dubuque to subscribe to the capital stock of the Dubuque, St. Peters and St. Paul Railroad Company.

House File No. 222,

An act amendatory to the act incorporating the City of Muscatine.

House File No. 111,

An act relating to the drawing of funds from the county treasuries.

House File No. 192,

An act to change the name of New Haven, in Buchanan county.

House File No. 6,

A bill for an act fixing the boundaries of the thirteenth judicial district.

C. H. TOLL,
Chairman.

Mr. Hardie of Dubuque,

Moved to postpone the consideration of the bill until to-morrow at two o'clock, P. M.

Lost.

Mr. Hardie of Dubuque,

Moved to refer to the committee of the Whole House and make it the special order of business for to-morrow at two o'clock P. M.

Upon which question,

The yeas and nays were demanded,

And were as follows :

Yeas 32, nays 22.

YEAS—

Messrs. Bailey, Barker, Bryson, Botterf, Clark, Copeland, Cort, Davis, Finney, Fry, Galbraith, Griswold, Gossage, Hardie, of Dubuque, Hardy of Van Buren, Jordan, Larimer, McDow, Milliser, Mills, Moore of Dubuque, Noble, Pease, Reeder, Richardson, Roberts, Scoville, Stanton, Sullivan, Van Valkenburgh, Wilson of Webster, Wyatt—32.

NAYS—

Messrs. Arnold, Bigelow, Cloud, Dorland, Edmundson, Gillett, Hershberger, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Price, Perry, Rodman, Rogers, Sawyer, Thomas, Toll, Wilson of Mahaska, Wooden, Wright, Speaker—22.

The motion prevailed.

Mr. Griswold

Moved the House adjourn.

Lost.

Mr. Cloud,
 From the committee on Ways and Means to whom was referred
 House File No. 281,
 Reported the same back and recommended its passage.

On motion of Mr. Arnold,
 The bill was indefinitely postponed.

On motion of Mr. Gillett,
 The House adjourned.

TUESDAY, JANUARY 27th, 1857. }
 NINE O'CLOCK, A. M. }

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Lewis
 Moved to re-consider the vote by which
 House File No. 121,
 Was passed.
 Adopted.

Mr. Moore, of Dubuque,
 Moved a call of the House,
 The call was sustained,
 Whereupon,
 Mr. Finney was found to be absent.

On motion of Mr. Cloud,
 Further proceedings under the call were suspended.

Mr. Lewis
 Moved to re-commit the bill to the committee on Ways and
 Means,
 With instructions.

Mr. Arnold

Moved to lay the bill upon the table,

Upon which question,

The yeas and nays demanded,

And were as follows :

Yeas 27, nays 39.

YEAS—

Messrs. Arnold, Bottorf, Cloud, Davis, Dorland, Edmundson, Gossage, Hardy of Van Buren, Hershberger, Kurtz, Lewis, L. Larimer, Mills, Mendenhall, Pease, Price, Reeder, Roberts, R. Stanton, Toll, Van Valkenburgh, Wilson of Mahaska, W. Speaker—28.

NAYS—

Messrs. Bailey, Barker, Bryson, Bigelow, Clark, Copeland, Finney, Galbraith, Gillett, Griswold, Hardie of Dubuque, In Jones, Jordan, McDow, Milliser, Moer of Mills, Moore of Dubuque, Noble, Rodman, Sawyer, Scoville, Sullivan, Thomas, Wilson of Webster, Wooden, Wyatt—30.

The motion to re-commit was lost.

Message from the Senate,
By their Secretary.

MR. SPEAKER :

I herewith return the following House Files, the same passed the Senate without amendment.

House File No. 240,

An act to vacate court house square in Waterloo, Black county, Iowa.

Also,

House File No. 276,

An act to locate the seat of justice of Mitchell county.
Amended by the Senate.

Also,

House File No. 284,

An act to vacate a certain plat in Black Hawk county.

Also,

House File No. 306,
Joint resolution in relation to homesteads.

Also,

House File No. 308,
A bill for an act relating to additional justices of the peace.

Also,

House File No. 309,
A bill for an act to locate a state road from Marietta to Clear Lake.

Also,

House File No. 311,
A bill for an act establishing the boundaries of the city of Muscatine.

Also,

House File No. 312,
Joint resolution asking additional mail facilities.

Also,

House File No. 313,
Joint resolution for additional mail facilities.

House File No. 314,
Memorial and joint resolution.

House File No. 915,
A bill to locate a state road from Sioux City to Rock River, Sioux county.

Also,

House File No. 318,
Joint resolution in relation to school and university funds.

C. C. NOURSE,
Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate has passed the following bills.

Senate File No. 231,

An act to establish a certain state road.

Also the Senate has passed

Senate File No. 230,

Being a substitute for numerous House bills, referring to state roads,

Which are herewith returned.

C. C. NOURSE,
Secretary.

MR. SPEAKER:

I return herewith,

House File No. 257,

A bill for an act to license the sale of malt, spirituous and vinous liquors in the State of Iowa.

The same having passed the Senate with several amendments.

Also,

House File No. 267,

An act to provide for action against rafts,

Also passed the Senate with an amendment.

The Senate has also passed,

Senate File No. 230,

Joint resolution for additional mail facilities.

Also,

Senate File No. 235,

A bill for an act to establish a school district.

Also,

Senate File No. 234,

A bill for an act to alter a portion of a State road.

Also,

Senate File No. 170,

A bill for an act authorizing a dam across the Cedar river.

Also,

Senate File No. 233,

A bill for an act to authorize the city of Dubuque to issue bonds to aid in the construction of rail roads.

In all of which the concurrence of the House is asked.

CHAS. C. NOURSE.

Secretary Senate.

MR. SPEAKER :

The Senate has passed

Senate File No. 236,

In which the concurrence of the House of Representatives is asked.

CHARLES C. NOURSE,

Secretary Senate.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bill—in which it asks the concurrence of the House.

Senate File No. 237,

A bill for an act fixing the time of holding courts in the fifth judicial district.

C. C. NOURSE,

Secretary Senate.

On the question of the passage of the bill,

The yeas and nays were demanded,

And were as follows :

Yeas 20, nays 37.

YEAS—

Messrs. Arnold, Bailey, Barker, Bryson, Bigelow, Clark, Cort, Gillett, Jordan, McDow, Milliser, Moore of Dubuque, Noble, Rodman, Sullivan, Thomas, Williams, Wilson of Mahaska, Wyatt, Speaker—20.

NAYS—

Messrs. Bottorf, Cloud, Copeland, Davis, Dorland, Doud, Edmundson, Fry, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Hershberger, Inskoop, Jones, Kurtz, Lewis, Lewis, Lothian, Larimer, Mills, Mendenhall, Moer of Mills, Pease, Perry, Price, Reeder, Roberts, Rogers, Sawyer, Scoville, Stanton, Toll, Van Valkenburgh, Wilson of Webster, Wooden, Wright—32.

Lost.

Mr. Bigelow,
 Moved to re-consider the vote by which
 House File No. 204,
 Was indefinitely postponed.
 Upon which question,
 The yeas and nays were demanded,
 And were as follows:
 Yeas 20, nays 35.

YEAS—

Messrs. Bailey, Bryson, Bigelow, Cloud, Copeland, Davis, Fry
 Gillet, Inskeep, Lewis, Mills, Pease, Price, Reeder, Rodman, Rog-
 ers, Toll, Williams, Wilson of Webster, Wooden.—20.

NAYS—

Messrs. Arnold, Barker, Bottorf, Clark, Cort, Dorland, Doud, Ed-
 mundson, Galbraith, Griswold, Gossage, Hardie of Dubuque, Har-
 dy of Van Buren, Hershberger, Jones, Jordan, Kurtz, Lothian, La-
 rimer, McDow, Milliser, Mendenhall, Moer of Mills, Moore of Du-
 buque, Noble, Perry, Sawyer, Scoville, Stanton, Thomas, Van Val-
 kenburgh, Wilson of Mahaska, Wright, Wyatt, Speaker.—35.

Motion to re-consider,
 Lost.

On motion of Mr. Arnold,
 The reading of the journal of yesterday was dispensed with.

Mr. Fry
 Moved to re-consider the vote by which
 Senate File No. 48,
 Was indefinitely postponed,
 Upon which question,
 The yeas and nays were demanded,
 Which were as follows:
 Yeas 36, nays 21.

YEAS—

Messrs. Arnold, Bryson, Bigelow, Bottorf, Cloud, Cort, Davis,
 Dorland, Edmundson, Fry, Galbraith, Gossage, Hershberger, Jor-
 dan, Jones, Larimer, McDow, Milliser, Moer of Mills, Price, Perry,
 Reeder, Roberts, Rodman, Sawyer, Scoville, Stanton, Thomas, Toll,

Van Valkenburgh, Williams, Wilson of Webster, Wilson of Mahaska, Wooden, Wyatt, Speaker—30.

NAYS—

Messrs. Bailey, Barker, Clark, Copeland, Doud, Gillett, Griswold, Hardie of Dubuque, Hardy of Van Buren, Inskeep, Kurtz, Lewis, Lothian, Mills, Mendenhall, Moore of Dubuque, Noble, Pease, Richardson, Rogers, Wright—21.

The motion prevailed.

Mr. Gossage

Moved to re-commit the bill, with instructions to strike out Newton, Jasper county.

Lost.

On motion of Mr. Lewis,
The bill was laid on the table.

REPORTS OF COMMITTEES.

Mr. Roberts,

From the committee to whom was referred

House File No. 325,

Reported the same back with amendments and recommended its passage.

The amendments were concurred in and the bill

Ordered to be engrossed and read a third time to-morrow.

Mr. Bailey,

From the committee to whom was referred

House File No. 105,

Reported the same back with two amendments and without recommendation.

The House refused to concur in the first amendment,

The second one was adopted.

Mr. Cort

Moved to strike out all after the enacting clause to the fifteenth section.

Mr. Lewis,

Moved to amend the amendment by striking out all after the enacting clause to the thirteenth section.

Lost.

On the question of the adoption of the amendment,

The yeas and nays were demanded,

And were as follows:

Yeas 29, nays 27.

YEAS—

Messrs. Bryson, Bottorf, Cort, Dorland, Doad, Edmundson, Fry, Galbraith, Griswold, Hardy of Van Buren, Inskeep, Jordan, Kurtz, Lewis, Lothian, McDow, Milliser, Moore of Dubuque, Perry, Reeder, Richardson, Rogers, Sawyer, Stanton, Thomas, Van Valkenburgh, Williams, Wilson of Webster, Wilson of Mahaska—29

NAYS—

Messrs. Arnold, Bailey, Barker, Bigelow, Cloud, Copeland, Davis, Finney, Gillett, Gosage, Hardie of Dubuque, Hershberger, Jones, Mills, Mendenhall, Moer of Mills, Noble, Pease, Price, Roberts, Rodman, Scoville, Sullivan, Toll, Wooden, Wright, Wyatt, Speaker—27.

The amendment was adopted.

Mr. Bigelow

Submitted the following report:

Committee on Engrossed Bills report

House File No. 310,

An act to increase the duties of county Judges.

Also,

House File No. 275,

An act supplementary and amendatory to an act entitled an act for the suppression of intemperance, approved January 22, 1855.

And find the same correctly engrossed.

BIGELOW,

Chairman.

On motion of Mr. Arnold,
The bill was laid on the table.

Mr. Gillett,

From the committee on Claims,

Reported back to the House

Certain claims, with the recommendation that they be allowed.

Referred to the committee on Ways and Means.

Report concurred in.

Mr. Gillett,

From the committee on Claims,

To whom was referred

The resolution relating to persons employed on the census returns,

Reported the same back without recommendation.

Mr. Dorland

Moved to adopt the resolution.

On motion of Mr. Jones,

The resolution was laid on the table.

Mr. Hardie, of Dubuque,

Submitted the following report:

The committee on Ways and Means, to whom was referred

Senate File No. 45,

“An act relating to the Navigation and Hydraulic Company of the Mississippi rapids,”

Have had the same under consideration, and are of opinion that it is wrong in principle, and should not become a law, for the following reasons:

1st. Because it asks the Legislature to confer upon said Company “the power to exempt private property from corporate debts.”

2d. Because it gives said Company *exclusive* control over a part of the Mississippi river.

3rd. Because it grants special power “to receive corporate subscriptions from other corporations, and counties and cities within this State to subscribe stock to said Company,” which power is prohibited by the Constitution to be granted, except by general law.

Your committee, therefore, recommend that farther consideration of the bill be indefinitely postponed,

All of which is respectfully submitted.

Mr. Arnold,

From the committee to whom was referred

House File No. 324,

Reported the same back to the House,

And recommended its passage.

JOURNAL OF THE

The forty-second rule was suspended, the bill read a third time, and the title agreed to.

Mr. Cloud,

Moved from the committee on Ways and Means to whom was referred House File No. 298, reported the same back, Without recommendation.

Mr. Mills

Moved the bill be indefinitely postponed.
Lost.

Mr. Roberts

Moved to amend the bill by striking out \$2.00 and inserting

Lost.

Mr. Cort

Moved to suspend the forty-second rule, and read the bill a third time, now.

Mr. Roberts

Moved the bill be indefinitely postponed.

Lost.

Mr. Lewis

Moved to amend section second, by striking out the words "and

Mr. Gossage

Moved to lay the bill and amendments upon the table.

Lost.

The question recurring on the amendment,

The same was

Lost.

Upon the question of the passage of the bill,

The yeas and nays were demanded,

And were as follows:

Yeas 83, nays 22.

YEAS—

Messrs. Arnold, Bryson, Bigelow, Bottorf, Clark, Copeland, Cort, Doud, Edmundson, Finney, Gillett, Griswold, Hardy of Van Buren, Inskip, Jones, Lewis, McDow, Milliser, Mendenhall, Moore of Dubuque, Pease, Perry, Reeder, Scoville, Stanton, Thomas, Toll, Williams, Wilson of Webster, Wilson of Mahaska, Wooden, Wyatt, Speaker—33.

NAYS—

Messrs. Bailey, Cloud, Davis, Dorland, Fry, Galbraith, Gossage, Hardie of Dubuque, Hershberger, Jordan, Kurtz, Lothian, Mills, Moer of Mills, Noble, Richardson, Roberts, Rodman, Rogers, Sawyer, Van Valkenburgh, Wright—22.

The bill was
Passed and the title agreed to.

Mr. Stanton

Was appointed by the Chair a member of the committee on Ways and Means.

Mr. Arnold,

From the committee to whom was referred

House File No. 56,

Reported the same back to the House without recommendation.

On motion of Mr. Fry,

The bill was indefinitely postponed.

On motion of Mr. Hardie of Dubuque,

Senate File No. 233,

Was taken up.

Read once,

When

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Mr. Barker,

From the committee to whom was referred

House File No. 273,

Reported the same back with one amendment.

The amendment was concurred in and

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Mr. Hershberger,

From the committee to whom was referred

Senate File No. 189,

Reported the same back and recommended its passage.

The forty-second rule was suspended, and the bill read a third time.

Passed and the title agreed to.

The members of the committee on Ways and Means were excused from attendance upon the House this afternoon.

Mr. Dorland,

From the committee to whom was referred

Senate File No. 169,

Reported the same back to the House and recommended its passage,

When

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Mr. Toll

Submitted the following report :

The committee on Enrolled Bills report that they have examined the following bills :

House File No. 172,

An act requiring the proprietors of town plats to have the same recorded.

House File No. 246,

An act to incorporate the city of Washington.

House File No. 34,

An act to authorize the survey of roads.

House File No. 274,

An act to amend chapter twelve of the session laws of the extra session of 1856.

House File No. 282,

An act fixing the time of holding courts in the second judicial district.

House File No. 41,

An act to establish the twelfth judicial district, and to fix the times of holding courts therein.

House File No. 197,

An act to create the county of Humboldt, and to locate the county seat.

And find them correctly enrolled.

C. H. TOLL,
Chairman.

On motion of Mr. Rodman,
The House adjourned.

TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

Senate File No. 221,

Being the order of business,

Mr. Barker

Moved to amend as follows:

Strike out of the ninth section of the bill the words "Delaware" and "Clayton."

Upon the question of the adoption of the amendment,
The yeas and nays were demanded,

And were as follows:

Yeas 21, nays 37.

YEAS—

Messrs. Barker, Bottorf, Clark, Cort, Finney, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Lari-

mer, McDow, Milliser, Mendenhall, Moore of Dubuque, Pease, Sullivan, Van Valkenburgh, Wilson of Webster, Wyatt—21.

NAYS—

Messrs. Arnold, Bailey, Bryson, Bigelow, Clausen, Cloud, Copeland, Davis, Edmundson, Fry, Gillett, Hershberger, Inskeep, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Moer of Mills, Noble, Price, Perry, Reeder, Richardson, Roberts, Rodman, Rogers, Sawyer, Stanton, Thomas, Toll, Williams, Wilson of Mahaska, Wooden, Wright, Speaker—37.

The amendment was lost.

Message from the Senate,
By Mr. Spencer, their Assistant Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, in which the concurrence of the House is asked.

Senate File No. 238,

A bill for an act to prevent swine from running at large in the City of Council Bluffs.

Senate File No. 207,

A joint resolution for the relief of Josiah Cowles.

The Senate has also amended

House File No. 130,

An act fixing the salaries of the Governor and State Officers.

The Senate has passed a substitute for House substitute for

House File No. 108,

An act authorizing and requiring the payment of certain monies due the Normal schools of Andrew and Oskaloosa.

The Senate has also passed a substitute for

House File No. 72,

An act concerning a grant of land for Railroad purposes.

GEO. E. SPENCER,
Assistant Secretary Senate.

MR. SPEAKER :

I herewith present for your signature

Senate Files Nos. 114, 213, 190, 185, 194, 39, 209, 160 and 147,

The same having passed both branches of the General Assembly, and been enrolled by the Senate.

C. C. NOURSE,
Secretary.

I am directed to inform the House of Representatives that the Senate insists on the original bill without amendment,

Senate File No. 81,

A bill for an act making appropriations for the Insane Asylum.

The Senate asks a conference on the matter of disagreement between it and the House, and Senators Sanders, Coolbaugh and Stewart have been appointed managers on the part of the Senate.

C. C. NOURSE,
Secretary.

MR. SPEAKER :

The Senate has passed

Senate File No. 123,

A bill for an act for the encouragement of agriculture.

In which the Senate asks the concurrence of the House of Representatives.

Also,

Senate Files Nos. 226 and 227.

CHAS. C. NOURSE,
Secretary.

Mr. Barker

Moved to amend by striking out of the ninth section of the bill, the word "Clayton."

Lost.

Mr. Barker

Moved to amend the bill by striking out from the ninth section, the word "Delaware."

Lost.

Mr. Barker

Moved to amend the ninth section of the bill by adding thereto the following proviso :

Provided, That in the event that the Republican majorities of Delaware, Jones and Clayton, should not be sufficient to overcome the Democratic majority of Dubuque county, then the district canvassers shall estimate the number of Republican votes required to elect a Republican representative, and forthwith make a draft for the same upon any Republican county in this State, or Jo Daviess county, in Illinois, which draft shall be honored without delay by the faithful, "it being the true intent and meaning of this act" to so arrange the ninth representative district, without regard to population as to prevent the possibility of a Democratic representative being elected therein.

Mr. Arnold

Moved to lay the amendments on the table,

Upon which question,

The yeas and nays were demanded,

And were as follows :

Yeas 34, nays 24.

YEAS—

Messrs. Arnold, Bailey, Bryson, Bigelow, Clausen, Clond, Copeland, Davis, Edmundson, Fry, Gillett, Hershberger, Inskip, Jones, Kurtz, Lothian, Mills, Moer of Mills, Noble, Perry, Reeder, Richardson, Roberts, Rodman, Rogers, Sawyer, Stanton, Thomas, Toll, Williams, Wilson of Mahaska, Wooden, Wright, Speaker—34.

NAYS—

Messrs. Barker, Bottorf, Clark, Cort, Finney, Galbraith, Griswold, Goessage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Kirkpatrick, Lewis, Larimer, McDow, Milliser, Mendenhall, Moore of Dubuque, Pease, Price, Sullivan, Van Valkenburgh, Wilson of Webster, Wyatt—24.

Amendment laid on the table.

On motion,

The forty-second rule was suspended, the bill read a third time, and

On the question of the passage of the bill,

The yeas and nays were demanded,

And were as follows :

Yeas 37, nays 21.

YEAS—

Messrs. Arnold, Bailey, Bryson, Bigelow, Clausen, Cloud, Copeland, Davis, Dorland, Edmundson, Fry, Gillett, Hershberger, Inskip, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Moer of Mills, Noble, Price, Perry, Reeder, Richardson, Roberts, Rodman, Rogers, Sawyer, Stanton, Thomas, Toll, Wilson of Mahaska, Woodden, Wright, Speaker—37.

NAYS—

Messrs. Barker, Bottorf, Clark, Cort, Finney, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Larimer, McDow, Milliser, Mendenhall, Moore of Dubuque, Pease, Sullivan, Van Valkenburgh, Wilson of Webster, Wyatt—21.

The bill was passed.

Mr. Hardie, of Dubuque,

Moved to amend the title as follows :

Strike out the word "apportion," and insert the word "gerrymander."

Mr. Toll

Moved to lay the amendment on the table,

Upon which question,

The yeas and nays were demanded,

And were as follows:

Yeas 22, nays 35.

YEAS—

Messrs. Arnold, Bryson, Copeland, Edmundson, Fry, Kirkpatrick, Kurtz, Lothian, Mills, Price, Perry, Reeder, Roberts, Rogers, Sawyer, Stanton, Thomas, Toll, Van Valkenburgh, Wilson of Mahaska, Wooden, Speaker—22.

NAYS—

Messrs. Bailey, Barker, Bigelow, Bottorf, Clausen, Clark, Cloud, Cort, Davis, Dorland, Finney, Galbraith, Gillett, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Hershberger, Inskip, Jones, Jordan, Lewis, Larimer, McDow, Milliser, Mendenhall, Moer of Mills, Moore of Dubuque, Noble, Pease, Richardson, Sullivan, Wilson of Webster, Wright, Wyatt—35.

The motion to lay on the table was lost.

The amendment was lost.

Mr. Cloud

Moved to amend the amendment as follows :

"An act entitled an act to keep the Democracy from running away at any future election of U. S. Senator."

Upon the question of the adoption of the amendment,

The yeas and nays were demanded,

And were as follows :

Yeas 23, nays 26.

YEAS—

Messrs. Barker, Bryson, Bottorf, Clark, Cort, Finney, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Larimer, McDow, Milliser, Mendenhall, Moore of Dubuque, Pease, Rodman, Sullivan, Van Valkenburgh, Wilson of Webster, Wyatt—23.

NAYS—

Messrs. Arnold, Bailey, Bigelow, Clausen, Cloud, Copeland, Davis, Dorland, Edmundson, Fry, Gillett, Hershberger, Inskeep, Jones, Kirkpatrick, Kurtz, Lewis, Mills, Moer of Mills, Noble, Price, Perry, Reeder, Richardson, Roberts, Rogers, Sawyer, Stanton, Thomas, Toll, Williams, Wilson of Mahaska, Wooden, Wright, Speaker—26.

The amendment was lost.

The title of the bill was then agreed to.

On motion of Mr. Toll,

Senate File No. 224,

Was taken up.

On motion of Mr. Mills,

The forty-second rule was then suspended, and the bill read a third time.

Upon the question of its passage,

The yeas and nays were demanded,

And were as follows :

Yeas 30, nays 28.

YEAS—

Messrs. Arnold, Bailey, Bryson, Bigelow, Clausen, Cloud, Cope-

land, Davis, Dorland, Edmundson, Fry, Gillett, Hershberger, Inskip, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Moer of Mills, Noble, Price, Perry, Reeder, Richardson, Roberts, Rodman, Rogers, Sawyer, Stanton, Thomas, Toll, Wilson of Mahaska, Wooden, Wright, Speaker—30.

NAYS—

Messrs. Barker, Bottorf, Clark, Finney, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Larimer, McDow, Milliser, Mendenhall, Moore of Dubuque, Pease, Sullivan, Van Valkenburgh, Wilson of Webster, Wyatt—30.

The bill passed and the title agreed to.

Mr. Wooden,

From the committee to whom was referred

House File No. 253,

Reported a substitute therefor.

The substitute was adopted.

On motion of Mr. Wooden,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

BILLS INTRODUCED AND READ A FIRST TIME.

By Mr. Griswold,

House File No. 329,

A bill for an act to authorize the county of Lee to issue bonds for the construction of a railroad,

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Also,

House File No. 330,

An act to authorize the county of Lee to issue bonds to aid in the construction of the Iowa Southern Railroad.

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Also,

House File No. 331,

A bill for an act to authorize the county of Lee to issue bonds to aid in the construction of the Keokuk, Fort Des Moines and Minnesota Railroad.

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Mr. Wyatt

Moved to take up Senate substitute for

House File No. 232,

Which motion was adopted.

Mr. Mills

Moved to adopt the substitute,

Which motion was carried.

Mr. Gillett,

From the committee to whom was referred certain claims, reported the same back with the recommendation that they be allowed and referred to the committee on Ways and Means.

Report concurred in.

Senate File No. 207,

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Senate File No. 170,

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

By Mr. Wilson, of Webster,

House File No. 333,

A bill for an act to authorize Geo. F. McClure to build a bridge across the Des Moines.

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Senate File No. 230,

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Senate File No. 236,

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Senate File No. 234,

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Senate File No. 238,

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Senate File No. 235,

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Senate File No. 231,

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Senate File No. 226,

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Senate File No. 227,

The forty-second rule was then suspended, the bill read a second and third times,

Passed and the title agreed to.

BILLS ON THEIR SECOND READING.

Senate File No. 77,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Senate File No. 214,

On motion of Mr. Barker,

The bill was
Referred to the committee on Agriculture.

Senate File No. 237,
The forty-second rule was suspended, the bill read a third time,
passed and the title agreed to.

Senate File No. 199,
Mr. Arnold
Moved to lay the bill upon the table.
Adopted.

Senate File No. 138,
The forty-second rule was suspended, the bill read a third time.
passed and the title agreed to.

Senate File No. 107,
Mr. Inskeep moved to refer the bill to the committee on Judiciary.
Carried.

Mr. Wooden, with leave,
From the committee on Judiciary, reported back
Senate File No. 108,
And recommended its indefinite postponement.
Concurred in.

BILLS ON THIRD READING.

Senate File No. 222,
Passed and the title agreed to.

House File No. 310,
Passed and the title agreed to.

On motion of Mr. Rogers,
House File No. 328,
Was taken up,
Passed and the title agreed to.

House File No. 275,
Passed and the title agreed to.

Senate File No. 198,

Mr. Toll

Moved to indefinitely postpone the bill.

Mr. Wooden

Moved to re-commit the bill, with instructions.

Lost.

On motion of Mr. Bailey,

The bill was laid upon the table.

Senate substitute for

House File No. 118,

Was taken up,

And the substitute adopted.

House File No. 257,

With Senate amendment,

Was taken up.

Mr. Roberts

Moved a call of the House.

The call was sustained,

Whereupon,

The following named gentlemen were found to be absent and unexcused, to-wit:

Messrs. Scoville, Rogers, Gillett, Price and Fry.

Mr. Moer, of Mills,

Moved that further proceedings under the call be suspended.

Motion lost.

The Sergeant-at-arms was directed to procure the attendance of the absentees.

Messrs. Fry and Gillett appeared and took their seats.

On motion of Mr. Mills,

Further proceedings under the call were suspended.

Upon the question of the adoption of the amendment,

The yeas and nays were demanded,

And were as follows:

Yeas 32, nays 20.

YEAS—

Messrs. Arnold, Bailey, Bryson, Bigelow, Clausen, Copeland,

Davis, Dorland, Edmundson, Fry, Gillett, Hershberger, Inskip, Jones, Kirkpatrick, Kurtz, Lewis, Lothian, Mills, Moer of Mills, Noble, Perry, Reeder, Richardson, Roberts, Sawyer, Thomas, Toll, Wilson of Mahaska, Wooden, Wright, Speaker—32.

NAYS—

Messrs. Barker, Bottorf, Clark, Cort, Galbraith, Griswold, Gosage, Hardy of Van Buren, Jordan, Larimer, McDow, Milliser, Mendenhall, Moore of Dubuque, Pease, Rodman, Sullivan, Van Valkenburgh, Wilson of Webster, Wyatt—20.

The amendment prevailed.

**Message from the Senate,
By their Secretary.**

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate has passed the following bills—with amendments—in which the concurrence of the House is asked.

House File No. 184,

An act for revising and consolidating the incorporation laws of the city of Dubuque, &c.

Also,

House File No. 264,

An act to establish a ferry and build a bridge across the Des Moines River.

C. C. NOURSE,
Secretary Senate.

MR. SPEAKER :

The Senate has also passed
Senate File No. 219,

A bill for an act to provide for the distribution of the five per cent fund,

As a substitute for

House File No. 224,
Herewith returned.

The Senate has also re-considered the vote by which was passed
House File No. 311,

A bill for an act to amend the charter of the city of Muscatine.
And asks the return of said bill to the Senate.

CHAS. C. NOURSE.

Secretary Senate.

Mr. Dorland

Moved the adoption of the following amendment to the amendment of the Senate:

“Provided, That after such person becomes sober, the magistrate may remit the punishment, on condition that such person testifies to the identity of the person of whom he obtained the liquor, provided he can substantiate his evidence by other testimony.”

The Chair

Decided the amendment to the amendment to be in order,

From which decision,

Mr. Sullivan appealed,

Whereupon,

The House sustained the decision of the Chair.

The amendment to the amendment was lost.

Mr. Bailey

Moved to amend the amendment by striking out that portion referring to the fine.

Upon which question,

The yeas and nays were demanded,

And were as follows:

Yeas 19, naye 33.

YEAS—

Messrs. Bailey, Bryson, Clausen, Davis, Dorland, Edmundson, Gillett, Hershberger, Kurtz, Mills, Noble, Perry, Rogers, Sawyer, Thomas, Wilson of Webster, Wright, Wyatt—19.

NAYS—

Messrs. Arnold, Barker, Bigelow, Bottorf, Clark, Copeland, Fry, Galbraith, Griswold, Gossage, Hardy of Van Buren, Jones, Jordan, Kirkpatrick, Lewis, Lothian, Larimer, McDow, Milliser, Mendenhall, Moore of Dubuque, Pease, Price, Reeder, Richardson, Roberts, Rodman, Sullivnn, Toll, Van Valkenburgh, Wilson of Mahaska, Wooden, Speaker—33.

The amendment to the amendment was lost.

Upon the question of the adoption of the amendment,
The yeas and nays were demanded,
And were as follows :
Yeas 14, nays 39.

YEAS—

Messrs. Bailey, Bryson, Clausen, Davis, Noble, Price, Reeder, Richardson, Rodman, Rogers, Thomas, Wooden, Wyatt, Speaker—14.

NAYS—

Messrs. Arnold, Barker, Bigelow, Bittorf, Clark, Copeland, Cort, Dorland, Edmundson, Fry, Galbraith, Gillett, Griswold, Gossage, Hardy of Van Buren, Hershberger, Inskeep, Jones, Jordan, Kirkpatrick, Kurtz, Lewis, Lothian, McDow, Milliser, Mills, Mendenhall, Moer of Mills, Moore of Dubuque, Pease, Perry, Roberts, Sawyer, Sullivan, Toll, Van Valkenburgh, Wilson of Webster, Wilson of Mahaska, Wright—39.

The House refused to concur in the amendment of the Senate.

House File No. 276,
Was taken up and the amendments of the Senate concurred in.

House File No. 267,
Was taken up and the amendments of the Senate concurred in.

House File No. 130,
With the amendments of the Senate was taken up.
The first amendment was concurred in.
The House refused to concur in the second amendment.

Senate substitute for
House File No. 72,
Was taken up and
On motion of Mr. Wright,
Was referred to the committee of the Whole House and made the special order for to-morrow morning at ten o'clock.

Mr. Bigelow, with leave, introduced the following resolution:
Resolved, That the Speaker of the House of Representatives, the chief clerk and assistant clerks be each allowed the sum of two dollars per day extra, over the allowance of the per diem of members.

Mr. Toll

Moved to so amend the resolution as to allow the clerks the sum of \$4.00 per day.

On motion of Mr. Barker,

The resolution was

Referred to the committee on Compensation of Public Officers.

Mr. Sullivan,

With leave, introduced

House File No. 335,

A bill for an act to amend an act entitled an act to incorporate the city of Keokuk.

Read once, when

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Also,

House File No. 336,

A bill for an act to authorize the levying of a direct tax for the benefit of the Keokuk and Ft. Des Moines Railroad.

Read once, when

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Also,

House File No. 337,

A bill for an act to authorize the city of Keokuk to levy a direct tax for the benefit of the Keokuk, Mt. Pleasant and Muscatine Railroad.

Read once, when

The forty-second rule was suspended, the bill read a second and third times,

Passed, and the title agreed to.

Mr. Arnold,

With leave, presented

The petition of citizens of Wright county, in relation to the boundaries of said county.

Referred to the delegation from Wright county.

Senate File No. 123,
Was taken up, and
Read a first time.

The forty-second rule was then suspended, and the bill read a second time.

On motion of Mr. Mills,

The eleventh section of the bill was amended by inserting after the word "enclosure" the words "within eighty rods of said enclosure."

The forty-second rule was then suspended, the bill read a third time,

Passed and the title agreed to.

On motion of Mr. Arnold,

The vote by which

House File No. 72,

Was made the special order for 10 o'clock to-morrow, was re-considered.

The bill was then made the special order for this evening.

Mr. Dorland,

With leave, introduced the following resolution:

Resolved, That the delegation from Van Buren county to whom was referred

Senate File No. 183,

Be instructed to report the same back on to-morrow morning.

Adopted.

The House adjourned.

SEVEN O'CLOCK P. M.

The House met pursuant to adjournment.

Mr. Dorland

Moved that the House do now resolve itself into a committee of the Whole, for the purpose of considering

Senate substitute for

House File No. 72,

Mr. Dorland was called to the Chair.

At 10 1-2 o'clock the committee rose and reported the bill back to the House, with amendments, and recommended its passage.

Mr. Larimer

Moved the House adjourn.

Lost.

The House then concurred in the report of the committee of the Whole.

Mr. Price

Moved that the bill be indefinitely postponed,

Upon which question,

The yeas and nays were demanded,

And were as follows :

Yeas 7, nays 46.

YEAS—

Messrs. Galbraith, Griswold, Inskeep, Kirkpatrick, Larimer, Price, Wilson of Mahaska—7.

NAYS—

Messrs. Arnold, Bailey, Barker, Bryson, Bigelow, Bottorf, Clausen, Clark, Cloud, Copeland, Cort, Dorland, Edmundson, Finney, Fry, Gossage, Hardie of Dubuque, Hardy of Van Buren, Hershberger, Jones, Jordan, Kurtz, Lewis, Lothian, McDow, Mills, Moore of Dubuque, Noble, Perry, Reeder, Richardson, Roberts, Rodman Rogers, Sawyer, Stanton, Sullivan, Thomas, Toll, Van Valkenburgh, Williams, Wilson of Webster, Wooden, Wright, Wyatt, Speaker—46.

Motion lost.

Mr. Noble

Moved to amend by inserting after the words "any amount," the words "not exceeding \$1,000,000 per year.

Lost.

Mr. Hardie of Dubuque,

Moved the previous question,

Which being sustained,

The question,

"Shall the main question now be put,"

Prevailed.

Upon the question of the adoption of the substitute,

The yeas and nays were demanded,

And were as follows :

Yeas 36, nays 17.

YEAS—

Messrs. Arnold, Bailey, Barker, Bryson, Bigelow, Clausen, Clark, Cloud, Copeland, Cort, Dorland, Edmundson, Finney, Hardie of Dubuque, Hardy of Van Buren, Hershberger, Jones, Jordan, Kurtz, Lothian, McDow, Mills, Moore of Dubuque, Perry, Richardson, Roberts, Rodman, Rogers, Stanton, Sullivan, Thomas, Toll, Williams, Wilson of Webster, Wright, Speaker—36.

NAYS—

Messrs. Botorf, Fry, Galbraith, Griswold, Gossage, Inskip, Kirkpatrick, Lewis, Larimer, Noble, Price, Reeder, Sawyer, Van Valkenburgh, Wilson of Mahaska, Wooden, Wyatt—17.

The substitute was adopted.

Mr. Rodman

Moved the House adjourn.

Lost.

Mr. Mills

Moved to re-consider the vote by which
Substitute for

House File No. 72,

Was passed.

Carried.

Mr. Mills

Moved to amend the bill by striking out the words "or any other Railroads."

Adopted.

Mr. Gossage

Moved to lay the bill upon the table,

Upon which question,

The yeas and nays were demanded,

And were as follows :

Yeas 14, nays 37.

YEAS—

Messrs. Davis, Fry, Galbraith, Griswold, Gossage, Hershberger, Inskeep, Kirkpatrick, Lewis, Larimer, Price, Sawyer, Van Valkenburgh, Wilson of Mahaska—14.

NAYS—

Messrs. Arnold, Bailey, Barker, Bryson, Bigelow, Botorf, Clausen, Clark, Cloud, Copeland, Cort, Dorland, Edmundson, Finney, Hardie of Dubuque, Hardy of Van Buren, Jones, Jordan, McDow, Mills, Moore of Dubuque, Noble, Perry, Reeder, Richardson, Roberts, Rodman, Stanton, Sullivan, Thomas, Toll, Williams, Wilson of Webster, Wright, Wyatt, Speaker—37.

Motion lost.

The substitute, as amended, was then adopted.

On motion of Mr. Arnold,
The House adjourned.

WEDNESDAY, JANUARY 23th, 1857. }
NINE O'CLOCK, A. M. }

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Dorland,
The reading of the Journal was dispensed with.

Mr. Cloud,

With the unanimous consent of the House, introduced
House File No. 340,

A bill for an act to provide for the printing and distribution of the laws.

Read once, when

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Mr. Moer of Mills,

Was granted leave of absence.

Mr. Cloud,

With leave of the House, introduced
House File No. 341,

A bill for an act in relation to railroad taxes.

Read once, when

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

On motion of Mr. Hardie, of Dubuque,

House File No. 184,

Was taken from the table, and

The amendments of the Senate concurred in.

RESOLUTIONS OFFERED.

By Mr. Mills,

House File No. 342,

Joint resolution in relation to the preservation of Weights and Measures.

Read a first and second times.

Mr. Mills

Moved to fill up the blank with "\$100."

Motion lost.

Mr. Roberts

Moved to fill up the blank with "\$50."

Motion adopted.

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

By Mr. Cloud,

House File No. 343,

Joint resolution relating to the trustees of the State University.

Read once, when

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Mr. Toll

Submitted the following report:

The committee on Enrolled Bills report that they have presented the following bills to the Governor for his signature:

House File No. 174,

An act to authorize the McGregors, St. Peters and Missouri River Railroad Company, to accept and appropriate a grant of land.

House File No. 246,

An act to incorporate the city of Washington.

House File No. 172,

An act requiring the proprietors of town plats to have the same recorded.

House File No. 34,

An act authorizing the re-survey of roads.

House File No. 274,

An act to amend chapter twelve, of the session laws of the extra session of 1856.

House File No. 41,

An act to establish the twelfth judicial district, and to fix the time of holding courts therein.

House File No. 197,

An act to create the county of Humboldt, and to locate the county-seat thereof.

House File No. 282,

An act fixing the times of holding courts in the second judicial district.

C. H. TOLL,
Chairman.

Mr. Gillett,

From the committee to whom was referred certain claims, reported the same back with the recommendation that they be allowed, and referred to the committee on Ways and Means.

BILLS ON THEIR FIRST READING.

Senate File No. 219,

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Mr. Hardie of Dubuque,

With leave, introduced

House File No. 344.

Read a first time.

When

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Mr. Hardy of Van Buren,

From the committee to whom was referred

Senate File No. 183,

Reported the same back with the recommendation that it be indefinitely postponed,

Upon which question,

The yeas and nays were demanded.

And were as follows:

Yeas 30, nays 22.

YEAS—

Messrs. Bailey, Barker, Bottorf, Clark, Cort, Doud, Finney, Galbraith, Griswold, Gossage, Hardie of Dubuque, Hardy of Van Buren, Jordan, Kurtz, Lothian, Larimer, McDow, Milliser, Mills, Mendenhall, Moore of Dubuque, Pease, Perry, Reeder, Sawyer, Sullivan, Thomas, Van Valkenburgh. Wilson of Webster, Wyatt—30.

NAYS—

Messrs. Arnold, Bryson, Clausen, Cloud, Dorland, Edmundson, Fry, Gillett, Green, Hershberger, Inskeep, Lewis, Noble, Richardson, Roberts, Rodman, Rogers, Stanton, Toll, Williams, Wilson of Mahaska, Wooden, Wright, Speaker—22.

The bill was indefinitely postponed.

Mr. Arnold,

With leave, introduced

House File No. 345,

A bill for an act to repeal section fifteen hundred and eighty-seven of the code.

Read a first time.

On motion of Mr. Dorland,

The bill was laid upon the table.

Mr. Hardie of Dubuque,

Moved to take up

Senate File No. 218,

Carried.

Mr. Barker

Moved to strike out the words 'and ordinary traveling expenses.'

Adopted.

On motion of Mr. Hardie,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

House File No. 264,

With Senate amendment, was taken up and the amendment concurred in.

On motion of Mr. Barker,

Senate File No. 105,

Was taken from the table,

Mr. Lewis

Moved to re-consider the vote by which the bill was amended by striking out all after the enacting clause to the fifteenth section.

Adopted.

Mr. Cort

Moved to amend section ten, by inserting after the words, "thereof," the words "including monies and credits."

Adopted.

Mr. Dorland

Moved to indefinitely postpone the bill.

Lost.

On motion of Mr. Hardie,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

On motion of Mr. Dorland,

House File No. 280,

Was taken from the table.

Mr. Milliser offered a substitute.

Mr. Finney

Moved the indefinite postponement of the substitute.

Lost.

The substitute was then adopted.

Message from the Senate,

By their Secretary.

MR. SPEAKER :

The Senate has passed

Senate Files Nos. 127, 78, 220, 241 and 242,

And asks the concurrence of the House therein.

I herewith present for your signature

Senate Files Nos. 157, 195, 191, 208, 229, 27, 228, 133, 217, 166, 201, 28, 212, 102, 221 and 224,

The same having passed both branches of the General Assembly, and been enrolled by the Senate.

C. C. NOURSE,
Secretary.

Mr. Milliser

Moved to amend the substitute by striking out the word "treasurer," and insert the words "school fund Commissioner."

Adopted.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Mr. Bigelow, with leave,

Offered the following resolution :

Resolved, That the sum of fifty dollars be allowed to each member of the present House of Representatives, for contingent expenses, evening sessions, and committee services during the present session of the General Assembly.

Mr. Hardie, of Dubuque,

Moved to lay the resolution on the table,

On that question,

The yeas and nays were demanded,

And were as follows :

Yeas 35, nays 19.

YEAS—

Messrs Arnold, Bailey, Barker, Bryson, Bottorf, Cloud, Copeland, Cort, Davis, Dorland, Doud, Edmundson, Finney, Fry, Galbraith, Hardie of Dubuque, Hershberger, Kurtz, Lewis, Lothian, McDow, Mills, Mendenhall, Perry, Reeder, Richardson, Rodman, Rogers, Stanton, Thomas, Toll, Van Valkenburgh, Williams, Wilson of Mahaska, Wright, Wyatt, Speaker—35.

NAYS—

Messrs. Bigelow, Clausen, Clark, Gillet, Griswold, Gossage, Hardy of Van Buren, Inskeep, Jones, Jordan, Larimer, Milliser, Moore of Dubuque, Roberts, Sawyer, Sullivan, Wilson of Webster, Wood—19.

Motion prevailed.

Mr. Wooden,

From the committee to whom was referred

House File No. 247,

Reported a substitute therefor.

The substitute was adopted.

The forty-second rule was suspended, the bill read a third time passed and the title agreed to.

On motion of Mr. Fry,

The following resolution was taken from the table :

WHEREAS, In the opinion of this House the labor of *posting up* the last Census Returns of the State of Iowa, was one of the most perplexing and arduous duties that has ever fallen to the lot of any

accountant, or accountants, in the State of Iowa, and consequently demands a fair compensation,—

Therefore, be it

Resolved, That Fifty Cents per diem, extra pay, be allowed to each and every man employed in *posting up* said Census Returns; and that his Excellency, Governor Grimes, Geo. W. McCleary, (late Secretary of State), and John Patte, (present Auditor of State), gentlemen composing the late Census Board of Iowa, be instructed to apportion to each and every man employed on said Census Returns the several sums that may appear their due on examination of vouchers now in their hands, and that they may be severally paid such sums out of any unappropriated monies that are now remaining in the Treasury of State.

Mr. Barker

Moved to amend by striking out “fifty cents” and inserting “one dollar.”

Motion lost.

The resolution was then adopted.

On motion of Mr. Edmundson,

Senate File No. 48,

Was taken from the table.

Mr. Clark

Moved to re-commit the bill to a select committee of three.

With instructions.

Mr. Hardy, of Van Buren,

Moved to amend the bill by striking out the words “Newton, Jasper county,” and inserting the words “Fort Des Moines, Polk county.”

On motion of Mr. Arnold,

The bill was laid upon the table.

On motion of Mr. Bailey,

Senate File No. 127,

Was taken from the table, and

Read a first time, when

The forty-second rule was suspended, and the bill read a second time.

Mr. Cort

Moved the indefinite postponement of the bill.
Motion adopted.

Mr. Cloud,

With leave, introduced
House File No. 346,
Which was read a first time,
When

The forty-second rule was suspended, and the bill read a second time.

Mr. Larimer

Moved to so amend the appropriation to Francis Rodman as to allow him \$80.

Mr. Finney

Moved to amend the amendment by striking out \$80 and inserting \$50.

Lost

The amendment of Mr. Larimer then prevailed.

The House then adjourned.

TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion of Mr. Barker,
Senate File No. 214,

Was taken from the table and read a first time,
When

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Mr. Lothian

68

Was appointed a member of the committee on Enrolled Bills.

Mr. Davis

From the committee of Conference on
Senate File No. 81,

Reported an amendment as follows:

“Strike out \$40,000 and insert \$100,000.

The House refused to adopt the report.

House File No. 346,

Being the order of business,

Mr. Cloud

Moved to amend by adding as follows:

“To pay clerks of the census board \$:25.”

Adopted.

Mr. Wilson

Moved to amend the bill as follows:

“Strike out two and insert three dollars in that part which relates to the pay of Messengers and Firemen.”

Mr. Bailey

Moved to amend the amendment by striking out so much as relates to Messengers.

Lost.

The amendment then prevailed.

Mr. Edmundson

Moved to amend (by striking out four and inserting five dollars) that part of the bill relating to the per diem of the Assistant Clerk, and the Enrolling and Engrossing Clerks.

Motion lost.

Mr. Finney

Moved to amend so as to allow the Chief Clerk six dollars per day.

Motion carried.

Mr. Wooden

Moved to amend section five by adding the words “and for pay of Clerk or Deputy one thousand dollars.”

Mr. Wright

Moved to amend the amendment by striking out \$1,000 and inserting \$400.

Motion lost.

Mr. Inskeep

Moved to amend the amendment by striking out \$1,000 and inserting \$800.

Motion adopted.

The amendment was lost.

Mr. Wooden

Moved to amend the fifth section by adding, for clerk hire \$600.

Mr. Gossage

Moved to amend the amendment by striking out \$600 and inserting \$400.

Carried.

The amendment as amended prevailed.

Mr. Dorland

Moved to amend the bill by adding the following, "That Francis White be allowed for services as assistant clerk, *pro tem*, the sum of \$8.

Carried.

Mr. Cloud

Moved to amend the bill by establishing the price of all daily papers furnished the General Assembly during the session at one dollar.

Which motion carried.

Mr. Clark

Moved to insert, "To the Pella Gazette \$1 50."

Carried.

Mr. Cloud

Moved to amend the bill as follows, "To G. W. McCleary for amounts paid out over his appropriation, for the years 1855-56, \$285."

Mr. Clark

Moved to amend by adding as follows, "To W. Parks \$600."

Mr. Clark

Moved to amend by adding as follows, "To James C. Hawkins the sum of \$6 for services rendered as messenger, *pro tem*."

Carried.

On motion of Mr. Cloud,
The forty-second rule was suspended, the bill read a third time,
passed and the title agreed to.

On motion of Mr. Wyatt,
The vote by which the House refused to concur in the report of
the committee of conference was re-considered.

Upon the question of concurring in the report of the committee,
The yeas and nays were demanded,

And were as follows :

Yeas 20, nays 26.

YEAS—

Messrs. Arnold, Barker, Bryson, Bottorf, Clausen, Copeland,
Davis, Dorland, Fry, Larimer, Mills, Noble, Price, Perry, Reeder,
Thomas, Williams, Wooden, Wright, Speaker—20.

NAYS—

Messrs. Bailey, Clark, Cloud, Cort, Doud, Edmundson, Finney,
Galbraith, Gillett, Gossage, Hardie of Dubuque, Hardy of Van Bu-
ren, Hershberger, Jordan, Kurtz, McDow, Milliser, Mendenhall,
Moore of Dubuque, Pease, Richardson, Stanton, Van Valkenburgh,
Wilson of Webster, Wilson of Mahaska, Wyatt—26.

The House refused to concur in the report.

Mr. Mills

From the committee to whom was referred

Senate File No. 104,

Reported the same back to the House, with the recommendation
that it do not pass.

Report concurred in.

Mr. Stanton

Offered the following resolution :

Resolved, That the Enrolling Clerk, Engrossing Clerk, Sergeant-
at-Arms, and Assistant Sergeant-at-Arms, of this House, be allowed
mileage, the same as members.

On motion of Mr. Gillett,
The resolution was laid on the table.

Mr. Dorland,
With leave of the House, introduced
House File No. 347,
Read a first and second times,
And,
On motion of Mr. McFarland,
Was
Laid on the table.

On motion of Mr. McFarland,
Senate Files on their first reading were taken up.

Senate File No. 29,
The forty-second rule was suspended, the bill read a second time,
and
Referred to the delegation from Johnson county.

Senate File No. 220,
The forty-second rule was suspended, and the bill read a second
time,

Mr. Doud

Moved to amend the bill by adding to the second section the following:

That the commissioners be and they are hereby empowered to enter into contract with any company for the sale of all lands and the tolls and water rents for a term of years who will give satisfactory evidence and security for the entire completion of the improvement.

The amendment was adopted.

The forty-second rule was suspended, and the bill read a third time,

Passed and the title agreed to.

Message from the Senate,
By their Secretary.

MR. SPEAKER :

The Senate has passed
Senate File No. 29, "B."

Also,
Substitute for
House File No. 206,

Also,
 Substitute for
 House File No. 27,
 Amended by the Senate.

Also,
 House File No. 275,
 Without amendment.

In which bills and amendments the concurrence of the House is asked.

The Senate insists on its amendment to
 House File No. 130,

A bill for an act making an increase in the salary of Governor and State Officers,

And asks a conference in relation thereto.

Senators Laughridge, Saunders and McPherson have been appointed managers of said conference on the part of the Senate.

The Senate has receded from its amendment to
 House File No. 257,

Not agreed to by the House.

The bill is herewith returned to be enrolled.

C. C. NOURSE,
 Secretary.

Senate File No. 68,

The forty-second rule was suspended, the bill read a second time, and

On motion of Mr. Barker,

Was referred to a select committee, with instructions.

Messrs. Barker and Cloud were appointed said committee.

Senate File No. 239,

The forty-second rule was suspended, the bill read a second and third time,

Passed and the title agreed to.

Mr. Wooden,

From the committee to whom was referred

Senate File No. 29,

Reported the same back, with the recommendation that it pass.

The report was concurred in,

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Messrs. Barker, Cloud, and Wooden were appointed a committee of conference on the part of the House, in relation to the disagreement between the Houses, on the bill in relation to the compensation of State Officers.

Mr. Sullivan,
From the committee on Railroads, to whom was referred
House File No. 181,
Reported back to the House a substitute therefor.

Mr. Hardie, of Dubuque, with leave, introduced
House File No. 347,
Which was read a first time.

Mr. Davis
Moved to reject the joint resolution.

Mr. Hardie, of Dubuque,
Withdrew the resolution.

The resolution in relation to adjournment was taken from the table, and the amendments of the Senate concurred in.

Mr. Barker,
From the committee to whom was referred
Senate File No. 78,
Reported the same back without recommendation.
The forty-second rule was suspended, the bill read a third time,
passed and the title agreed to.

Senate File No. 242,
Read a first time.

The forty-second rule was suspended, the bill read a second and third times,
Passed and the title agreed to.

Mr. Hardie
Offered the following resolution :

Resolved, That the Chief Clerk be directed to inform the Senate that the House is out of business, and will be obliged to adjourn if the Senate does not hurry up.

On motion of Mr. Dorland,
The resolution was laid upon the table.

On motion of Mr. Dorland,
House File No. 347,
Was taken from the table.

Mr. Gossage
Moved to lay the resolution on the table.
Lost.

On motion of Mr. Dorland,
It was referred to a select committee.

The Chair
Appointed Messrs. Dorland, Wooden and Williams said committee.

Mr. Wilson, of Webster, with leave, introduced
House File No. 349,
Which was read a first, second and third times,
Passed and the title agreed to.

Mr. Arnold
Moved that when the House adjourn, it adjourn until 11 o'clock
this evening.
Lost.

Mr. Cloud,
From the committee of Conference on the bill in relation to salaries of State Officers, recommended that the House concur in the amendments of the Senate.
Report concurred in.

Message from the Senate,
By their Secretary.

Mr. SPEAKER :
The Senate has passed
Senate File No. 242,
And,
Senate File No. 239,
In which the concurrence of the House is asked.

The Senate has also passed

House File No. 152,

And,

House File No. 341,

Without amendment.

CHAS. C. NOURSE,
Secretary.

MR. SPEAKER :

I herewith present for your signature :

Senate Files Nos. 171, 333, 214, 234, 170, 238, 222, 197, 138, 226, 237, 227, 77, 189, 236, 207, 235, 180, 230, 137, 219, 231, 241, 105, 159, 58, 168, 123, 232, 145.

The same having passed both branches of the General Assembly and been enrolled by the Senate.

CHAS. C. NOURSE,
Secretary Senate.

MR. SPEAKER :

The Senate has passed

Senate File No. 244,

And,

Senate File No. 240,

In which the concurrence of the House of Representatives is asked.

I herewith return

House File No. 36,

Passed the Senate without amendment.

CHAS. C. NOURSE,
Secretary Senate.

Mr. Toll

Submitted the following report :

The committee on Enrolled Bills report that they have examined the following bills, and find them correctly enrolled:

House File No. 221,

An act to incorporate the city of Camanche.

House File No. 152,

An act relating to State printing.

House File No. 141,
An act to incorporate the city of Des Moines.

House File No. 312,
Joint resolution for additional mail facilities.

House File No. 232,
An act to establish certain state roads.

House File No. 184,
An act revising the incorporation laws of the city of Dubuque.

House File No. 208,
An act to change the name of Geo. Granger.

House File No. 128,
An act to amend the charter of the city of Burlington.

House File No. 276,
An act to locate the county-seat of Mitchell county.

House File No. 177,
An act to sell lands in Delhi county.

House File No. 242,
An act to vacate certain territorial roads.

House File No. 34,
An act in relation to taxes.

House File No. 275,
An act for the suppression of intemperance.

House File No. —,
Omnibus state road acts.

House File No. 263,
An act to amend section 114, chapter 15, of the Code.

House File No. 306,
Joint resolution for homesteads to actual settlers.

House File No. 315,
An act to locate a state road.

House File No. 264,
An act to establish a ferry across the Des Moines river.

House File No. 206,
An act to fix the times of holding courts in the sixth judicial district.

House File No. 314,
Joint resolution for additional mail facilities.

House File No. 308,
An act for an additional justice of the peace in the town of Jackson, Bremer county.

House File No. 313,
Joint resolution for additional mail facilities.

House File No. 108,
An act to pay certain moneys to Normal School.

House File No. 367,
An act to provide for action against rafts.

House File No. 284,
An act to vacate certain plats in Blackhawk county.

House File No. 240,
An act to vacate Court House square in Waterloo, Blackhawk county.

House File No. —,
Joint resolution relating to school and university funds.

C. H. TOLL,
Chairman.

Mr. Milliser
Moved the House adjourn until 9 o'clock, to-morrow morning.
Lost.

On motion of Mr. Cort,
The House adjourned.

SEVEN O'CLOCK, P. M.

House met pursuant to adjournment.

Senate File No. 244,

Was taken from the table and read once,

When

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Mr. Cloud,

From the committee on Ways and Means, to whom was referred Senate File No. 187,

A joint resolution,

Reported the same back without recommendation.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

House File No. 261,

With the amendments of the Senate, was taken up and the amendments concurred in.

House File No. 195,

With the amendments of the Senate was taken up and the amendments concurred in.

Senate File No. 163,

Was taken up and

Read a first time,

The forty-second rule was suspended, the bill read a second and third time,

Passed and the title agreed to.

Mr. Roberts

Moved to re-consider the vote by which

House File No. 127,

Was indefinitely postponed.

Motion carried.

Mr. Griswold, with leave,

Introduced the following concurrent resolution :

Resolved, That with the concurrence of the Senate, the State treasurer be and he is hereby authorized to pay to each of the members of the General Assembly the sum of twenty-five dollars, as extra pay for night service since the expiration of the regular term of fifty days.

Mr. Williams

Moved to amend the resolution by adding the following, "except those who have railroad facilities for getting home."

Upon the question of the adoption of the resolution,

The yeas and nays were demanded,

And were as follows :

Yeas 12, nays 27.

YEAS—

Messrs. Clausen, Clark, Finney, Gillett, Griswold, Jordan, Moore of Dubuque, Pease, Roberts, Sawyer, Sullivan, Van Valkenburgh,
—12.

NAYS—

Messrs. Arnold, Bailey, Barker, Bryson, Cloud, Copeland, Dorland, Doud, Edmundson, Fry, Gossage, Hardie of Dubuque, Kurtz, Lewis, Mills, Noble, Price, Perry, Reeder, Richardson, Thomas, Williams, Wilson of Mahaska, Wooden, Wright, Wyatt, Speaker
—27.

The resolution was lost.

Senate File No. 240,

The bill was read a first time,

When

The forty-second rule was suspended, and the bill read a second time.

Mr. Wooden

Moved to amend the bill by striking out the first section.

Which motion prevailed.

Mr. Dorland,

From the committee to whom was referred

House File No. 347,

Reported the same back to the House, with an amendment, which amendment was concurred in.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

On motion of Mr. Wright,

Senate File No. 247,

Was taken up, and read a first time.

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

On motion of Mr. Hardie,

Senate File No. 7,

Was taken up.

Mr. Wyatt

Moved to indefinitely postpone the bill.

Mr. Moore, of Dubuque,

Moved a call of the House.

The call was sustained.

On motion of Mr. Hardie, of Dubuque,

Further business under the call was suspended.

Upon the question of the indefinite postponement of the bill,

The yeas and nays were demanded,

And were as follows :

Yeas 30, nays 11.

YEAS—

Messrs. Cloud, Copeland, Doud, Edmundson, Finney, Fry, Gillett, Griswold, Gossage, Hardy of Van Buren, Kurtz, Lewis, Lothian, McDow, Mills, Moore of Dubuque, Noble, Pease, Perry, Reeder, Richardson, Sawyer, Sullivan, Thomas, Toll, Van Valkenburgh, Williams, Wright, Wyatt, Speaker—

NAYS—

Messrs. Bailey, Barker, Bryson, Clark, Galbraith, Hardie of Dubuque, Jordan, Larimer, Wilson of Webster, Wilson of Mahaska, Wooden—11.

The bill was indefinitely postponed.

Mr. Wooden,
From the committee to whom was referred
Senate File No. 7,
Reported the same back to the House and recommended its passage.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

Mr. Wilson of Webster, with leave,
Introduced
House File No. 350.
Read a first time,
The forty-second rule was suspended, and the bill read a second time.

On motion of Mr. Sullivan,
The House took a recess of half an hour.

NINE O'CLOCK P. M.

The House was called to order.

Mr. Cloud
Moved to re-consider the vote by which
Senate File No. 171,
Was passed.
Carried.

Mr. Cloud offered an amendment, which was adopted.

Mr. Wright offered the following resolution :
Resolved, That the Secretary of State be authorized to furnish each member of the House with one copy of the debates and journals of the convention now in session, and with one copy of each volume of Clark's Reports.

Mr. Cloud

Moved to amend the resolution by striking out the words "and with one copy of each volume of Clark's Reports."

Upon which question,

The yeas and nays were demanded,

And were as follows:

Yeas 21, nays 16.

YEAS—

Messrs. Bailey, Barker, Bryson, Cloud, Copeland, Fry, Hardie of Dubuque, Kurtz, Lewis, McDow, Mills, Moore of Dubuque, Noble, Pease, Perry, Reeder, Thomas, Toll, Williams, Wilson of Mahaska, Speaker—21.

NAYS—

Messrs. Clark, Cort, Dorland, Doud, Finney, Galbraith, Gillett, Griswold, Gossage, Hardy of Van Buren, Jordan, Larimer, Sawyer, Van Valkenburgh, Wilson of Webster, Wooden, Wright, Wyatt—16.

The amendment was adopted.

The resolution then prevailed.

Message from the Senate,
By their Secretary.

MR. SPEAKER:

I am directed to inform the House of Representatives that the Senate has reconsidered the vote insisting upon the original bill making appropriation for the insane asylum, and has agreed to the amendments of the House made thereto, and asks the return of said bill to the Senate.

C. C. NOURSE,
Secretary.

MR. SPEAKER:

The Senate has passed, without amendment,
House File No. 247,
Herewith returned.

The Senate has also passed
Senate File No. 347,
An act in relation to school fund.

And asks the concurrence of the House of Representatives therein.

C. C. NOURSE,
Secretary.

MR. SPEAKER:

I herewith return to the House,
House Files Nos. 322, 327, 324, 341, and 333,
Having passed the Senate without amendment.

C. C. NOURSE,
Secretary.

MR. SPEAKER:

I herewith return to the House of Representatives
House Files No. 336, 310, 273, 131,
Passed the Senate without amendment.

The Senate has also passed
House File No. 210,
And amended the title thereto.

The Senate has also passed
Senate Files No, 241, 244, and 250,
In which the concurrence of the House of Representatives is
asked.

I herewith present for your signature,
Senate Files No. 27, 78 and 81,
Passed both branches of the General Assembly.

The Senate has passed
House Files No. 325, 331 and 330,
Without amendment.

Also,
Amended
House Files No. 344 and 230,
And asks the concurrence of the House therein.

CHAS. C. NOURSE,
Secretary.

MR. SPEAKER:

The Senate has passed without amendment,
House Files No. 337, 321, 350 and 122,
Herewith returned.

I present for your signature

Senate Files No. 247, 187, 244,

Passed both branches of the General Assembly and enrolled.

CHAS. C. NOURSE,

Secretary.

MR. SPEAKER:

I return herewith

House Files No. 329, 319, 352 and 328,

Passed the Senate without amendment.

CHAS. C. NOURSE,

Secretary.

Mr. Toll

Submitted the following report:

The committee on Enrolled Bills report that they have presented to the Governor, for his signature, the following bills,

House Files No. 170, 334, 214, 233, 171, 240, 264, 267, 108, 313, 308, 414, 296, 264, 315, 306, 263, 216, 34, 242, 275, 177, 276, 128, 208, 184, 152, 141, 312, 232, 221.

Also,

House File No. —,

Joint bills in relation to school and university funds.

C. H. TOLL,

Chairman.

Message from the Senate,

By their Secretary.

MR. SPEAKER:

I herewith present for your signature

Senate Files No. 239, 469, 72 and 218,

The same having passed both branches of the General Assembly, and been enrolled by the Senate.

C. C. NOURSE,

Secretary.

I herewith return to the House,

House Files No. 195 and 30, amended.

Also,

House File No. 349,

Passed the Senate without amendment.

The Senate has amended

House File No. 261.

Also, passed

Senate File No. 163,

And asks the concurrence of the House.

CHAS. C. NOURSE,

Secretary.

Mr. Wright

Moved to take up

Senate File No. 241,

Read a first time.

The forty second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

On motion of Mr. Larimer,

Senate File No. 249,

Was taken up and read a first time.

The forty-second rule was suspended, and the bill read a second time.

Mr. Larimer

Moved to amend by striking out 7th and inserting 5th.

Amendment adopted.

Mr. Larimer

Moved to amend the bill so as to authorize the Judge to appoint the time for holding Court.

Adopted.

The forty-second rule was suspended, the bill read a third time, passed and the title agreed to.

House File No. 320,

Was taken up, and the Senate amendments concurred in.

Senate File No. 250,

Was taken up, and read a first time.

The forty-second rule was suspended, the bill read a second and third times,

Passed and the title agreed to.

Mr. Gossage

Offered the following resolution :

Resolved, That Mr. William Said, Sergeant-at-arms of the House of Representatives, be paid two dollars per day, extra, for his services while on duty outside the House, in subpoenaing witnesses, and that the money he expended out of his own private fund, while on said duties, be refunded with good legal interest.

On motion of Mr. Clark,
The resolution was laid on the table.

House File No. 344,
Was taken up, and the Senate amendments concurred in.

House File No. 301,
Was taken up, and the Senate amendments concurred in.

Mr. Cloud

Moved that the Chief Clerk be authorized to employ an Assistant Enrolling Clerk.

Mr. Moore, of Dubuque,
Offered the following resolution :

Resolved, That the thanks of this House are due to the Honorable Samuel McFarland, for the impartial, gentlemanly and courteous manner in which he has discharged the arduous duties of Speaker during the present session.

The resolution was unanimously adopted.

Mr. Moore, of Dubuque,
Also offered the following resolution :

Resolved, That the thanks of this House are due to the Clerks, for the promptness and courtesy with which they have discharged their respective duties.

Adopted.

Mr. Kelsey, with leave,
Offered the following :

Resolved, That the Messengers and Firemen of this House are entitled to the thanks of the members, for the promptness and courtesy with which they have discharged their respective duties.

Adopted.

Mr. Toll, with leave,
Introduced the following:

The committee on Enrolled Bills would report that they have examined the following bills and found them correctly enrolled :

House File No. 349,
An act to change the name of New Castle.

House File No. 304,
A joint resolution relating to the independence of Liberia.

House File No. 130,
An act fixing the salaries of the Governor and of the State Officers.

House File No. 36,
An act to amend an act entitled an act concerning fences.

House File No. 257,
An act to license and regulate the sale of malt and spirituous liquors.

House File No. 261,
An act to locate the county-seat of Chickasaw county.

House File No. 195,
An act to authorize the Supreme and District courts to adopt rules and regulate the practice of law:

House File No. 324,
An act to attach Sac county to the fifth judicial district.

House File No. 335,
An act to amend an act entitled an act to incorporate the city of Keokuk.

House File No. 337,
An act allowing the city of Keokuk to raise a tax of \$150,000.

House File No. 330,
An act to authorize Lee county to issue bonds for railroad purposes.

House File No. 342,
Joint resolution relating to weights and measures.

House File No. 333,

An act to allow Geo. F. McClure to construct a dam across the Des Moines River.

House File No. 322,

An act to legalize school district No. 5, in Butler township, Butler county.

House File No. 247,

An act to amend an act entitled an act to incorporate Iowa City.

House File No. 301,

An act for the relief of Jones county.

House File No. 336,

An act to authorize the city of Keokuk to raise a tax of \$150,000 for railroad purposes.

C. H. TOLL,
Chairman.

Mr. Clark offered the following resolution:

Resolved, That the thanks of this House are tendered to the chaplain for the faithful performance of his duties.

Adopted.

On motion of Mr. Wyatt,

The House took a recess of thirty minutes.

ELEVEN O'CLOCK.

The House was called to order.

On motion of Mr. Sullivan,

Senate File No. 251,

Was taken up and read a first, second and third times, passed and the title agreed to.

Senate File No. 253,

Was taken up and read a first, second and third times, passed and the title agreed to.

Senate File No. 252,
Was taken up and read once, and
On motion of Mr. Cloud,
Was laid upon the table.

Mr. Dorland,
With leave, introduced
House File No. 357,
Read a first and second time.

Mr. Cort
Moved the bill be indefinitely postponed.
On motion of Mr. Griswold,
The bill was laid upon the table.

Mr. Sullivan
Moved to re-consider the vote by which the resolution in relation to the reports of the Constitutional Convention was passed.
Lost.

On motion of Mr. Wyatt,
The House took a recess of half an hour.

THURSDAY, JANUARY 29th, 1857, }
ONE O'CLOCK A. M. }

The House met pursuant to adjournment.

On motion of Mr. Sullivan,
The reading of the Journal of yesterday was dispensed with.

Mr. Toll submitted the following report :
The committee on Enrolled Bills report that they have examined the following bills, and find them correctly enrolled:

House File No. 328,

An act to incorporate the city of Princeton.

House File No. 319,

Joint resolution for additional mail facilities.

House File No. 352,

Joint resolution appointing Trustees of State University.

House File No. 325,

An act to change the name of Woodbridge village.

House File No. 344,

An act relating to report of State Officers.

House File No. 131,

An act to amend section 211, chapter 22, of the code.

House File No. 329,

An act to authorize the county of Lee to issue bonds.

House File No. 320,

An act to locate the seat of justice of Floyd county.

House File No. 321,

An act to re-locate a state road from Mount Pleasant.

House File No. 310,

An act to define the duties of county Judges.

House File No. 273,

An act to amend chapter 112 of the laws of the Fourth General Assembly.

House File No. 328,

An act to incorporate Des Moines City.

House File No. 122,

An act to amend chapter 62 title 13 of the code, and to close up assignments.

House File No. 327,

An act for a state road.

House File No. 331,

An act to authorize the county of Lee to issue bonds.

C. H. TOLL,
Chairman.

The committee on Enrolled Bills report that they have presented the following bills to the Governor for his signature :

House Files Nos. 801, 337, 336, 335, 195, 324, 261, 36, 130, 304, 257, 349, 333, 342, 322, 247.

C. H. TOLL,
Chairman.

Message from the Senate,

By their Secretary.

Mr. SPEAKER :

I herewith present for your signature

Senate File No. 29, B.

Also,

Senate Files No. 163, 240 and 250,

The same having passed both branches of the General Assembly, and been enrolled by the Senate.

CHAS. C. NOURSE,
Secretary.

Mr. Barker, with leave, introduced the following resolution :

Resolved That the Secretary of State be authorized to procure and forward to each member of this House, four copies of the debates of the Constitutional Convention for distribution.

Mr. Lewis

Moved to lay the resolution on the table.

Lost.

The motion to adopt the resolution then prevailed.

House File No. 346,

With Senate amendments was taken up.

On motion of Mr. Dorland,

The House concurred in the Senate amendment in relation to publishers of daily newspapers.

The House also concurred in the Senate amendment in relation to the appropriation to Francis Rodman.

Upon the question of concurring in the Senate amendment in relation to the Messengers of the House,

The yeas and nays were demanded,

And were as follows :

Yeas 18, nays 22.

YEAS—

Messrs. Bailey, Clausen, Clark, Copeland, Davis, Gillett, Griswold, Hardy of Van Buren, Kurtz, Lewis, Mills, Noble, Pease, Perry, Thomas, Williams, Wright, Speaker—18.

NAYS—

Messrs. Barker, Bryson, Cloud, Cort, Dorland, Edmundson, Finney, Fry, Gossage, Jordan, Larimer, Milliser, Moore of Dubuque, Price, Richardson, Sullivan, Toll, Van Valkenburgh, Wilson of Webster, Wilson of Mahaska, Wyatt—22.

The House refused to concur.

On motion of Mr. Cloud,

The other amendments of the Senate were concurred in.

Mr. Dorland moved to re-consider the vote by which the House refused to concur in the amendments of the Senate relating to the messengers of the House.

Adopted.

Upon the question of concurring,

The yeas and nays were demanded,

And were as follows :

Yeas 25, nays 12.

YEAS—

Messrs. Bailey, Bryson, Clausen, Clark, Cloud, Copeland, Dorland, Finney, Fry, Griswold, Hardy of Van Buren, Jordan, Kurtz, Lewis, Mills, Noble, Pease, Perry, Richardson, Thomas, Williams, Wilson of Mahaska, Wooden, Wright, Speaker—25.

NAYS—

Messrs. Barker, Cort, Edmundson, Gossage, Hardie of Dubuque, Larimer, Milliser, Moore of Dubuque, Sullivan, Toll, Van Valkenburgh, Wyatt—12.

The House concurred in the amendment.

On motion of Mr. Cloud,
Senate File No. 249,
Was taken up.

Mr. Cloud

Moved that the House insist on its amendments, and ask the appointment of a committee of conference upon the disagreement between the two Houses.

Motion adopted.

The Chair appointed Messrs. Clark, Noble and Wooden said committee.

Substitute for

Senate File No. 181,
With Senate amendments,
Was taken up,
And the amendments were adopted.

On motion of Mr. Dorland,

The following concurrent resolution was adopted :

Resolved, (the Senate concurring,) That C. Cartwright be allowed the sum of one dollar extra pay for his services as Assistant Messenger of the House.

Mr. Clark,

From the committee on Conference appointed to confer with a similar committee on the part of the Senate, in relation to the disagreement between the Houses on

Senate File No. 249,
Recommended that the House do insist upon its amendment.

Mr. Griswold

Introduced the following resolution :

Resolved, (the Senate concurring,) That the Assistant Enrolling Clerks, appointed under resolution of yesterday, be allowed the sum of \$3 each.

Adopted.

Senate File No. 254,

Was taken up, and read a first, second and third times, passed and the title agreed to.

Messrs. Cloud, Griswold and Wright were appointed on the part of the House as a committee of Conference in relation to the disagreement between the Houses upon the act authorizing the printing and distribution of the laws.

Mr. Clausen, with leave,

Introduced the following concurrent resolution, which was adopted:

Resolved, (the Senate concurring,) That the sum of ten dollars be allowed to the Mitchell county Republican.

Mr. Cloud,

From the committee on Conference on the subject of the printing and distribution of the laws, recommended that the House refuse to concur in the Senate amendment.

Mr. Dorland

Offered the following resolution:

Resolved, That a committee of three be appointed to wait on the Senate, and inform that body that the House is now ready to adjourn; also, to act with the Senate committee to wait on the Governor and enquire if he has any further communication to make to the General Assembly.

Adopted.

The Chair appointed Messrs. Dorland, Cloud and Sullivan said committee.

The committee withdrew, and after a few moments delay returned and reported by their Chairman that they had discharged that duty.

Message from the Senate,
By their Secretary.

MR. SPEAKER:

I am directed to inform the House that the Senate has receded from its amendment to

The bill for the distribution of the laws.

The Senate has concurred in
Concurrent resolution in regard to certain claims.

Messrs. Coolbaugh and Saunders

Have been appointed a committee on the part of the Senate to act with a similar committee on the part of the House, to inform the Governor that the General Assembly was now ready to adjourn.

C. C. NOURSE,
Secretary.

Mr. Toll

Submitted the following report:

The committee on Enrolled Bills report that they have compared the following bill, and find it correctly enrolled:

House File No. 340,

An act to provide for the publication and distribution of the acts and memorials of the General Assembly.

C. H. TOLL,
Chairman.

The committee on Enrolled Bills report that they have presented

House File No. 340,

To the Governor for his signature.

C. H. TOLL,
Chairman.

The committee on Enrolled Bills report that they have presented the following bills to the Governor for his signature:

House Files Nos. 319, 131, 320, 321, 331, 327, 329, 325, 122, 328, 273, 344, 352, 310.

C. H. TOLL,
Chairman.

Mr. Dorland, from the committee appointed to inform the Governor that the House was now ready to adjourn, reported that they had discharged that duty, and that his excellency informed the committee that he had no further communications to make to the General Assembly.

Mr. Clark moved that the House do now adjourn, *sine die*.

Before announcing the result of the vote,

Mr. Speaker said:

Gentlemen of the House of Representatives:

We are now about to separate. Our labors here, which have been arduous and sometimes perplexing, are closed, and we go hence—perhaps, never to meet again.

Allow me to express to you my unfeigned thanks and gratitude for the many courtesies and favors you have constantly extended towards me. I entered upon the responsible duties of the office you conferred upon me, without experience and under many embarrassing circumstances, but by your kindness and gentlemanly deportment, you have rendered the task more pleasant and agreeable than I had anticipated. I have endeavored to discharge my duties faithfully and impartially.

You, each and all, as you return homeward, carry with you my best wishes and highest regards. I cannot speak in too high praise of the good feeling and honorable bearing kept up between the members of this House. It deserves the highest commendation.

And now, I trust you can all return to your constituency with the conscientious belief that you have faithfully and honorably discharged your duty as members of the General Assembly of the State of Iowa.

I cannot now adjourn this House without again thanking you for your honorable treatment towards one another;—and if we should never meet again on earth, may we all meet in a brighter and better world.

I now declare this House adjourned, *sine die*.

REPORT

OF THE

JOINT COMMITTEE

ON THE

The Moine River Improvement.

The Committee to whom was referred so much of the Governor's Message as relates to the Des Moines River Improvement, and the Joint Resolution of the General Assembly directing the course of investigation to be pursued by your Committee, have given the subject all the attention consistent with the discharge of other duties incumbent upon them, and ask leave to report:—

That a full and fair investigation of the matter referred to them, has required much labor and time in the examination of laws, witnesses, papers and documents. In the entire investigation the Committee used all means in their power to get such information as would enable them to arrive at a just and correct conclusion as to the facts connected with the matter, and your committee would here remark that it has been the desire of every member to protect the just and

legal rights of the State, and at the same time render to all others not only legal, but equitable justice. And as there are, or have been, as your Committee are not unmindful, rumors and reports in circulation that at least a portion of the Committee were unfriendly to the further prosecution of the work on the Des Moines River Improvement, and in favor of diverting said appropriation, if possible, to the construction of railroad or other improvements; we feel bound here to state ~~that such rumors or reports are entirely groundless,~~ inasmuch as there has been during the investigation but one wish expressed by every member of the Committee, which was to pursue such a course as would secure the greatest possible advantage to the Des Moines River Improvement, and that any attempt to divert any portion of said grant ~~or the proceeds thereof,~~ from the purpose for which it was originally granted, would be not only illegal, but impolitic and unjust.

By the joint resolutions instructing us in regard to the investigations, are involved many legal questions, which have been considered fully by the legal members of the Committee and with the approbation of the other members of the same, make the following reply to the first resolutions.

In compliance with the first instruction:

Your Committee are of the opinion that no legal contract was ever entered into by the State of Iowa with the Des Moines Navigation and Railroad Company. The authority to make contracts on behalf of the State is conferred by law, (Session Laws of 1853, page 64), upon the Commissioner and Register; but any contract entered into by them, only being valid when signed by the Commissioner, and countersigned by the Register, and *approved by the Governor*. The authority vested in the Register was subsequently vested in two Assistant Commissioners, (Session Laws of 1853, page 163), but the approval of the contract by the Governor is not dispensed with. As the misunderstanding of the parties, if any exists, with regard to the necessity of the approval of the Governor, has grown out of the provisions of this act, your Committee beg leave to call particular attention to the language of the act, believing that a careful examination will show conclusively that your Committee are correct in asserting that the approval of the Governor is essential to the validity of the contract.

After creating the office of assistant commissioner, the act in defining their duties, says: "The duties of said assistants shall not extend any farther than to aid said commission in negotiating such contracts and agreements as are contemplated in this act or any other act passed at the present session of the General Assembly; and anything in this act or any act on the subject of the Des Moines River Improvement, which vests authority and power in the Commissioner and Register to make contracts and agreements, is herein so modified as to vest said power and authority in the said Commissioner and the two assistants."

The Governor is not invested, by the first act above referred to, with any of the duties and powers conferred by the act last above referred to, upon the assistant Commissioners, and the first mentioned act is not repealed by the last, but only so modified as to vest in the assistants the authority before conferred upon the Register, clearly leaving the authority to, and necessity for approval, in the Governor.

The fact as testified to by Mr. Bonney, that the Governor did not deem his approval necessary to the validity of the contract, does not effect the requirements of the law, and cannot possibly be construed into a compliance with its provisions.

Any recognition of the contracts and subsequent action under them by the officers of the state, cannot cure this defect, as the state is only bound by the acts of its officers when discharging the duties imposed upon them by law, and your committee know of no law, authorizing the commissioner or other officer to recognize and act under illegal contracts, and thereby render them valid. The only effect that such recognition could possibly have, would, in the opinion of your committee, be to render the State liable for the value of the improvements actually made.

All the subsequent modifications, explanations or additions to the original contract, either by supplementary contracts, or otherwise are subject to the same objection, and are, therefore, in the opinion of your committee, invalid.

In compliance with the 9th instruction, your committee submit:

On the 8th day of August, 1846, (see 9 U. S. statutes at large, p. 77,) Congress passed an act declaring that "there be and is hereby

granted to the Territory of Iowa, for the purpose of aiding said Territory to improve the navigation of the Des Moines River, from its mouth to the Raccoon fork, (so called,) one equal moiety in alternate sections," &c.

This shows how the improvement was to be made, to wit: "from the mouth to the Raccoon fork." Section 2, of the same act declares "that the lands hereby granted shall not be conveyed, or disposed of by said Territory, or any State to be formed out of the same, except as said improvements shall progress."

Here is a positive prohibition against making title for the lands except as the work shall progress from the mouth up the river.

The act provides that the Governor shall certify the progress of the work from time to time, to the President of the U. S., and that the Territory or State may sell the lands as the work progresses, and as the lands shall be thus certified.

The grant is absolute in terms presenti, but is coupled with a prohibition against any sale or conveyance, except as the work progresses; hence it is not in the power of the legislature to dispose of or convey the land in any other manner, nor could the State authorize any agent or Commissioner to do an act which the State itself could not do. It will be seen that the improvement must precede the conveyance of the title, that the contract to make improvement precedes both; it cannot, therefore, be claimed that the contract for the improvement is, *per se*, a conveyance.

Certificates have been issued to the company, showing that they were entitled to have about 205,000 acres of land conveyed to them, but in the opinion of your committee, these certificates do not convey the legal title to said lands; consequently, *no land* has been legally conveyed to said company. The law, (Session laws of 1850, page 137.) requires the Gov. and Register to execute the deeds for the land; no title passes except by deed from them, and the certificate of the Commissioner and Register, if regularly issued upon a legal contract, could convey nothing but an equitable claim upon the land, and as the certificates in question were issued in pursuance of an invalid contract, they can by no possibility convey more than an equitable claim for the actual value of the improvements made by said company.

In compliance with the 14th instruction, your committee submit, that in the opinion of the committee, the company have not complied with the requirements of section 685 of the code. That section is evidently intended as a protection to those dealing with corporations, and requires that the statement contemplated therein should show whether each individual stockholder has paid the full amount of stock subscribed for or owned by him, in order that the individual liabilities of each stockholder for the debts of the company may be ascertained. The testimony shows that neither the books kept at Ottumwa, nor the statement posted up at that office, shows the amount paid or now due on each individual's stock, or that said statement shows the current indebtedness or liability of the company, but the amount only which is due on bonds issued by the company.

In compliance with instruction 17, the committee submit :

That said company has not kept, within the State, books or copies thereof, showing the facts enumerated in section 692 of the code. That such books, if any exist, are kept in New York city, in the State of New York, and are consequently inaccessible without great trouble and expense to the citizens of Iowa.

In compliance with the 19th instruction, your committee submit :

That no books have been kept by the company in the State of Iowa, showing the names of the original stockholders, their respective interests, the amount which has been paid in on their respective shares, and all transfers thereof, nor the transfer of stock, the time of transfer, or by whom or to whom transferred. Nor has any statement of these facts been kept posted at the principal office, or any other place in this State.

If any such books exist, they are kept in the city of New York. Mr. Johnson, the President of the Company, testified before the committee that he had no means of furnishing these facts to the committee.

The committee have had none of the books of the company, before them, but it has been developed by the testimony, that over one million of dollars of full paid stock has been issued by the company, upon which has been received but \$167,000, leaving a deficit of \$823,000, for which certificates of full paid stock have been issued, for which not a farthing has been realized by the company. The

amount may be much greater than this, the testimony of the witnesses being from recollection, and altogether uncertain.

This stock is now nearly or quite all in the hands of innocent, *bona fide* purchasers for valuable consideration, who purchased it believing that its full par value had been paid therefor, into the treasury of the Company. It will thus be seen that a gigantic fraud has been perpetrated upon the stockholders of the Company, and that the Company have not only forfeited their charter, but that every officer or stockholder who has participated in, or been cognizant of said fraud, has rendered his individual property liable to any party injured. (See sections 686 and 690 of the Code of Iowa.)

It is due to the gentleman now acting as President of the Company, to state that the testimony before the Committee shows that the certificates of this stock had all been issued before he had any connection with the Company.

By the terms of what is claimed to be the original contract, the whole Improvement was to be completed by the first of July, 1858, and one quarter of the work done annually. Now, according to the evidence before the Committee, it appears there was expended by the Company up to the first of December, 1856, a period of nearly two and a half years, in actual construction, \$185,957 44, and in engineering and incidental expenses, \$104,180 74.

While, by the terms of the original contract, \$300,000 were expected to be expended from the mouth of the river to St. Francisville, and from the testimony of Guy Wells, Esq., principal Assistant Engineer on the work, who is more familiar with the work than any other person, it would require \$230,000 to complete the work from St. Francisville to Keosauqua, including the work at both places, making an expenditure of more than \$500,000 necessary to complete the Improvement to Keosauqua, and requiring, according to the testimony of Mr. Wells, an additional expenditure of \$470,000 more to complete the Improvement from Keosauqua to Ottumwa.

This shows that to complete the entire work from the mouth of the river to Ottumwa, would require nearly \$1,000,000.

This distance would be about one-half of the whole line of Improvement. It will, therefore, be readily perceived that one-quarter

ter part of the work was not done as contemplated by the original contract; and, in fact, very little work was actually done during the first year of said contract.

For the information of the General Assembly, and in compliance with their instructions, we herewith append a statement of the amount of work actually done at each point on the Improvement. At Croton, where a lock had been built by the State, a dam was put in and completed by the Company; this is the only piece of work on the line completed by them.

At St. Francisville,	\$ 6,115 04
“ Belfast,	15,923 63
“ Croton,	19,114 08
“ Plymouth,	37,053 29
“ Keosauqua,	36,491 30
“ Pittsburgh,	5,000 74
“ Litchfield,	9,409 76
“ Orville,	10,258 66
“ Lowaville,	15,927 74
“ Alpine,	6,277 44
“ White Breast,	3,076 70
Value of hydraulic cement delivered for use,	2,305 00
For snag boats, and operating the same,	15,932 37
For repairs,	3,082 37

In justice to the Company it is but right to state that the Engineers were a large portion of the first year engaged in making the surveys, and by Mr. Wells it was stated that he understood considerable time was consumed in making the necessary financial arrangements for the prosecution of the work, and that during the last summer and autumn there was much delay necessarily caused by sickness among the hands and contractors.

But your Committee can find no reasonable excuse for the extraordinary sluggishness with which the work has been prosecuted, compatible with an honest purpose of prosecuting the work to completion, for the sole consideration of receiving in payment therefor the lands granted by Congress, and the use and rents of the Improvement and water power.

It is true that in the original contract, undertaken to be made in pursuance of the provisions of law, there seemed to be, at any rate, an inconsistency in the contract.

The Company agree to pay for all the lands embraced in said grant, and remaining unsold in December, 1853, the sum of \$1,300,000. But in a subsequent section of the same contract it is stipulated that this land is to be conveyed to said Company in the manner following, to-wit:

When work is done to the amount of \$30,000 there shall be conveyed 24,000 acres of land without any understanding or stipulation relieving the State, in case the land should happen to be a less quantity than sufficient to amount to the \$1,300,000 at \$1.25 per acre. Nor is there anything binding the Company to secure the State from any further claim if she shall fail to supply land to that amount, and yet prosecute the work to completion.

Now, according to the statement of the Commissioner, T. C. Lockwood, on the 9th of June, 1856, there was remaining unsold of lands actually assigned by the Commissioner of the General Land Office, to this Improvement, only 266,107 13 acres; this land at \$1.25 per acre, would amount to \$322,633 39.

Although there was and still is an unsettled claim which the State asserts to the lands extending further up the river, of these lands, the Commissioner and Register, at or before May last, certified, as they term it, to the D. N. & R. Co., 204,574 35 acres, leaving 61,537 78 acres. But, in the opinion of your committee, as before expressed, the legal title to the lands above certified to, has not passed from the State.

Now if the D. N. & R. Co. had a bona fide capital actually on hand, of nearly \$1,000,000, paid in for the prosecution of the work, as they ought to have according to the amount of stock issued, and had hitherto prosecuted the work with that vigor and energy which its importance demands, and which the people of the State had a right to expect, the condition of things would be very different; but as the work has been done, in the opinion of your committee, under a contract without any validity in law, and if said contract had been valid, in no manner according to the spirit and meaning thereof, your committee are of opinion that said company are

justly and equitably entitled to a fair compensation for the work done by them; but are not entitled, unless the State so elect, to payment in lands at \$1.25 per acre, which are worth six or seven dollars per acre. Nor do your committee see any guarantee the State would have for any further prosecution of the work, if these valuable lands are certified to them by the Commissioner and Register, to the amount of more than 200,000 acres, and worth, as your committee believe, at this time more than \$1,200,000, were conveyed to them; for it will be borne in mind that corporations are without souls, and the parties representing them are constantly changing; and your committee, after strict enquiry, have been unable to satisfy themselves that the D. N. & R. R. Co. have any available responsibility to any considerable amount, which could be reached by any legal process issued under the laws of this State. Here, however, your committee would remark that they have entire confidence in the honor of the President, Mr. Johnson, but there is no assurance that he will be any longer connected with the company as the President, but have reason to believe that he will not.

It is true that the recently appointed Commissioner, Edwin Manning, has recently entered into a modified contract with said company, which appears, upon the face of it, to be advantageous to the State, and if the State were bound by the contract of June 9th, 1854, would undoubtedly be advantageous, yet we cannot see or feel that the reduction of what would, at least, be doubtful expenditure, and an agreement to require no more land until one fourth of the improvement is done, is a sufficient guarantee for the efficient prosecution of the work, inasmuch as there has heretofore been a series of modifications, without any increased vigor or energy in the prosecution of the work, particularly, if it is expected, as we are informed, that the land heretofore certified to, is to be conveyed in fee simple, to said company.

Your committee are also asked to enquire whether the various modifications of the contract did not materially lessen the cost and value of the work on the improvement? To which we have to reply, that, if carried on, your committee believe that it would lessen in some respect, the value of the work; but, as testified before the committee, no work has been done under such modification, and in reply to another enquiry as to the character and value of the work, your committee find from the evidence before them, that the work

done is of a good substantial quality, and if completed as commenced, would be of incalculable value to the State.

There have been some bonds taken in the name of the President of the company, for the conveyance of lands where dams and locks, &c., are to be located, but no conveyance actually made; these lands, however, in the modified agreement with Mr. Manning, it is agreed, shall be conveyed to the State.

But there has been less trouble on the part of your committee, in coming to the conclusion they have in regard to the illegality of the original contract and its supplements, and the failure on the part of the company to keep and perform the same in good faith, than there is in deciding upon a course to be recommended for the action of the General Assembly, and the future prosecution of the work on said improvement.

After much reflection and mature deliberation, however, your Committee have determined to recommend the passage of a law authorizing, by the appointment by the Governor, an additional Commissioner; who, with the one now authorized by law, shall be fully authorized to make, if practicable, a just, equitable and advantageous arrangement with the D. N. & R. R. Co., upon such terms, and under such restrictions as will insure the speedy and vigorous prosecution of the work on said Improvement, to a useful result. And in case of a failure of such negotiation, then to settle and adjust upon fair and equitable terms, any and all just claims said Company may have for money expended on said Improvement.

And for the payment of said adjusted claims, and the further prosecution of the work on the Improvement, your Committee recommend that said Commissioners be authorized to sell lands, or pledge the whole or any portion of the lands still belonging to said grant, as security for means to accomplish these objects; such contracts or agreements to require for their validity the approval of the Governor.

Your Committee would further report that they are unable to see any good reason for further continuing the office of Register of the Des Moines River Improvement, but would recommend that all the papers and books pertaining to that office, should be transferred to the office of the Register of State lands, and the office of Register

abolished. And to prevent any misunderstanding, your Committee further recommend that the office of Assistant Commissioner be abolished by law.

And, in conclusion, your Committee would recommend that the Commissioners, or some other person or persons, be authorized and empowered to adjust, in such manner as will be most advantageous to the State, and finally settle the claim for lands now in dispute and unsettled.

All of which is respectfully submitted.

Signed,

D. T. BRIGHAM,
W. F. COOLBAUGH,
WM. G. THOMPSON,
J. W. JENKINS,
J. J. MATTHEWS,
D. EDMUNDSON,
B. F. ROBERTS,
JOHN H. FRY,
MILES JORDAN,
DAVID DOUD, JR.,
JOHN E. KURTZ,
JAMES GALBRAITH.

REPORT

OF

EDWIN MANNING,

COMMISSIONER

OF THE

Des Moines River Improvement.

Jan. 1, 1857.

*To the Honorable,
The Senate, and
House of Representatives,
Of the State of Iowa,
In General Assembly met :*

GENTLEMEN :

My recent appointment to fill the vacancy occasioned by the resignation of Wm. McKay, Esq., as Commissioner of the Des Moines River Improvement, must be my apology for not earlier submitting to you my report of its affairs in obedience with the law.

The law requires, and is satisfied with, a simple statement and report of its present condition, at my hands. But at this progress and juncture of its affairs, I regard the public good requires and calls for a more general examination, as well of the past as the present condition and standing of this important work.

In view of the fact, however, that this subject is now in the hands of a Joint Committee of your honorable bodies for such investigation; I will only submit a brief narrative of its condition and progress, with a view to elucidate, if possible, the main questions that are involved in its progress and prospective completion.

It is sufficiently known and understood that this Improvement is based upon, and prosecuted by means of, a grant of lands by the General Government, by act of Congress, August 8th, 1846, for the special purpose of improving the navigation of the Des Moines River.

The State of Iowa, through its Board of Public Works, prosecuted this Improvement about six years, up to June 9th, 1854, and during this period expended about Four Hundred and Seventy-Five Thousand Dollars. The result and progress of the work attained at that time was as follows:

A complete engineering survey of the line of Improvement was made.

A ship canal commenced, and a large amount of work performed for a distance of 10 miles

Three stone masonry locks, (of a capacity to chamber boats 160 feet long and 44 feet beam), and two dams completed, together with large amounts of materials procured at different points on the line.

On the 9th of June, A. D. 1854, the Commissioner and Assistant Commissioners of the Improvement entered into a contract with the Des Moines Navigation and Railroad Company, whereby said Company undertake and agree to finish the line of Improvement from the mouth of the river to Ft. Des Moines, by the first of July, 1858, and for which the State covenants to give all the remaining unsold lands in the grant, under certain restrictions, viz:

As fast as \$30,000 is expended and applied to the Improvement, they are to receive lands therefor at \$1.25 per acre, less 15 per cent, and so on until the whole line is completed and the sum of \$1,300,000 expended thereon.

Since the making of said contract the work has progressed under the management and control of said Company up to the present time.

Immediately following my appointment, I proceeded to examine the present condition of the work on the line of the Improvement, as well as the accounts and affairs generally, appertaining to the contract between the Company and the State, preparatory to my report.

The result of my examinations confirmed my previously entertained opinions, in part, at least, that an erroneous policy had been adopted by the company, in its manner of prosecuting this important work, but at the same time it must be admitted that their policy and plans have been approbated, at least, if not advised by my predecessors on the part of the State.

It must therefore at once be seen that the affairs present many serious difficulties, which, to comprehend and fully understand, requires a review of all that has transpired between the company and the State, under their contract of June 9, 1854.

That the company have failed to perform their contract with the State, is not denied, but in justification they claim that the state has not perfected the grant with the General Government, and on that account it is urged that the State is equally in default.

I shall take the position that the rights of the State must be maintained in this contract to the utmost extent, and that it is an incumbent duty upon her agents to protect the interests of the State in such manner as is best calculated to carry out the arrangement with said company according to its true intent and meaning.

At the same time it must be admitted that the rights and relations in this contract are equally sacred and important to the company. The good faith of the State is pledged that such rights shall be respected, and that no undue advantage shall be taken whereby its

rights are infringed or impaired, without good and valid reasons shown therefor.

In order to lay before you all that I deem important, I shall first give you a synopsis or schedule of the construction at different points upon the line of improvement, commencing at the mouth of the river.

The plan of improving the present channel of the river from the Mississippi to St. Francisville, is without locks a distance of 19 miles. It is proposed by the company to remove the snags and trees from the bed of the river, and deepen the channel in shoal places, by dredging and confining the water by means of wing dams, in its lower stages to a narrower channel. The company have procured for prosecuting this plan of improvement a dredge machine and snag boat, together with scows, tackle rope and fixtures to operate the same.

The total expenditure, including the expense of operating the same to this time, is reported by Chief Engineer at \$15,932 37.

This work may be said to have just commenced.

ST. FRANCISVILLE.

FIRST DAM.

At this point—

The lock pit is partially excavated, the coffer dam is in, and the lower miter sills are laid. The work is well started, and a large amount of materials are on the bank in readiness for early commencement in the spring, the extent and value of which you will see in a general list.

BELFAST.

SECOND DAM.

At this point—

The lock walls are carried up full width and length about eight feet high, and a large amount of rock in readiness to finish the lock

early in the spring. The sub-contractors are energetic and practical workmen. If the season is favorable, they will probably finish the job the ensuing year.

CROTON.

THIRD LOCK.

At this point—

The lock was built by the State. The company have constructed a new dam, say 12 feet high, at a cost of about \$20,000.

The lock walls will have to be raised to correspond with the dam, and ensure good navigation in high water, say from 3 to 4 feet.

The water power here is valuable, for its abundant supply at all seasons.

PLYMOUTH.

FOURTH LOCK.

At this point—

The lock walls are carried up full height and width about 10 to 12 feet high, and rock materials ready to finish early in the spring. There is also a large supply of materials procured for the dam. The work is in favorable progress, and the sub-contractor is an energetic and practical man, and urges the work with commendable zeal. The construction and materials at this point will exceed \$37,000.

BONAPARTE.

FIFTH LOCK.

At this point—

The lock and dam was constructed by the State nearly eight years ago, and is in good condition. Messrs. Weeks & Son are the contractors, and still have control of the power at this point. If there is any doubt of the practicability of this important navigation, I would refer to this point as demonstrating the fact, and affording reasons to quiet all fears.

REPORT OF BENTONSPORT.

SIXTH LOCK.

At this point—

The lock and dam was constructed by the State. The present company have expended between \$1,500 and \$2,000 in repairs, and it will probably require a similar outlay to complete it.

The lock is in working order.

KEOSAUQUA.

SEVENTH LOCK.

At this point—

The lock and dam was partially built by the State. Bonney & Whittlesey were the contractors, and were progressing with the work up to the time of making the contract with the present company. The construction and materials estimated and allowed to Messrs. B. & W., and paid for by the State and the company, as shown by the books, amount to the sum of \$46,775 13.

At this stage of the work, Messrs. W. & B. transferred their contract to the present company. A few weeks subsequently, it was relet to Bonney, Russell & Co., who still have the control upon this work. Immediately following the transfer of the contract of B. & W. to the company, one of the lock walls, partially built, was condemned by the Chief Engineer, and removed.

This wall is now being re-constructed, and the character of the work is believed to be good.

The delay and procrastination of the work at this point, has been and is yet a grievous source of complaint, and is not confined to its vicinity, but extends throughout the entire valley. It must be remembered that at this point, the lock and dam is located at the head of the largest rapids in the river.

The unfinished condition of the work, therefore, has caused great additional obstruction to navigation. The damages sustained, and the dangers encountered at this point, by the commercial and agricultural communities of the valley, hitherto, growing out of this

grievous obstruction, is so great that a reasonable computation upon the freight and commerce made subject to extra charges, would appear almost fabulous.

It is also true that the heaviest of this burthen falls upon the upper portion of the Valley, from the fact that boats are so long unavoidably detained in lightening and getting over the Rapids, that they not unfrequently fail of their destination, and of necessity store their cargoes.

This works a peculiar hardship upon the shipper, and causes not only delays but serious losses.

Now to undertake to determine the source of all these evils, would, in the opinion of your Commissioner, involve a waste of time to little benefit. But it is here proper to remark that this case is now fully understood by the Company, and I have the best of assurances from the President, that if the present sub-contractors do not progress with the work satisfactorily to your Commissioner, that upon reasonable notice the work shall be re-let to a reliable and vigorous party, to insure its early completion.

In order to obviate the building of a dam and lock between Bentonsport and Keosauqua, the Company have adopted a plan of blasting and excavating a rock channel immediately below the Keosauqua lock, of a depth and width adapted to the navigation. The distance required is about one-fourth of a mile.

This work has also been commenced, and the President assures me shall be completed the ensuing season.

PITTSBURGH.

EIGHTH LOCK.

At this point—

The coffer dam is now in, and the lock pit mostly prepared. A quantity of rock material is quarried, and the work fairly started.

REPORT OF
LITCHFIELD.

NINTH LOCK.

At this point—

The lock pit is mostly excavated, and the masonry is well commenced ; a large amount of materials are procured, and the work is in a favorable state of progress. The sub-contractors are energetic and practical workmen, and are urging the work to the utmost of their ability.

The estimated work at this point is over \$9,000.

ORVILLE.

TENTH LOCK.

At this point—

The coffer dam is in, the lock pit excavated, and the masonry well started.

A large quantity of materials are prepared for the lock, and the estimates already awarded the contractors are about \$10,000. Owing to an unusual sickness amongst his men, the work has been unavoidably delayed.

JORDAN'S.

ELEVENTH LOCK.

At this point—

The lock pit is partially excavated, the coffer dam is in, and the masonry well started.

Having to change the location of the lock a short distance, to get a good foundation, the work has been delayed. A large amount of materials, rock and timber, are procured, and the work has progressed with energy and vigor, equal, if not greater, than at any other point; the sub-contractors are practical and energetic men. The estimated work and materials up to the 1st of December, exceeds \$15,000.

ALPINE.

TWELFTH LOCK.

At this point—

The Chief Engineer reports the foundation for the lock as nearly prepared, and a quantity of material quarried for the lock. This work I have not personally examined. The estimated work exceeds \$6,000.

WHITE BREAST.

At this point—

The Chief Engineer reports the coffer dam in, and foundation for lock nearly prepared, and a quantity of materials are procured. Estimated work exceeds \$3,000, and the work progressing.

The foregoing schedule sets forth the present condition and progress of the Improvement as prosecuted by the D. M. N. & R. R. Co., on their contract heretofore referred to, with the State up to 1st December, 1856.

The character and quality of the work upon the lock walls, is believed to be fully equal, in all respects, to that heretofore constructed by the State, which condition in the original contract in that respect is believed to be complied with.

I will now submit to you for further consideration, the result and manner of my examinations into the accounts and affairs of each party, as connected with the contract of the 9th June, 1854, and upon which the foregoing schedule of work has been performed by the D. M. N. & R. R. Company, for the State of Iowa, which several sums, as shown hereafter in detail, are exhibited by their books and vouchers, and furthermore certified and attested by the Chief Engineer of the Improvement, as true to the best of his knowledge:

REPORT OF

ESTIMATE

*Of work done and materials delivered by the Demois Navigation
and Railroad Company, for Lock and Dam, at*

ST. FRANCISVILLE,

Up to December 1st, 1856.

ITEMS.	QUAN- TITIES.	PRICE.		AMOUNT.	TOTAL.
		COST.	EST.		
Preparing lock foundations,				\$800 00	
Masonry in lock walls--perches	13 5	00		65 00	
Hydraulic cement, bbls	14 3	00		42 00	
Square timber, ft.	132	14		18 48	
Excavation of earth for foundation, c. yds	3420	40		1368 00	
Excavations of rock above water, perches	2316 1	00		2316 00	
Wrought iron, lbs	300	08		24 00	
Concrete masonry, c. yds	14 4	00		56 00	\$4689 48
MATERIALS DELIVERED.					
Cut stone, c. yds	125	5 00		625 00	
Rough lock stone, "	40	2 00		80 00	
Square timber, ft.	132	08		10 56	
Wrought iron, lbs	900	07		63 00	
Crib filling, c. yds	580	50		290 00	
Sand,	340	50		170 00	
Quick lime, bush	610	20		122 00	1360 56
MATERIAL AT QUARRY.					
Rough lock stone, c. yds	65	1 00		65 00	65 00
					\$6115 04

ESTIMATE

Of work done and materials delivered by the Demoiné Navigation and Railroad Company, for Lock and Dam, at

BELFAST,

Up to December 1st, 1856.

ITEMS.	QUAN- TITIES.	PRICE.		AMOUNT.	TOTAL.
		COST.	EST.		
Preparing lock foundations,				\$2200 00	
Masonry in lock walls-perches	1633	5 00		8165 00	
Hydraulic cement, bbls	227	3 00		681 00	
Square timber, ft	492	14		68 88	
Excavation of earth for foundations, c. yds	5250	40		2100 00	
Excavation of rock above water, perches	521	1 00		521 00	
Wrought iron lbs	1850	08		148 00	
Concrete masonry c. yds	25	4 00		100 00	13983 88
MATERIALS DELIVERED.					
Cut stone, c. yds	144	5 00		720 00	
Rough lock stone, c. yds	37	2 00		74 00	
Round timber, ft	80	06		4 80	
Crib filling, c. yds	341	50		170 50	
Quick-lime, bu	50	20		10 00	979 30
MATERIALS AT QUARRY.					
Rough lock stone, c. yds	410	1 00		410 00	
Cut stone, c. yds	131	2 50		327 50	
Crib filling, c. yds	913	30		293 90	1011 40
MATERIALS IN WOODS OR BANKED.					
Square timber, ft	280		04	11 20	11 20
DEDUCT MATERIAL PROCURED BY THE STATE AND USED AT BELFAST.					
Free-stone, c. yds	28	1 75		49 00	
Rough lock stone, c. yds	11	1 25		13 75	62 75
					15923 08

REPORT OF

ESTIMATE

*Of work done and materials delivered by the Des Moines Navigation
and Rail Road Company, for Lock and Dam, at*

CROTON,

Up to December 1st, 1856.

ITEMS.	QUAN- TITIES.	PRICE.		AMOUNT.	TOTAL.
		COST.	EST.		
Masonry in side walls and abutments, perches	977	3	50	\$3419 50	
Hydraulic cement, bbls	440	3	00	1320 00	
Square timber, ft	40535	14		5674 90	
Oak plank, M	41760	2	25	939 60	
Crib filling, perches	5040	1	00	5040 00	
Excavation of earth for foundation, c. yds	3611	40		1444 40	
Excavation of rock un- der water, perches	129	2	00	258 00	
Wrought iron, lbs	14105	8		1128 40	
Round timber, ft	17875	11		1966 25	
Concrete masonry, c. yds	2 1-2	4	00	10 00	
Pine plank, M.	1025	\$60		61 50	21262 55
DEDUCT MATERIALS PROCURED BY THE STATE, AND USED AT CROTON.					
White oak square tim- ber, ft	21637		6	1298 22	
White oak round tim- ber, ft	7500	4	1-2	337 50	
Crib filling, c. yds	1690		25	422 50	
Abutment stone, c. yds	121		75	90 25	2148 47
					19114 08

ESTIMATE

*Of work done and materials delivered by the Des Moines Navigation
and Railroad Company, for lock and dam, at*

PLYMOUTH,

Up to December 1st, 1856.

ITEMS.	QUAN- TITIES.	PRICE.		AMOUNT.	TOTAL.
		COST.	EST.		
Preparing lock foundations,				\$2800 00	
Masonry in lock walls—perches	3754	5 00		18770 00	
Masonry in side walls and abutments, perches	83	3 50		290 50	
Hydraulic cement, bbls	1803	3 00		5409 00	
Square timber, ft	7904	14		1108 56	
Crib filling, perches	1190	1 00		1190 00	
Excavation of earth for foundations, c. yds	4147	40		1658 80	
Excavation of rock above water, perches	639	1 00		639 00	
Wrought iron, lbs	2122	08		169 76	
Round timber, ft	4380	11		481 80	
Concrete Masonry, c. yds	40	4 00		160 00	32675 42
MATERIALS DELIVERED.					
Cut stone, c. yds	253	5 00		1265 00	
Rough lock stone, c. yds	25	2 00		50 00	
Square timber, ft	4759	08		380 72	
Square timber framed, ft	2260	11		248 60	
Round timber, ft	2570	06		154 20	
Round timber framed, ft	9500	08		760 00	
Oak plank, M	22500	1 50		337 50	
Hydraulic cement, bbls	110	2 50		275 00	
Wrought iron, lbs	3700	07		259 00	
Crib filling, c. yds	100	50		50 00	
Quick-lime, bu	400	20		80 00	3860 02
MATERIAL AT QUARRY.					
Rough lock stone, c. yds	1145	1 00		1145 00	
Cut stone, c. yds	155	2 50		387 50	
Crib filling, c. yds	3900	30		1170 00	2702 50

39237 94

ESTIMATE—Continued.

Of work done and material delivered by the Des Moines Navigation
and Railroad Company, for lock and dam, at

PLYMOUTH,

Up to December 1st, 1856.

ITEMS.	QUAN- TITIES.	PRICE.		AMOUNT.	TOTAL.
		COST	EST.		
Amount brought over,					39237 94
EXTRA WORK AT PLYMOUTH.					
Excavation of channel thro' old mill dam, c. yds	250		50	125 00	
Excavation of channel thro' old mill dam, c. yds	300		75	225 00	
Removal of sunken boat, Grubbing and clearing abutment pit,				10 00	
				20 00	380 00
DEDUCT MATERIALS PROCURED BY THE STATE AND USED AT PLYMOUTH.					
Free-stone, perches	267	3 75		1001 25	
Backing stone, "	420		80	336 00	
Backing stone from west side of river "	400		90	360 00	
Crib filling from west side of river, "	585		25	133 75	
Crib filling above mill, Deduct cash paid Jonas Houghton by the State Dec. 15, 1853.	397		45	133 65	
Deduct cash paid Jonas Houghton by the State, July 26, 1854.				500 00	
				100 00	2564 65
					<u>37053 29</u>

ESTIMATE

Of work done by Bonney & Whittlesey, at Keosauqua, after the Des Moines Navigation and Rail Road Company had entered into contract with the State, but previous to the time their contract was purchased of them by the D. N. & R. R. Co.

KEOSAUQUA.

ITEMS.	OLD QUAN- TITIES.	NEW QUANTI- TIES.	DIFFER- ENCE.	PRICE.	AMOUNT.
	Dec 15 1853.	Jan. 1st, 1856.			
Preparing lock foundation,	2100	2300	\$200		\$ 200 00
Masonry in lock walls, p'chs	2262	3406.09	1144.09	5 00	5720 45
Masonry in side walls, p'chs	270	1650.72	1380.72	3 50	4832 52
Hydraulic cement, bbls	931	1725	794	3 00	2382 00
Square timber, ft	2720	27888	25168	14	3523 52
Round timber, ft	1440	12654	11214	11	1233 54
Crib filling, p'chs	458	4467	4009	1 00	4009 00
Iron bolts, lbs	315	3478	3163	8	2503 04
Oak plank, M	4449	18246	13797	2250	310 43
Embankment, cu. yds		279	279	20	55 80
Excavation of founda- tion for abutment pit, cu. yds	521	2753	2232	40	892 80
Timber in ice-breaker ft		940	940	14	131 60
					25794 70
Extra amount on crib filling as per agreement with En- gineer,					190 20
					25984 90
A Difference in value of mate- rials on hand (Dec. 15, '53, to Jan. 1, 1856,					2596 32
					23388 58

For explanation of item marked "A" see next page.

REPORT OF

M A T E R I A L S

On hand at Keosauqua when the Des Moines Navigation and Railroad.

Company entered into contract with the State.

ITEMS.	QUAN- TITIES.	PRICE.	AMOUNT.
Cut stone delivered,	perches 284	2 00	\$568 00
Coping cut and delivered,	" 70	5 00	350 00
Face stone (not cut) delivered,	" 50	1 50	75 00
Rough lock stone delivered,	" 2006	1 50	3009 00
Crib filling delivered,	" 3000	30	900 00
Square timber delivered,	ft 1250	06	75 00
Square timber on bank two miles above work,	ft 2000	04	80 00
Plank delivered,	M 10600	15 00	159 00
			5216 00.

Section 19.

M A T E R I A L S

On hand at Keosauqua when the Des Moines Navigation and Railroad Company bought out the contract of Messrs. Bonney & Whiteley.

ITEMS.	QUAN- TITIES.	PRICE.	AMOUNT.	
Stone partly cut and delivered,	perches	171.68	2 00	343 36
Rough lock and side wall stone de- livered,	"	274.58	1 50	411 87
Coping,	"	6.65	5 00	33 25
Crib filling,	"	354	30	106 20
Square timber on hand three miles above lock,	ft	16512	04	660 48
Round timber on hand three miles above lock,	ft	7923	04	316 92
Plank delivered,	M	49840	15 00	747 60
Deduct				2619 68
From				5216 00
Difference in value of materials on hand, (dates as above,)				2596 32

REPORT OF

ESTIMATE

*Of work done and materials delivered by the Demoiné Navigation
and Rail Road Company, for Lock and Dam, at*

KEOSAUQUA,

Up to December 1st, 1856.

ITEMS.	QUAN- TITIES.	PRICE.		AMOUNT.	TOTAL.
		COST.	EST.		
Preparing lock foundations,				\$1500 00	
Masonry in lock walls, perches	1071	5 00		5355 00	
Hydraulic cement, bbls	115	3 00		345 00	
Square timber, ft	1450	14		203 00	
Oak plank, M	1000	2 25		22 50	
Crib filling, perches	42	1 00		42 00	
Excavation of earth for foundation, cu. yds	198	40		79 20	
Excavations of Rock above water, perches	1571	1 00		1571 00	
Wrought iron, lbs	1039	8		83 12	
Round timber, ft	672	11		73 92	
Rock under water in channel, perches	360	2 00		720 00	
Excavation of earth, cu. yds	3800	20		760 00	
Removal of old lock walls, c. yds	956	90		860 40	
Slope wall, cu. yds	217	2 00		434 00	12049 14
MATERIAL DELIVERED.					
Cut stone, cu. yds	192	5 00		960 00	
Rough lock stone, cu. yds	17	2 00		34 00	
Square timber framed, ft	232	11		25 52	
Hydraulic cement, bbls	212	2 50		530 00	
Crib filling, cu. yds	80	50		40 00	
Sand, cu. yds	20	50		10 00	\$1599 52
EXTRA WORK AT KEOSAUQUA.					13648 66
Removal of plank from mitre sill and breast wall,				8 96	
Removal of timber in pier,				39 90	
Removal of mitre sill, and old dam,				25 00	
Removal of timber from old lock walls,				28 96	102 12
Amount carried over,				\$13750 78	

E S T I M A T E

*Of work done and materials delivered by the Des Moines Navigation
and Railroad Company, for Lock and Dam, at*

KEOSAUQUA,

Up to December 1st, 1856.

ITEMS.	QUAN- TITIES.	PRICE.		AMOUNT.	TOTAL.
		COST.	EST.		
Amount brought over,					13750 78
DEDUCT MATERIAL PROCURED BY THE STATE, AND USED AT KEOSAUQUA.					
Face stone,	cu. yds	174	2 00	348 00	
Backing stone,	cu. yds	190	1 50	285 00	
Plank,	M	1000	\$15	15 00	\$648 00

\$13102 78

REPORT OF

ESTIMATE

*Of work done and materials delivered by the Des Moines Navigation
and Railroad Company, for lock and dam, at*

PITTSBURGH,

Up to December 1st, 1856.

ITEMS.	QUAN- TITIES.	PRICE.		AMOUNT.	TOTAL.
		COST.	EST.		
Preparing lock foundations,				500 00	
Excavation of earth for foundations, c. yds	1700	40		680 00	
Excavation of rock above water, perches	54	1 00		54 00	1234 00
MATERIALS DELIVERED.					
Rough lock stone, c. yds	120		2 00	240 00	
Square timber, ft	10000		08	800 00	
Round timber, ft	1700		06	102 00	1142 00
MATERIALS AT QUARRY.					
Rough lock stone, c. yds	1040		1 00	1040 00	
Crib filling, c. yds	514		30	154 20	1194 20
MATERIALS IN WOODS OR BANKED.					
Square timber, ft	19338		04	773 52	
Round timber, ft	8234		03	247 02	
Saw logs, M	82000		5 00	410 00	1430 54
					5000 74

ESTIMATE

*Of work done and materials delivered by the Des Moines Navigation
and Railroad Company, for Lock and Dam, at*

LITCHFIELD,

Up to December 1st, 1856.

ITEMS.	QUAN- TITIES.	PRICE.		AMOUNT.	TOTAL
		COST.	EST.		
Preparing lock foundations,				\$1100 00	
Masonry in lock walls--perches	470	5 00		2350 00	
Hydraulic cement, bbls	40	3 00		120 00	
Excavation of earth for foundation, c.yds	1450	40		580 00	
Excavations of rock above water, perches	1103	1 00		1103 00	5253 00
MATERIALS DELIVERED.					
Cut stone, c. yds	128		5 00	640 00	
Rough lock stone, "	569		2 00	1138 00	
Square timber, ft.	7600		8	608 00	
Round timber, ft	6500		6	390 00	
Wrought iron, lbs	900		7	63 00	
Crib filling, c. yds	1503		50	751 50	
Sand, "	80		50	40 00	
Quicklime, bush	200		20	40 00	3670 50
MATERIAL AT QUARRY.					
Rough lock stone, c. yds	160		1 00	160 00	
Crib filling, c.yds	100		30	30 00	190 00
MATERIALS IN WOODS OR BANKED.					
Square timber, ft	2280		4	91 20	
Saw logs, M	41000		5 00	205 00	296 20
					\$3409 70

REPORT OF

ESTIMATE

*Of work done and materials delivered by the Des Moines Navigation
and Rail Road Company for Lock and Dam, at*

ORVILLE,

Up to December 1st, 1856.

ITEMS.	QUAN- TITIES.	PRICE.		AMOUNT.	TOTAL.
		COST.	EST.		
Preparing lock foundation,				1300 00	
Masonry in lock walls perches	393	5 00		1965 00	
Hydraulic cement, bbls	39	3 00		117 00	
Excavation of earth for foundation, c. yds	653	40		261 20	
Excavation of rock a- bove water, perches	786	1 00		786 00	4429 20
MATERIALS DELIVERED.					
Cut stone, c. yds	78		5 00	390 00	
Rough lock stone, c. yds	1880		2 00	3760 00	
Square timber, ft	1100		08	88 00	
Square timber framed, ft	360		11	39 60	
Round timber, ft	1200		06	72 00	
Wrought iron, lbs	1200		07	84 00	
Crib filling, c. yds	1870		50	935 00	
Quick lime, bu	400		20	80 00	5448 60
MATERIALS IN WOODS OR BANKED.					
Square timber, ft	9020		04	360 80	360 80
					10238 60

ESTIMATE

*Of work done and materials delivered by the Des Moines Navigation
and Railroad Company, for Lock and Dam, at*

IOWAVILLE,

Up to December 1st, 1856.

ITEMS.	QUAN- TITIES.	PRICE.		AMOUNT.	TOTAL.
		COST	EST.		
Preparing lock foundations,				\$1400 00	
Masonry in lock walls--perches	315	5 00		1575 00	
Hydraulic cement, bbls	45	3 00		135 00	
Excavation of earth for foundations, c. yds	6200	40		2480 00	
Excavation of rock above water, perches	1502	1 00		1502 00	
Concrete Masonry, c. yds	3	4 00		12 00	\$7104 00
MATERIALS DELIVERED.					
Cut stone, c. yds	330		5 00	1650 00	
Rough lock stone, c. yds	870		2 00	1740 00	
Square timber, ft	19000		8	1520 00	
Round timber, ft	1262		6	75 72	
Wrought iron, lbs	1200		7	84 00	
Crib filling, c. yds	1860		50	930 00	
Quick-lime, bu	500		20	100 00	\$6099 72
MATERIAL AT QUARRY.					
Rough lock stone, c. yds	2000		1 00	2000 00	
Cut stone, c. yds	75		2 50	187 50	\$2187 50
MATERIALS IN WOODS OR BANKED.					
Square timber, ft	13413		4	536 52	\$536 52
					\$15927 74

REPORT OF

ESTIMATE

*Of work done and materials delivered by the Des Moines Navigation
and Railroad Company, for lock and dam, at*

ALPINE,

Up to December 1st, 1856.

ITEMS.	QUAN- TITIES.	PRICE.		AMOUNT.	TOTAL.
		COST.	EST.		
Preparing lock foundations,				700 00	
Masonry in lock walls, perches	33 5	00		165 00	
Excavation of earth for foundations, c. yds	1900	40		760 00	
Excavation of rock above water, perches	194 1	00		194 00	1819 00
MATERIALS DELIVERED.					
Cut stone, cu. yds	40	5	00	200 00	
Rough lock stone, cu. yds	1150	2	00	2300 00	
Square timber, ft	1418	08		1134 88	
Round timber, ft	8476	06		508 56	
Crib filling, c. yds	360	50		180 00	
Sand, cu. yds	20	50		10 00	
Quick-lime, bu	500	20		100 00	4433 44
MATERIALS AT QUARRY.					
Rough lock stone, c. yds	25	1	00	25 00	25 00
					6277 44

ESTIMATE

*Of work done and materials delivered by the Des Moines Navigation
and Railroad Company, for lock and dam, at*

WHITE BREAST,

Up to December 1st, 1856.

ITEMS.	QUAN- TITIES.	PRICE.		AMOUNT.	TOTAL.
		COST.	EST.		
Preparing lock foundations,				\$ 600 00	
Excavation of earth for foundation,	725	40		290 00	
Excavations of rocks above water,	1426	1 00		1426 00	\$2316 00
MATERIALS DELIVERED.					
Cut stone, cu. yds	50		5 00	250 00	
Rough lock stone, "	45		2 00	90 00	
Crib filling, "	411		50	205 50	545 50
MATERIALS AT QUARRY.					
Rough lock stone, c. yds	110		1 00	110 00	
Cut stone, "	10		2 50	25 00	
Crib filling, c. yds	230		30	69 00	204 00
MATERIALS IN WOODS OR BANKED.					
Square timber, ft	280		4	11 20	11 20
					<u>\$3076 70</u>

REPORT OF

STATEMENT

Of monies expended on Snag Boat and removing Snags below

ST. FRANCISVILLE,

Up to December 1st, 1856.

Cash paid A. C. Orr, bill for matrasses,	\$26 50
“ “ Calvin Coates, bill for wood work on block and crab,	37 00
Cash paid Cox & Shelly, bills for blankets,	26 25
“ “ Comstock & Bros., bill for stove and fixtures,	29 92
“ “ J. H. Hager, bill for snag boat,	125 00
“ “ Geo. W. Birdsall's, bills for labor, materials, &c.,	149 58
“ “ Hiatt & Harbine, bill for lumber,	106 76
“ “ Burns & Kentgeus, bill for freight commission on tools &c.,	636 14
Cash paid C. P. Conder for labor,	2 25
“ “ Check roll for Aug., Sept., Oct. and Nov., 1856,	1726 86
“ “ H. Jones, bills for provisions, &c.,	186 57
“ “ J. P. Flander, bill for snag machine,	125 00
“ “ Beatty, Long & Co., bill for iron work on crab and blocks,	26 20
Cash paid Geo. W. Langdon, bill for blacksmith work,	252 58
“ “ Hubbard & Robb, bill for ship chandlery,	182 60
“ “ Bill for freight and transportation,	44 80
“ “ John Griffiths & Co., bill for lumber, \$67.50, skiff, 32.50,	100 00
Cash paid Reed, Tracy & Co., bill for chains, rope, &c.,	396 10
“ “ S. W. & H. Tucker, bill for hardware,	72 14
	<hr/>
	\$4250 25

STATEMENT

*Of monies expended on Dredge Boats and Dredging, up to
December 1st, 1856.*

Cash paid.	Geo. W. Birdsall's bill for labor and expenses,	\$202 27
"	Hiatt and Harbine's bills for lumber,	676 59
"	W. N. Haskell's bills for labor and expenses,	1869 79
"	H. F. Emery and Co's bill for lumber,	450 72
"	Connable, Smith & Co., bills for materials,	191 34
"	George W. Langdon, bills for blacksmithing,	578 63
"	Burns and Rentgen, bills for freight and commission on machinery,	545 28
"	H. S. Bean's bill for labor and expenses on machinery,	459 91
"	For check roll for November, 1856,	221 45
"	Hubbard & Robb's bill for ship chandlery,	89 10
"	John Griffiths & Co.'s bill for lumber, \$180 23; Skiff, \$32 50; Two lighters, \$800 00,	962 73
"	A. C. Orr's bill for mattresses and bedding,	42 45
"	W. M. Foster & Co., bill for blankets,	19 50
"	Halloway & Evans, bill for forge, &c.,	26 58
"	Farrar & Haine, bill for lumber & sash,	126 09
"	S. W. & H. Tucker, bill for hardware,	71 27
"	Tillinghast, Lane & Bull, bill for hardware,	63 71
"	A. C. Thorn & Co., bill for paints & oils,	49 09
"	J. C. Osgood, bill for machinery and extras,	5035 62
		<hr/>
		\$11682 12

RECAPITULATION

Of Demoine River Improvement Expenditures, by Demoine N. & R. R. Co., for construction & materials, at the following points, up to the 1st of December, 1856, to wit :

At St. Francisville,	\$6115 04
At Belfast,	15923 03
At Croton,	19114 08
At Plymouth,	37053 29
At Keosauqua,	36491 36
At Pittsburgh,	5000 74
At Litchfield,	9409 70
At Orville,	10238 60
At Jordan's, or Iowaville,	15927 74
At Alpine,	6277 44
At Whitebreast,	3076 70
	————— \$166,932 70
For 922 barrels hydraulic cement, delivered at Keokuk and other points, at \$2.50 per barrel,	2305 00
Add construction, or expenditures below St. Francisville, including snag boat, dredge machine, rope, tackle & fixtures, and two scows, and operating the same three months,	15932 37
Repairs at Bentonsport and Croton, and assisting boats and tending lock,	3082 37
	————— 19,014 74

SALARIES PAID STATE OFFICERS ETC.

1855. May 1. J. H. Bonny, salary, \$1500,	
expenses, \$492.10,	1992 10
“ “ 30. Geo. Gillaspay, salary, \$1500,	
expenses, 684.41,	2148 41
1856. March. Wm. McKay, salary,	1327 00
J. C. Lockwood,	862 00
“	500 00
Nov. 1. Wm. McKay,	250 00
	————— 7,629 51
	————— \$193,576 95

Amount brought forward,	\$193,576 95
For State indebtedness, including \$55,000 paid Commissioner Bonney,	68,953 57
	-----\$262,530 52
Expense account, total for engineering, salaries, traveling expenses, employees, servants and office expenses and other matters, estimated by Chief Engineer, as proper under the con- tract, and chargeable to D. M. R. Improve- ment, from May 24th, 1854, up to Decem- ber 1st, 1856, amounting to	127,380 20
<i>Deduct as follows :</i>	
Items transferred to the construction or work, below St. Francisville, and salaries of State officers before charged, amounting to	18,199 55
Right of way to Kinnarby & Thorne, to be adjusted as per agreement,	5,000 00
	-----23,199 55
Expense account prepared as estimated by Chief Engineer,	104,180 74
Total account against improvement	-----366,711 26

LANDS CERTIFIED.

By Bonney and Gillaspy, 88,853.19 acres, at \$1.25 per acre,	111,066 48
By McKay and Lockwood, 116,636.04 acres, at \$1. 25 per acre,	145,795 05
	-----256,861 53
	\$100,849 73

The above shows the balance claimed by the company against the improvement, of one hundred and nine thousand eight hundred and fifty-nine dollars and seventy-three cents, with such percentage as is provided in original contract, and after which 15 per cent. is to be deducted and reserved by the State, until final completion of the improvement.

Balance brought forward, \$109,849 73

Now under the present arrangement between the company and your commissioner, the company have abated a large amount of their expenses, and have reduced the engineering and all other expenses, aside from construction, to \$13,880 per annum, which abates and renders the above balance 69,480 69

Balance against the improvement, 40,369 04

Since adjustment of the foregoing accounts, I have discovered an error of expenses and repairs at Bentonsport and Croton, that was embraced in construction account below St. Francisville, amounting to 3,082 37

Which sum of three thousand and eighty-two dollars and thirty-seven cents is to be deducted from construction account, as provided in the agreement, as well as any other error that may hereafter be discovered.

Leaving a balance of thirty-seven thousand two hundred and eighty-six dollars and sixty seven cents, together with any part of said three thousand and eighty-two dollars and thirty-seven cents that is construction account against the improvement.

This balance is reserved by the State, under the present adjustment, until the performance of a certain contingency set forth in said agreement between your commissioner and the company; the company undertaking and agreeing to complete one fourth part of the line of improvement, from the mouth of the river, so as to make it available for a continuous line of navigation the longest period in each year to that extent, before they become entitled to said balance above named against the improvement.

And for a more satisfactory exhibit of this adjustment and agreement, I herewith annex a copy of same, marked "A."

NOTE.—The total abatements of the company will approximate \$72,000, ascertained and agreed upon to this time, besides placing the balance ascertained against the improvement, in a contingent form, quite favorable and advantageous to the State.

I would also report—

There is now outstanding indebtedness against the Improvement amounting to \$11,000, which fall due in Nov. 1857.

The company acknowledge their liability to pay the sum, and for reason of their non-payment, they assign that the parties holding them, will not receive payment, and surrender the same till they mature.

Furthermore, I report that—

Under the present adjustment with company, the funds on hand belonging to the Improvement the 17th December, 1853, amounting to \$4285.01, was not brought forward for consideration. It is therefore a question for equitable adjustment between the company and the State. If the funds are in the hands of the company, the same should be applied in liquidating said indebtedness for the credit of the State, and the balance of the certificates will be a legitimate claim against the improvement.

I also report—

By the present arrangement between your Commissioner and the company, it is understood that the titles to the lands for right of way and mill purposes are to rest in the name of the State, according to the terms of the original contract.

The present adjustment has been mutually entered into with a full view of all the embarrassments and difficulties heretofore and at present encountered, and more especially to hasten and ensure the immediate progress and early completion of the work. Furthermore, I regard that this arrangement will not conflict with any material issue involved in the present investigation now being had through the joint committee of your honorable body.

The able and comprehensive views of Gov. Grimes in withholding the patents upon lands certified to the company, meets with general satisfaction. It is not, however, with any view to defeat or withhold from said company any of their just rights, but rather to protect the State and our own rights under the contract with the company.

It must be borne in mind that the lands are all the security the State holds to secure the completion of the work, and furthermore, that the policy and progress of the work as heretofore conducted by the company, has excited suspicions amongst the best men that there was a want of good faith and intention on the part of the company, to carry out and perform their contract.

I confess my own opinions, heretofore, have favored that view of the case; but under this arrangement, my confidence is restored in so much that I believe the best efforts of the company will be, hereafter, to carry out their contract with the State.

The manifestation of the President of the company in making this arrangement appear to me quite equitable, and it is due from me to admit that his efforts in behalf of this adjustment have been of the most laudable character. The concession herein made by the company to the State are agreed to by me as highly creditable to the company and equitable to the State.

It is but right to regard it as an evidence of their good faith to perform this agreement.

The President of the Company and your Commissioner now believe the true policy and interest of both parties is sufficiently defined and understood to warrant the progress of the Improvement in a manner that will ensure the earliest and greatest benefits and blessings to the entire valley.

It will be seen that this policy provides for the immediate completion of the work already commenced below Ottumwa. This being done, the greatest obstructions and embarrassments to navigation, are at once overcome. In order to more fully illustrate and demonstrate this position, I shall assume that a permanent navigation from the mouth of the river for at least one-half the entire line in a continuous manner, is more valuable, and more to be desired in a commercial point of view, by the citizens of the upper portion of the valley, than any other practicable plan that has hitherto or at present can be suggested.

The first one hundred miles of this river, from the mouth, has continuous shoals and rapids, with good rock bed and high banks, which demonstrates beyond every contingency the practicability of

a permanent improvement. The river above Ottumwa is narrower and the channel deeper, and consequently assumes a different character of navigation from that below. It is generally known that the river is navigable for small boats mostly every season, above Ottumwa, some three or four weeks longer than it is below that point.

The policy heretofore adopted by the Company and approved by former Commissioners, of putting the entire line of improvement in progress at the same time, with a view to the simultaneous completion of the same, was, as has since been demonstrated, impracticable, from the fact that the country is yet new and but partially settled and improved, with only a limited supply of laborers in its vicinity. If the locality of this Improvement was more convenient to the densely populated portions of the East, the case would be different.

But when it is considered that it is one thousand miles distant from the sea-board, thereby rendering uncertain the procuring of the laborers necessary to its successful progress, then it becomes more apparent that the limited force at command should be employed so as to make the first section of the work available at an early day, whereby the citizens of the valley, as well as the Company, can derive some immediate benefit from the great expenditure already made upon the Improvement. All past experience in like great internal improvements warrants me in this view of the subject.

The present arrangement contemplates the continuation of the Improvement above Ottumwa, in like manner as that below, at the earliest practicable period, and as soon as it is completed that far.

When it is considered that this basis of policy of completing the first half of the line is effected, that the resources of the Company are thereby enhanced in the value of lands and water power, with the fact of a completed navigation of ninety miles, yielding large revenues to the Company, it must at once be seen that it will afford superior facilities to raise funds, and at the same time better secure the valley and the State, that this entire Improvement can and will be fully completed.

My own observation and experience warrant me in recommending this view of the subject as the most feasible and best adapted to accomplish the greatest general good, and more especially is it adapted

to afford the upper portion of the valley, all the benefits to be derived from this great enterprise.

The progress of the work to this time shows an aggregate outlay by the State and the Company, of nearly Eight Hundred Thousand Dollars, and that portion constructed by the Company is mostly in an unfinished condition.

The importance, therefore, is apparent to both parties, that an early and satisfactory adjustment of differences at this crisis of its affairs was called for. If these differences were suffered to remain unadjusted, there is reason to believe the work would languish, the breach become wider rather than less, and the risks and hazards on both sides, were eminently calculated to end in tedious litigation, which, to say the least, could not hasten the progress of the Des Moines River Improvement. But on the contrary would, in the opinion of your Commissioner, prove disastrous and ruinous to the Improvement, and the best interests of this valley.

In adjusting these differences, your Commissioner has aimed to maintain the rights of the State to the fullest extent, and at the same time be governed by the principles of equity, properly applied to the rights and relations of the Company.

If the basis and condition of this compromise shall meet with mutual approval from the State and the Company, then my agency will have accomplished more than I had reason to expect.

The General Government wisely directed and specified the object of this grant. The State accepted it under the restrictions. It is therefore a clear question of right with the citizens of the valley, and that the good faith of the State is pledged that the object of the grant shall not be defeated, but all proper measures taken to secure and maintain it.

The great and fundamental principle of this grant, and that which is paramount to all others, is to spread and diffuse the blessings of commerce and navigation throughout this entire valley; all other advantages being contingent thereto. If we fail of the first and main object aimed at—to bring the commerce of the world at our own doors, on a scale that places us on an equality with our commercial neighbors—then the object of the grant will be thwarted; the

commercial and agricultural interests languish, and the citizens of the valley become crippled in their enterprizes generally.

Your honorable body will, it is believed, maintain these views, and protect as far as lies in its power, this munificent grant against all opposing interests and influences, to the end that its design shall be eventually carried out, and made to accomplish the great and legitimate object of the Government, and secure the rights of the valley.

I would therefore respectfully suggest the propriety of authorizing the Governor, or the appointment of some other competent person to act as agent on the part of the State, who in connection with the D. M. N. & R. R. Co., shall have full power to effect a final settlement with the General Government, as to the amount of lands to which the State is entitled under the act of Congress making said grant.

I would also recommend that the Legislature pass an act to prevent the serious depredations of trespassers that are being committed upon the timbered lands belonging to this Improvement.

All of which is respectfully submitted, by

EDWIN MANNING,

Commissioner of

Des Moines River Improvement.

Dated at Keosauqua, }
Jan. 1st, 1857. }

REPORT

OF

J. C. LOCKWOOD,

REGISTER

OF THE

Des Moines River Improvement.

Jan. 1, 1857.

To the Honorable,

The Senate, and

House of Representatives,

Of the State of Iowa,

In General Assembly met :

GENTLEMEN :

As Register of the Des Moines River Improvement, I beg herewith to transmit the following report of such transactions connected with the Improvement as have come within the limit of my duties.

In the report presented to your honorable body at the special session of 1854, by George Gillespy, the former Register, a balance of \$1,860.24 is represented as due from him to the State. The following will show the disbursement of this amount.

January 1st, 1855.

Amount paid by Geo. Gillespy, on the order of Commissioner Bonney, to the Des Moines Navigation & Railroad Company, per General Clark,	504 00
Amount disbursed by Geo. Gillespy, for salary and expenses of himself and Commissioner Bonney, from November 30th, 1854, to the expiration of their term of office, as stated by him,	1222 24
Amount received by me from Geo. Gillespy, and applied on my first half year's salary,	138 00
	\$1860 24

The balance of my salary and expenses have been paid by the Des Moines N. & R. R. Co.

From an examination of the lists of lands approved by the General Government as coming within the Des Moines River grant, and plats of those remaining unsold, it would appear that there were 266,107 13 acres undisposed of when the sales ceased per act of the Legislature, and of these only about 55,000 acres were situated below Fort Des Moines.

I also find from the records of my office, that there were certified of the above lands to the Des Moines Navigation & R. R. Co., by the Register, on the requisition of Commissioner Bonney, and the estimate of the acting Engineer, on the 14th of May, 1855, 88,853.19 acres.

On the 6th of May, 1856, I received from Commissioner McKay the following requisition, and estimate of the acting Engineer, and on their receipt, certified to the Des Moines N. & R. R. Co., 115,726.16 acres. I also certified at the same time 910.29 to adjust errors, and replace lands embraced in first certificate to the D. M. N. & R. R. Co., which had been previously sold or otherwise disposed of by the State :

E S T I M A T E

Of the amount of work done and materials delivered, and Engineers and incidental expenses, and money paid for right of way and State indebtedness by the Des Moines Navigation and Railroad Company, made in accordance with the terms of the contract between the State of Iowa and said Company.

For construction, engineering and incidental expenses, and right of way,	\$177,682 00
Add 20 per cent.,	35,536 40
	<hr/>
	213,218 40
State indebtedness,	65,033 57
	<hr/>
	281,251 97
Deduct estimate of May 1st, 1855,	111,066 45
	<hr/>
	\$170,185 52

I hereby certify that the above is a correct estimate of the value of work done by the Des Moines Navigation and Railroad Company, in the improvement of the navigation of the Des Moines river, under the contract between the State of Iowa and the said company.

Amount due after deducting the previous estimate, one hundred and seventy thousand, one hundred and eighty-five dollars and fifty-two cents.

EDW. H. TRACY,
Acting Engineer.

Ottumwa, May 3d, 1856.

To J. C. LOCKWOOD, Esq.,
Register of the

*Des Moines River Improvement,
Of the State of Iowa :*

SIR—

The Des Moines Navigation and Railroad Company, having performed work under their contract with the State of Iowa, for the improvement of the Des Moines river, to the estimated value of \$281,251 97, from which is to be deducted the sum of \$111,066 45

(the amount of the former estimate made to your office) leaving the sum of \$179,185.52 now due to the said company, as has been duly certified by Edward H. Tracy, the acting Engineer, you are hereby required to transfer to the said company of the lands granted by the Congress of the United States, to the said State, under the act of August 8th, 1846, an amount in value of the lands belonging to the said improvement, valued at one dollar and twenty-five cents per acre, to the amount of the said sum of one hundred and seventy thousand one hundred and eighty-five dollars and fifty-two cents, deducting fifteen per cent therefrom, according to section number eleven of the contract of June 9th, 1854, between the State of Iowa, and the said Company.

WILLIAM MCKAY,

Commissioner Des Moines River Improvement.

Dated at Ottumwa, }
May, 3d, 1856. }

After deducting the amounts of the above certificates, there now remain undisposed of 61,527.78 acres.

There have been about thirteen hundred certificates issued by former Registers, to persons who purchased Des Moines river lands, from the State, between the 12th of October, 1852, and December 1853, and for which no patents have been executed.

By an act of the General Assembly, approved January 25, 1855, in section 8, of chapter 153, it is required that all patents issued for any of the Des Moines River Improvement lands shall contain the following clause :

“Nothing in this patent shall be construed into a warrant by the State against any claim or claims to said lands arising out of any pre existing contract in relation to said lands, made or entered into by the State or any of its agents, nor as intended to interfere with any of the rights of any person or company to any of said lands, accruing by virtue of any law of this State, or any contract under the provisions of any of said laws.”

The holders of these certificates, conceiving that the insertion of the above clause in their patents, would materially prejudice their title to their lands, which were purchased in good faith from the State, have refused to permit its insertion.

I would therefore represent to your honorable body the necessity of the repeal of so much of said act, as embraces said clause, or to so modify it as to exempt the holders of certificates dated prior to its passage.

In the report of the Register of the State land office, it is alleged by that officer that he had addressed a letter to the Register of the Des Moines improvement, requesting a list or plats of the lands belonging to the same, together with a list of all the sales, to be furnished to that office, and to which he received no reply..

No such letter was received by me or at my office.

Relative to the patents for the Des Moines river lands referred to in the same report, as having been forwarded to his office for signature, these are a portion of the patents referred to in my report, a large number of which had been made out by the former Register, and prior to the passage of the act above referred to.

All of which is respectfully submitted.

J. C. LOCKWOOD,
Register
Des Moines Improvement.

Dated at Ottumwa, }
January, 1857. }

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F.

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FULTON, A. R.—

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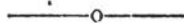
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ERRATA.

For Brown and Brice, names of members, read *Bowen* and *Price*—where they occur. On page 84, for 'excused from five to seven,' read *increased*, etc.

A few typographical errors will be found in a perusal of the Journal, which the reader will correct much more conveniently in his mind, than by turning to this page, and hence they are omitted here. Senate Files are in some places used for House Files and visa versa. A great many 'Files,' both House and Senate, are numbered incorrectly. These errors cannot all be corrected, for the reason that the titles of bills are almost entirely omitted in the 'Journal,' especially near the end of it, and they are consequently allowed to pass unnoticed by the indexer.