

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

Journal
OF THE

NINTH GENERAL ASSEMBLY

OF THE

STATE OF IOWA,

WHICH CONVENEED AT THE CAPITOL, IN DES MOINES, JANUARY 18TH, 1863.

DES MOINES:

F. W. PALMER, STATE PRINTER.
1863.

J87
J88
J89



87

1911
1912

JOURNAL
OF THE
HOUSE OF REPRESENTATIVES.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, MONDAY, JANUARY 13, 1862. }

The hour prescribed by law for the meeting of the General Assembly having arrived, Mr. Mitchell, a person claiming to be a member from the County of Polk, called the House to order, and upon his motion, Hon. R. D. Kellogg of Decatur county, was elected Speaker *pro tem*.

On motion of Mr. Stanton of Washington county, Charles Aldrich of Hamilton county was elected Chief Clerk *pro tem*.

On motion of Mr. Gibson of Marion county, George May of Marion county was elected Assistant Clerk *pro tem*.

On motion of Mr. Cutler of Wright county, W. H. Turner of Polk county was elected Fireman *pro tem*.

On motion of Mr. Curtiss of Blackhawk county, Mr. Upp of Butler county was elected Sergeant-At-Arms *pro tem*.

On motion of Mr. Hood of Madison county, G. W. Shelley was elected Door Keeper *pro tem*.

Mr. Gordon moved that the roll of Representative Districts be called, and that the members elect present their Credentials to the Clerk.

The motion prevailed, and the roll of the Districts was called.

Mr. Curtiss moved that the Chair appoint a Committee of five to receive and examine the Credentials of the members.

This motion was adopted, and the Chair appointed as such Committee Messrs. Curtiss of Blackhawk, Dunlavy of Davis, Cutler of Wright, Bracewell of Wayne, and Lowrie of Lee.

Mr. Bowdoin moved that the Committee be directed to report to-morrow morning at 10 o'clock. Carried.

Mr. Shipman moved that when this House adjourn, it adjourn to meet at 10 o'clock to-morrow morning. The motion prevailed.

On motion of Mr. Gordon the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
TUESDAY, January 14, 1862. }

House met pursuant to adjournment.

Prayer by the Rev. O. A. Holmes, of Hamilton county.

Minutes of yesterday read and approved.

Mr. Cutler moved that the House take a recess of 15 minutes.

The motion was lost.

Mr. Stanton submitted the following resolution:

Resolved, That we adopt the Rules of the last House of Representatives for the government of this body until others may be ordered, and that the Chief Clerk be instructed to furnish a copy of the same to each member.

The resolution was declared out of order.

Mr. Curtiss from the Committee on Credentials, submitted their report.

Mr. Sarver moved that the report be adopted. Carried.

Mr. Dunlavy moved to reconsider the motion by which the report was adopted.

The motion to reconsider was adopted.

Mr. Blackford moved that the report be recommitted, which motion prevailed.

Mr. Blackford moved that the House take a recess of fifteen minutes. Lost.

Mr. Curtiss from the Committee on Credentials submitted the following report:

Your Committee to whom were referred the Credentials of persons claiming seats in this House, having examined the same, beg leave to report that they find the following named persons entitled to seats as members:

1st Dist.—C. W. Lowrie, T. G. Stevenson, Martin Thompson and Godfrey Eichorn.

2d Dist.—George Schramm and Joshua Glanville.

3d Dist.—Harvey Dunlavy and David Ferguson.

4th Dist.—Geo. B. Stewart and Edward J. Gault.

5th Dist.—Hartley Bracewell.

6th Dist.—R. D. Kellogg.

7th Dist.—Franklin Wilcox, Calvin J. Jackson and J. W. Williams.

8th Dist.—W. C. Woodworth.

9th Dist.—Peter Walker.

10th Dist.—Joseph H. Flint and Thomas D. McGlothlen.

11th Dist.—Oliver P. Rowles.

12th Dist.—Jno. D. Sarver.

13th Dist.—William M. Calfee.

14th Dist.—J. L. Mitchell.

15th Dist.—Appler R. Wright.

- 16th Dist.—John Cleaves.
17th Dist.—T. H. Stanton and John W. Quinn.
18th Dist.—John Wasson and Louis Hollingsworth.
19th Dist.—Samuel G. Castor and Micajah T. Williams.
20th Dist.—W. E. Wetherall and H. D. Gibson.
21st Dist.—Newton Guthrie.
22d Dist.—Alfred Hood.
23d Dist.—W. W. Wilson.
24th Dist.—Geo. C. Shipman.
25th Dist.—Rush Clark and Samuel H. Fairall.
26th Dist.—H. M. Martin.
27th Dist.—Doct. Thomas Holyoke.
28th Dist.—John Meyer.
29th Dist.—John Mitchell.
30th Dist.—Pater T. Russell.
31st Dist.—James T. Lane, Joseph R. Porter and Jos. H. White.
32d Dist.—John S. Maxwell and George W. Parker.
33d Dist.—H. C. Loomis and James H. Rothrock.
34th Dist.—Ebenezer Dorr and Joseph P. Eaton.
35th Dist.—Otis Whittemore and John Russell.
36th Dist.—Joseph B. Young and Isaac Milburn.
37th Dist.—
38th Dist.—Leander Clark.
39th Dist.—Thomas Mercer.
40th Dist.—T. C. McCall.
41st Dist.—Alfred L. Speer.
42d Dist.—William McLennan, Thomas Hardie, Christian Denlinger and F. M. Knoll.
43d Dist.—S. G. Van Anda.
44th Dist.—Jed. Lake.
45th Dist.—Warner H. Curtiss.
46th Dist.—W. J. Moir.
47th Dist.—Geo. L. Bass and Doct. D. W. Chase.
48th Dist.—W. B. Lakin and Dr. Levi Fuller.
49th Dist.—
50th Dist.—J. F. Wilson.
51st Dist.—Joseph Burton.
52d Dist.—Wm. H. Baker and Ole Nelson.
53d Dist.—Dr. G. W. Frisbie.
54th Dist.—Elbridge G. Bowdoin.
55th Dist.—A. Converse.
56th Dist.—
57th Dist.—
58th Dist.—Charles C. Smeltzer.
59th Dist.—Isaac Pendleton.
60th Dist.—George S. Walton.
61st Dist.—Samuel L. Lorah.
62d Dist.—R. A. Moser.

63d Dist.—

64th Dist.—Wm. W. Fuller.

Your Committee beg leave to further report that Dr. L. H. Cutler of Wright county is present, and claims by virtue of a certificate from the Board of Canvassers to have been duly elected to represent the 57th District; although your Committee think the said certificate informal, yet they are fully persuaded that he was properly elected, and entitled to a seat as a member in this House. Also that George A. Gordon appears with a certificate from the Board of Canvassers of the 63d District, in which there is the same informality as in that of Dr. Cutler's, and in the mind of your Committee is entitled to a seat in this House.

Your Committee further report that A. R. Pierce of Jefferson county is present, and claims to have been elected to represent the 9th District; James McQuinn of Benton county is present, and claims to have been elected to represent the 37th District, and that J. O. Hudnutt of Bremer county is present and claims to have been elected to represent the 49th District, and that, although the last three named persons appear here without certificates of their election—said certificates having been accidentally left—from information had by your Committee, they are satisfied that the said persons were duly elected, and recommend that all of the aforementioned persons be allowed to take seats as members in this House.

WARNER H. CURTISS, Ch'n.

Your Committee further report that J. E. Blackford is present and claims to have been elected to represent the 56th District, that he has neglected to bring his Credentials with him, but from information had by your Committee, they believe that he was properly elected, and recommend that he be entitled to a seat in this House.

W. H. CURTISS, Ch'n.

Mr. Sarver moved that the report be adopted. The motion prevailed and report was adopted.

Mr. Mitchell of Fremont moved that the oath be now administered to the members as reported. The motion prevailed, and

The members then arose in their places, and the oath prescribed by the Constitution was administered by the Speaker *pro tem*; and thereupon the members respectively came forward to the Clerk's desk and subscribed the oath as provided by law.

Messrs. Woodward and English, a Committee from the Senate, informed the House that the Senate was duly organized and ready to proceed to business.

Mr. Bowdoin administered the oath to the Speaker *pro tem*.

Mr. Bowdoin moved to proceed to the election of permanent officers of this House. Carried.

The House then proceeded to the election of Speaker.

Mr. Bowdoin nominated the Hon. Rush Clark, of Johnson county.

Mr. Bracewell nominated Harvey Dunlavy, of Davis county.

Thereupon a ballot was had with the following result :

Whole number of votes cast,.....	89
Mr. Clark received,.....	69
Mr. Dunlavy received,.....	18
Mr. Hardie received.....	1
Blank	1

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

The Chair appointed Mr. Lane, of Scott county, and Mr. Wilson, of Pottawattamie county, a Committee to conduct the Speaker to the Chair.

On taking the Chair, Mr. Clark addressed the House as follows :

GENTLEMEN :—For the high honor conferred upon me by your selection for this position, I thank you gratefully and profoundly. The preference shown for me, is a compliment much higher than my slender merits could deserve or expect.

In taking this Chair I know and confess that your frequent indulgence will be a necessity to me, and that your kindest sympathy should be bespoken. I bespeak both in advance. You know as well as I, how indispensable will be the strictest observance of the rules that may be adopted for our government, as well as those other rules of decorum and mutual forbearance, unwritten, but well known to gentlemen.

I cheerfully anticipate that the present House will write its history with credit to its constituency, and if in the history to be written in the future, of the formidable crisis that now hangs about us like a terrible storm-cloud, it can be said that we here have done our share toward averting the storm or staying the gallant old ship "Union," none of us need blush, nor our constituency be else than proud. Once more, I thank you for the bestowal of this honor. The House is now ready to complete its permanent organization.

The House then proceeded to the election of Chief Clerk.

Mr. Outler nominated Chas. Aldrich, of Hamilton county.

Mr. McLennan, of Dubuque, nominated Geo. C. Tichenor, of Polk county.

Mr. Thompson, of Lee, nominated E. Jeffords, of Lee. Whereupon a ballot was taken with the following result :

Whole number of votes cast	87
Of which Chas. Aldrich received.....	60
G. C. Tichenor.....	6
E. Jeffords	21

Mr. Aldrich having received a majority of all the votes cast, was declared duly elected Chief Clerk of the House.

The House then proceeded to the election of an Assistant Clerk.

Mr. Mitchell, of Polk, nominated George May, of Marion County.

Mr. Martin nominated I. T. Sargent, of Iowa County.

Whereupon a ballot was taken with the following result :

Whole number of votes cast	87
George May received	61
Sargent	21
Edmondson	3
Blank	2

George May having received a majority of all the votes cast, was declared duly elected First Assistant Clerk of the House.

The House then proceeded to the election of a Second Assistant Clerk.

Mr. Frisbie, of Mitchell County, nominated Mason R. Lyons, of Fayette County.

Whereupon a ballot was taken with the following result :

Whole number of votes cast	89
Mason R. Lyons received	74
Mr. Bacon received	1
Mr. Campbell received	1
Blank	13

Mason R. Lyons having received a majority of all the votes cast, was declared duly elected Second Assistant Clerk of the House.

The House then proceeded to the election of an Engrossing Clerk.

Mr. Curtiss, of Blackhawk County, nominated J. F. Brown, of Hardin County.

Mr. Fairall, of Johnson County, nominated T. E. Beekman, of Polk County.

Whereupon a ballot was taken with the following result :

Whole number of votes cast	89
J. F. Brown received	56
T. E. Beekman received	33

J. F. Brown having received a majority of all the votes cast, was declared duly elected Engrossing Clerk of the House.

The House then proceeded to the election of an Enrolling Clerk.

Mr. Lowrie, of Lee County, nominated Edmund Jaeger, of Lee County.

Mr. McLennan nominated Frank Jennings, of Dubuque County.

Whereupon a ballot was taken with the following result :

Whole number of votes cast	90
Edmund Jaeger received	66
Jennings	18
Blank	6

Edmund Jaeger having received a majority of all the votes cast, was declared duly elected Enrolling Clerk of the House.

The House then proceeded to the election of Sergeant-at-Arms.

Mr. Young nominated Edward Coulter, of Linn County.

Mr. Kellogg nominated Mr. Bosbyshell, of Mills County.

Mr. Stevenson nominated John S. Gillmore, of — County.

Whereupon a ballot was had with the following result:

Whole number of votes	92
Mr. Coulter received	61
Mr. Bosbyshell received	16
Mr. Gillmore	15

Mr. Coulter having received a majority of all the votes cast was declared duly elected.

Mr. Shipman offered the following resolution:

Resolved, That the Speaker be directed to employ Geo. D. McKain and J. Q. C. McAchran, for 1st and 2d Messengers; J. P. Upps and L. E. Bolton, for 1st and 2d Paper Folders; Messrs. J. E. Guild and Tibbets for 1st and 2d Firemen; and John Patterson, Door-keeper of this House.

The resolution was adopted.

Mr. Bowdoin offered the following concurrent resolution:

Resolved by the House of Representatives, the Senate concurring, That George R. Brainard be appointed Postmaster of the General Assembly.

Mr. Shipman offered an amendment providing that Jesse Hammer be authorized to carry the mails to and from the Post Office. The amendment was lost.

Mr. Kellogg moved that when the House adjourn, it be until 2 o'clock, P. M. Carried.

The question recurring upon Mr. Bowdoin's resolution, the same was adopted.

On motion of Mr. Lowrie, the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

The oath of office was administered by the Speaker to the officers elect.

Message from the Senate by William F. Davis, their Secretary:

MR. SPEAKER:—I am directed to inform the House that the Senate has passed the following resolution, in which the concurrence of the House is respectfully asked:

Resolved by the Senate, the House concurring, That the Senate will meet the House in Joint Convention for the purpose of canvassing the votes cast for Governor and Lieutenant Governor, tomorrow at 10 o'clock A. M.

W. F. DAVIS, Secretary.

Mr. Bowdoin offered the following Resolution:

Resolved, That the Secretary of State is hereby authorized and

requested to furnish to each member of this House for the use and information thereof, a copy of the Revision of 1860, together with a copy of the Journals, Acts and Resolves of the last General Assembly; and that the Clerk be directed immediately to notify the Secretary of State of the passage of this Resolution by giving him a copy of the same.

Resolution adopted.

Message from the Senate, by Wm. F. Davis, their Secretary :

MR. SPEAKER:—I am directed to inform the House that the Senate has appointed a Committee of three, consisting of Messrs. Bowen, Williams and Gue, to act with a similar committee on the part of the House, to report Joint Rules for the government of the two houses.

WM. F. DAVIS, Secretary of Senate.

Mr. Kellogg of Decatur, offered the following Resolution :

Resolved, That a Committee of two wait upon the Senate, and report that the House is now permanently organized and ready to proceed to business.

Which Resolution was adopted and Messrs. Kellogg and Lane appointed said Committee.

On motion Messrs. Shipman and Hardie were appointed a Committee to wait upon his Excellency, the Governor, and inform him that the House of Representatives is now organized and ready to receive any communication he may have to make.

Mr. Stanton offered the following resolution :

Resolved, That a Committee of three be appointed by the Chair, to confer with a similar Committee already appointed by the Senate to report Joint Rules for the Government of the two Houses.

Resolution adopted and the Chair appointed the following gentlemen as such Committee: Messrs. Stanton, Dunlavy, and Williams of Mahaska.

Mr. Hardie offered the following Resolution, which was adopted :

Resolved, That the rules of the last Session be temporarily adopted, and that a Committee of three be appointed to prepare and report rules for the government of this House.

The Resolution was adopted, and the Chair appointed Messrs. Hardie, Blackford and McQuinn.

The Committee appointed to wait upon the Senate reported that they had performed that duty, and were discharged.

Message from the Senate, by Wm. F. Davis, their Secretary :

MR. SPEAKER:—I am instructed by the Senate to inform the House that the Senate has ordered the printing of 5,000 copies of the Governor's Message in English, and 2,000 copies in German, for the use of the Senate.

WM. F. DAVIS, Secretary.

Mr. McQuinn offered the following Resolution :

Resolved, That the Clergymen of this City be invited to officiate

as Chaplains of this House, and to arrange among themselves the order in which they will act.

Mr. Mitchell of Polk, offered the following Resolution as a substitute :

Resolved, That Rev. Messrs. Bird, Peet, Eaton, Clark, Fleming, Turner, Brazill, Shaffer, Chamberlain, Young, Nash, and other Clergymen of this City, if any there be, be requested to officiate as Chaplains to this House.

The substitute was adopted :

The Committee appointed to wait upon the Governor and inform him that the House was organized and ready to proceed to business, reported that they had performed that duty, and were thereupon discharged.

The Resolution from the Senate proposing to meet the House in Joint Convention for the purpose of canvassing the votes cast for Governor and Lieutenant Governor to-morrow morning at 10 o'clock, was concurred in.

Mr. Shipman offered the following Resolution :

Resolved, That the Chief Clerk be requested to procure and have attached to the rules of this House the name, post office address, age, place of nativity, number of years in the State, occupation and boarding place, of each member of this House, and printed when adopted.

Mr. Kellogg moved to lay the resolution upon the table. Motion lost.

The Resolution was then adopted.

The following message was received from his Excellency, the Governor :

Gentlemen of the Senate and House of Representatives :

You have had conferred upon you, and you have accepted the duty of caring for, guarding and promoting the interest of the State. This duty, at all times responsible, is at present, much more than ordinarily so, for the reason that the nation of which we are a part, is engaged in civil war, most wantonly and wickedly thrust upon us by bad and designing men. I doubt not you will address yourselves to the discharge of this duty calmly and earnestly, seeking wisdom and strength from Him who is King of Kings and Lord of Lords.

The Constitution requires that I shall communicate to you the condition of the State, and recommend such matters as I may deem expedient, and I now proceed to the performance of that duty.

REVENUE AND TAXATION.

The expenditures of the last two years for all State purposes have been about \$300,000 for each year. This includes both ordinary

and extraordinary expenditures—the amounts expended for the Insane Asylum, the Penitentiary, the Blind Asylum at Vinton, the printing of the Revised Statutes, and other extraordinary objects, as well as the amounts expended in carrying on the ordinary operations of the State Government. The expenditure has not in any case been permitted to exceed the appropriation, and is materially less both for the penitentiary and insane asylum, and has in all cases that have come under my observation, been carefully and economically made. In my judgment, there is not another State in the Union in which the protection of Government is extended to as large a population, so widely scattered, more economically than in our own. But while this is true, it is equally true that our finances are not in a healthy condition. The Report of the Auditor of State discloses the somewhat startling fact that of the State tax for 1860 and preceding years, there was, at the date of his Report (the 4th day of November, 1861) delinquent and unpaid the large sum of about \$400,000—a sum more than sufficient to cover the entire expenses of our State Government for one year. This large delinquency has occurred mainly within the last four years, and the same Report shows there were at the same date warrants drawn on the Treasury to the amount of \$103,645, which were unpaid for want of funds, most of which were drawing interest at the rate of eight per cent. per annum.

From these facts the following conclusions are inevitable: 1st, That during the last four years there has been levied a State tax larger by about \$300,000 than the necessities of the State required. 2d, That this was rendered necessary by the fact that only a portion of our people paid the tax due the State. 3d, That the State has been compelled yearly to pay large sums by way of interest on warrants, which need not have been paid had the taxes been collected promptly, and the Treasury kept supplied with funds to meet all demands upon it. 4th, That the State being compelled to purchase its supplies with warrants has had to pay higher prices than if it had had the cash to pay. 5th, That the tax-paying portion of our people have thus been compelled to pay not only their proper share of the public burthens, but also the share of those who did not pay their taxes, increased by interest and high prices. These things should not be so. They reflect discredit not only on those of our citizens who seek to avoid their just share of those burdens which are imposed upon all for the benefit of all, but also upon the laws which permit them to do so with impunity. I, therefore, very earnestly recommend to your attention a careful examination of our revenue laws for the purpose of ascertaining if they can be made more effective in enforcing the prompt payment of taxes.

The leading features of a good revenue law, in my judgment, are: 1st, The imposition of such penalty for the non-payment of taxes when due, as will make it unmistakably the interest of every tax-payer to pay promptly. 2d, The assurance to the purchaser of

property at a tax sale, of a valid title at the expiration of a fixed time. There is, in my opinion, much misapprehension in the minds of many persons on this subject. Some seem to think they receive no value for the money paid by them as taxes, and that they are, therefore, not culpable in avoiding payment if they can. Others, whilst they admit there is some kind of doubtful obligation upon them to pay their taxes, if convenient, yet insist that any stringency in the laws to compel payment would be unjust and oppressive, and that no greater penalty should be imposed for non-payment than the interest allowed by law between citizens. These are radical errors. Every citizen is protected by the State, in life, liberty, and property, in all he has, and all he may acquire, and in all his honest efforts for further acquisition; and in return, he is bound as a good citizen, to render obedience to the laws; to pay promptly his share of the taxes necessary for the support of government; and, in time of war, if need be, to defend the government with his life. If he fails to perform either of these duties of a good citizen, he is liable to punishment, and the amount added to his taxes for failure of payment at the time fixed by law, is not the interest due upon a debt, but a fine or penalty for the non-performance of a duty. Nor can any one justly complain of this. Why should any one of our people claim that he should enjoy all the benefits of civil government and be exempt from its burthens; that he should have all these advantages at the expense his neighbors?

It may be said that some are unable to pay their taxes. This, it seems to me, is erroneous. The amount of tax each one has to pay is in proportion to the property he has, the greater the tax the greater the amount of property from which to raise means of payment. I am well convinced that taxes are paid most promptly by our farmers, and by men of comparatively small means, and that there are very few of us who do not spend yearly for articles of luxury which do not promote either our health, our prosperity, or our happiness, more than the sum required from us as taxes for the support of the government that protects us. The subject of revenue and taxation assumes a graver interest and importance at this time, for the reason that our State is called upon, for the first time since its admission, to pay a direct tax for the support of the General Government. We may expect to be called on to pay, during the present year, a Federal tax of from \$600,000 to \$700,000. This is rendered necessary by the heavy expenditures incurred by the General Government in preparing to put down the Rebellion in certain States of the Union. A resort to loans has been, and must continue to be, necessary to meet these expenses, and prudence and sound economy require that the General Government shall not be compelled to borrow money to pay the interest accruing upon its loans. The interest upon loans made, and to be made, must be met by actual payment, and not by incurring further indebtedness. The

capitalists of the country have, thus far, responded nobly to the calls made upon them by the Government, and have given it assistance and support as necessary as that rendered by the soldiers in the field. Six hundred thousand gallant men, 20,000 of whom are from our own State, are in arms, giving their labor, their health, and their lives, for the country; and now the call comes to us who are at home, and we are asked to give a little of our substance to the same good cause.

I have caused to be prepared from documents in the office of the Auditor of State a table, hereto appended, giving some interesting information touching the taxes paid by our people. It will perhaps be a matter of surprise to many that the taxes for the support of the State Government bear so small a proportion to the entire amount of taxes paid. It appears from this table that the whole amount of taxes for all purposes for 1861, was \$1,700,000, and that of this amount only \$300,000 was expended from the State Treasury for State purposes, while \$1,400,000 were expended from the several County Treasurers, for County and other purposes. I regard this table as useful, for this, among other reasons, viz: that the people have been led to believe that the great bulk of our taxes was caused by the expenditures of the State Government under appropriations made by the General Assembly, and they have been taught to look to a reduction of State expenses as the means of relief from taxation. This table shows clearly and conclusively that of every \$5 66 paid by the people of the State as taxes, but one dollar reaches the State Treasury, or is used for State purposes, while the other \$4 66 are retained in the counties and used for county and other purposes. I would not desire our people to relax their vigilant supervision of State expenses, but I am of opinion this information may lead them to give as vigilant supervision to the expenditures of their respective Counties, where equal vigilance is, in my judgment, equally needed. It is evident from an inspection of the table, showing the amount of taxes paid and the purposes for which paid, that if it be deemed desirable to decrease our present expenditures by an amount equal or approximating to the amount of taxes required by the General Government, much the greater amount of such reduction must be made in the taxes levied for other than State purposes.

In some particulars the expenses of the State may be materially less for the next than for the last two years. The appropriation of \$19,500, for the Revised Statutes, was temporary and will not be again required. The amount appropriated for past indebtedness of the Penitentiary, \$38,500, has nearly paid that indebtedness, and but a nominal sum will be needed for that purpose. The amount appropriated for the general support of the prison has been so well managed that the amount thereof unexpended is deemed by the Warden sufficient for the next two years, so that the amount of \$35,000, appropriated at the last regular session for that purpose

need not be renewed in whole or in part. Of the amount of \$75,000 appropriated at the last session for finishing and furnishing the Centre and East wing of the Insane Asylum, about \$18,000 remain unexpended, which balance, with \$20,000 now asked for, is deemed sufficient to complete the whole building. So that the appropriation needed for construction account in that institution may be \$55,000 less than at the last session. The Blind Asylum at Vinton is now under cover, and not liable to injury from the weather, and if you should deem it advisable not to make any appropriation for its present completion, \$10,000 may be deducted from the amount of the appropriation of the present session as compared with that of the last. There has been paid during the last two years to Agricultural Societies, the sum of about \$18,000. If you think it advisable to withhold any appropriation for this purpose for the next two years, this sum may be saved. The foregoing sums, amounting in the aggregate to \$176,000, are the expenditures for the objects named for two years, and if withheld will be a saving of \$8,000 per annum from the amount of State taxes. This amount, I doubt not, may be increased by a careful examination of our State expenditures and strict economy to \$100,000, and if a proportionate reduction of county and township expenses can be made, the entire amount of the tax required by the General Government can be raised without increasing our present taxation. I commend the matter to your most earnest and careful examination.

In order to make the revenue of the State more certain, I recommend that the County Treasurers be required by law to pay the State Treasurer, at fixed times, certain proportions of the amount of revenue due to the State, until the entire sum for each year is paid, whether the County Treasurers have received the entire amount of State tax or not. At present the State is wholly helpless as to its revenue. It has to depend wholly upon the officers of Counties for its collection and transmission, and if the county officers are inefficient, the State is remediless. Each county is now liable by law to the State for the amount of State tax assessed in it, but this liability, without any means of making it practically effective, is useless. If the Counties were required to pay the revenue due the State, whether collected or not, the County Supervisors would be stimulated to require of the Treasurer a strict performance of his duties; and if, in addition, you should so change the present law as to give County Treasurers, in lieu of salary, a per centum on the amount of money collected and disbursed, or provide for township collectors to be paid in the same way, our taxes would, in my opinion, be more punctually paid.

I also recommend that it be made the duty of the Board of Supervisors of each County to employ a competent accountant once in each year to examine the accounts of each County officer, and state an account between each officer and his County, and between officer and officer, and also that County Treasurers and all other

persons who receive public moneys be prohibited, under severe penalties, from using them in any way, or placing them with others to be used for their private benefit.

The law of Congress imposing a direct tax for the support of the General Government gives to any State the privilege of collecting the amount of tax assessed upon its people, and allows such State to retain fifteen per cent. of the amount, on condition the State shall assume the payment of the balance of the tax. Thereupon arises the important question: What shall the State do in the premises? It must be remembered that if the State assumes the tax, the entire amount, less fifteen per cent., must be paid by the State, whether the State collects the tax or not. Keeping this in recollection, let us ascertain as near as may be our precise position. This State has expended for the General Government about \$450,000, and has been repaid the sum of \$80,000. The State has sold her bonds to the amount of about \$200,000. The proceeds of said sale, \$184,000, and the \$80,000, received from the General Government, have been applied to paying the expenses incurred by the State, leaving unpaid and due wholly, I believe, to our own people, about \$186,000, for which they hold or can receive warrants drawn on the War and Defense Fund. If the amount expended by the State, which is to be reimbursed by the General Government, be \$450,000, there is now due the State \$370,000, and if the Federal tax should be \$650,000, and the State should assume it, there would be due the General Government the sum of \$182,500, being the entire amount of the tax, less the amount now due the State, and the fifteen per cent. for assumption and collection, which must be assessed upon and paid by our people.

But we must provide also for the payment of the amount due our own citizens. This must be done by assessing the amount as a tax, and by either actually collecting the money and paying it to the holders of the Warrants, or by authorizing those holding warrants to surrender them to the Auditor, and receive in lieu of them other warrants of the amount of five dollars each, which shall be receivable in payment of the Federal tax. These warrants being of small amounts, and being all receivable during the present year for taxes, would be nearly or quite at par, and would be much more valuable to the holders than the present ones. Should this course be deemed advisable, it will be necessary in order to meet the demand made upon us by the Federal Government, to levy a tax of about \$368,500, of which \$182,500 must be collected in money, and \$186,000 may be paid in the warrants outstanding against the War and Defense Fund. Our State debt will have been increased by \$200,000, and we will not have any money in our Treasury wherewith to meet further military expenses, should they be necessary. It will be observed that the sums given are generally estimated. Absolute precision could not in some cases be arrived at, but it will be found the estimates approximate very nearly the truth. If this

should not be deemed advisable, we can present our claim against the General Government, receive the amount due the State, pay the outstanding warrants in the hands of our people, and either collect in money the Federal Tax and pay it to the General Government, retaining the 15 per cent. for so doing, or allow the General Government to collect the whole without interference on our part. In view of the actual condition of our affairs and the want of promptitude with which our taxes are paid, I am inclined to favor the plan first recommended. If I had assurance that our taxes would be paid as they should be, I would much prefer the second.

Intimately connected with the subject of taxation and revenue, is the question as to the kind of money which shall be received for taxes. Under our present laws, specie only is receivable for public dues. In view of the recent suspension of specie payments by the General Government and the Banks of the Eastern States, it becomes a question of great importance whether we can collect our revenue in coin. I do not believe we can, and I urgently recommend to you such change in our law as will allow the payment of taxes with United States Treasury notes and the notes of the State Bank of Iowa. It is true the United States Treasury notes are not payable in specie, but it is the interest of all loyal States and of all loyal citizens to keep them at par, and the receipt of them for taxes by the loyal States would tend much to that end. The State Bank of Iowa is required by the law creating it, at all times, to redeem its circulation in coin, and I believe it expects and is fully prepared to meet that requisition. If, as it seems to me, we must and should receive for revenue the United States Treasury notes not redeemable in specie, I cannot see the wisdom or justice of refusing to receive the notes of our own Banks, that are so redeemable, especially when by so doing, we make the payment of taxes more easy to our people and more certain to the State, and at the same time aid to some extent in keeping in circulation among us a currency, which has, and in my judgment, deserves the confidence of the people.

MILITARY AFFAIRS.

The Report of the Adjutant General, herewith submitted, shows the number and description of troops raised in this State for United States service, to be Sixteen Regiments of Infantry, Four of Cavalry, Three Batteries of Artillery, and one Independent Company of Cavalry for frontier service. Of these the Fifteenth and Sixteenth Regiments of Infantry are not fully organized. In addition, Col. Koch and Col. Rankin are engaged in raising Regiments of Infantry, which if completed, will make the Seventeenth and Eighteenth Regiments of that arm of the service.

It is a matter of gratification to me that our State has thus promptly responded to the demands made upon it by the United

States for aid in this perilous crisis of our country's history, and it is also a matter of great pride to me that the troops of our State, whether tried in the exhausting service of the camp, the march, or in the fiery ordeal of the battle-field, have never been found wanting, but have by their cheerful endurance of unaccustomed hardship and their indomitable valor, won for themselves and our State a name which may well cause us to feel an honest pride in claiming in any part of our broad land, that our homes are in Iowa.

At the Extra Session of 1861, what was supposed ample provision was made, to furnish the necessary funds for raising, clothing and equipping the Volunteers that might be required from this State, by authorizing the issue and sale of our State bonds. Immediately after the close of that session, the necessary steps were taken to put our bonds in market, but before they could be offered in New York, the faith and credit of our State were most wantonly and unjustly attacked by certain papers in that city, so that when, under the law, the bonds were offered for sale, it was found entirely impossible to effect sales at the prices fixed by the Board of Commissioners appointed for that purpose, or which would not have been ruinous to the State. No sales were therefore made in New York, and an appeal was made to our own people to take the bonds and furnish the means necessary to meet the large expenses consequent upon raising the troops called for from this State. The Report of the Loan Agents herewith submitted will show you the amount of bonds sold by them in the State, and the amount of money received therefor. It will be seen that much the larger proportion of the bonds was taken by persons to whom the State was indebted, and that but a small share was sold for cash. The result was that the officers charged with the duty of raising troops as required by the General Government, were much embarrassed for want of means, being compelled to operate wholly upon credit, consequently to great disadvantage. Whatever could be furnished by our people was promptly furnished on the credit of the State, but without means it was impossible to procure arms, clothing, and such other articles as our own people did not produce. After providing clothing for the 1st, 2nd and 3rd Regiments, I found it utterly impossible to provide for those subsequently raised, and although it was a matter of much mortification to me, to be compelled to allow our troops to leave our State un-uniformed and un-armed, yet I am induced to believe the result has been as well for the troops and for the Government. The troops who left our State without uniform, left at a season of the year when but little clothing was needed for comfort, and they were provided with uniforms in Missouri as speedily and more cheaply than I could have provided for them. The Regiments which have left the State more recently, have been furnished with good clothing by the General Government before leaving. I have not purchased for the State the arms contemplated by the law passed at the Extra Session, for the reason that arms could be had only for money, and

I had not the money wherewith to pay. Some arms have been furnished by the General Government, but not sufficient for the security of the State, and I recommend the subject to your careful consideration.

On several occasions during the past season, when the Rebels had appeared likely to get control in Northern Missouri, much uneasiness existed along our Southern border lest they should attempt an invasion of our State, which, for want of arms, our people were not properly prepared to resist. Immediately after the close of the Extra Session of the General Assembly, I appointed Col. John Edwards and Col. Cyrus Bussey my Aids, with large discretionary powers, to act for the preservation of tranquillity in the Southern border counties. I was well satisfied the peace of our State would be more easily preserved by preventing invasion than by repelling it, and therefore while I could not order our State troops beyond our State line, I instructed Colonels Edwards and Bussey, and through them the troops under their command, that if at any time the loyal men of Northern Missouri were in peril and called upon them for assistance, they had as full authority as I could give them to lead their men into Missouri to the aid of the loyal men there, and my promise upon their return that my power should be used to the utmost extent to protect them, if called in question for so doing. Under these circumstances, and in some cases at the instance of officers of the United States, Colonels Edwards and Bussey and Col. Morledge of Page county, at different times led bodies of Iowa troops into Missouri and kept them in service there until their presence was no longer needed, and I am well assured their services were highly valuable, not only in preserving the peace of our border and protecting our own people, but in supporting and strengthening the Union men of Missouri. The expenses incurred in these expeditions are, in my judgment, properly chargeable to the General Government, and I am now seeking their reimbursement.

Great uneasiness also existed on our Western and Northern border lest the Indians in Dacotah and Minnesota might be led by designing men to take advantage of the troubled state of public affairs, and commit depredations on our people in that region. The great distance of that part of the State from the place where my other duties compel me to keep my head quarters, and the want of the means of speedy communication therewith, either by railroad or telegraph, rendered it in my judgment absolutely necessary that I should confer on suitable persons the power to act for me promptly in case of emergency, as fully as if I were present to act in person. I accordingly conferred such authority on Hon. Caleb Baldwin, of Council Bluffs, and Hon. A. W. Hubbard, of Sioux City. Under this authority bodies of mounted men were called into service at different times for short periods, and I am happy to be able to state the tranquillity of that portion of our State has been preserved.

I cannot permit this occasion to pass without thanking Messrs.

Edwards, Bussey, Morledge, Baldwin and Hubbard, for their efficient and valuable services.

At my request the Secretary of War authorized the enlistment of a company of Cavalry in the service of the United States, specially for the protection of the northwestern border. This company has been recruited and mustered in, and I hope will be sufficient for the protection of that portion of our State.

Our troops in Missouri have suffered greatly from sickness. To some extent this is perhaps attributable to the want of care and prudence among the men themselves, to a change in their mode of life, to their eating badly cooked food, and to the fatigue and exposure of hard labor and severe marches, and to a much greater extent to the want of proper hospitals, proper comforts for the sick, proper nurses, and sufficient medical aid. Doubtless experience in camp life will convince our troops of the necessity of guarding their health, adapt them to their new circumstances and will make them better cooks; and I ardently hope the time will soon come when those who have the power so to do, will provide that the labor which has prostrated so many of them, shall be done by the slaves of those who have forced this war upon the country. Proper hospitals are now provided, and the women of our State, following their womanly instinct to care for the suffering, have been and are engaged in making and forwarding to our troops those delicacies and comforts not provided by the regulations, but so necessary and cheering to the sick. I am decidedly of the opinion that female nurses in our hospitals would render invaluable service; and I earnestly recommend that provision be made for securing such service for the benefit of our sick and wounded soldiers.

I am well convinced that the medical staff (a Surgeon and Assistant Surgeon,) now allowed by law to each Regiment, is insufficient, and I have been corresponding with the proper authorities for the purpose of effecting a change in the law. I recommend that power be given the Governor to appoint an additional Assistant Surgeon for each of our Regiments in service, to be paid by the State in case Congress shall not by law make the necessary provision.

The law passed at the Extra Session for the organization of the Militia, is in many respects defective, and has been in my judgment a hindrance instead of an aid in raising troops for the service of the United States. If the organization of the Militia is to be provided for by State law, a more full and perfect system must be devised. But the Congress of the United States has power "to provide for organizing, arming and disciplining the Militia, * * * reserving to the States respectively the appointment of officers, and the authority of training the Militia according to the discipline prescribed by Congress." It is probable that Congress will at the present session, in view of the necessities of the country, provide a complete system of military organization for all the States, to the extent of the power thus conferred. It may be well to await such

action until near the close of your session, and conform your action to such provision, if made.

SCHOOL AND UNIVERSITY FUNDS.

The School and University funds require your careful and earnest attention. A large portion of both these funds has been lent to individuals in different parts of the State. Most of the loans were made before the monetary crisis of 1857, and the securities taken for their repayment were, in many cases, insufficient originally, and have become much less valuable since, by reason of the general depreciation of the value of real estate; many of the borrowers have ceased to pay the interest as it falls due, and the results are a rapidly increasing debt with a greatly diminished security, and an increased taxation upon our people to supply the deficiency in the school fund caused by the non-payment of interest. More than this: under our Constitution, all losses to the Permanent School and University Fund which shall have been occasioned by the defalcation, mismanagement or fraud of the agents or officers controlling and managing the same, become a permanent debt against the State. Large losses to both these funds have already occurred, and the amount is steadily increasing, for want of proper attention and proper laws. The responsibility for these losses rests with the law-making power of the State, and the responsibility for all further losses must rest there, until by the enactment of proper laws, that responsibility is placed elsewhere. I recommend that provision be made requiring the prompt closing up of all loans which are insufficiently secured, or on which the interest has not been paid within a reasonable time, unless the borrowers shall entitle themselves to further time by giving further securities, or payment of the interest due. I also recommend that where loans are now sufficiently secured and the interest paid, an extension of time be given the borrowers, if desired, under proper limitations; that no new loans be made; and that sums of the principal of either of said funds that may be paid, shall either be paid into the State Treasury and used as other State funds, the State paying the interest thereon, or invested for the support of the proper fund either in the stocks of the United States or of this State.

The State University is now in successful operation, although much embarrassed for want of means arising from the non-payment of interest due on loans of its permanent fund. The enactment of laws requiring the more prompt payment of interest, and for the safety and better investment of the permanent fund as above suggested, will enable the Trustees and Faculty to extend the usefulness of the Institution. I am decidedly of opinion that not only the interest of the institution, but also the interest of the State require that you should provide a Military Department of the University, and should establish a Military Professorship therein. The

sad experience of the last few months, has shown us the necessity of military knowledge among our people. By giving to the young men who may attend the University, military instruction and training, we will not only greatly benefit them, but will also have made provision for what our present experience shows may, at any moment, become a necessity to our people. The Board of Education, at their recent session, directed the Trustees of the University to make provision for a Military Department therein as soon as the General Assembly should make the necessary appropriations therefor, and I earnestly recommend the subject to your favorable consideration.

THE PENITENTIARY.

The affairs of the Penitentiary have been well conducted during the last two years. Its present faithful and efficient officers, although laboring under many difficulties, have, by their careful and skillful management, maintained excellent discipline; preserved, in remarkable degree, the health of the convicts, and have so economized its expenses, that of the sum appropriated at the last Regular Session for the general support of the Prison, there remains unexpended, an amount so large that, in the opinion of the Warden, no appropriation for that purpose will be needed at the present Session. These officers, however, as well as those in charge of the Insane Asylum, the Asylums for the Deaf and Dumb, and the Blind, and all others, who have been charged with the duty of procuring for the State either labor, materials or merchandize of any kind, for ordinary State purposes, have been continually embarrassed for the want of money, and have been compelled to carry on their operations, and make their purchases at great disadvantage, with warrants on the Treasury. Of course, they have been compelled to pay higher prices in warrants than they would have had to pay in cash. As soon as these warrants are delivered, they are presented at the treasury, and endorsed unpaid for want of funds, and from that time draw eight per cent. interest, so that the excess of price and interest are so much clear loss to the State that might be saved if our taxes were promptly paid. Neither States nor individuals can manage their affairs in this manner without serious present embarrassment and great ultimate loss, and, in my judgment, it is clearly your duty, as guardians of the public welfare, to see to it that this state of affairs shall not continue. The reports of the officers of the Penitentiary show the sums, which in their opinion, should be appropriated by you, and the objects for which they are needed. Whilst I am satisfied that all these objects are legitimate, and that the accomplishment of them would add much to the safety and completeness of the Prison, I cannot, in the present condition of our finances, recommend appropriations for all. The completion of the third tier of cells, addi-

tional accommodations for the hospital, additional shop-room, and a new cistern, are perhaps indispensable, and should be provided for.

The suit pending for some years, between the Warden and the contractors, for the labor of the convicts, has been decided, and in my judgment, very unfavorably to the State. In view of this decision, it will be necessary that considerable additions be made to the present shop-room in the prison yard, unless it be determined to feed and clothe the convicts at the expense of the State, and furnish their labor and shop-room for them gratuitously. I recommend that a Special Committee be sent to examine what further shops may be needed, and what steps can be taken to protect the interests of the State in this particular. The present contract for convict labor will expire on the 1st day of June, 1864. In order to have fair competition for the re-letting of that labor at the expiration of the present contract, provision therefor should be made at the present Session, and if possible, such provision should be made by law as will prevent, under a new contract, the heavy losses the State has sustained under the present one.

CHARITABLE INSTITUTIONS.

The reports of the proper officers of the Deaf and Dumb and Blind Asylums are herewith submitted. These institutions appeal so strongly to our better feelings, and the necessities of those for whose benefit they are intended, are so peculiar, and so urgent that I cannot withhold my recommendation that the usual appropriations be made for their support. The appropriation made at the last regular session for the new building for the Blind at Vinton, has been expended in the manner required by law. The building is now enclosed, and is not, as I understand, liable to injury by exposure to the weather, and I submit whether it is not advisable, in our present financial condition, to withhold the appropriation necessary to complete it until the next session of the General Assembly. The failure to make this appropriation will not prevent the proper care and instruction of the pupils, in the meantime, as they can be well provided for in the building now occupied by them. You will learn, by the Reports of the officers of the Insane Asylum, that that Institution, so long and so much needed, has been, for some months, in successful operation. The appropriation made at the last regular session, for finishing and furnishing the centre and east wing of the building has proved to be more than sufficient for that purpose, and there is a considerable balance unexpended. The number of patients now in the institution, is nearly or quite sufficient to fill all the finished portion of the building, and much inconvenience arises from the fact that patients of both sexes are confined in the same wing. This fact, with the additional one that before the next session a large portion of the now unfinished part of the building

will, in all probability, be needed for the reception of patients, induces me to recommend, as I earnestly do, that an appropriation be now made, which with the unexpended balance of the last appropriation, will be sufficient to finish and furnish the west wing. Every one who has witnessed the misery and degradation, and knows the hopelessness of the cure of those poor unfortunates when confined in the cells of our county jails, and has also witnessed their comparative happiness and comfort, and knows the prospect for their restoration in the Asylum, will insist that the most terrible diseases shall no longer be treated as a crime, and that the State shall do her duty by providing and caring for these, the most helpless and most unfortunate of her people. An abundant and unfailing supply of water is absolutely essential to the successful operation of an institution of this kind. A reliance for such supply upon cisterns and common wells would be uncertain and unsafe, and as these were the only resources heretofore provided, the Trustees and Commissioners, in order to remove the difficulty, have undertaken the digging of an Artesian well. The details of the work for this purpose thus far, will be found in the reports, and I recommend that a sufficient appropriation be made to complete it or to show its impracticability. I also recommend that the law requiring the several counties of the State to pay for the support of their own pauper insane, be so changed as to require such payment to be made in advance. In this way only will such payment be prompt and reliable, and the State be relieved practically from the burthen of supporting the Institution. I cannot perceive the necessity for the two Boards of Trustees and Commissioners. Either of the Boards can easily perform, in addition to its present duties, the duties of the other Board, and by the consolidation possible conflicts of authority would be avoided, as well as considerable expense.

RECLAMATION OF FUGITIVES FROM JUSTICE.

The law in regard to the reclamation of fugitives from justice is indefinite as to the amount of fees to be paid to agents of this State, who bring back such fugitives, and as to whether it is the duty of the Census Board to pay such expenses in all cases. It is desirable that the uncertainty on these points should be removed.

AGRICULTURE.

Agriculture is, and for many years must continue, to be the leading interest in our State; and any fair and legitimate aid that can be given thereto will tend to promote the public good. With this object the State has for some years paid considerable sums yearly to aid the Agricultural Societies of the State and counties. Whether the benefits that have resulted from this expenditure will justify its

continuance during our present difficulties and embarrassments, you must decide. This great interest of our State may in my judgment be aided by legislation in a new direction. Hitherto our great staples for export have been wheat, corn, cattle and hogs. The prices paid for the transportation of these articles to New York, form a large portion of their value at that point. Indeed, wheat and corn will not bear transportation to that market during the season when the navigation of the lakes is closed. Experience has, I think, conclusively shown that our State is admirably adapted to sheep-grazing, and the value of wool in proportion to its bulk and weight, is much greater, and the price of its transportation to New York in proportion to its value, much less than that of our present staples.

A great drawback upon the growing of wool is that large numbers of sheep are annually killed by dogs. I therefore recommend that a tax be levied on all dogs in the State, and that the proceeds of the tax be applied to paying to owners of sheep killed by dogs, the value of the sheep thus killed. I would go further than this—I would exempt from taxation for a period of five years all sheep not exceeding fifty, owned by any resident of the State, and would also exempt from taxation for the same time all capital invested in the State in the manufacture of woollen goods.

I am well satisfied that the cultivation of flax can be successfully and profitably introduced in our State. It is valuable not only for the seed, but for the lint which under a new process, is converted into what is called flax cotton. I am well assured that before the commencement of the rebellion, a remunerative price could be paid in our State for the flax straw, which has heretofore been an entire loss to the farmer, the fibre separated from the wood, and the tow transported to Boston and manufactured into Flax Cotton, which could fairly compete in price and usefulness with the cotton of the Southern States. In order to stimulate our people to examine the question carefully, and if possible, introduce among us a new and profitable branch of industry, I recommend that all capital invested in the manufacture of linseed oil or the conversion of flax straw into flax cotton, be exempted from taxation for five years.

If our industry were more diversified, we would suffer less from fluctuations of prices of particular articles, and if as necessity requires and opportunity offers, we become manufacturers as well as producers, we will increase our wealth and independence.

The Report of the Secretary of the Agricultural College shows the action of the Board of Trustees since your last session. I would gladly recommend liberal appropriations for the erection of the necessary College and other buildings, if the condition of our finances would allow, but I cannot now do so. The farm and buildings are in such condition that a failure to make appropriations will not necessarily work any injury to them. The only unfavorable result will be delay, and to that we must submit until our national

difficulties are removed. I heartily approve of the policy adopted by the Trustees of reserving the lands donated by the State and by individuals, and the bonds of Story county to endow the institution, trusting to the liberality of the State and of individuals in more prosperous times for the erection of the necessary buildings.

LAND GRANT.

The Report of the Register of the State Land Office shows the condition of the various grants of land made by the Congress of the United States to this State.

Very serious and embarrassing questions have arisen from the conflicting interests and claims of some of the Land Grant Railroad Companies and the Des Moines Navigation and Railroad Company. There have been much vacillation and conflict of opinion and action among the heads of the Department of the Interior in regard to the extent of the Des Moines River Land Grant. That Grant has been held by one Secretary to extend only to the forks of the River at Des Moines City; by another to extend to the sources of the River in Minnesota, and by another to extend only to the north boundary of our State. One or more of the Secretaries certified to the State as part of this Grant large bodies of land lying above the forks of the River within the limits of the State, and the State subsequently sold and conveyed many of these lands to individuals. Afterwards the State contracted with the Des Moines Navigation and Railroad Company to prosecute the work of improving the Des Moines River, agreeing to convey to said Company the title of the State to portions of the lands so certified to the State for that purpose, as rapidly as the work progressed. Under this arrangement the title of the State to many of these lands was conveyed to the Des Moines Navigation and Railroad Company. Subsequently by settlement with the Des Moines Navigation and Railroad Company the State conveyed to said Company the title of the State to the remainder of the lands which had been certified to the State by the Secretary of the Interior, and at the same time conveyed to the Keokuk, Ft. Des Moines & Minnesota Railroad Company its title to all the lands of said grant which had not been certified to the State by the Secretary of the Interior, except fifty thousand acres reserved for certain purposes. The Des Moines Navigation & Rail Road Company have conveyed to individuals large bodies of the lands thus conveyed to them. The lines of three of the Land Grant Railroads, (the Dubuque & Sioux City, the Cedar Rapids & Missouri, and the Mississippi & Missouri,) cross the Des Moines River above its forks, and hence arises a conflict between these companies, and the companies and their grantees, and the grantees of the State who hold portions of those lands as part of the original Des Moines River Grant. These Railroad Companies claim that the Des Moines River Grant never really extended

above the forks of the River at Des Moines, and that consequently all conveyances made by the State of lands above that point, as Des Moines River Grant Lands are invalid, and that by virtue of the Railroad Land Grant they acquired a title to all such lands lying within the limits of their respective grants.

The State having only conveyed what title it had to these lands may not be legally liable to make good any loss that may result to others from a failure of that title, but certainly is morally bound, at the least, to do what may be reasonably and fairly done to protect the rights and interests of those threatened with such loss. When the State granted to the Railroad Companies the lands granted to the State by Congress for Railroad purposes, it was not contemplated by the parties, certainly it was not contemplated by the State, that it was granting to these Companies lands previously conveyed by the State to others, and if since the making of these grants the Companies who are to receive the benefit of them have discovered that by strict legal construction they are entitled to more than was contemplated, either by themselves or by the State, and are disposed to enforce strictly these legal rights, to the injury of innocent purchasers from the State; the State may, and I think should, hold these Companies in all things to a strict compliance with the terms of the grants made to them. If these companies are now in default, and ask the indulgence and clemency of the State, it seems to me the State may very properly, before extending such indulgence and clemency, enquire and know what indulgence and clemency these Companies will extend to the unfortunate holders of these lands, and make for the one with the other such terms and conditions as may be equitable and just to all.

In selecting the lands for the five hundred thousand acre grant, so called, by some mistake the agents of the State selected and the officers of the General Government certified to the State several thousand acres more than were covered by the terms of the grant. This mistake being discovered, application was made to my immediate predecessor by the Commissioner of the United States General Land Office to reconvey to the United States this excess of land. Upon examination it was found that part of the land had been already sold and conveyed by the State, so that all could not be reconveyed. Under these circumstances it was agreed between Governor Lowe and the Commissioner of the General Land Office, that the unsold portion of this excess of land should be reconveyed, and that the United States should retain of the five per cent. fund coming to this State enough to pay for such of said lands as could not be reconveyed by reason of their sale at the rate of one dollar and twenty-five cents per acre. Unfortunately, at the time this agreement was made, the then unsold portion of the lands was not withdrawn from market, and since then still other portions have been sold. Governor Lowe, by letter, relinquished the title of the State in these lands, but quite recently the Commissioner of the

General Land Office has applied to me for a formal deed of conveyance. I at once caused the remaining unsold portion of the lands to be withdrawn from market, and would at once have reconveyed them, but have serious doubt whether the Executive can without your authority divest the State of title to land which has been once vested in the State, whether by mistake or otherwise.

I recommend that authority be conferred to settle and adjust this matter on the terms proposed by Governor Lowe, and also to reconvey to the United States any portion of said excess of lands yet remaining unsold.

The swamp land grant is being slowly adjusted with the General Land Office at Washington City. By the terms of the law making this grant, this State will be entitled to receive from the United States in lieu of swamp lands that had been entered with land warrants, land scrip entitling the State to locate a "quantity of like amount upon any of the public lands subject to entry at one dollar and a quarter per acre or less."

The Commissioner of the United States General Land Office has so construed this law as to require the State to select the lands to which it may be entitled thereunder, from the lands of the United States, subject to entry, at one dollar and a quarter an acre, lying within this State. The law will not, in my opinion, bear this construction, and I am endeavoring to have it set aside, so as to allow the selection of the lands to which the State may be entitled to be made in this State or in any other State or Territory where public lands may be found subject to entry, at one dollar and a quarter per acre.

It will be necessary that an agent or agents be appointed to make these selections, and you should make some provision for such appointment. The lands thus to be selected will, by the laws of this State, belong to the Counties within which the lands in lieu of which they may be selected were originally located. The United States, however, recognize only the State as the recipient of the grant, and will probably recognize only the agent or agents of the State in making these selections, but as the benefits of the selections enure to the Counties, it would be just and proper that the Counties should bear or refund to the State the expense of the agency.

I have thus endeavored to place before you the condition of the State, so far, as in my judgment, your action is needed for its improvement. Your wisdom will doubtless discover some, perhaps many, particulars in which legislation will be necessary, that have been overlooked by me.

The year which has just closed, has brought to our people a new experience, new trials, new responsibilities, and new duties. Let us continue to meet them as we have thus far met them, with neither an overweening confidence in, and reliance upon, our own strength, nor an unmanly and craven fear for ourselves, or of the

hardships we may endure before we win by deserving success, but with patience, calmness, unflinching courage, and an abiding faith in God.

SAMUEL J. KIRKWOOD.

ABSTRACT

OF THE VALUATION OF PROPERTY AND THE AMOUNT OF TAXES LEVIED IN THE SEVERAL COUNTIES OF THE STATE OF IOWA, FOR THE YEAR 1861.

COUNTIES.	Value of Land.	Value of Town Property.	Person- alty.	Total Valuation.	State Tax	County Tax.	County and District School Tax.	School House Tax.	Road tax	Bridge Tax, etc.	Court House and City tax.	Total taxes
Adair	\$971,319	\$15,045	\$34,372	\$1,020,736	\$2,047 27	\$3,056 85	\$6,432 04	\$.....	\$2,024 66	\$.....	\$.....	\$13,560 53
Adams	797,289	48,838	80,486	926,613	1,860 49	2,325 61	1,986 44	1,181 28	1,369 56	.....	.....	8,673 88
Alamakee	1,578,717	211,668	350,871	2,140,774	4,281 94	9,527 09	12,268 58	.....	.....	2,149 88	.....	28,227 44
Appanoose	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Arundel	342,737	5,769	82,562	381,158	763 16	686 35	727 07	161 08	341 53	.....	.....	2,629 14
Benton	2,189,591	117,062	377,468	2,684,081	5,377 02	11,474 87	19,486 01	.....	3,880 86	691 56	42,081 60	42,441 92
Blackhawk	1,710,725	337,056	342,432	2,390,213	4,780 49	10,373 74	15,860 55	.....	2,541 83	2,392 67	.....	35,908 78
Boone	1,244,689	82,296	179,871	1,506,856	3,279 09	6,897 99	6,751 23	.....	2,019 64	.....	.....	18,447 86
Bremer	1,092,436	86,023	186,307	1,364,766	2,729 53	5,459 06	4,887 49	3,756 93	1,339 68	497 00	1,056 95	19,726 50
Buchanan	1,767,438	805,173	279,092	2,851,703	4,705 21	5,594 21	12,377 24	1,002 57	2,524 81	.....	.....	26,304 04
Buena Vista	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Butler	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Calhoun	657,890	2,138	4,850	484,378	1,323 64	2,676 82	1,029 78	.....	2,215 76	.....	.....	7,350 80
Carroll	472,599	1,982	11,209	485,790	975 68	1,039 81	1,081 75	1,079 75	1,209 50	.....	.....	6,255 99
Cass	779,503	88,095	75,860	893,458	1,959 83	2,712 32	4,427 11	.....	.....	.....	.....	10,098 76
Cedar	2,344,342	220,529	619,541	3,184,415	6,377 24	13,792 95	13,405 76	7,020 88	1,594 69	.....	.....	42,191 53
Cerro Gordo	857,599	23,863	82,010	1,113,472	1,700 41	3,835 00	5,481 35	.....	.....	.....	.....	11,016 76
Cherokee	147,887	3,050	2,030	152,967	305 96	611 87	382 42	.....	458 90	.....	917 80	2,768 94
Chickasaw	928,219	54,666	122,490	1,105,375	2,220 82	4,414 81	7,554 88	.....	.....	986 68	.....	1,547 19
Clarke	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Clay	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Clayton	2,285,073	682,702	810,708	3,758,483	7,555 04	15,051 42	22,969 15	.....	.....	5,754 01	.....	41,339 63
Clinton	2,539,066	882,390	887,645	4,309,101	9,324 71	15,099 58	10,428 51	10,888 21	.....	.....	1,953 69	47,694 91
Crawford	557,337	9,555	16,286	583,178	1,177 14	2,855 09	588 77	2,943 71	1,849 86	588 77	320 41	9,333 68
Dallas	1,444,964	57,251	212,737	1,714,942	3,504 44	4,841 66	3,828 11	3,833 07	1,148 17	.....	136 17	76,785 83
Davis	1,618,536	101,889	313,899	2,034,324	4,068 54	2,434 27	2,434 27	.....	.....	1,217 14	.....	10,964 33
Decatur	1,238,911	67,886	311,872	1,617,669	3,197 78	5,515 96	8,556 67	.....	.....	.....	.....	17,870 43
Delaware	1,765,924	139,583	423,691	2,329,198	4,680 83	10,589 57	15,090 79	.....	1,611 85	2,836 19	.....	34,198 53

Des Moines	\$2,040,205	\$1,180,477	\$1,221,547	\$5,264,374	\$12,744 08	\$12,744 08	\$10,405 88	\$	\$ 480 34	\$1,741 00	\$	\$47,114 78
Pickinson												
Dubuque												
Emmett												
Fayette	1,844,186	198,851	371,380	2,414,486	4,802 12	9,624 07	16,415 89		1,855 70	3,584 57		26,292 88
Floyd	738,400	104,600	127,688	970,643	1,943 39	2 61	7,047 81		1,321 20			10,374 51
Franklin	960,538	9,437	46,196	1,006,099	2,044 83	4,007 00	3,043 50		1,773 12			10,867 45
Fremont												
Greene												
Grundy	715,353	3,355	81,475	750,188	1,502 09	2,734 65	2,406 98	3,075 50	1,596 42			11,815 64
Guthrie	963,344	27,005	154,909	1,145,251	2,290 50	3,436 05	4,263 72	3,102 90				13,003 25
Hamilton												
Hancock	683,604	1,064	7,455	692,113	1,384 43	4,153 28	2,140 49		1,746 20	692 22		10,114 55
Hardin	1,154,494	108,092	161,661	1,424,247	2,817 91	7,535 11	10,503 71		1,705 66	1,495 32		22,967 71
Harrison	841,106	3,977	151,158	1,022,241	2,058 49	3,067 72	1,543 86					6,690 06
Henry	1,971,396	492,818	869,538	2,333,699	6,990 06	8,263 06	17,256 14		975 20		41 61	33,225 07
Howard												
Humboldt	268,413	3,026	13,044	299,483	598 97	1,197 93	1,151 90		508 97	299 48		3,847 25
Ida												
Iowa	2,015,342	212,301	622,534	2,850,226	5,841 74	9,686 89	8,055 63	5,917 61			254 66	29,755 53
Jackson	2,226,531	252,849	691,447	3,270,817	7,133 17	13,260 95	10,269 13					35,638 26
Jasper												
Jefferson	1,905,899	266,218	699,826	2,871,003	5,811 18	10,182 42	8,445 57	1,404 22				25,848 40
Johnson	2,516,137	685,581	1,310,872	4,512,589	9,024 70	19,902 29	16,904 35	7,499 06	10,151 69	3,884 26	2,258 78	69,129 35
Jones	1,892,401	152,510	509,741	2,554,652	5,097 10	10,195 49	17,588 68					32,321 27
Keokuk	1,805,708	143,596	670,126	2,619,430	5,241 93	9,225 49	7,703 40					22,170 89
Kossuth	208,463	16,264	13,787	238,488	476 64	1,846 50	1,420 16	571 77		1,727 52		5,762 59
Lee	2,794,627	2,873,663	1,781,712	7,450,042	14,900 54	19,802 08	11,122 21		7,450 23			73,275 06
Linn	3,263,904	751,854	967,148	4,983,906	9,963 95	26,846 40	27,778 70			2,475 51		67,059 26
Louisa												
Lucas	1,165,095	119,708	269,309	1,574,012	3,143 06	4,718 95	5,166 89	4,118 45	1,487 82	594 09		19,224 17
Madison	1,325,219	120,404	399,644	1,854,267	3,664 24	6,151 55	11,486 90			2,632 81		22,784 19
Mahaska	2,319,590	398,326	845,284	3,563,200	6,584 63	8,609 58	11,312 74	7,086 48				33,443 48
Marion	2,073,490	315,959	775,716	3,164,165	6,327 30	6,327 30	15,436 98		1,179 40	3,360 99	884 70	32,966 07
Marshall	1,467,796	149,847	232,004	1,849,697	3,697 21	7,721 33	6,244 36	7,772 24	2,384 59			29,640 14
Mills	826,587	118,890	250,966	1,195,443	2,372 21	4,838 93	5,964 70			1,658 24		15,029 28
Mitchell												
Monona	570,256	57,451	44,060	665,807	1,332 65	2,731 97	4,198 14		1,237 49			9,551 25
Monroe	1,331,330	102,872	440,777	1,874,979	3,757 27	5,442 53	4,964 33		2,632 92			17,801 96
Montgomery	534,914	16,309	59,251	610,480	1,222 96	2,441 24	3,809 78		947 07			9,032 53
Muscatine	2,022,142	1,096,195	100,117	4,224,454	9,505 02	12,417 01	19,146 28					41,068 35
O'Brien	443,891		747	443,891	898 27	1,847 17	1,796 25		898 27	449 08		5,399 04
Page	1,068,919	57,747	223,387	1,340,053	2,684 48	4,962 58	5,627 90	4,279 27	1,261 58	466 50		19,302 21
Palo Alto	46,656		5,006	51,662	103 88	206 76	167 29		103 88			560 81
Plymouth	90,157	10,835	5,678	106,670	217 07	448 12	595 02		80 20			1,840 43
Pocahontas	298,550		531,300	829,650	807 33	1,614 66		1,125 93	421 24	408 66		4,872 87

A B S T R A C T—Continued.

82

COUNTIES.	Value of Land.	Value of Town Property.	Person- alty.	Total Valuation.	State Tax	County Tax.	County and District School Tax.	School House Tax.	Road tax	Bridge Tax, etc	Court House and City tax.	Total taxes
Polk.....	\$ 1,813,183	\$ 840,277	\$ 336,728	\$ 2,490,188	\$ 5,024 50	\$ 9,969 14	\$ 6,184 94	\$ 5,773 47	\$ 2,053 90			\$ 29,501 93
Pottawattamie.....	1,525,517	115,664	264,207	1,905,388	8,810 88	6,378 97	6,979 23	5,000 48				22,164 56
Poweshiek.....	1,061,642	18,638	83,614	1,163,894	2,342 01	3,519 01	3,189 68					7,050 70
Ringgold.....	249,655	11,408	7,507	268,570	637 14	1,096 83	560 79	371 40	687 49	1,921 88		5,175 03
Sac.....	2,392,461	2,640,154	1,058,837	6,091,474	12,182 95	24,375 89	26,758 08		7,151 09			70,758 01
Scott.....	546,808	15,891	41,517	604,216	1,231 59	2,535 04	1,500 70	531 41	1,188 41	615 58		7,602 73
Shelby.....	963,848	49,441	121,959	1,125,048	2,245 15	2,522 63	3,938 27	2,438 45	1,989 82	1,169 91		14,804 28
Sioux.....												
Tama.....	1,846,877	90,766	201,087	2,138,510	4,246 48	8,522 73	15,590 64			2,626 04		80,965 89
Taylor.....	948,624	40,250	168,758	1,157,637	2,316 43	4,637 39	3,024 11	3,192 58				13,160 50
Union.....	732,180	29,444	105,154	876,778	1,749 24	3,041 78	2,134 27	1,866 42	1,591 21	699 32		11,082 24
Van Buren.....	2,206,588	425,129	873,730	3,505,467	7,011 22	12,277 60	12,314 86			5,137 01		86,740 69
Wapello.....	1,841,843	530,919	912,841	3,285,603	6,564 29	14,259 97	11,228 05		263 74			82,835 05
Warren.....	2,029,845	158,448	347,001	2,734,744	5,501 31	10,396 88	8,038 69	4,172 26	1,614 71			29,718 85
Washington.....	2,517,438	855,558	973,736	3,846,732	7,696 93	15,002 21	9,009 89					31,709 08
Wayne.....												
Webster.....												
Winnebago.....												
Winneshek.....	1,757 892	186,871	499,027	2,443,790	4,882 53	8,414 06	12,009 90		1,157 70			26,494 24
Woodbury.....	531,743	213,553	105,230	850,526	1,708 70	3,578 89	3,220 02		1,151 91	870 52		10,590 05
Worth.....	55,108	3,748	23,416	82,272	1,244 72	2,479 44	1,767 18	2,200 58	1,585 25	622 35		9,910 28
Wright.....	885,243	16,127	16,994	918,367	1,865 22	3,781 84	2,177 24	932 97	1,740 88	933 18		11,380 88
Total.....	99,753,188	19,987,977	26,545,910	146,287,025	298,214 60	534,726 51	587,698 46	110,358 57	81,486 37	59,850 06	49,306 37	1,721,585 94

Mr. Williams of Des Moines offered the following resolution :

Resolved, That 5,000 copies of the Governor's Message be printed for the use of this House.

Mr. Bowdoin offered the following which was accepted :

Resolved, That 7,500 copies of the Governor's Message be printed in the English Language, and 2,500 copies of the same in the German Language for the use of the members of this House.

Mr. Rothrock offered the following amendment, which was lost :

That the Message be referred to a select committee of five, to be appointed by the Chair, with instructions to report to the House a proper division of the subjects treated of in said Message, and to designate the several standing committees to which the same shall be referred.

Mr. Frisbie offered the following amendment, which was adopted :

That one thousand copies be printed in the Danish Language for the use of members of this House.

Mr. Pendleton moved to lay the whole subject on the table. Lost.

Mr. Gibson moved to print one thousand copies in the Holland language.

Mr. Maxwell moved to refer the whole subject to a special committee. Lost.

Mr. Moir moved to strike out "1,000," and insert "500 in the Holland Language." Carried.

Mr. Martin moved to print 500 in the Danish Language.

Mr. Hardie called for a division of the question.

The question was accordingly taken upon printing 7,500 copies in the English Language. This proposition was adopted.

The proposition for printing 2,500 in German was also adopted.

That part of the resolution relative to printing in the Danish language was lost.

Upon the question of printing 500 copies in the Holland Language, Mr. Gibson demanded the yeas and nays, which were ordered and were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Castor, Clark, Cutler, Eichorn, Fairall, Fuller of Harrison, Gibson, Guthrie, Hudnutt, Hollingsworth, Knoll, Lake, Lane, Lowrie, Martin, Maxwell, McQuinn, Mercer, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Porter, Speer, Stanton, Stevenson, Thompson, Van Anda, Walton, Wasson, Wetherall, Whittemore, Wright and Mr. Speaker—40.

The nays were, Messrs. Chase, Cleaves, Converse, Curtiss, Denlinger, Dorr, Eaton, Frisbie, Flint, Fuller of Fayette, Gault, Gordon, Hardie, Holyoke, Hood, Jackson, Kellogg, Lakin, Loomis, Lohr, McLennan, Meyer, Milburn, Mitchell of Fremont, Moser, Pierce, Quinn, Rothrock, Rowles, Russell of Jones, Sarver, Shipman, Smeltzer, Stewart, White, Williams of Des Moines, Wilson

of Chickasaw, Wilson of Pottawattamie, Woodworth, Wilcox, and Young—42.

That portion of the resolution relative to printing in the Holland language was lost.

Mr. Nelson moved to print 1,000 in the Norwegian language.

Mr. Converse moved to lay the motion on the table. Carried.

Mr. Shipman presented the Credentials of Michael Price, a member from Muscatine, when Mr. Price came forward and took the oath prescribed by the Constitution.

Mr. Moir introduced the following resolution :

Resolved, That in making appropriations to pay Clerks and other officers of this House, the following sums shall be allowed each :

Chief Clerk,	\$4 00	per day.
1st Asst. Clerk,	3 00	" "
2d Asst. Clerk,	3 00	" "
Enrolling Clerk,	3 00	" "
Engrossing Clerk,	3 00	" "
Sergeant-at-Arms,	3 00	" "
Fireman,	2 00	" "
Doorkeeper,	2 00	" "
Messengers and Paper Folders,	2 00	" "

Mr. Sarver moved to amend by paying Messengers \$1,50 per day.

Mr. Curtiss moved to amend also by paying the Chief Clerk \$5 per day.

Mr. Moser moved to lay the whole matter on the table. Which motion prevailed.

Mr. Frisbie offered the following resolution :

Resolved, That 1,500 copies of the Governor's Message be printed in the Norwegian language for the use of members of this House, provided they can be printed in the State.

Mr. Kellogg moved the indefinite postponement of the resolution, and upon this question

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

The yeas were, Messrs. Clark, Chase, Cleaves, Converse, Denlinger, Dorr, Dunlavy, Eichorn, Ferguson, Fuller of Fayette, Gordon, Guthrie, Hardie, Hood, Jackson, Kellogg, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, McCall, McLennan, Mercer, Meyer, Milburn, Mitchell of Fremont, Nelson, Porter, Quinn, Rothrock, Rowles, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stevenson, Stewart, Thompson, Walker, Walton, West, White, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Young and Mr. Speaker—50.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Castor, Chase, Cutler, Eaton, Fairall, Frisbie, Fuller of Harrison, Gault, Gibson, Glanville, Hudnutt, Holyoke, Hollingsworth, Knoll, Maxwell, McQuinn, Mitchell of Polk, Moir, Parker,

Pendleten, Price, Russell of Dallas, Smeltzer, Stanton, Thompson, Van Anda, Wasson, Wetherall, West, Whittemore, Williams of Des Moines, Woodworth and Wright—38.

The resolution was indefinitely postponed.

Mr. Lane introduced the following Resolution :

Resolved, That the Chief Clerk be instructed to furnish desks for the use of newspaper Reporters, within the Bar of the House, and that they be permitted during the pleasure of the House to occupy the same.

The Resolution was adopted.

Mr. Gibson introduced the following Resolution which was adopted :

Resolved, That the Chief Clerk of the House be, and he is hereby instructed to employ Henry Hospers of Pella, to translate the Governor's message into the Holland language, for publication in the Holland paper, published at Pella, provided it can be done at an expense not to exceed \$25.

Mr. Shipman introduced the following Resolution :

Resolved, That the Chief Clerk be requested to make suitable arrangements with the Post Master in Des Moines in relation to the postage of all mail matter sent by members of this House including nothing but letters, newspapers, and Reports of State officers.

Mr. Blackford offered the following substitute :

Resolved, That the Chief Clerk be authorized to make arrangements with the Post Master in this City, for the payment of the postage of members of this House, *Provided*, That postage shall only be paid upon letters, newspapers and documents published by the State officers, or by order of the House or Senate, or by order of the General Assembly.

Mr. Curtiss moved to amend the substitute so as to include officers of the House. The amendment of Mr. Curtiss was lost.

Mr. Wetherall moved to strike out "letters." Lost.

The substitute of Mr. Blackford was adopted.

Mr. Stanton offered the following Resolution :

Resolved, That the Chief Clerk be authorized to order for the use of the members of the House, 20 copies of daily newspapers or their equivalent in Weeklies, during this Session, all of which shall be printed in this State.

Mr. Bowdoin moved to strike out "20," and upon this question the yeas and nays were demanded and were as follows :

The yeas were, Messrs. Baker, Bowdoin, Burton, Castor, Clark, Cleaves, Converse, Curtiss, Denlinger, Dorr, Eaton, Eichorn, Ferguson, Flint, Fuller of Harrison, Gault, Glanville, Guthrie, Hardie, Hudnutt, Hollingsworth, Hood, Jackson, Lane, Loomis, Lorah, Martin, McGlothlen, McLennan, Meyer, Milburn, Nelson, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones,

Sarver, Shipman, Speer, Stevenson, Stewart, Thompson, Walker, Wasson, White, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Woodworth, Wright, Wilcox, and Young—56.

The nays were, Bass, Blackford, Bracewell, Calfee, Chase, Cutler, Dunlavy, Fairall, Frisbie, Fuller of Fayette, Gibson, Gordon, Holyoke, Knoll, Lake, Lakin, Lowrie, Maxwell, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Pendleton, Smeltzer, Stanton, Van Anda, Walton, Wetherall, Whittemore, Wilson of Pottawattamie, Mr. Speaker—34.

The motion to strike out prevailed.

Mr. Lowrie moved to insert "30."

This motion did not prevail.

Mr. Clark moved to insert "25."

Upon the question of filling the blank with "25" the yeas and nays were demanded by Mr. Maxwell, and were as follows:

The yeas were—Messrs. Bowdoin, Bracewell, Calfee, Clark, Curtiss, Cutler, Dunlavy, Eaton, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Hardie, Holyoke, Knoll, Lake, Lakin, Lowrie, Maxwell, McCall, McQuinn, Mercer, Meyer, Mitchell of Polk, Moser, Parker, Pendleton, Smeltzer, Stanton, Van Anda, Walton, Whittemore, Wilson of Pottawattamie, Wright, and Young—35.

The nays were—Messrs. Baker, Bass, Blackford, Burton, Castor, Chase, Cleaves, Converse, Denlinger, Dorr, Eichorn, Ferguson, Gault, Gibson, Glanville, Guthrie, Hardie, Hudnutt, Hollingsworth, Hood, Jackson, Kellogg, Lane, Loomis, Lorah, Martin, McLennan, Meekins, Milburn, Mitchell of Fremont, Moir, Nelson, Pierce, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stevenson, Stewart, Thompson, Walker, Wasson, Wetherall, White, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Woodworth, and Mr. Speaker—57.

The motion to insert "25" was lost.

Mr. Mitchell of Polk, introduced the following Resolution which was adopted:

Resolved, That the use of this Hall be tendered to Rev. W. F. Cowles on Friday evening next, for the purpose of delivering a sermon on the crisis of our National Affairs—religiously considered.

Mr. Smeltzer moved to fill the blank with "21," and upon this question Mr. Sarver demanded the yeas and nays which were ordered and were as follows:

The yeas were, Messrs. Blackford, Bowdoin, Bracewell, Calfee, Clark, Curtiss, Cutler, Dunlavy, Eaton, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Gordon, Holyoke, Kellogg, Knoll, Lake, Lakin, Lowrie, Maxwell, McCall, McQuinn, Mercer, Meekins, Mitchell of Fremont, Mitchell of Polk, Moser,

Parker, Pendleton, Schramm, Shipman, Smeltzer, Stanton, Van Anda, Walton, West, Whittemore, Wilson of Pottawattamie, Wright, Young, and Mr. Speaker—38.

The nays were, Messrs. Baker, Bass, Burton, Castor, Chase, Cleaves, Converse, Denlinger, Dorr, Eichorn, Ferguson, Gault, Glanville, Guthrie, Hardie, Hudnutt, Hollingsworth, Hood, Jackson, Joy, Kellogg, Lane, Loomis, Lorah, Martin, McLennan, Meyer, Milburn, Moir, Nelson, Pierce, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stevenson, Stewart, Thompson, Walker, Wasson, Wetherall, White, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, and Woodworth—52.

Mr. Moser moved to fill the blank with "19."

Mr. Martin moved "10."

Mr. Van Anda moved "15."

Mr. Quinn moved "1."

Mr. Kellogg moved that when the House adjourn it be until — o'clock to-morrow morning. Carried.

On motion of Mr. Kellogg the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
WEDNESDAY, January 15, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Bird.

The Clerk proceeded to the reading of the Journal of yesterday, when, on motion of Mr. Bowdoin, the further reading of the Journal was suspended, for the purpose of receiving the Senate in Joint Convention, to canvass the votes for Governor and Lieutenant Governor.

On motion of Mr. Bowdoin, a Committee of two was appointed to wait on the Senate and inform them that the House was now ready to go into Joint Convention.

Messrs. Bowdoin and Bracewell were appointed said Committee, who reported having discharged their duty.

The Speaker appointed Mr. Loomis, of Cedar, to act as Teller in canvassing the vote for Governor and Lieutenant Governor, on the part of the House.

On motion of Mr. Glanville, Mr. Schramm, of Van Buren, was sworn and took his seat as a member.

On motion of Mr. Bowdoin, the House took a recess of five minutes to prepare for the Joint Convention.

The House was called to order, when the Sergeant-at-Arms announced the Senate, who entered the Hall preceded by their President, and took the seats assigned them. Whereupon the President of the Senate announced that the Convention had met to canvass the vote for Governor and Lieutenant Governor of the State of Iowa, and declare the result.

Mr. Pattison, of Marshall, was appointed Teller on the part of the Senate.

On calling the roll the following members were absent: Mr. West, member of the House; and Messrs. Bussey, Hamner, Henderson, Jennings, Neal, Powers, Scott and Taylor, members of the Senate.

The Speaker then proceeded to announce the votes of the several counties in the State, for the offices of Governor and Lieutenant Governor, pending which Mr. Angle, of Linn County, moved a recess till two o'clock P. M., which was carried.

TWO O'CLOCK, P. M.

The members of the House and Senate again met in Joint Convention, when the canvass was concluded with the following result:

FOR GOVERNOR.

Whole number of votes cast.....	105,594
Of which Samuel J. Kirkwood received	60,252
Wm. H. Merritt.....	40,187
B. M. Samuels	4,551
Charles Mason	91
Henry Clay Dean	462
Scattering	51

FOR LIEUTENANT GOVERNOR.

Whole number of votes cast	102,978
Of which John R. Needham received	60,145
Lauren Dewey	38,617
Jesse Williams.....	4,123
Wm. H. Merritt.....	39
Scattering	49

Whereupon the President announced Samuel J. Kirkwood duly elected Governor of the State of Iowa for the term of two years: and that John R. Needham duly elected Lieutenant Governor of

the State of Iowa for the term of two years, they having received a majority of all the votes cast at the election in October last, and certificates of their election were read and signed as follows :

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, Jan. 15, 1862. }

This will certify that upon a canvass in Joint Convention of the two Houses of the General Assembly of the State of Iowa, of the votes cast at the October Election, A. D. 1861, for the office of Governor of the State of Iowa, it appeared that Samuel J. Kirkwood, received a majority of all the votes cast at said election for said office; and, therefore, was declared duly elected to said office for the term of two years, and until his successor is elected and qualified.

Signed in the presence of the Joint Convention, this 15th day of January, 1862.

NICHOLAS J. RUSCH,
Lieutenant Governor.

Attest, A. M. PATTISON, Teller for the Senate,
H. C. LOOMIS, Teller for the House.

RUSH CLARK,
Speaker of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, Jan. 15, 1862. }

This is to certify, that upon a canvass of the two Houses of the General Assembly of the State of Iowa, of the votes cast at the October Election, A. D. 1861. for the office of Lieutenant Governor of the State of Iowa, it appeared that John R. Needham received a majority of all the votes cast at said election for said office, and was, therefore, declared duly elected to said office for the term of two years, and until his successor is elected and qualified.

Signed in the presence of the Joint Convention, this 15th day of January, 1862.

NICHOLAS J. RUSCH,
Lieutenant Governor.

Attest, A. M. PATTISON, Teller for the Senate,
H. C. LOOMIS, Teller for the House.

RUSH CLARK,
Speaker of the House of Representatives.

Mr. Bowen, of the Senate, introduced the following Resolution, which was adopted :

Resolved, That a Committee of five—two from the Senate and three from the House—be appointed to wait upon the Governor and Lieutenant Governor elect and to inform them of their election, and to report to this Convention when it will be their pleasure to be inaugurated ;

Whereupon the Chair appointed the following gentlemen as said

Committee, viz: Messrs. Bowen and Duncombe, of the Senate, Williams, of Mahaska, Bass and Martin, of the House.

The Committee reported that they had discharged their duty and that the Governor and Lieutenant Governor elect had signified their pleasure to be inaugurated immediately.

On motion of Mr. Bowen, the same gentlemen were appointed a Committee to conduct the Governor and Lieutenant Governor elect to this Hall.

On motion of Mr. Woodward, a Committee of two was appointed by the Chair to invite the members of the Supreme Bench and the Officers of State to be present at the inauguration.

The Chair appointed Messrs. Woodward of the Senate and Kellogg of the House as such Committee.

The several Committees performed their respective duties, and returned to the Hall accompanied by the Governor and Lieutenant Governor elect, the Chief Justice and Associate Justices of the Supreme Bench and the Officers of State, who were respectively seated;

Whereupon, Chief Justice Baldwin proceeded to administer the Oath of Office to Samuel J. Kirkwood as Governor, and John R. Needham as Lieutenant Governor of the State of Iowa.

When His Excellency addressed the Joint Convention, as follows:

*Gentlemen of the Senate and
House of Representatives:—*

As this is the first time in the history our State that the same person has been twice elected to the office, the duties of which I have for the second time just assumed, and as the transmission to you of a Message in writing, communicating the condition of the State and recommending such matters as seemed to me expedient, was among the last of the official acts of my first term of service, it was for some time a question with me whether it was proper for me in commencing my second term to conform to the custom heretofore acted on by incoming Governors of delivering an Inaugural Address. Upon reflection, I did not feel at liberty to disregard what is a well established, and what is considered a useful custom.

When two years ago, I first assumed the duties of my present office, I saw, and in my Inaugural Address alluded, to the bitter and exasperated feelings existing in certain portions of our country, which have since resulted in the present Rebellion, and pointed out what seemed to me to be some of the exciting causes of that feeling. The people of our country were then about entering upon one of those political contests by which the policy of our General Government is for a time determined—and I expressed the belief that this angry and excited feeling would not result in an appeal to arms, but that a people taught as ours have been to yield almost in-

stinctively to the fairly expressed will of the majority, would, when the feeling engendered by its contest had passed away, again permit the calm dictates of reason to resume their sway, and that we would again become a contented and happy nation. Time has shown that my belief was erroneous, and yet it seems to me it was a reasonable and just belief. All men know well that the Government against which Rebellion would be made, if raised at all, was the Government which made the least exactions and conferred the most benefits upon its people of any Government in the world. All men knew well and none better than those now in Rebellion that the Administration whose accession to power their opponents declared they would consider cause for revolt, could not, during their term of office, even if so disposed, inflict upon the defeated party any wrong. And it seemed then, and seems yet to me to be a reasonable and just belief that no portion of a people, so intelligent as ours has claimed to be, could revolt against a Government which had conferred upon them only benefits, and against an Administration powerless to injure them. All men know, too, that Rebellion must bring upon those engaged in it terrible calamities, if not sure destruction, and it did seem reasonable and just to believe that sane men would not bring upon themselves such results without cause.

Yet there were other things bearing upon this question which we did not know. We did not know—even although we were so told by some far-sighted men; it seemed too monstrous for our honest and loyal-hearted people to believe; that men whom they had delighted to honor, men upon whom they had conferred the high places—even the highest place of honor, and profit, and trust under our Government—could, whilst yet holding these places and pledged in the sight of God and before men faithfully to discharge their trust, and with professions of love and attachment to our Government yet warm upon their lips, deliberately conspire to overthrow and destroy that Government which they were so strongly bound to protect and defend. I repeat it, our honest and loyal-hearted people could not believe these things to be true; they were to them too monstrously infamous for their belief. They had not yet learned the bitter lesson that honesty, truth, good faith and loyalty, were but mere words used by these men as a cover under which to deal, as they hoped, a fatal stab to that Government from which they had derived all they ever had of honor or importance. Had this not been so (and although its truth has produced such terrible results, I thank God our people could not then believe it possible,) I am well convinced we would to-day have no Rebellion. Had the occupant of the Presidential chair for the year preceding the 4th day of March, 1861, and his advisers, been true men, and had they done their duty as such, and stricken Rebellion one honest, downright blow when first it reared its hateful head, we would have to-day a peaceful and united nation. But this, unfortunately,

was not so. Treason and imbecility sat in our high places, and surrendered one after another the outposts of the citadel of our strength into the hands of Rebels, until emboldened by success, they believed the citadel itself to be within their grasp. In this way the Rebellion was encouraged and strengthened, and thousands of men were induced to array themselves upon its side from the conviction that the Government was powerless to protect its friends or punish its enemies.

At last, but too late, came a change of Administration. Our Government asserted its rights, and gave evidence of its will and power to maintain them, and then came the civil war that is now upon us.

I need not undertake to point out to you the primary cause which has led to this disastrous issue. Although there may have been many minor causes, all tending to the same end, such as the disappointed ambition of bad men, and the lust for power, the clear common sense of our people has seen and accepted the fact that the one great controlling cause of this wicked rebellion, and of all the fearful consequences which have followed and must follow from it, is the system of Human Slavery. Sophistry cannot disguise this fact, nor argument illustrate it. It is patent, tangible, and sooner or later it must be accepted by our rulers as well as by our people, and acted on by all. This baneful system, which has wrought such terrible results, was accepted with great reluctance by our fathers as an existing but most unfortunate fact, and its existence recognized and protected by them as such; but surrounded at the same time by influences such, as they confidently hoped, would soon eventuate in its total and peaceful extinction. That hope has been sadly disappointed. The system, so reluctantly admitted into our form of Government, and so antagonistic to its vital principles, has, like a foreign substance in the human body, been to the body politic a source of constant irritation, and has been the real cause of all the heart-burnings and ill-will among our people. Circumstances, not foreseen at the beginning, have fostered and encouraged it. It has been defended, protected, and nourished by its votaries with a devotion almost unparalleled, until it has acquired a strength and power which enabled it, at first by stealthy approaches, and then by bold attack, to seize the reins of Government, and control the policy of our people. And when peacefully and constitutionally it was driven from its usurped seat of empire, and the determination expressed that for the future it should be kept in the subordination for which it was originally intended, it revolted and by civil war has sought to destroy the Republic it could no longer control, and from the remains to build a new one in which its empire should be absolute and undisputed.

I have said that our people have seen and accepted these facts, and that the time must come, sooner or later, when our rulers too, must see them, and when all, rulers and ruled, must act upon

them. It is not for us to determine what that action shall be. That is the right and duty of others. But it is for us—it is our right and duty—to advise with those others, and to point out to them the course which, in our best judgments, should be pursued. Understand me rightly. I freely accept and have cordially acted upon the theory that it is for our rulers to determine the policy to be pursued, and for us to sustain them, even if that policy should not meet our approbation. But it does not follow that we must not advise a change of policy, if our judgment teaches, or experience has shown such change to be necessary.

What, then, if anything, have we to advise? Let us see where we stand, and what are our surroundings. More than twelve months ago this war upon our Government was begun, and it has been prosecuted up to this moment on the one side with fierce vindictiveness, and terrible earnestness. Nothing, literally nothing, has been allowed to stand in the way of the advancement of the cause for which this war has been waged, by those who advocate that cause. Officers of the Army and Navy, to advance that cause have deserted their flag. Statesmen, to advance it have betrayed their trusts. Among all ranks, acts of fraud, words of falsehood and deeds of violence have been held good and honorable service, if thereby this cause might be advanced, and the entire energies of its advocates have been directed to that single end. The sole question they have asked has been: "What thing can we do which will most effectually and speedily break the strength of our adversaries?" And when that question has been answered, they have as one man done that thing. How have they been met? Until the 4th day of March last past, not only were no steps taken to arrest their progress, but many of those who now are not of and with them, insisted that coercion should not be used to arrest it. After that date, although the new Administration took prompt and vigorous steps to meet the crisis, many people in the loyal States still protested against coercive measures to suppress Rebellion, and many others sought, as if expecting to find, some neutral ground on which to stand, some middle ground between loyalty and treason, as if a citizen could be loyal to his Government who did not lend his hand to defend it when rebels sought to destroy it. But time passed on until Sumter fell, and our nation awoke from what had appeared to be the slumber of death. With fiery zeal and generous emulation, the young men of all classes and all parties in the loyal States rallied around the Government, until to-day we have under our banner the best army the world has ever seen; ready and eager to meet in battle all enemies who seek the destruction of the Union. And yet it seems to me that we do not bring to this conflict the same directness, the same unity of purpose and action our adversaries do. It seems to me we do not ask ourselves what one thing can we do that will most effectually and speedily break the strength of our enemies? and when that question is answered, do that thing. It

seems to me the idea still pervades and controls the minds of many of us that our duty requires of us not only the preservation and protection of the Union, but the preservation and protection of Slavery; that we have sometimes feared to strike an earnest blow against Rebellion, lest that blow should fall on the head of Slavery; that we regard Slavery as an essential part of the Union itself, and that the Union would not be worth preserving, unless Slavery could be preserved with and remain part of it.

If these things be so, we are yet far from the path that will lead to success. Slavery, the leading cause of this Rebellion, is an element of strength or of weakness to the rebels, just as we will it shall be. If we say to the slaves of rebels, we are your enemies, they will remain with their masters and be to them a strength and support. If we say to them, we are your friends, come to us and you shall be free, they will seek to come by thousands, and the armies now standing in battle array against our soldiers will be needed at home to restrain them. Take the case of South Carolina. Our soldiers are to-day upon her soil. She has a population of about 700,000 souls, more than one-half of whom are slaves. Experience, the best of teachers, has shown that these slaves want freedom, that they look upon our soldiers as friends, and would, if encouraged, so to do, flock to our camps by thousands. As the slaves of rebel masters, their labor in the field and in the camp, furnishes the rebel troops with food, and does for them much of that severe camp labor which exhausts the energies of the soldiers and brings sickness upon them. Thus rebellion is strengthened by Slavery. Shall we continue to leave it this strength? shall we do more than this? Shall we continue to drive back to their rebel masters these unfortunates, and compel them to be our enemies although they wish to be our friends? Shall we continue to require of our brave soldiers who have gone forth to fight our battles, those exhausting labors that have brought sickness and death to so many of them, when these people stand ready and willing to relieve them if allowed?

It may be said that if we proclaim freedom to slaves of rebel masters, Slavery must suffer and may be extinguished. I reply: So be it. The friends of Slavery have in its supposed interest thrust this war with all its evils upon the country, and upon them and upon it be the consequences. It may be said the slaves of loyal masters will escape, and thus loyal men will suffer loss. This may be, probably, will be so. But if we shall be successful in preserving our Government, and putting down this rebellion, we can and will make good all losses caused to them by the acts of the Government for its preservation. Besides, it is their misfortune and not our fault that they live in sections of our country in which the war is carried on and in which either a majority of the people are rebels, or the loyal men in the majority have suffered themselves to be prostrated and trampled on by the rebel minority. We regret their condition, we pity their misfortunes, we will make good the losses caused by

our acts for the preservation of the Union, but we cannot allow the Union to be stricken down because efforts for its preservation may work them present injury. War necessarily brings suffering and loss to the people among whom it is waged. This war brings suffering and loss to the loyal people of all our States, and we all must bear as well and as patiently as we may, until the end, when it will be our duty to repair, so far as we may, the losses sustained by loyal men because of their devotion to their country.

I will not be misunderstood. This war is waged by our Government for the preservation of the Union, and not for the extinction of Slavery, unless the preservation of the one shall require the extinction of the other. If the war were so prosecuted that on to-morrow the preservation of the Union were effected and secured, I would not now wage the war another day. I would not now spend further treasure or further life to effect the extinction of Slavery, although I might regret that the war of its own producing had left in it enough of life to leave it to be our bane and pest in the future as it has been in the past. But while this is true, it is also true that if I had the power on to-morrow to end this terrible strife and preserve our Union by the extinction of Slavery, while to preserve both would require a month's, or a week's, or a day's, or an hour's further war; the spending of a single additional dollar or the loss of a single additional life; so surely as the Lord lives, this War would close to-morrow. No wife should mourn her husband, no mother her son, no maiden her lover, slain in a war protracted by me a single hour to preserve to rebels that which caused them to commence and which enables them to maintain rebellion. I would not believe that I had, nor do I believe that others have the right, although they may have the power to protract this war in order to preserve that which has caused the war. My deliberate convictions are that to prosecute this war successfully, we must strike directly at Slavery, and that the time must soon come when every man must determine for himself which he loves most, the Union or Slavery, and must act accordingly.

In the meantime, and at all times, it is our duty to rally around and support the Government. We are not of those whose loyalty is doubtful or conditional. We do not say we will support the Government if it adopts our views and carries out our plans, and if not we will become neutral or join the enemy. We support it with hearts and hands and means, although we may doubt its policy, trusting time will demonstrate the correctness of our views, and bring about their adoption if found correct. The giving of honest counsel and the rendering of faithful service make up the duty of all true men. .

The war has brought on us severe trials, and others are yet to come. Many of our best and bravest have died upon the battlefield or in the hospital, and many more must die. Our business operations have been interrupted, our markets have been closed, the

prices of the products of our industry have been lessened, we have been compelled to wholly forego or materially to curtail the use of some luxuries which, by use, had become to us comforts of life, and these things must continue to be. They are the inevitable attendants of war, and must be borne as they have been borne, bravely, unflinchingly, and cheerfully. Life is valuable, but it is intended to be useful; and how can any one make his life more useful than by giving it for his country? Could our own brave men who died at Wilson's Creek, Blue Mills and Belmont, have used their lives in any other way to better purpose than by losing them on those bloody but glorious battle fields? Their names will live after them, embalmed in the hearts of our children, and our children's children, as the names of men who died for their country, and their example will fire the hearts of generations yet to come to deeds of equal and as noble daring.

We are eminently a peaceful and peace-loving people, and the interruption of our peaceful avocations by War and its incidents bears hardly upon us; but we must remember that the only way to bring back and make permanently secure to us that peace we love so well, is to convince those who have thrust this War upon us and to convince all others that although we love peace much, we love our Country's honor and the perpetuity of our Union more. But do we not exaggerate the evils of our condition? I am well convinced there is not in the world a people of equal numbers, all of whom enjoy to-day so many of the necessities and of the comforts of life as are enjoyed by our people. In our own State our cause of complaint is not that we have not enough of the necessities of life, but that we cannot get high enough prices for what we can spare of our superabundance; not, that we have not food, but that we cannot sell to advantage food we do not need!

But we will have to pay heavy taxes. True, we will, and it is equally true we can. We have to do but one thing and that thing we must do. We must give up the idea of money making to a great extent until this war is over. We must be content to devote to the preservation of the country a portion of all of the surplus we have been accustomed to lay up in years gone by. We may be required to return to customs and expedients for many years abandoned. We may be compelled to do as our fathers and mothers did, clothe ourselves as they did with the products of their own farms and their own hands. What then? Our men will be none the less brave, loyal, and loving; our women none the less true-hearted, lovely and beloved. We may be required to do and may do all these things and yet suffering and want still be far from us. We may be required to do and may do all these things, and yet will not have done nearly so much as our fathers did to hand down to us the rich inheritance we are now striving to transmit unimpaired to our children. And if required, will we not do it promptly and cheerfully?

There may be amongst us a few men who know no impulse of patriotism, have no love of country, and can see nothing but sordid gain! There may be amongst us a few others who, blinded by prejudice engendered by former political strife, cannot forget that the Government is guided in this struggle for its life by the hands of political opponents, and who would rather see it perish than have it saved by their hands, who will cry peace when there is no peace, and who will endeavor to turn us from the prosecution of this war by continually dwelling upon and exaggerating the misfortunes it has brought and will bring upon us. But these men are few in number and weak in influence. The great mass of our people see clearly and know well that no peace can be permanent which is made by compromising with armed rebels, and which will leave our present territory divided between jealous and hostile nations by such boundaries as it must be, if not preserved in its integrity.

I cannot close this Address without paying a well deserved tribute to the brave men who represent our State in the great army collected to do battle for our country. We may well be proud of them. We here as officers, and all our people as citizens, should feel that there is much for us to do to maintain that high eputation they have won for our State.

Trace the Iowa First on their weary way to Springfield; see them ragged and hungry but cheerful and ready; listen to their marching song as it rolls along the column, lending new vigor to themselves and their tired comrades; hear their fierce shouts and witness their daring deeds on the field where Lyon fought and fell; witness the heroic spirit of devotion and self-sacrifice with which the Iowa Third at Blue Mills, attacked, and the bravery with which they fought the enemy in overpowering numbers to delay that enemy's retreat until expected reinforcements could arrive. See the Iowa Seventh on the bloody field of Belmont, heading the attack and covering the retreat; witness the cheerful endurance, the untiring energy, the indomitable valor of all our troops whenever and wherever tried, and who does not feel proud that he too is an Iowan? We owe these gallant men much. The rank and file of our Regiments have never been surpassed. I doubt very much if they have ever been equaled. There is not a company in any of our Regiments which does not contain in its ranks men who, in intelligence and moral worth, are the peers of any man who hears me. They have left behind them the comforts and endearments of home, their business, their friends, their all, and have taken their places as privates in the ranks, with nominal pay, and almost without a hope for honor and distinction. This is patriotism, and I repeat it, "to these men we owe much." It is due to them, at least, that all shall be done that our circumstances will allow, to promote their health and comfort, and I doubt not you will see to it that the debt is paid.

When the war commenced, many of us hoped that by this time it

would have been completed, or that at least we would be able to see the beginning of that desirable end. But we have been disappointed. The rebellion had greater strength than we had supposed. Obstacles have arisen that we had not anticipated, and the end is not yet. But these things should not discourage, and I am glad to say they have not discouraged us. As the greater strength of the rebellion has been developed we have promptly furnished the greater needed strength to put it down, and if need be Iowa can yet send forth many Regiments as brave, as loyal, and as true as those that have already gone. As obstacles have arisen they have been met as brave men meet them. They have been trampled upon, and we have passed on. And now, when as it seems to us here that all things are ready, we are waiting patiently, but with beating hearts, for the day when the great battle shall be fought—listening intently, and oh! how anxiously, for the battle shout “God for the right,” which will on that day roll over that battle-field from the brave men who will be privileged there to rally around our dear old flag and strike in its defense, and trusting humbly and confidently that because they will strike for the right, the God of Battles will give us the victory!

On motion of Mr. McPherson, the Joint Convention adjourned *sine die*.

Mr. Converse moved that when this House adjourn it adjourn to meet at 9 o'clock to-morrow morning. Lost.

Mr. Lowrie introduced the following resolution:

Resolved, That 3,000 copies of the Inaugural Address of the Governor be published in pamphlet form for the use of this House.

Mr. Gordon moved to amend by inserting “5,000,” instead of “3,000.”

Mr. Lake moved to print 2,000 in the German language.

Mr. Pierce moved to lay the whole subject on the table. Carried.

On motion, the reading of the Journal of yesterday was resumed and completed, and the Journal approved.

Mr. Speaker gave notice to the House that he had in his possession certain papers this day handed him by the Secretary of State endorsed, and purporting to be the papers in the matter of a contested election, wherein Milo Smith is contestant and John S. Maxwell, incumbent.

On motion of Mr. Williams of Mahaska, the same were ordered to lie upon the table until the appointment of the Standing Committees.

Mr. Shipman moved to reconsider the motion made by Mr. Gibson on yesterday, for the translation and publication of 500 copies of the Governor's Message in the Holland language, which motion of Mr. Gibson was lost.

Mr. Kellogg moved that the subject pending on yesterday in ref-

erence to the printing of the Governor's Message, be referred to a Select Committee of five.

Mr. Quinn moved that the House adjourn. Carried:

HALL OF THE HOUSE OF REPRESENTATIVES, }
THURSDAY, January 16, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Bird.

Journal of yesterday read and approved.

The question pending at the adjournment upon the motion of Mr. Shipman to reconsider the motion of Mr. Gibson to print 500 copies of the Governor's Message in the Holland language,—which motion of Mr. Gibson was lost—was taken up, and the motion to reconsider lost.

Mr. Martin introduced the following resolution, which was adopted:

Resolved, That the Chief Clerk be instructed to report at once to this House as far as is within his knowledge or can reasonably be ascertained, what steps, if any, have been taken to procure the Legislative Manual referred to in a Joint Resolution passed at the recent Extra Session of the Legislature, and approved May 29th, 1861; and if such book has been prepared, to deliver to each member of this body, including all officers except fireman, doorkeeper and messenger boys, one copy thereof.

Carried.

In response to the above resolution, the Chief Clerk stated (by leave of the House), that the reason the Legislative Manual had not been printed, was because the compensation fixed by the last House, was so low that the State Printer could not perform the work, and that he had therefore done nothing towards its preparation.

Mr. Lowrie introduced the following resolution which was adopted:

Resolved, That the patriotism, sacrifices and matchless heroism displayed by the Iowa troops on every battle-field on which they have been engaged, command our highest admiration, and shed a lustre and glory upon our arms as imperishable as the memorials of our race, and we hereby tender to our brave soldiers on the tented field our sincerest sympathy and warmest admiration.

Mr. Bowdoin moved to take from the table the Resolutions and amendments in reference to the printing of the Governor's Inaugural.

Mr. Lake withdrew his amendment to print 2,000 copies in the German language.

Mr. Gordon offered the following resolution as a substitute:

Resolved, That there be printed for the use of this House, 10,000 copies of the Governor's Inaugural in English, 2,000 copies in German, 1,000 copies in Holland, and 1,000 copies in the Norwegian languages.

Mr. Mercer moved to print 1,000 copies of the Governor's Inaugural in French. Lost.

Mr. Mitchell moved the following amendment:

Resolved, That 7,500 copies of the Governor's Inaugural Address be printed in the English Language, and that 2,500 copies of the same be printed in the German Language for the use of the members of this House.

Mr. Gibson moved the following amendment: "That 1,000 copies be printed in the Holland Language." Carried.

Mr. Fuller moved the following amendment: "That this House order the publication of one thousand copies in the Danish Language for distribution among the Norwegian population of the State." Carried.

Mr. Williams of Des Moines moved to amend as follows: "Provided that no expense be incurred to the State in the translation of the Inaugural Address into the Holland and Danish Languages. Lost.

The Resolution as amended was then adopted.

Mr. Shipman introduced the following resolution:

Resolved, That Messrs. Rothrock, Young, Dunlavy, White and Mitchell of Polk be a Committee to designate the several Standing Committees to which the different subjects of the Governor's Annual Message shall be referred.

The resolution lost.

Mr. Martin introduced the following resolution:

Resolved, That the Chief Clerk be instructed to furnish at the earliest practicable period, each member of this House, including all officers thereof except Doorkeeper, Fireman and Messengers, one copy of Jefferson's Manual of Parliamentary Practice, provided the same can be purchased at a price not exceeding 40 cents per copy."

Mr. Fuller moved to amend by inserting: "or Cushing's."

Mr. Kellogg moved to lay the whole subject on the table. Carried.

On motion of Mr. Stanton the House took up the Resolution in relation to providing the members with newspapers, upon which the motion of Mr. Moser was pending, to fill the blank with the number "19."

Mr. Wilcox moved the indefinite postponement of the whole subject.

Mr. Lane moved the previous question, and upon the question,

"Shall the main question now be put?" the same was demanded by a majority.

The question being upon the motion of Mr. Moser to fill the blank with the number "19:"

Mr. Jackson demanded the yeas and nays which were ordered and were as follows:

The yeas were, Messrs. Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Glenville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Kellogg, Knoll, Lake, Lakin, Lowrie, Martin, Maxwell, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Pendleton, Rowles, Schramm, Smeltzer, Stanton, Van Anda, Walton, Wasson, Wetherall, West, Whittemore, Wilson of Pottawattamie, Wright Young, Mr. Speaker—52.

The nays were, Messrs. Baker, Cleaves, Converse, Eichorn, Ferguson, Flint, Gault, Gibson, Hood, Jackson, Lane, Loomis, Lorah, McCall, McGlothlen, Milburn, Nelson, Pierce, Porter, Price, Quinn, Rothrock, Russell of Dallas, Russell of Jones, Sarver, Shipman, Speer, Stevenson, Stewart, Thompson, Walker, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw and Woodworth—40.

Absent or not voting, Messrs. Kellogg, Moser, Pendleton and West.

The blank was filled with "19."

Upon the question of adopting the resolution, providing for furnishing each member of the House with 19 Daily papers, or their equivalent in Weeklies,

Mr. Maxwell demanded the yeas and nays which were ordered and were as follows:

The yeas were, Messrs. Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glenville, Gordon, Hardie, Hudnutt, Holyoke, Hollingsworth, Knoll, Lake, Lakin, Lane, Lowrie, Martin, Maxwell, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moser, Parker, Porter, Price, Rowles, Schramm, Shipman, Smeltzer, Stanton, Van Anda, Walker, Walton, Wasson, Wetherall, Whittemore, Wilson of Pottawattamie, Wright, Young, and Mr. Speaker—57.

The nays were, Messrs. Baker, Cleaves, Converse, Eichorn, Ferguson, Flint, Gault, Guthrie, Hood, Jackson, Loomis, Lorah, McCall, McGlothlen, Meyer, Milburn, Nelson, Pierce, Quinn, Rothrock, Russell of Dallas, Russell of Jones, Sarver, Speer, Stevenson, Stewart, Thompson, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw and Woodworth—32.

Absent or not voting—Messrs. Kellogg, Milburn, Moser, Pendleton, West and White—6.

The resolution was adopted.

Mr. Cutler offered the following resolution, which was adopted :

Resolved, That the Postmaster who may be elected for this House, be instructed to keep a strict account of all letters, papers and documents transmitted through the mail from members of this House, and that he regulate the carrying of the mails so as to conform to the hours of opening and closing of the Post Office in this city.

Mr. Stanton moved that when the House adjourn it be until tomorrow morning at 10 o'clock. Lost.

Mr. Hardie, from the Committee on Rules, submitted the following report :

Your Committee appointed to prepare rules for the government of this House, would state that they have attended to their duty and report the following rules for your consideration. In explanation your Committee would state that the rules recommended are the same as the rules of the last House, except the following alterations, viz :

On page 1 : To Rule 5, add after the word "adjournment," the following words : "except in case of sickness, when the Speaker may designate in writing the member who shall preside."

To Rule 10, change the order of business so that reports of Committees shall come in as second (2d) in order, Bills to be introduced as third (3d) and Resolutions fourth (4th).

On page 2, to Rule 11 : Strike out the seventh line, embracing the words, "if otherwise he shall not be permitted to proceed without leave of the House ;" and after Rule 19, insert the following as a new rule :

Rule 20—new.—All bills, resolutions, petitions, memorials or other papers shall be accompanied by the name of the member presenting the same, and also the name of the county he represents, and where he resides.

To Rule 21, on the third line strike out the word "to," so as to read "or amend."

Page 3—To Rule 23, strike out all after the word "voting."

Page 4—Rule 38, strike out the words "forty-four," (44) and insert "forty-eight" (48).

Page 5—To Rule 59 add the following Standing Committees :

On Rules of the House :

Domestic Manufactures.

Judicial Districts.

State, Senatorial and Representative Districts.

Congressional Districts.

All of which is respectfully submitted,

THOMAS HARDIE,	} Committee.
McQUINN,	
BLACKFORD,	

Mr. Kellogg offered the following substitute for the Committees' amendment to rule 5.

"And in case of the absence of the regular Speaker, the House may proceed to elect a Speaker *pro tem.* whose acts shall be of the same validity as those of the Speaker."

The amendment was adopted.

Mr. Lane moved to add the following after the word "proceed" in the sixth line of the 19th printed rule:

"But if the decision be against the member called to order, and" This motion did not prevail.

Mr. Moir moved to recommit the report with instructions. Lost.

Mr. Meyer offered the following amendment to printed rule number twenty:

"And it together with all bills, petitions and memorials shall be accompanied with the name of the member presenting the same, and the name of the county by which he was elected."

On motion of Mr. Kellogg the House adjourned.

TWO O'CLOCK, P. M.

Mr. Meyer withdrew his amendment.

Message from the Senate by Wm. F. Davis, their Secretary.

MR. SPEAKER:—I am instructed by the Senate to inform your Honorable Body, that the Senate has ordered the printing of four thousand copies of the Governor's Inaugural Address in English, one thousand copies in German, and five hundred copies in the Norwegian language.

Also: That that the Senate refuses to concur in the concurrent resolution of the House, electing George R. Brainard Post-Master of the General Assembly.

WM. F. DAVIS, Secretary.

Mr. Kellogg moved that the amendment reported by the Committee to rule number nineteen, constitute the twenty-first rule. Carried.

Mr. Moir moved that the word "or" be placed before the words to "postpone indefinitely" in the third line, 21st rule. Lost.

Mr. Price moved to strike out the figures 10 before "o'clock" and insert "9" upon which motion the yeas and nays were demanded by Mr. Converse, were ordered and were as follows:

The Yeas were, Messrs. Clark, Converse, Fairall, Ferguson, Flint, Gault, Gibson, Knoll, Loomis, Martin, McGlothlen, Moir, Price, Rothrock, Rowles, Russell of Jones, Sarver, Shipman, Van And, Whittemore, Woodworth.—21.

The Nays were, Messrs. Baker, Bass, Blackford, Bowdoin,

Bracewell, Burton, Calfee, Castor, Chase, Cleaves, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eichorn, Frisbie, Fuller of Fayette, Fuller of Harrison, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Lake, Lakin, Lane, Lorah, Lowrie, Maxwell, McCall, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Nelson, Parker, Pendleton, Pierce, Porter, Quinn, Russell of Dallas, Schramm, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Walton, Wasson, Wetherall, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Wright, Young, Mr. Speaker.—69.

Absent or not voting—Messrs. Eaton, Moser, Walker, West.—4.
The amendment was lost.

Message from the Senate by Wm. F. Davis, their Secretary.

MR. SPEAKER:—I am instructed by the Senate to inform your honorable body, that the Senate has adopted a resolution appointing a Committee of three on the part of the Senate to act in conjunction with a similar Committee on the part of the House, to inquire into the expediency of electing a Reporter for each branch of this General Assembly, who shall perform such duty under the direction of the House in which he shall report; and that Senators Brown, Udell and Hagan, have been appointed such Committee on the part of the Senate, with instructions to report to-morrow morning.

WM. F. DAVIS, Secretary.

Mr. Bowdoin moved to concur in the resolution just received from the Senate, which motion was lost.

The report of the Committee on rules, as amended, was adopted, and the Committee discharged.

Mr. Cutler introduced the following resolution:

Resolved, That the Sergeant-at-Arms shall prohibit all persons from this floor except the members of this House, members of the Senate, State Officers and ladies, except by a permit from the Secretary of State, or some officer of this House.

The resolution was lost.

Mr. Shipman introduced the following resolution:

Resolved, That during a call of the House the door shall be closed, and no member permitted to absent himself unless permitted to do so by the Speaker.

Which was lost.

Mr. Wilson, of Pottawattamie, introduced the following resolution:

Resolved, That a Committee of Conference of three be appointed on the part of the House, to act in conjunction with a similar Committee on the part of the Senate, in regard to the appointment of a Postmaster.

Which was laid on the table.

Mr. Lake introduced the following resolution:

Resolved, That the Speaker of this House be empowered to employ J. W. Keller to act as Postmaster of this House during this session.

Which was, on motion, laid on the table.

The resolution of Mr. Wilson, of Pottawattamie, was then taken from the table and passed. And the Chair appointed on the part of the House: Messrs. Wilson of Pottawattamie, Pendleton and Kellogg as said Committee.

Mr. Chase introduced the following resolution:

Resolved, That the Clerks of the House be and are hereby entitled to the same privileges in regard to papers, postage, books, &c., as the members.

Which was lost.

Mr. Russell, of Jones, introduced the following resolution:

Resolved, That the Chief Clerk be instructed to furnish for each member of this House, a copy of the Acts passed by the State Board of Education at its last session.

On motion of Mr. Kellogg, the resolution was laid on the table.

Mr. Lake, by leave, introduced House File No. 1, "A Bill for an Act to amend the Game Laws of the State of Iowa," which was read a first and second time, and laid upon the table.

Mr. Williams, of Mahaska, by leave, introduced House File No. 2, "A Bill for an Act to amend section twenty-nine hundred and sixty-seven, chapter 122, of the Revision of 1860," which was read a first and second time, and, on motion of Mr. Williams, of Mahaska, referred to the Judiciary Committee.

Mr. Pierce asked leave of absence, which was granted.

On motion of Mr. Shipman, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
FRIDAY, January 17, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Bird.

Minutes of yesterday read and approved.

Mr. Speaker announced the following as the Standing Committees of the House:

STANDING COMMITTEES OF THE HOUSE.

WAYS AND MEANS.—Bowdoin, Mercer, Bass, Lorah, McCall,

Williams of Des Moines, Fuller of Fayette, Martin, Burton and Gordon.

MILITARY AFFAIRS.—Lane, Kellogg, Milburn, Mitchell of Fremont, McLennan, Pierce, and Pendleton.

SCHOOLS AND STATE UNIVERSITY.—Rothrock, Hudnutt, Porter, Denlinger, Chase, Dorr, Milburn, and Clark of Tama.

ELECTIONS.—Williams of Mahaska, Meyer, Sarver, Dunlavy, Fuller of Harrison, Smeltzer, and Lakin.

TOWNSHIP AND COUNTY ORGANIZATION.—Shipman, Baker, Wright, Parker, Loomis, Wasson, Hood, Eaton, and Eichorn.

FEDERAL RELATIONS.—Lake, Dunlavy, Moser, Meyer, Kellogg, Gibson, Shipman, Guthrie, and McGlothlen.

DOMESTIC MANUFACTURES.—Wilcox, Parker, Rowles, Schramm, Stewart, Martin, and Russell of Dallas.

JUDICIARY.—Young, Williams of Mahaska, Fairall, Moir, Mitchell, of Fremont, Van Anda, Rothrock, and Lake.

AGRICULTURE.—Converse, Hood, Hardie, Whittemore, Guthrie, Glanville, Rowles, McGlothlen, and Castor.

BANKS AND BANKING.—Fuller of Fayette, Loomis, Bass, Moser, Quinn, Thompson, Hollingsworth, and Whittemore.

INCORPORATIONS.—Van Anda, Pendleton, Porter, Wetherall, Moir, Curtiss, and Wilson of Pottawattamie.

RAILROADS.—Lowrie, Hudnutt, Fairall, Stanton, Wetherall, McQuinn, and Lorah.

CLAIMS.—Mercer, Fuller of Fayette, Bracewell, Cleaves, Clark of Tama, Walton, Hollingsworth, Smeltzer, and Holyoke.

PUBLIC LANDS.—Mitchell of Polk, Wilson of Chickasaw, Russell of Jones, Bracewell, White, Williams of Des Moines, and Thompson.

PUBLIC BUILDINGS AND PROPERTY.—Wilson of Pottawattamie, Parker, Calfee, Schramm, Woodworth, Jackson, and Gault.

CONSTITUTIONAL AMENDMENTS.—Curtiss, Gordon, Hardie, Bracewell, and Russell of Jones.

EXPENDITURES.—Walker, Parker, Walton, Russell of Jones, Gault, Stevenson, Baker, Jackson, and Dorr.

PRINTING.—Stanton, Mitchell of Polk, Wilson of Pottawattamie, Knoll, Lake, Chase, and Nelson.

ENGROSSED BILLS.—McCall, and Smeltzer.

ENROLLED BILLS.—Frisbie, White, and Denlinger.

IMPROVEMENT OF DES MOINES RIVER.—Gibson, Russell of Dallas, Maxwell, Ferguson, Jackson, Stewart, and Converse.

INTERNAL IMPROVEMENTS.—Sarver, Wilcox, Moser, Eichorn, Flint, Blackford, and Chase.

ROADS AND HIGHWAYS.—Price, Stevenson, Wright, Flint, Wasson, and Glanville.

NEW COUNTIES.—Cutler, Nelson, Denlinger, Maxwell, McGlothlen, and Fuller of Fayette.

LIBRARY.—Cleaves, Hudnutt, Lakin, Gault, White, Walker, Calfee, and Speer.

CHARITABLE INSTITUTIONS.—Holyoke, Chase, Dunlavy, Woodworth, Castor, McQuinn, Speer, Young and Meyer.

RULES.—Moser, Hardie, Blackford, McQuinn, and Kellogg.

SENATORIAL AND REPRESENTATIVE DISTRICTS.—Blackford, Fuller of Harrison, Ferguson, Quinn, Cleaves, Denlinger, and Calfee.

JUDICIAL DISTRICTS.—Loomis, McLennan, Curtiss, Lowrie, Frisbie, Hollingsworth, Wright, and Milburn.

CONGRESSIONAL DISTRICTS.—Eaton, Gibson, Mitchell of Polk, Van Anda, Cutler, Kellogg, Lane, Wilson of Pottawattamie, Williams of Mahaska, Pendleton, Hardie, Gordon, Dunlavy, Mitchell of Fremont, Bowdoin, and McQuinn.

PRESENTATION OF PETITIONS.

Mr. Mitchell of Polk, presented a petition of Samuel Warden and others, asking that Des Moines Township, Dallas County, be detached therefrom and attached to Polk County. Referred to Committee on County and Township Organization.

Mr. Shipman presented a petition of sundry citizens asking the repeal of the Prohibitory Liquor Laws now in force. Referred to a Select Committee of five consisting of Messrs. Gordon, Bass, Lowrie, Moser and Flint.

Messrs. Schramm, Moir, Bracewell, Fuller, Van Anda, and Wilson of Chickasaw, presented sundry petitions of citizens of this State, asking for an enactment to protect sheep from the ravages of dogs. Referred to Committee on Agriculture.

Messrs. Young, Cutler, Rothrock and Chase, presented petitions from sundry citizens of this State praying for a more efficient Prohibitory Liquor Law. Referred to a Select Committee composed of the following gentlemen: Messrs. Gordon, Bass, Lowrie, Moser and Flint.

Mr. Martin presented petition of John N. Ceis, and 186 others, citizens of Iowa County, praying the passage of an Act authorizing the payment of all taxes in the Bank Bills of the State Bank of Iowa, and United States Demand notes. Referred to Committee on Judiciary.

Mr. Van Anda presented petition of sundry citizens of Delaware County, praying that certain streets and alleys in the City of Manchester in said County be discontinued. Referred to Committee on Incorporations.

Mr. Stanton from Committee on Joint Rules, reported in favor of the adoption of the Joint Rules of the last General Assembly without amendment.

Mr. Kellogg moved that the Report of the Committee be adopted and printed, with the Report made by the Committee on Rules of

this House yesterday, and the Clerk be authorized to furnish each member with the usual number of copies.

Mr. Fairall moved to amend and include printing of the Constitution of the State of Iowa with the Rules. Which amendment was lost.

Mr. Bowdoin moved the following amendment: "That 1,000 copies be printed," which amendment was adopted.

Mr. Hardie moved the following amendment; "And so much of the Constitution of the State of Iowa as refers to Legislative proceedings," which amendment was adopted.

The original Resolution as amended was adopted.

Mr. Stanton introduced H. F. No. 3, "A Bill for an Act in relation to the final settlement of estates." Read a 1st and 2d time and referred to Committee on Judiciary.

Message from the Senate by Wm F. Davis, their Secretary:

MR. SPEAKER:—I am instructed by the Senate to inform your Honorable body that the Senate has adopted the following resolution:

Resolved by the Senate, the House concurring, That a Joint Committee of the two Houses be appointed to arrange the printing of Documents or other matter of the same kind, directed by the concurrent action of the two Houses, so as to avoid a double charge for the same matter for composition by the State Printer or others.

Also, that Messrs. Bowen, Udell and Dixon have been appointed such Committee on the part of the Senate.

WM. F. DAVIS, Secretary.

Mr. Lane introduced House File, No. 4, "A Bill for an Act to confirm and legalize the acts of John W. Thompson, a Notary Public in and for Scott County." Read a first and second time, and referred to Committee on Judiciary.

Mr. Lane introduced House File No. 5, "A Bill for an Act entitled an Act to amend the Game Laws of Iowa," which was read a first and second time and referred to the Committee on Judiciary.

Mr. Fairall introduced House File No. 6, "A Bill for an Act authorizing Cities, Towns, and Villages, to regulate and license the sale of property by auctioneers." Read a first and second time and referred to Committee on Incorporations.

Mr. Maxwell introduced House File No. 7, "A Bill for an Act to legalize the acts of James N. Miles, a Notary Public." Read a first and second time and referred to Committee on Judiciary.

Mr. Bass introduced House File No. 8, "A Bill for an Act in relation to Life Insurance Companies." Read a first and second time and referred to Committee on Incorporations.

Mr. Moir introduced House File No. 9, "A Bill for an Act to amend Chapter 36 of Revised Code of 1860." Read a first and second time and referred to Committee on Elections.

Mr. Moir introduced House File No. 10, "A Bill for an Act to prevent the spreading of fire on the prairie and timber land at cer-

tain seasons of the year." Read a first and second time and referred to Committee on Judiciary.

Mr. Woodworth gave notice that he would on to-morrow or some subsequent day introduce "A bill for the establishing of private roads."

Mr. Martin gave notice that he would on to-morrow or some subsequent day introduce "A bill to repeal an Act entitled an Act creating the Board of County Supervisors, passed March 22d, 1860, and embodying in lieu thereof a Board to be known as County Commissioners, consisting of three persons, County Judges being one of such persons."

Mr. Flint gave notice that he would on to-morrow or some future day introduce "A bill for an Act to reduce the salaries of certain officers in the State of Iowa," also "A bill for an Act to re-organize the County Courts," also "A bill for an Act to regulate the settlement of negroes and mulattoes in the State of Iowa."

Mr. Fairall gave notice that on to-morrow or some subsequent day he would introduce "A bill for an Act to repeal the present Liquor Law and for the enactment of a License Law."

Mr. Wright gave notice that on to-morrow or some subsequent day he would introduce "A bill for an Act empowering the people of the several Counties of the State, (to cancel by vote) their indebtedness to the swamp lands or fund of their respective counties," also "A bill for an Act making the proceeds derived from the surplus lands in each county in this State, a permanent school fund of such counties respectively."

Mr. Martin gave notice that on to-morrow or some subsequent day, he would introduce "A bill for an Act to confer jurisdiction upon County Courts to hear and determine all suits wherein the value in controversy does not exceed \$500.00, and also to make them Appellant Courts for all cases triable before Justices of the Peace."

Mr. Lake introduced the following resolution:

"Resolved, That there be added to the Standing Committees of this House, a Committee on Police Regulations;"

Which, under the rules of the House, was laid over one day.

Mr. McCall introduced the following resolution:

"Resolved, That a select Committee of five be appointed, whose duty it shall be to enquire as to the expediency of reducing the salaries of State and County Officers, and to report by bill or otherwise; and that Mr. McQuinn be Chairman of said Committee."

Which resolution was adopted, and Messrs. McQuinn, Flint, McCall, Shipman and Kellogg were appointed on said Committee.

Mr. Young offered the following resolution:

"Resolved, That the Clerk be directed to procure for the use of the House three thousand copies of the Adjutant General's Report, and that out of that number, the Clerk deliver fifty copies to the Governor, fifty copies to the State Librarian, and two hundred cop-

ies to the Adjutant General for the Colonels and Adjutants of Regiments and for Adjutant Generals of other States."

Mr. Lowrie moved the following substitute:

Resolved, That the Clerk of the House procure 5,000 copies of Adjutant General Baker's Report for the use of this Legislature; one copy to be sent by the Clerk of this House to each Township Clerk in the State; one copy to each County Treasurer; one copy to each County Judge and County Clerk; fifty copies to be deposited in the State Library; fifty copies to the Governor, two hundred copies to the Adjutant General for Colonels and Adjutants of the Iowa Regiments, and Adjutant Generals of other States, and the balance to be distributed among the Members and by them to the citizens of the State.

On motion of Mr. Shipman, the resolution and substitute were laid on the table.

Mr. Moir introduced House File No. 11, "A joint resolution requesting our Senators and instructing our Representatives in Congress to use their utmost exertions to procure the establishment at the earliest possible time, by the Government of the United States, an Arsenal and Armory on the Island of Rock Island in the State of Illinois."

Mr. Wilcox moved to strike out Rock Island, and insert Burlington, which motion was lost.

Mr. Lakin moved to refer to Committee on Federal Relations, which motion was lost. The bill was then read a 1st and 2d time, and on motion of Mr. Bowdoin, the rule was suspended, the bill read a third time and then passed.

On the passage of the bill, the Yeas and Nays were ordered, and were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Pierce, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wason, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, Mr. Speaker—92.

The nays were, None.

Absent or not voting—Messrs. McLennan and West.

The bill passed and title was agreed to.

Mr. Denlinger offered the following resolution:

WHEREAS, The people of this State having been taught by experience that the Prohibitory Liquor Law, now in force, has utterly failed to accomplish the object for which it was enacted; and

WHEREAS, Instead of the evil of intemperance having been diminished, by virtue of said law, it has been alarmingly on the increase, and while the door has been closed against the home manufacture of liquors, our State has been flooded with adulterated liquors from other States and our State deprived of a large amount of revenue; and

WHEREAS, Said Prohibitory Law remains a dead letter upon the Statute, alike disregarded by the people, and inefficient by reason of the authorities being unable to execute it, therefore,

Resolved, That a special Committee be appointed by the Chair to draft for the consideration of the House, a bill having in view a general License Law as a substitute for the Prohibitory Law, now in force.

Mr. Young moved to lay the resolution on the table, on which motion the ayes and nays were ordered, and were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Hudnutt, Holyoke, Lake, Loomis, McCall, McGlothlen, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Nelson, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Stanton, Walker, Wasson, Whittemore, Wilcox, Woodworth, Wright, Young, Mr. Speaker.—48.

The nays were, Messrs. Chase, Denlinger, Eaton, Eichorn, Fairall, Ferguson, Flint, Glanville, Gordon, Guthrie, Hardie, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lakin, Lane, Lorah, Martin, Maxwell, McGlothlen, Moir, Parker, Pendleton, Schramm, Smeltzer, Speer, Stevenson, Stewart, Thompson, Van Anda, Walton, Wetherall, White, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie.—33.

Absent or not voting—Messrs. Lowrie, McLennan, McQuinn, Moser, Pierce and West.

The resolution was laid on the table.

Mr. Hardie offered resolution of "Dubuque County Farmers' Club," expressing the opinion that an efficient law should be passed to protect the people of the State from depredations of dogs.

Referred to Committee on Agriculture.

Mr. Shipman moved to reconsider the motion of Mr. Young on which the Resolution and Substitute on Adjutant Generals Report was laid on the table.

The motion prevailed and the resolution was taken from the table.

Mr. Lowrie moved, by consent to invite Gen. Baker to explain his report. The motion was lost.

Mr. Shipman moved to refer the resolution to Committee on Military Affairs, which motion prevailed, and the resolution was so referred.

Mr. Mercer moved that the contested election case from Clinton county, Smith, contestant v. Maxwell, incumbent, be taken from the table and referred to the Committee on Elections, with instructions to report at an early day. The motion prevailed and the case was so referred.

Mr. Lane, by leave, introduced House File No. 14.

"A joint resolution instructing the Senators and requesting the Members in Congress from Iowa to procure the enactment of a law confiscating all the property of Rebels."

Mr. Kellogg moved its reference to Committee on Federal Relations.

Mr. Young moved to refer to Committee of the Whole.

Mr. Kellogg moved to lay upon the table and print. The motion prevailed.

Mr. Loomis offered the following resolution :

Resolved, That the Governor's Inaugural Address is a *bold, manly* and *conservative* document. And that the principles enunciated therein receive the unqualified approbation of the members of this House.

Mr. Martin moved to lay the resolution on the table. The motion failed.

Mr. Hardie moved to strike out "conservative." The motion was lost.

Mr. Lake moved to insert "radical."

Mr. Frisbie to insert "patriotic" which amendment was accepted.

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

Mr. Bracewell moved to adjourn. The motion prevailed and the House adjourned.

TWO O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Young introduced House File No. 13.

A Joint Resolution relative to the emancipation of slaves, which was read a 1st and 2d time.

Mr. Stewart moved that the joint resolution be laid upon the table, and upon this motion Mr. Gault demanded the yeas and nays.

The yeas and nays were ordered and were as follows :

The yeas were, Messrs. Bass, Bracewell, Burton, Calfee, Chase, Curtiss, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Ferguson, Flint, Gault, Gibson, Glanville, Guthrie, Hardie, Hudnutt, Holyoke,

Hood, Jackson, Knoll, Lakin, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, Mitchell of Fremont, Moir, Moser, Pendleton, Quinn, Rowles, Sarver, Schramm, Smeltzer, Speer, Stewart, Thompson, Walton, Wetherall, Wilcox, Williams of Des Moines and Wilson of Pottawattamie—50.

The nays were, Messrs. Baker, Blackford, Bowdoin, Castor, Clark, Cleaves, Converse, Cutler, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Hollingsworth, Lake, Lane, Loomis, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moser, Nelson, Parker, Porter, Price, Rothrock, Russell of Dallas, Russell of Jones, Shipman, Stanton, Stevenson, Van Anda, Walker, Wasson, White, Whittemore, Williams of Mahaska, Woodworth, Wright, Young, and Mr. Speaker—41.

Absent or not voting—Messrs. Fairall, Kellogg, Pierce, West, and Wilson of Chickasaw.

The motion to lay on the table prevailed.

Mr. Maxwell introduced the following resolution:

Resolved, That the cause of the Rebellion in the Southern States was a supposed intention on the part of the Government of the United States to interfere with the Constitutional rights of the South in Slavery. But in the opinion of this House, no such rights have been interfered with by the Government, nor should be under the guise of War Power; but war against Rebellion to support the Government and the Constitution, entitles us to the respect of other Nations, while by a deviation from the Constitution we sacrifice our title of a constituted Government and become a common prey to other powers.

Mr. Kellogg moved that the Resolution be laid upon the table.

The motion to lay upon the table prevailed.

Mr. Curtiss introduced the following Resolution:

Resolved, That the Committee on Library be instructed to communicate with Judge Grant of Davenport, with a view to learn the probable expense to the State in procuring his Law Library, if the same can be purchased, and the terms upon which it can be had, and report the same to this House at as early a day as possible.

Mr. Rothrock moved that the Resolution be laid upon the table, which motion was adopted.

Mr. Dunlavy introduced the following Preamble and Resolution:

WHEREAS, It is a fact well known to all and pertinently stated by our Governor, that "there is not a Company in any of our Regiments which does not contain in its ranks men who in intelligence and moral worth are the peers of any man" in the State; and that the same is true of the Volunteers from every loyal State in the Union, and,

WHEREAS, It is also true that the Compensation to the private soldier is inadequate for the service required as well as to the support of a family, and the pay of the commissioned officers is

largely more than a just compensation for the services required, and tends to an improper anxiety and effort on the part of incompetent persons to be promoted to such offices; therefore,

Resolved by the House, the Senate concurring, That our Senators in Congress be instructed, and our Representatives requested to use their best endeavors to procure the passage of a law by Congress reducing the pay of all commissioned officers in the army (except the Military Commander-in-Chief) thirty-three and one-third ($33\frac{1}{3}$) per cent., and to increase the pay of all privates to such sum *pro rata* as shall be equal in the aggregate to the amount saved by such reduction.

Mr. Bowdoin moved that the concurrent resolution be referred to the Committee on Federal Relations. Carried.

Mr. Smeltzer introduced the following Resolution:

WHEREAS, we are in the midst of a fratricidal war, therefore,

Resolved by the House of Representatives, the Senate concurring, That our Senators and Members in Congress be instructed to use all constitutional means to put down the present rebellion.

Mr. ——— moved that the resolution be laid upon the table, and upon this question Mr. McLennan demanded the yeas and nays, which were ordered and were as follows:

The Yeas were, Messrs. Baker, Bass, Blackford, Calfee, Chase, Cleaves, Curtiss, Cutler, Dorr, Frisbie, Gibson, Glanville, Gordon, Guthrie, Hollingsworth, Hood, Jackson, Lowrie, Maxwell, Milburn, Moir, Nelson, Pendleton, Sarver, Schramm, Shipman, Wasson, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Woodworth, Wright.—33.

The Nays were, Messrs. Bowdoin, Bracewell, Burton, Castor, Clark, Converse, Denlinger, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Fuller of Fayette, Fuller of Harrison, Gault, Hardie, Hudnutt, Holyoke, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Martin, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moser, Parker, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wetherall, White, Williams of Mahaska, Wilson of Pottawattamie, Young, Mr. Speaker.—57.

Absent or not voting, Messrs. Pierce and West.

The motion to lay on the table did not prevail.

The Resolution was then referred to the Committee on Federal Relations.

Mr. Denlinger introduced the following Resolution which was laid over under the rule.

Resolved, That the Secretary of the Board of Education be instructed to furnish each member of this House with a copy of the proceedings of their late session.

Mr. Martin introduced the following resolution which was adopted.

Resolved, That the Committee on Domestic manufactures be instructed to inquire into the propriety and practicable utility of passing an Act to exempt from taxation all wool shorn from sheep owned in the State of Iowa, all goods manufactured from wool in said State, all capital used or invested in the manufacture of such goods, and factories and machinery thereto pertaining, together with all capital invested or hereafter to be invested in the manufacture of linseed oil, or the conversion of flax straw into flax cotton: and if upon such inquiry, they should find that such an Act would tend to encourage and promote such enterprises, that they be instructed to report a bill thereon at the most convenient period.

Mr. Walker introduced the following Resolution:

Resolved, That the Committee on Banks and Banking be directed to inquire into and report to the House at the earliest convenient period, upon the expediency of authorizing the taking in payment of State and County taxes and dues, the United States Treasury Demand Notes, the notes of the State Bank of Iowa and of Ohio, and Indiana, and the currency of other States, and to report fully upon the general subject of the currency.

Mr. Denlinger moved to strike out "currency of other States." Carried.

Mr. Moir moved to strike out "Ohio and Indiana." Carried.

The resolution was then adopted.

Mr. Lakin moved to re-consider the vote by which Mr. Young's Joint Resolution had been laid on the table.

Upon this question Mr. McLennan demanded the yeas and nays which were ordered and were as follows:

The yeas were—Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Dunlavy, Eaton, Eichorn, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Jackson, Lake, Lakin, Lane, Loomis, Lowrie, Maxwell, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Russell of Dallas, Russell of Jones, Schramm, Shipman, Speer, Stanton, Stevenson, Van Anda, Wasson, White, Whittlemore, Wilcox, Williams of Mahaska, Wilson of Chickasaw, Woodworth, Wright, Young, and Mr. Speaker—62.

The nays were—Messrs. Bracewell, Denlinger, Dorr, Fairall, Ferguson, Flint, Gault, Gibson, Glanville, Hardie, Hood, Knoll, Lohr, Martin, McCall, McGlothlen, McLennan, Mitchell of Fremont, Rowles, Sarver, Smeltzer, Stewart, Thompson, Walker, Walton, Wetherall, Wilson of Pottawattamie.—27.

Absent or not voting, Messrs. Calfee, Kellogg, Pierce, West, Williams of Des Moines.

The motion to lay on the table was re-considered.

The question recurring upon the motion to lay upon the table it was decided in the negative.

The Joint Resolution was then referred to the Committee on Federal Relations.

On motion of Mr. Maxwell, his resolution was taken from the table and referred to the Committee on Federal Relations.

Mr. Fairall introduced the following Resolution:

Resolved, That the question as to the effect and validity of Joint Resolutions passed by the General Assembly, be referred to the Judiciary Committee.

Mr. Lane moved to amend by adding "that the Committee be instructed to report a rule on that subject." Carried.

The Resolution was then adopted.

Mr. Schramm introduced the following Resolution;

Resolved, That a dozen copies of some Daily newspaper be furnished to each Regiment of Iowa Volunteers, and that they be mailed to the Colonels commanding.

Mr. Lowrie moved to amend by substituting Weekly for Daily papers.

Mr. McLennan moved to strike out "some weekly paper," and insert "36 copies each of the Weekly Des Moines Register and Times."

Mr. McQuinn moved that the whole matter be laid upon the table. Carried.

Mr. Converse moved that the Resolution of Mr. Loomis be taken from the table and referred to the Committee on Federal Relations. Carried.

By leave, Mr. Mitchell of Fremont presented a petition of R. R. Hawly and sundry others, Supervisors of Fremont County, asking certain changes in the collection laws, &c. Referred to the Committee on County and Township Organization.

Mr. Bowdoin moved that when the House adjourn it be until Monday morning. Carried.

Mr. Sarver introduced the following Resolution:

Resolved, That each member of this House send a copy of some Daily paper publishing the proceedings of the General Assembly, to our soldiers in the field.

Mr. Fairall moved to add, "at his own expense."

Mr. Smeltzer moved to strike out "daily," and insert "six weekly."

Mr. Bracewell moved that the Resolution be laid on the table. Carried.

Mr. Bracewell introduced the following Resolution, which on motion of Mr. Van Anda was indefinitely postponed.

Resolved, That a Committee of three be appointed to number the desks of this House, and that members draw lots for the same.

Mr. Wilson of Pottawattamie, by leave, introduced House File No. 12, a Joint Resolution asking for additional mail facilities, which was read a first and second time, when the rule was suspended and

mittee to be appointed by the Chair. The Chair appointed the following gentlemen said committee: Messrs. Lowrie, Quinn and Young.

Mr. Lowrie gave notice that he would, in compliance with the prayer of said memorials, on to-morrow or some subsequent day, introduce a bill to release back taxes and exempt in future from taxation certain lands and property belonging to the Protestant Episcopal Church of the Diocese of the State of Iowa.

Messrs. Porter, Burton, Nelson, Young and Converse presented sundry petitions from citizens of their respective counties praying for the amendment of the present Prohibitory Liquor Law so as to make the same far more efficient.

Mr. Young moved to refer said petitions to a select committee to be appointed by the chair. The motion was lost.

Mr. Stanton moved to refer to select committee heretofore appointed on that subject, which motion prevailed.

Messrs. Frisbie, Speer, Cleaves, Hollingsworth, Stephenson and Ferguson, presented sundry petitions from citizens of their respective counties, praying for the enactment of a law protecting sheep from the ravages of Dogs. Referred to the Committee on Agriculture.

Messrs. Hollingsworth, Stephenson, Clark of Tama, and Frisbie, presented sundry petitions from citizens of their respective counties asking for an enactment prohibiting live stock from running at large. Referred to Committee on Agriculture.

Mr. Stephenson presented preamble and resolution of Board of Supervisors of Lee county, asking for the passage of an Act "legalizing the acts and doings of said Board" in funding the county warrants of said county and also the further funding of such warrants in like manner. Referred to Committee on Judiciary.

Mr. Clark of Tama, presented petition of Board of Supervisors and county officers of Tama, praying for an enactment, granting certain relief to certain sureties of L. S. Fredericks, formerly School Fund Commissioner of said county and now a defaulter. Referred to a select committee composed of Messrs. Young, Martin and Clark of Tama.

Mr. Bracewell presented memorial of Board of Supervisors of Wayne county, praying for the enactment of a law giving additional power to township trustees. Referred to committee on County and Township Organization.

Mr. Fuller presented a memorial from Board of Supervisors of Monona county, asking for the passage of an Act exempting from taxation fifty sheep for each owner. Referred to committee on county and township organization.

Mr. Fuller presented memorial of Board of Supervisors of Monona county, asking the passage of an Act to authorize the township trustees to assess a township tax for the payment of the salaries

of township officers and for road purposes. Referred to committee on county and township organization.

Mr. Russell of Jones, presented petition of Grand Jury in favor of granting jurisdiction to township trustees over the location of all roads, also in favor of the passage of an Act defining what is deemed an obstruction to highways. Referred to committee on county and township organization.

Mr. McQuinn presented petition of Ira Taft and others, asking that the name of One township in Benton county be changed to that of Florence. Referred to committee on county and township organization with instructions to report.

REPORTS OF COMMITTEES.

The Judiciary Committee to whom was referred House File No. seven, entitled "An Act to legalize the acts of James N. Miles, Notary Public" have had the same under consideration, and have prepared a substitute and directed me to report the same, which substitute is herewith submitted, and the passage thereof recommended.

YOUNG, Chairman.

The Judiciary Committee to whom was referred House File No. three, have had the same under consideration, and have instructed me to report as follows :

1st. The proposed Act is unnecessary, as Sections 2447 to 2459 inclusive, of Revision of 1860, provide for the settlement of Estates almost as expeditiously as House File No. 3, and as soon as the nature of the business will permit.

2d. The object of the proposed Act may be attained by enforcing the Statute now in force.

3d. It would render further legislation necessary to make it harmonize with certain sections of chapter 100 of the Revision; and that said Act do not pass.

FAIRALL, for Committee.

The report of Committee was concurred in.

The Judiciary Committee to whom was referred House File No. Five, a Bill to amend an Act entitled an Act to protect Game, passed January 28th, 1857, having had the same under consideration have adopted a substitute therefor, and directed me to report the same to the House and recommend its passage.

JED LAKE, for Committee.

The Committee on Judiciary to whom was referred House File No 10, "An Act to prevent the spread of fire on the prairie and in the timber at certain seasons of the year," have had the same under consideration, and have instructed me to report the following as a substitute and recommend its passage.

VAN ANDA, for the Committee.

The Judiciary Committee to whom was referred House File No.

Four, "entitled an Act to legalize the acts of John W. Thompson, Notary Public," have had the same under consideration and have directed me to report the same with the following amendments to wit :

SEC. 2. This Act shall take effect, and be in full force from and after its publication in the Iowa State Register and Davenport Gazette as by law required. Anything in the laws of this State to the contrary notwithstanding. Provided the same shall be done without any expense to the State of Iowa.

Said bill with said amendment is herewith submitted and the passage thereof recommended.

MOIR, for Committee.

The Military Committee to whom was referred the resolution and substitute in relation to printing the Adjutant General's Report, have had the same under consideration and beg leave to make the following report :

Your Committee find, that one thousand copies have already been printed and the type distributed, and three thousand additional copies will cost at least two thousand dollars.

Your Committee believe that while the report will prove of great interest to the people of the State, and ought to be distributed as widely as possible, yet inasmuch as there are one thousand copies already printed, and an additional number will involve a large expenditure, when economy is a necessity to the people of the State, and believing that the copies already printed may be so distributed as to accomplish in a great measure the end designed by the resolutions referred to the Committee, recommend the adoption of the following Resolution as a substitute for those referred to the Committee.

In behalf of Military Committee,

JAMES T. LANE, Chairman.

Resolved, by the House of Representatives, the Senate concurring herein, That the Chief Clerk of the House be and is hereby instructed to distribute the one thousand copies of the Adjutant General's Report now printed, as follows: One copy to be placed in the office of the Recorder of each organized county in the State in the place kept for the record of Deeds, &c., as a part of the Records of said county, and subject to the same general examination as the other Records; one copy to be presented to the Co. Judge of each county, to be kept in his office for public use; two hundred copies to the Adjutant General of the State; one copy to the Captain of each Company now in the service from this State, for the use of said Company; fifty copies to be placed in the State Library, and the remainder to the members of the General Assembly.

The resolution was adopted.

Mr. Rothrock introduced House File No. 15, "a bill for an Act to define the duties of Justices of the Peace, and special Constables in certain cases."

Read a first and second time and referred to "Committee on Judiciary."

Mr. Curtiss introduced House File No. 16, a bill for an Act to amend the Revised Code of 1860, and regulate the publishing of Tax Sale Notice.

Read a first and second time and referred to Committee on Ways and Means.

Mr. Martin introduced House File No. 17, "a bill for an Act to confer jurisdiction upon County Courts in certain cases and defining their duties."

Read a first and second time.

Mr. Martin moved to lay upon the table and print. The motion prevailed.

Mr. Kellogg introduced House File No. 18, "a bill for an Act entitled to amend an Act entitled an Act providing for auditing all accounts and disbursements arising under the call for Volunteers from Iowa, and also for all men organized as the State Militia of Iowa.

Read a first and second time and referred to Committee on Military affairs.

Mr. Kellogg introduced House File No. 19, "a bill for an Act to authorize and direct the Paymaster General of this State to pay the officers and soldiers of Col. John Edwards' command."

Read a first and second time and referred to Committee on Military affairs."

Mr. Kellogg introduced House File No. 20, "a bill for an Act entitled an Act to authorize and direct the Board of Commissioners, (created by Chapter 10 of the Laws of the Extra Session of the Eighth General Assembly,) to audit and allow claims arising in raising, transporting and subsisting troops who served under Col. John Edwards, in expedition to Missouri."

Read a first and second time and referred to Committee on Military affairs.

Mr. Curtiss introduced House File No. 21, "An Act for empowering the Adjutants of Iowa Regiments or divisions to administer oaths and take acknowledgements of Deeds, etc," which was read a first and second time and referred to Committee on Military Affairs.

Mr. Clark, of Tama, introduced House File No. 22, "a bill for an Act to legalize the sales of certain School lands."

Read a first and second time and referred to Committee on Schools and State University.

Mr. Woodworth introduced House File No. 23, "a bill for an Act laying out private Roads."

Read a first and second time.

Mr. Woodworth moved to lay on the table and print. Motion prevailed.

Message from the Senate by Wm. F. Davis, their Secretary :

MR. SPEAKER :—I am instructed by the Senate to inform your honorable body that the Senate has passed the following concurrent Resolutions :

Resolved, By the Senate, (the House of Representatives concurring,) that our Senators in the Congress of the United States, be and are hereby instructed, and our Representatives respectfully requested, to urge upon the President of the United States, the immediate Brigading of the Troops of this State, who are now or hereafter may be engaged in the military service of the United States, and to urge upon the President the appointment from this State of a number of Brigadier Generals equal to the number of Brigades from the State.

Resolved, That one copy of the foregoing resolution be forwarded to the President of the United States; one copy to the Secretary of War, and one copy to each of our Senators and Representatives in Congress.

Also, That the Senate has concurred in the appointment of a Committee of Conference on the disagreement of the two Houses, relating to the election of a Postmaster for the General Assembly, and that Messrs. Hagans, English and Kent are such Committee on the part of the Senate.

Mr. Price introduced House File No. 24, "a bill for an Act defining the duties of Railroad Companies."

Read a first and second time.

Mr. Mitchell, of Fremont, moved to lay upon the table and print.

Mr. Bowdoin moved to amend by referring to Committee on Railroads, with instructions, if they deem it expedient, to report in favor of printing. Carried.

Mr. Stanton introduced House File No. 25, "a bill for an Act defining the duties of Railroad Companies." Read a first and second time and referred to Committee on Railroads.

Mr. Bowdoin introduced House File No. 26, "Joint Resolution to assume and pay for the years 1862 and 1863 the direct tax imposed upon the State of Iowa, by act of Congress, approved August 5th, 1861, and authorizing the Governor to notify accordingly the Secretary of the Treasury of the United States." Read a first and second time and referred to Committee on Ways and Means.

Mr. Wilson, of Pottawattamie, introduced House File No. 27, "a bill for an Act allowing the redemption of Homesteads, which was read a first and second time and referred to Committee on Judiciary.

Mr. Fairall introduced House File No. 28, "a bill for an Act to change the time of holding Courts in the Eighth Judicial District of the State of Iowa." Read a first and second time and referred to the members from the Eighth Judicial District.

Mr. White introduced House File No. 29, "a bill for an Act to amend Section 548, of the Revision of 1860." Read a first and

second time and referred to Committee on County and Township Organization.

Mr. Frisbie introduced House File No. 30, "a bill for an Act entitled an Act making appropriation for the payment of the per diem and traveling fees of members and officers of the General Assembly." Read a first and second time and referred to Committee on Ways and Means.

Mr. Stanton introduced House File No. 81, "A Bill for an Act to amend the Revenue Law," which was read a first and second time, and referred to the Committee on Ways and Means.

Mr. Thompson introduced House File No. 82, "A Bill for an Act to repeal chapter 81, Eighth General Assembly, which was read a first and second time and referred to the Committee on Ways and Means.

Mr. Moser introduced House File No. 33, "A Bill for an Act in relation to the collection of the School Fund of the State of Iowa," which was read a first and second time, and referred to the Committee on Judiciary.

Mr. Russell, of Dallas, introduced House File No. 34, Joint Resolution asking for additional mail facilities from Adel, Dallas Co., to Sac City, Sac County. Read a first and second time.

Mr. Smeltzer moved to amend as follows, and be continued to Spirit Lake, Iowa, by way of Prairieville, Buena Vista County, Peterson, Clay County, and Okoboji, Dickinson County.

The amendment prevailed, and on motion, the rule was suspended and the resolution as amended, was read a third time and upon the question, "Shall the bill pass?" the yeas and nays were ordered, and were as follows:

The Yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Makaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, Mr. Speaker.—92.

The Nays were—None.

Absent or not voting, Messrs. Pierce and West.

The Bill passed, and the title was agreed to.

The resolution, as amended, was adopted.

Mr. Fuller, of Harrison, introduced House File Number 35, "A Joint Resolution instructing the Senators and requesting the Members in Congress from Iowa, to use their influence to procure the establishment of a daily mail from Des Moines to Magnolia."

Read a first and second time, when on motion of Mr. Fuller, the rule was suspended, and the Bill read a third time; and upon the question "Shall the Bill pass?" the yeas and nays were ordered, and were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—89.

The nays were, None.

Absent or not voting, Messrs. Cleaves, Dunlavy, Guthrie, Pierce and West.

The Bill passed and the title was agreed to.

Mr. Dorr introduced House File No. 36, "A Bill for an Act to prevent domestic animals from running at large during the winter season," which was read a first and second time, and referred to the Committee on Agriculture.

Mr. Mitchell, of Fremont, introduced House File No. 37, "A Bill for an Act fixing the times for holding Courts in the Third Judicial District. Read a first and second time and referred to the members of the Third Judicial District.

Mr. Martin introduced House File No. 38, "A Bill for an Act to specify the party plaintiff in all suits brought for the collection of School Fund," which was read a first and second time, and referred to the Committee on Judiciary.

RESOLUTIONS.

Mr. Fairall introduced the following Resolution:

Resolved, That the Secretary of State be requested to report to this House during the present week, what Railroad Companies, if any, have filed in his office reports of their proceedings, and when filed.

The Resolution was laid over under the rule.

Mr. Fairall introduced the following Resolution :

Resolved, That the Governor of the State of Iowa be respectfully requested to inform this House whether the officers in command of the Regiments of Iowa Volunteers now in the field, were elected according to law, by the men composing said Regiments, and if not, by whom were said officers selected.

The Resolution was laid over under the rule.

Mr. Walker introduced the following resolution :

Resolved, That the Judiciary Committee be requested to take into consideration the propriety of exonerating the County Treasurer's and Collectors from the duty of Recording, and that all business legitimately belonging to this branch be placed in the hands of the County Judges ; said Judiciary Committee to report thereon at the earliest day.

The Resolution was referred to the Judiciary Committee.

Mr. Smeltzer introduced the following Resolution which was laid over under the rule :

Resolved, That the Secretary of State be requested to inform the House of the amount of fees received by him since the last regular session of the legislature, and to furnish a full and complete list thereof.

Mr. Converse introduced the following Resolution, which was adopted :

Resolved, That the Committee on Schools and State University be directed to inquire into the expediency of providing by law for the receipt of School and School House Orders in payment of Taxes for their respective funds, and report by bill or otherwise.

Mr. Woodworth introduced the following Resolution :

Resolved, That each member of this House who has received the Revision of 1860, Cushings' Manual, a Gold Pen, and a Knife, shall return the same at the close of this session to the Chief Clerk of this House ; which articles shall by him be returned to the Secretary of State, and by him to be kept for the use of future Legislatures ; except any member may retain them by having the cost of said articles deducted from his per diem, which cost shall be ascertained by the Chief Clerk of this House.

Mr. Shipman moved that the Resolution be laid upon the table, and upon this motion Mr. Sarver demanded the yeas and nays, which were ordered and were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Clark, Chase, Curtiss, Dorr, Dunlavy, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Gordon, Holyoke, Hollingsworth, Jackson, Lane, Loomis, Lowrie, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moser, Nelson, Parker, Porter, Quinn, Schramm, Shipman, Smeltzer, Stanton, Van Anda, Walker, Walton, Wasson, White, Wright and Young—45.

The nays were, Messrs. Castor, Cleaves, Converse, Cutler, Den-

linger, Eichorn, Fairall, Ferguson, Flint, Gault, Glanville, Hardie, Hudnutt, Hood, Kellogg, Knoll, Lake, Lakin, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, Milburn, Moir, Pendleton, Pierce, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Speer, Stevenson, Stewart, Thompson, Wetherall, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, and Mr. Speaker—45.

Absent or not voting—Messrs. Guthrie, Pierce, West and Whittemore—4.

The motion to lay upon the table did not prevail.

Mr. Hardie moved that the Resolution be made the special order for next Thursday evening.

On motion of Mr. Young the House adjourned.

TWO O'CLOCK, P. M.

The question pending at the adjournment was upon the motion of Mr. Hardie to make the Resolution the special order for Thursday evening. Which motion was lost.

Mr. Curtiss offered the following substitute for the Resolution, which was adopted:

Resolved, That as some members of this House are too conscientious to receive as a gift from the State, the necessary Stationery and implements to perform the duties of their office, they be permitted to return at the close of this session the Documents, Pen and Knife they have received to the Secretary of State, or pay to said Secretary therefor the following sums, to-wit:

For the Revised Code of 1860 \$3 00

For the Gold Pen and Case..... 3 00

For the Pen Knife..... 1 50

Mr. Frisbie moved that the whole matter be indefinitely postponed. Carried.

Mr. Gibson offered the following Resolution:

Resolved, That Henry Hosper of Pella be employed to translate and superintend the printing and distribution of the Inaugural Address, which is to be printed in the Holland language.

Mr. Moir moved to amend by adding the words "provided he will do it for what it is worth."

Mr. Fairall moved to add "provided the expense of translating and superintending shall not exceed \$25.

Mr. Shipman moved to lay the Resolution and Amendments on the table. Which motion prevailed.

Mr. Moser introduced the following Resolution :

Resolved, That the Military Committee be requested to report a bill instructing the Board of Commissioners (created by the Eighth General Assembly) to allow claims arising under command of Col. Morledge, as suggested by His Excellency, the Governor, in his message.

The Resolution was adopted.

Mr. Mitchell, of Fremont, introduced the following Resolution :

Resolved, That the Chief Clerk be authorized to procure the services of another Paper Folder for this House.

The Resolution was laid upon the table.

Mr. Quinn introduced House File No. 39: A Joint Resolution in relation to certain prisoners in the hands of the Rebels, which was read a first and second time and referred to the Committee on Federal Relations.

The following Resolution was taken from the table and adopted:

Resolved, That there be added to the Standing Committees of this House, a Committee on Police Regulations.

The Speaker appointed as such Committee, Messrs. Meyer, Lake, Pendleton, Calfee, Flint, and Wetherall.

Mr. Hardie moved that the resolution of Mr. Denlinger in relation to the License question be taken from the table, and upon this question Mr. Hardie demanded the yeas and nays which were ordered and were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Clark, Chase, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Price, Quinn, Rothrock, Russell of Dallas, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Wright, Young, and Mr. Speaker—75.

The nays were, Messrs. Castor, Cleaves, Converse, Curtiss, Cutler, Holyoke, McCall, McQuinn, Meyer, Rowles, Russell of Jones, Sarver, Wilcox, and Woodworth—13.

Absent or not voting—Messrs. Pierce, Porter, West, Whittemore, and Williams of Mahaska.

The resolution was taken from the table.

Mr. Hardie moved to commit to the Select Committee on the Liquor question, of which Mr. Gordon is Chairman.

Mr. McQuinn moved to amend by adding, "and that five more be added to the said Committee." Which amendment was lost.

Mr. Young moved to amend by adding "four."

Mr. Bowdoin moved to amend by adding: "That the Committee be instructed to inquire into the expediency of reporting a bill, and if expedient, to report a bill accordingly."

Mr. Bowdoin's amendment was adopted.

Mr. Frisbie moved that that part of the Resolution in reference to instructing the Committee be stricken out. Lost.

Mr. Moir moved the previous question, and upon the question, "Shall the main question be now put?" the same was demanded by a majority of all the members present.

The motion of Mr. Hardie as amended was adopted and the resolution was referred to the Select Committee.

Mr. Smeltzer, by leave, introduced House File No. 40, A Joint Resolution asking for additional mail facilities, which was read a first and second time, and referred to the Committee on Federal Relations.

By leave, Mr. Blackford introduced House File No. 41, which was read a first and second time and referred to the Committee on Federal Relations.

By leave, Mr. Lorah introduced House File No. 42, A Joint Resolution asking for additional mail facilities, which was read a first and second time, and referred to the Committee on Federal Relations.

By leave, Mr. Russell of Jones introduced House File No. 43, A Joint Resolution asking for additional mail facilities, which was read a first and second time, and referred to the Committee on Federal Relations.

Mr. Kellogg moved that the Committee on Federal Relations be instructed to recommend to this House the passage of all Joint Resolutions asking for additional mail facilities. Carried.

Mr. Curtiss introduced the following Preamble and Resolution:

In view of the financially embarrassed state of the country, of the rapid increase of our taxes for State and War purposes, and of the absolute necessity of a prompt payment of the same;

Be it resolved by the House of Representatives, That a special Committee of seven be appointed for the purpose of considering the propriety of suspending, for a reasonable length of time all laws upon our statute books for the collecting of all debts and claims whatsoever, except those relating to taxes and the School Fund, and of postponing the time of the sitting of the respective District Courts, except when necessary to attend to criminal prosecutions.

Mr. Lane moved that the Preamble and Resolution be referred to the Committee on Charitable Institutions.

Mr. Stanton moved to amend by referring it to the Committee on the Judiciary. Carried.

Mr. Kellogg moved that the resolution be referred to the Committee of the Whole. Lost.

The Resolution was then referred to the Judiciary Committee.

The House then took up the concurrent Resolution of the Senate in relation to brigading the troops of this State, &c., upon the passage of which the yeas and nays were ordered and were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—88.

The nays were, Mr. Burton—1.

Absent or not voting—Messrs. Glanville, Mitchell of Fremont, Moser, Pierce, West and Whittemore.

The Resolution was passed.

The following message was received from His Excellency the Governor :

EXECUTIVE OFFICE, IOWA, }
January 20th, 1862. }

To the Speaker of the House of Representatives :

I transmit to the body over which you preside, copies of the reports of the Warden, Clerk, Physician and Chaplain of the Penitentiary, of the Board of Trustees, Superintendent, Steward, Board of Commissioners and Building Superintendent of the Insane Asylum, and of the Commissioner of Immigration.

SAMUEL J. KIRKWOOD.

The reports referred to in the foregoing message were laid upon the table, and the usual number ordered printed.

BILLS ON SECOND READING.

The House took up House File No. 4, A bill for an Act to confirm and legalize the acts of Jno. W. Thompson, a Notary Public in and for Scott county. The amendments recommended by the Judiciary Committee were adopted, and on motion of Mr. Kellogg the rule was suspended and the bill was read a third time. Upon the question "shall the bill pass?" the yeas and nays were ordered and were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Brace-

well, Burton, Calfee, Castor, Chase, Cleaves, Curtiss, Denlinger, Dorr, Eaton, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker.—81.

The nays were, Messrs. Converse, and Moser—2.

Absent or not voting—Messrs. Cutler, Dunlavy, Eichorn, McLennan, Pierce, Wetherall, West, and Whittemore.

The bill passed and the title was agreed to.

The House then took up Sub. for House File No. 7, A bill for an Act to legalize the acts of James N. Miles, a Notary Public.

The substitute was adopted, and on motion of Mr. Maxwell the rule was suspended and the bill read a third time, and upon the question "shall the bill pass?" the yeas and nays were ordered and were as follows:

The Yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Clark, Chase, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eaton, Fairall, Ferguson, Flint, Frisbie, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Woodworth, Wright, Young, Mr. Speaker.—77.

The Nays were, Messrs. Dunlavy, Stewart.—2.

Absent or not voting, Messrs. Castor, Cutler, Eichorn, Fuller of Fayette, Hardie, McLennan, McCall, Pierce, Wetherall, West, Whittemore, and Wilson of Pottawattamie.

The Bill passed and the title was agreed to.

Mr. Lane moved that the rule be suspended, and the Bill just passed sent to the Senate. Carried.

The following message was received from the Senate by Wm. F. Davis, their Secretary:

MR. SPEAKER: I am instructed by the Senate, to inform your honorable body, that the Senate has passed Senate File No. 13, entitled an "An Act to authorize the Deputy Clerk of the District

Court to act in the stead of his principal in certain cases, and to legalize certain acts heretofore done."

Also, that the Senate has concurred in the Resolution passed by your honorable body in relation to the location of a United States Arsenal and Armory.

W. F. DAVIS, Secretary.

The House took up substitute for House File No. 5, "A Bill for an Act to amend an Act entitled an Act to protect Game, passed Jan. 28, 1857." The report of the Committee was received, and the substitute adopted.

Mr. Gordon moved to amend by striking out all after the enacting clause, and inserting "that all laws for the protection of game are hereby repealed."

Mr. Shipman moved that the Bill and amendment be referred to the Committee on Agriculture. Carried.

On motion of Mr. Gordon, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
TUESDAY, January 21, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Fleming.

Journal of yesterday read and approved.

PETITIONS AND MEMORIALS.

Mr. Knoll presented the petition of James Cannon and others, asking the repeal of the Prohibitory Liquor Law. Referred to the Select Committee on that subject.

Mr. Hardie presented the petition of sundry citizens of the City of Dubuque, asking for the passage of an Act restricting the powers of the City Court of said City, or to abolish the same. Referred to the Committee on Judiciary.

Mr. Mercer presented the petition of Louisa T. Nichols and others, praying an amendment to the Prohibitory Liquor Law, so as to render the same more efficient. Referred to the Select Committee on that subject.

Mr. Williams, of Des Moines, presented the petition of Samuel Scott and others, asking for the enactment of a License Law. Referred to the Select Committee on the Prohibitory Liquor Law.

Mr. Lorah presented the petition of S. W. Armstrong and others, citizens of Adair County, praying for the passage of a law

making the County Judge Recorder of Deeds, or to so change the law as to make the County Court a Court of Common Pleas, to try all cases wherein the amount involved does not exceed \$1000. Referred to the Committee on Judiciary.

Mr. Converse presented the petition of Charles Ensign and others, asking for a more stringent Prohibitory Liquor Law. Referred to Select Committee on that subject.

Mr. Fuller presented a memorial and resolution of the Board of Supervisors of Harrison County, recommending that a portion of the Swamp Lands of said County be set aside for the purpose of creating a Permanent School Fund. Referred to Committee on County and Township Organization.

Mr. Fairall presented the petition of the Board of Supervisors of Johnson County, for an Act to prevent pauperism. Referred to Committee on Police Regulations.

Mr. Lake presented the petition of sundry citizens of Buchanan County, for a law to protect sheep from the ravages of dogs.

Mr. Lake moved its reference to the Committee on Police Regulations.

Mr. Moir moved to amend by instructing the Committee to report a Bill upon the subject, at an early day. Carried.

Mr. Lowrie presented the petition of G. Erskine and Joseph Ridgway, for an Act vacating Wilsey's addition to the City of Keokuk, which, on motion of Mr. Lowrie, was referred to a Select Committee of three.

The Chair appointed Messrs. Lowrie, McLennan and Curtiss such Committee.

Mr. Lowrie presented the petition of Daniel Webster for an allowance for services performed as Clerk of the Commissioners of the Penitentiary. Referred to Committee on Claims.

Mr. Parker presented a memorial from Charles B. Stout and others, citizens of Clinton County, praying that certain lands belonging to the Protestant Episcopal Church in the Diocese of Iowa be exempted from taxation. Referred to the Select Committee on that subject.

Mr. Russell, of Jones, presented the petition of sundry citizens of Jones County, praying for a law to protect sheep from the ravages of dogs. Referred to Committee on Agriculture.

Mr. Russell, of Jones, presented the petition of sundry citizens of Jones County, praying for a law to prevent live stock from running at large. Referred to the Committee on Agriculture.

REPORTS OF COMMITTEES.

The Committee on Ways and Means to whom was referred the Joint Resolution "to assume and pay for the years 1862 and 1863, the direct tax imposed upon the State of Iowa, by Act of Congress, approved August 5th, 1861; and authorizing the Governor to no-

tify accordingly the Secretary of the Treasury of the United States," have had the same under consideration, and have instructed me to report back the Resolution without amendment and recommend its passage.

E. G. BOWDOIN.

The Military Committee to whom was referred House File No. 21, have had the same under consideration, and beg leave to report that said Bill be indefinitely postponed.

Your Committee are unanimously of opinion that it would be injudicious to confer upon Adjutants of Regiments who are constantly changing, and are in many cases unacquainted with the laws of the State, the power of acknowledging deeds and other instruments affecting title to Real Estate, and without even a Seal, and while the evidence of their being such officers could only be found in the Adjutant General's office, and would even then be dependent on the correctness and regularity of reports from Regimental officers.

Besides it would furnish opportunity for corrupt and designing men to take advantage of the necessities of our soldiers, and cheat them out of their farms and homes.

For these, with other reasons, the Committee recommend the indefinite postponement of the bill.

JAMES T. LANE, Chairman.

The Military Committee, to whom was referred House File No. 18, have had the same under consideration, and beg leave to report that they recommend its passage.

In behalf of the Committee,

JAMES T. LANE, Chairman.

INTRODUCTION OF BILLS.

Mr. Mitchell of Polk, introduced House File No. 44: A Bill for an Act entitled an Act to change the boundaries of Dallas County. Read a first and second time. Referred to Committee on County and Township Organization.

Mr. Kellogg introduced House File No. 45: A Bill for an Act entitled an Act to exempt Sheep from Taxation. Read a first and second time. Referred to Committee on Agriculture.

Mr. Moir introduced House File No. 46: A Bill for an Act to amend section 2834 of the Revision of 1860. Read a first and second time. Referred to Committee on Judiciary.

Mr. Converse introduced House File No. 47: A Bill for an Act to amend an Act entitled an Act in relation to County Seats. Read a first and second time. Referred to Committee on County and Township Organization.

Mr. Curtiss introduced House File No. 48: A Bill for an Act to Incorporate Civil Townships, etc. Read first and second time. Referred to Committee on Incorporations.

Mr. Martin introduced House File No. 49: A Bill for an Act permitting officers to amend Certificates to Depositions in certain cases. Read a first and second time. Referred to Committee on Judiciary.

Mr. Wetherall introduced House File No. 50: A Concurrent Resolution of instruction to our Senators and Representatives in Congress. Read a first and second time. Referred to Committee on Federal Relations.

Mr. Baker introduced House File No. 51: Concurrent Resolution for additional Mail facilities. Read a first and second time. Referred to Committee on Federal Relations. •

Mr. Lakin introduced House File No. 52: Concurrent Resolution concerning Rebellion, etc. Read a first and second time. Referred to Committee on Federal Relations.

Mr. Wright introduced House File No. 53: A Bill for an Act making the Swamp Lands and the proceeds thereof in the several Counties a Permanent School Fund in said Counties. Read a first and second time. Referred to Committee on Schools and State University.

Mr. Jackson introduced House File No. 54: Preamble and Joint Resolutions expressive of the sense of the Legislature of the State of Iowa in relation to the Rebellion. Read a first and second time. Referred to Committee on Federal Relations.

Mr. Lake introduced House File No. 55: A Bill for an Act to amend Section 1534 of the Revision of 1860 of the laws of Iowa, in relation to Partition Fences. Read a first and second time. Referred to Committee on Police Regulations.

Mr. Frisbie introduced House File No. 56: Joint Resolution asking for additional Mail facilities. Read a first and second time. Referred to Committee on Federal Relations.

The Committee of Ways and Means, to whom were referred the Petitions of sundry citizens of Iowa and Cedar counties, asking for the passage of an Act authorizing County Treasurers and the State Treasurer to receive and pay as money the issues of the State Bank of Iowa and its branches, and the Demand Treasury Notes of the United States; have had the same under consideration and have instructed me to report in accordance with the prayer of the petitioners the accompanying Bill, and recommend its passage.

E. G. BOWDOIN.

Mr. Bowdoin introduced House File No. 57: A Bill for an Act • authorizing County Treasurers and the State Treasurer to receive and pay as money the issues of the State Bank of Iowa and its Branches, and the Demand Treasury Notes of the United States.

Mr. Lowrie introduced the following Resolution, which was laid over under the rule:

Resolved, That the Governor of the State of Iowa be requested to furnish information to this House of the number of acres of land he has certified to the Secretary of the Interior, that each of

the Rail Roads is entitled to up to date, by virtue of an Act of Congress, approved May 15th, 1856, "entitled an Act making a Grant of Lands to the State of Iowa in trust to aid the construction of certain Rail Roads therein mentioned; and also how many continuous miles each of said Rail Roads has constructed and are in good running order.

Mr. Bracewell introduced the following resolution, and moved its reference to Committee on Judiciary :

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of abolishing the Board of Supervisors and establishing County Commissioners in lieu thereof, and report by Bill or otherwise.

Mr. Shipman moved to amend by referring to Committee on County and Township Organization.

Mr. Lakin moved to amend the resolution by inserting after the word "abolishing" in third line "or modifying." The amendment prevailed, and the resolution was referred to Committee on Judiciary.

Mr. Williams of Des Moines, by leave gave notice that he would on to-morrow or some future day introduce a Bill for an Act providing for the vacation of town plats.

Mr. Hudnutt introduced the following resolution which was laid over under the rule :

Resolved, That his Excellency the Governor be requested to transmit to this House the names of members who may have been commissioned or received pay as officers in the army.

Mr. Clark of Tama introduced the following resolution :

Resolved, That the Committee on Agriculture be requested to take into consideration the propriety of a law prohibiting sheep and swine from running at large, and if in their opinion such a law would be advantageous to the Agricultural interest of the State, so report to this House at an early day by bill or otherwise. The resolution was adopted.

Mr. Gibson introduced the following resolution :

Resolved, That there be a Committee of five, to be appointed by the Speaker, to report upon the number of Congressional Districts Iowa is entitled to.

Mr. Shipman moved to refer the resolution to the Standing Committee on that subject, which motion prevailed.

Mr. Hudnutt introduced the following resolution which was adopted :

Resolved, That we grant the use of this Hall, on Monday evenings of each week to those Members of the Legislature, who may desire to organize an Agricultural Club; and that those interested in Agricultural or kindred pursuits be invited to attend.

Mr. Fuller of Fayette, offered the following resolution which was adopted :

Resolved, That the Committee on County and Township Organ-

izations be and are hereby instructed to report a Bill to this House, at an early day, providing for the election of two township trustees, in the place of three as at present. And further providing that the Supervisor of each township shall be *ex officio* chairman of the Board of Trustees and one of their number.

Mr. Fuller of Fayette, offered the following resolution which was adopted.

Resolved, That the Committee on County and Township Organization be and are hereby instructed to report a Bill to this House at an early day providing for the election of one collector in each Township, who shall be the collector of the public revenue in his Township.

Mr. McGlothlen offered the following Resolution, which under the rule was laid over.

Resolved, That the Governor be requested to inform the House of Representatives, whether there is any member of this House now a commissioned officer in any Regiment, or Company of Iowa volunteers, if so, how many and who said members are.

Mr. Guthrie introduced the following Resolution:

Resolved, That a Committee of five be appointed to inquire into the expediency of abolishing the Grand Jury system in the State of Iowa, and report as soon as convenient to this House, what action if any should be taken on the subject matter.

Mr. Curtiss moved to amend by inserting after the word "abolishing" on the third line "or modifying." The amendment prevailed, and the resolution as amended was referred to the Committee on Judiciary.

The following Resolutions which were introduced by Mr. Fairall on yesterday and laid over under the rule were taken up and adopted:

Resolved, That the Governor of the State of Iowa be respectfully requested to inform this House, whether the Officers in command of the Regiments of Iowa Volunteers now in the field were elected according to law by the men comprising said Regiments, and if not by whom were such officers selected.

Resolved, That the Secretary of State be requested to report to this House during the present week what Railroad Companies, if any, have filed in his office reports of their proceedings and when filed.

Senate File No. 13, was taken up, read a first and second time.

Mr. Lowrie moved that the rule be suspended and the Bill read a third time now. Lost.

Mr. Hudnutt moved to refer the Bill to the Committee on Judiciary. Carried.

Mr. Martin introduced the following Resolution which was adopted:

Resolved, That the Judiciary Committee be requested to inquire into the constitutional right of this Body to pass Acts to legalize

certain or any matters, and report their finding thereon at the earliest practicable moment.

Mr. Lane moved to take from the table his resolution, House File No. 14: A Joint Resolution instructing the Senators and requesting the members in Congress from Iowa, to procure the enactment of a law confiscating all the property of Rebels. The motion prevailed and the resolution was taken from the table, and referred to the Committee on Federal Relations.

Mr. Bowdoin moved that when the House adjourn, it adjourn to meet at 10 o'clock to-morrow morning.

Mr. Lake moved to amend by adjourning to 2 o'clock, P. M. to-morrow. Carried.

Substitute for House File No. 10, was taken from the table and on motion of Mr. Shipman was referred to the Committee on Agriculture.

On motion of Mr. Bracewell the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
WEDNESDAY, January 22, 1862, 2 o'clock, P. M. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Fleming.

Journal of yesterday read and approved.

Message from the Senate, by Wm. F. Davis, their Secretary:

MR. SPEAKER:—I am instructed by the Senate to inform your honorable body that the Senate has passed a substitute for Senate File No. 1, "an Act to alter the boundaries of the 3d, 4th, and 5th Judicial Districts," also, that the Senate has passed the accompanying concurrent resolution, Senate File No. 31, relating to the election of Postmaster of General Assembly; also, Senate File No. 29, "a Concurrent Resolution, on investigating certain contracts, for clothing furnished Iowa Volunteers;" also, Substitute for Senate File No. 14, "Joint Resolution, asking relief from Congress for Iowa Troops."

In all of which the concurrence of the House is asked.

Also, That the Senate has ordered the printing of the usual number of copies of the following reports: Reports of Emigrant Commissioner, Reports of the Warden and other officers of the Penitentiary, and the Reports of the Board of Trustees and other officers of the Hospital for the Insane.

WM. F. DAVIS, Sec'y of Senate.

PETITIONS AND MEMORIALS.

Mr. Schramm presented a petition of Wm. Meek and others, asking that a law be passed protecting sheep from the ravages of dogs. Referred to Committee on Agriculture.

Mr. Van Anda presented a memorial of Board of Supervisors of Delaware County, asking for a tax on dogs. Referred to Committee on Agriculture.

Mr. Milburn presented a petition of J. B. Taylor and others asking for a more efficient Prohibitory Liquor Law. Referred to the Select Committee on that subject.

Mr. Wright presented a Preamble and Resolution from the Board of Supervisors of Mills County, to be allowed to vote at general election of 1862, to cancel liabilities of said County to the Swamp Land Fund. Referred to Committee on Schools and State University.

Mr. Williams, of Mahaska, presented the memorial of Sidney S. Smith and seventy others asking for the repeal of the present Liquor Law and for the passage of a License Law, in lieu thereof. Referred to the Select Committee on that subject.

REPORTS OF COMMITTEES.

The Judiciary Committee, to whom were referred House Files No. 33 and 38, being bills specifying the parties plaintiff in suits for the collection of School Funds, have had the same under consideration and have directed me to report to the House a substitute for both of said bills, and recommend the passage of said substitute. .

JAS. H. ROTHROCK.

The Committee on Schools and State University, to whom was referred House File No. 22, being the "bill to legalize the sale of certain School Lands in Tama County," have had the same under consideration, and instruct me to report the same back to this House with the recommendation that it be passed.

JAS. H. ROTHROCK, Chairman.

The Committee on Elections, to whom was referred House File No. 9, "a bill for an Act to amend Section 564, of the Revision of 1860," have had the same under consideration, and have instructed me to report the same back to the House, and recommend its indefinite postponement.

M. T. WILLIAMS, Chairman.

The Committee on Township and County Organization, to whom were referred the memorial and resolution of the Board of Supervisors of Harrison County in relation to Swamp Land being applied for School purposes, would report the same back to the House and

ask that they be referred to the Committee on Schools and State University.

SHIPMAN, Chairman.

The report was concurred in.

The Committee on Township and Country Organization, to whom was referred a memorial of the Board of Supervisors of Monona County, asking for a law exempting fifty Sheep from taxation, have directed me to report the same back to the House and ask that it be referred to the Committee on Agriculture.

SHIPMAN, Chairman.

The report was concurred in.

The Committee on Federal Relations, to whom were referred the various resolutions asking additional mail facilities having had the same under consideration, have directed me to report to this House as follows: That they deem it inexpedient to take up the time of this House in passing these resolutions separately; but would say that at some future time they will embody all the resolutions on that subject that are referred to them in one joint resolution and report the same to the House.

JED LAKE, Chairman.

The Committee on Domestic Manufactures, to whom was referred the Resolution of the gentleman from Iowa, instructing us to inquire into the expediency of exempting certain sheep, all wool, all goods manufactured from wool, all capital invested and machinery used in the manufacturing of woollen goods, sugar, syrup, molasses, linseed oil, and flax cotton, &c., from taxation, beg leave to report that according to order they have had the same under consideration, and instructed me to report thereon, in accordance with the request of said Resolution, and recommend its passage.

F. WILCOX, Chairman.

The Judiciary Committee to whom was referred a Resolution of Inquiry into the force and effect of Joint Resolutions of the General Assembly, have had the same under consideration and instructed me to report as follows:

First, that inasmuch as the Constitution of this State makes no provision relative to Joint Resolutions of the General Assembly, such resolutions have no legal or binding force or validity, beyond what has been established by the custom of Legislative bodies in the government of their own proceedings or in the exercise of a directory control over State affairs.

Second, that in the opinion of the Committee, the purpose of Joint Resolutions may be equally as well served by the use of Concurrent Resolutions.

The Committee have further instructed me to report the following rule upon this subject:

Joint Resolutions shall not be required to be framed or treated as a bill, but shall be subject only to the rules pertaining to ordinary and concurrent resolutions.

House File No. 58, "an Act to encourage Domestic Manufactures," reported by the Committee was read a first and second time, and on motion was ordered to be engrossed for a third reading to-morrow.

The Judiciary Committee to whom was referred House File No. 2, "an Act to amend Section twenty-nine hundred and sixty-seven, Chapter 122, of the Revision of 1860, have had the same under consideration, and the majority of the Committee have instructed me to report the same back, and recommend its passage.

YOUNG, Chairman.

Mr. Kellogg moved to re-consider the vote whereby House File No. 58, "An Act to encourage Domestic Manufactures," was ordered to be engrossed for a third reading to-morrow. The motion prevailed.

The Bill was then laid upon the table and ordered to be printed.

Minority Report of Judiciary Committee on House File No. 2:

The undersigned having taken into consideration the arguments of the majority of the Committee in regard to approving House File No. 2, cannot agree thereto, and therefore beg leave to submit a Minority Report.

In the opinion of the undersigned Section 2967 of the Revision of 1860, should not be amended as prayed for in said bill, for the following reasons:

First—That the amendment proposes to compel a defendant in our Courts to file an affidavit that he did not execute an instrument which he has not seen, or suffer a judgment to go against him which by examining the original he might have prevented.

Second—It compels the defendant before the trial commences to file an affidavit that he did not sign a certain instrument when he has only seen a copy of that instrument, and our law provides no method by which he can compel the opposite party to submit the original to him for his inspection.

Third—Such an amendment would, in the opinion of the undersigned, lead to a vast amount of fraud and corruption among a class of our citizens that in the opinion of the public need no additional stimulus in that direction.

Fourth—That by an additional section the same object can be attained that is proposed by the present amendment offered to Section 2967, and still obviate the objections herein set forth.

All of which is respectfully submitted.

JED. LAKE, From Committee on Judiciary.

The Committee on Judiciary to whom was referred House File No. 27, "an Act authorizing the redemption of Homesteads," has had the same under consideration, and have instructed me to report the same back and recommend its indefinite postponement.

VAN ANDA, For the Committee.

Your Committee having had House File No. 46 under considera-

tion, have directed me to report it back and recommend that it do not pass.

S. G. VAN ANDA, } Committee.
JED. LAKE, }

The Committee on Judiciary, to whom was referred House File No. 15, entitled "A Bill to define the duties of Justices of the Peace and special constables in certain cases," have instructed me to report that they have had the same under consideration and recommend its passage.

W. J. MOIR, Member of said Committee.

The Committee upon Agriculture, to whom was referred House File No. 36, have had the same under consideration and have directed me to report the same back with an amendment, and recommend that said Act thus amended pass.

A. CONVERSE.

The Committee upon Agriculture, to whom was referred House File No. 5, with an amendment thereto, have had the same under consideration, and have directed me to report back the same to this House with the recommendation that it do not pass.

A. CONVERSE.

The Committee on Incorporations, to whom was committed House File No. 6, being entitled "an Act authorizing Cities, Towns and Villages to regulate and license the sale of property by auctioneers, have discharged the duty of examining said Act and recommend to this House its passage.

DR. WETHERALL, Committee on Incorporations.

The Committee on Enrolled Bills have examined House File No. 11, a Joint Resolution for the location of a United States Arsenal and Armory, and find the same correctly enrolled.

D. G. FRISBIE,
J. H. WHITE,
C. DENLINGER.

The Committee on Congressional Districts to whom was referred the Resolution presented by Hon. Mr. Gibson, have instructed me to report to your honorable body that the State of Iowa is entitled to five members in the House of Representatives in the Congress of the United States.

J. P. EATON, Chairman.

Your Committee, appointed to confer with a similar one on the part of the Senate, in regard to the selection of a Postmaster of this General Assembly, would beg leave to report that they have discharged that duty, and it was unanimously agreed, by the Joint Committee, to recommend George R. Brainard as a suitable person for that position, and recommend that he be sworn into office.

All of which is respectfully submitted.

W. W. WILSON,
R. KELLOGG,
ISAAC PENDLETON.

The Committee to whom were referred memorials from citizens of Dubuque, Washington, Polk, Lee and other counties, asking that certain lands belonging to a corporation in the State of Iowa known as the "President and Trustees of the Iowa Episcopal Fund," be exempt from taxation, and the back taxes remitted on the same, and report a Bill, have had the same under consideration and recommend the passage of the following Bill.

C. W. LOWRIE, Chairman.

Mr. Lowrie, by leave, introduced House File No. 59, A Bill for an Act to exempt certain lands from taxation, and to remit back taxes on the same, which was read a first and second time, and passed on file.

Mr. Gordon moved to add four members to the Select Committee on the Liquor Law. Carried.

The following Resolution which was presented yesterday was taken up and adopted :

Resolved, That His Excellency, the Governor, be requested to transmit to this House the names of members who may have been commissioned or received pay as officers in the army.

The Resolution of Mr. McGlothlen referring to the same subject was withdrawn, and the following Resolution introduced yesterday by Mr. Lowrie, was taken up and adopted.

Resolved, That the Governor of the State of Iowa be requested to furnish information to this House of the number of acres of land he has certified to the Secretary of the Interior, that each of the Railroads is entitled to up to date, by virtue of an Act of Congress approved May 15, 1856, "entitled an Act making a grant of lands to the State of Iowa, in trust, to aid the construction of certain Railroads therein mentioned"; and also how many continuous miles each of said Railroads has constructed and are in good running order.

INTRODUCTION OF BILLS.

Mr. Mitchell, of Fremont, introduced House File No. 60: A Bill for an Act to amend an Act entitled an Act creating a County Board of Supervisors, defining their duties, and the duties of certain County Officers. Read a first and second time and referred to Committee on Township and County Organization.

Mr. Gordon introduced House File No. 61: A Bill for an Act for the relief of Amity College. Read a first and second time and referred to the Committee on Judiciary.

Mr. Guthrie introduced House File No. 62: A Bill for an Act to amend section 849, of chapter 46, of Revision of 1860. Read a first and second time and referred to Committee on Roads and Highways.

Mr. Lane introduced House File No. 63: A Bill for an Act to amend Chapter 45 of the Code of Iowa in relation to reve-

nue. Read a first and second time and referred to Committee on Railroads.

Mr. Wright introduced House File No. 64: A Bill for an Act authorizing the people of the several counties of the State to cancel their indebtedness to the Swamp Land Fund. Read a first and second time and referred to Committee on Judiciary.

Mr. Pendleton introduced House File No. 65: A Bill for an Act for the relief of Capt. J. F. Martin and others employed in the military service of the State for the protection of the north-western frontier. Read a first and second time and referred to Committee on Claims.

Mr. Quinn introduced House File No. 66: A Bill for an Act to amend an Act entitled an Act to provide for the taking up water crafts found adrift, lost goods and estray animals. Read first and second time and referred to Committee on Agriculture.

Mr. Rothrock, from Committee on Judiciary to whom was referred House Files No's. 33 and 38, reported House File No 67 a substitute for House Files No's. 33 and 38 being: A Bill for an Act to specify the party plaintiff in suits brought for the collection of School Funds.

Mr. Fairall introduced the following Resolution which was adopted:

Resolved, That a Committee of three be appointed to examine the Report of the Commissioners appointed to investigate the several State Offices, for the years 1858 and 1859, and that said Committee be instructed to report what action, if any, need be taken thereon.

Mr. Shipman introduced the following Resolution which was read and laid over under the rule:

Resolved, That until otherwise ordered, there shall be but one session of this House per day commencing at 10 o'clock A. M. The rule on this subject is hereby suspended during the pleasure of the House.

Mr. Kellogg introduced the following Resolution:

Resolved, That the Clerks of this House be instructed in making up the Journals of this House, when referring to the number of the file (either Senate or House,) to indicate the subject matter to which it refers.

Adopted.

Mr. McLennan introduced the following Resolution:

Resolved, That the names of Van Anda of Delaware, Chase of Clayton, Hudnutt of Bremer, and Denlinger of Dubuque, be added to the Special Committee to whom was referred the subject of the License Law.

Mr. Young moved that the Resolution be laid on the table, and upon this question Mr. McLennan demanded the yeas and nays which were ordered and were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Burton,

Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Gordon, Guthrie, Holyoke, Hollingsworth, Hood, Lane, Loomis, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Stanton, Walker, Wasson, Wetherall, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—55.

The nays were, Messrs. Bass, Bracewell, Chase, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Glanville, Hardie, Jackson, Knoll, Lake, Lakin, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, Smeltzer, Speer, Stevenson, Stewart, Thompson, Van Anda, Walton, Whittemore, and Wilson of Chickasaw—30.

Absent and not voting—Messrs. Denlinger, Dorr, Eaton, Pierce, Hudnutt, Kellogg, Schramm, and West—8.

The Resolution was laid upon the table.

Mr. Hardie introduced the following resolution :

Resolved, That the Special Committee on the subject of the Liquor Law be and is hereby instructed to report at as early a day as possible a Bill for the repeal of the Prohibitory Law and providing for a License Law in lieu thereof.

Mr. Shipman moved that the resolution be laid upon the table and upon this motion, Mr. McLennan demanded the yeas and nays which were ordered and were as follows :

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Ferguson, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Holyoke, Hollingsworth, Hood, Lakin, Lane, Loomis, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Stanton, Stevenson, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—62.

The nays were, Messrs. Bass, Burton, Chase, Denlinger, Dunlavy, Eichorn, Fairall, Flint, Hardie, Hudnutt, Jackson, Kellogg, Knoll, Lake, Lorah, Martin, Maxwell, McGlothlen, McLennan, Pendleton, Quinn, Schramm, Smeltzer, Speer, Stewart, Thompson, and Van Anda—28.

Absent or not voting—Messrs. Dorr, Eaton, Pierce, and West.

The Resolution was laid upon the table.

Mr. Bowdoin introduced the following Resolution :

Resolved, That the Governor's Message be taken from the table, and made the special order of the day, in Committee of the Whole

House, Thursday afternoon at 2½ o'clock, for the purpose of making the proper reference of the same.

The Resolution was adopted.

Mr. McLennan introduced the following Resolution:

Resolved, That the "Committee on Printing" be instructed and required, as soon as practicable, to draft and report a bill repealing the acts creating the offices of State Printer and of State Binder, and that said Bill shall contain a provision empowering the Committee on Printing, after soliciting and receiving proposals, to award the Public Printing to the lowest bidder therefor.

Upon the adoption of this Resolution McLennan demanded the yeas and nays, which were ordered and were as follows:

The yeas were, Messrs. Baker, Bass, Bracewell, Burton, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Gibson, Glanville, Hardie, Hudnutt, Hood, Kellogg, Knoll, Lorah, Martin, Maxwell, McGlothlen, McLennan, Nelson, Pendleton, Rowles, Russell of Jones, Schramm, Smeltzer, Speer, Stevenson, Stewart, Thompson, Walker, Wetherall, Wilson of Pottawattamie, and Woodworth—36.

The nays were, Messrs. Blackford, Bowdoin, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Guthrie, Holyoke, Hollingsworth, Jackson, Lake, Lakin, Lane, Loomis, Lowrie, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Pierce, Porter, Price, Quinn, Rothrock, Sarver, Shipman, Stanton, Van Anda, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines. Williams of Mahaska, Wilson of Chickasaw, Wright, Young, and Mr. Speaker—59.

Absent or not voting—Messrs. Pierce, Russell of Dallas, and West—3.

The Resolution was not adopted.

Mr. Gordon introduced the following resolution:

Resolved, That the word "two" in the second line of the 38th rule be stricken out, and the word "ten" inserted. Which was laid over under the rule.

Mr. Van Anda introduced the following resolution, which was adopted:

Resolved, That the Committee on Expenditures be instructed to inquire into the expediency of giving the Board of Supervisors in their respective counties authority to provide the Treasurer and Recorder, County Judge and Sheriff with books, stationery, lights and fuel for the use of their respective offices.

Mr. White, of Scott, introduced the following resolution, which was adopted:

Resolved, That the Committee on Roads and Highways be instructed to inquire into the expediency of so amending chapter 46, article 3, of the Revision of 1860, that a portion of the tax levied

by the township trustees for bridges, scrapers, &c., may be collected in cash; also, the expediency of having a sufficient number of said Act printed to furnish each road district in the State with one or more copies, and report by Bill or otherwise.

Mr. Flint introduced the following resolution, which was read and laid over under the rule:

Resolved, That the Secretary of State be requested to inform this House of the number of civil officers of this State, the annual compensation made to each, and out of what fund made.

Mr. Flint offered the following resolution which was laid over under the rule:

Resolved, That the Adjutant General of this State be requested to inform this House, the number of Commissioned Officers of the military department of this State, the compensation of each and out of what fund said compensation is made.

Mr. Bowdoin introduced the following resolution:

Resolved, By the House of Representatives (the Senate concurring) that the two Houses will go into Joint Convention on Monday next, at 11 o'clock, A. M. for the purpose of electing a State Printer and State Binder for the ensuing term.

Mr. Stephenson introduced the following resolution:

Resolved, That the Committee on Printing be requested to ascertain and report to-morrow to this House whether or not the State Printing cannot be done at a less expense by advertising and contracting than by the present mode. The Resolution was adopted.

Mr. Holyoke introduced the following Resolution:

Resolved, That the Chief Clerk of this House be requested to distribute to the members of this House, the Report of the Trustees of the Institution for the Education of the Blind. Also, that he distribute the Report of the Trustees of the Institution for the Education of the Deaf and Dumb. The resolution was adopted.

Mr. Burton introduced the following Resolution, which was adopted:

Resolved, That the Judiciary Committee be instructed to examine and report on the expediency of amending Section 4607 of the Revision of 1860 and report by bill or otherwise.

Mr. Williams from Committee on Elections submitted the following majority report:

The Committee on Elections to whom was referred the matter in the case of Milo Smith, contestant, v. John S. Maxwell, incumbent, for a seat as a member of this House from the 32d Representative District, having had the subject under consideration, beg leave to submit the following majority report:

Your Committee find the *causes* set out by the contestant in his statement herein, to be as follows:

"*First*—At the time of said election the said incumbent, John S. Maxwell, was not eligible to said office of Representative, because he, said incumbent, then, and during a long time thereafter,

to-wit: till the 31st day of October, A. D. 1861, was one of the County Board of Supervisors, representing Brookfield Township in Clinton County, in the State of Iowa; that said office of Supervisor is a lucrative office under the law of the State of Iowa, and that said incumbent by reason of holding said office was not eligible to said office of Representative at the time of said election.

Second—That at said election the said Milo Smith received for said office of Representative eleven hundred and seventy-five votes, and the said incumbent, John S. Maxwell, at said election for said office received only six hundred and forty-two votes. And that the said contestant, Milo Smith, received for said office of Representative, five hundred and thirty-three votes more than said incumbent John S. Maxwell received for said office. And that said contestant received the highest number of votes cast at said election for said office.

Third—That the Board of Canvassers of said County of Clinton erred in awarding to said incumbent, John S. Maxwell, seven hundred and fifty-nine votes which were polled for John Maxwell and not for said incumbent, John S. Maxwell."

In order properly to dispose of the first and most important cause set out by contestant, the second and third should, in the opinion of your Committee, be first considered.

From the testimony adduced before the Committee—and which is herewith returned to the House—the facts are satisfactorily established that said Milo Smith, contestant, did receive eleven hundred and seventy-five votes, and that said John S. Maxwell, the incumbent, received six hundred and forty-two votes, and that John Maxwell received seven hundred and fifty-nine votes, and that all the votes cast at said election for John S. Maxwell and for John Maxwell, amounting to fourteen hundred and one votes, were canvassed and counted by the Board of Supervisors of Clinton County, for John S. Maxwell, the incumbent, which, from the testimony, your Committee believe to have been regular and proper.

The doctrine is well established that the initial letter in the middle of a name is no essential part of the name. The use of the appendage, Jr., and the use of a middle letter form no part of the name. No notice need be taken of a middle letter in a name, unless it is shown that another and different person than the one designated has been injured thereby.

In this case, proof has been adduced, tending to show that John S. Maxwell and John Maxwell are one and the same person, and no testimony has been presented on the part of the contestant to the contrary.

In the opinion of your Committee, therefore, there was no error in the action of said Board of Supervisors in awarding to John S. Maxwell all the votes cast at said election for John Maxwell, or in declaring the said John S. Maxwell duly elected to the office of

Representative for said district, as claimed by contestant in the second and third causes.

In disposing of the first cause, the Committee have had much more difficulty—as it involves the construction of the Constitution upon a point wherein doubt may well be entertained. Section 22, Article 3, of the New Constitution provides that “No person holding any lucrative office under the United States or this State, or any other power, shall be eligible to hold a seat in the General Assembly. But offices in the militia, to which there is attached no annual salary, or the office of justice of the peace, or post master, whose compensation does not exceed one hundred dollars per annum or notary public, shall not be deemed lucrative.”

It is admitted that the incumbent, John S. Maxwell, at the time of the election, and until the 31st day of October, 1861, held the office of Supervisor for Brookfield Township in Clinton County—which said office, your Committee have no hesitancy in determining, under the section of the Constitution before referred to, to be a lucrative office.

This determined, the only question left to be disposed of is as to when the disability to hold a seat in the General Assembly attaches.

In the opinion of your Committee, the clause in said Section, “shall be eligible to hold a seat in the General Assembly,” refers to the time of entering upon and assuming the duties of the office, and not to the time of the election for said office.

Section 23, Article 3, of the New Constitution, reads as follows: “No person who may hereafter be a collector or holder of public moneys, shall have a seat in either House of the General Assembly, or be eligible to hold any office of trust or profit in this State, until he shall have accounted for and paid into the treasury all sums for which he may be liable.” By this Section the disability “to have a seat in the General Assembly” clearly does not attach at the time of election, but on a failure to account, &c., prior to taking or claiming his seat. Any other construction of these sections would render them inconsistent with each other, and with the spirit of the Constitution.

In conclusion, your Committee add, that they cannot believe it to have been the design of the framers of the Constitution to render such persons as township and school district officers, Aldermen and Councilmen of cities, towns, &c., incapable of being voted for and elected to hold seats in the General Assembly, and they therefore recommend the adoption of the following resolution:

Resolved, That John S. Maxwell, the incumbent, was duly elected to, and is entitled to hold his seat as a member of this House.

Respectfully submitted,

M. T. WILLIAMS,
C. C. SMELTZER,
WM. W. FULLER,

JOHN D. SARVER,
H. DUNLAVY,
W. B. LAKIN,

Committee.

We, the undersigned, members of the Committee on Elections, agree in all the points presented in the foregoing report except the one wherein the office of township supervisor is deemed lucrative. We, in our judgment, deem the same as not coming under those of a lucrative character, and hold that the Constitution makes certain exceptions as a standard, and that it was not the intention of the framers of the Constitution to deem every minor office lucrative, except those stated in Article 3, Section 22, of the Constitution, and that they did not intend to legislate for offices not yet created.

CHAS. C. SMELTZER.
H. DUNLAVY.

Mr. Meyer, from Committee on Elections, submitted the following Minority Report:

We agree with the Majority in their Report in nearly all the points presented, except one; and as we deem that one of vital importance, we beg leave to submit a Minority Report. We dissent from the conclusion drawn by the majority of the Committee from Article 3d, Section 22d of the Constitution of Iowa, from which they deduce that "eligible to hold" has reference to the time the one voted for takes his seat in the General Assembly. On the contrary, we hold that no one holding any lucrative office, can be, while holding such office, elected by the people, so that he can legally "hold a seat in the General Assembly"; and that he is, while holding such office, incapacitated to be elected to hold such office, and in order to make our points clear, we will offer a few considerations.

1st. "Eligibility," according to our best lexicographers, means "fit to be chosen"; the "state of being capable of being chosen"; "legally qualified to be chosen," &c. We submit, right here, who it is makes the choice? Is it the General Assembly? We most emphatically hold that the people, the qualified electors, make the choice. And, if in this we are correct, "legally qualified," as it is a part of the meaning of the same word, must of necessity, have reference to the time of choice, and if the candidate is not "legally qualified to be chosen," how can he, at the same time, be chosen legally?

According to our humble view, it involves an absurdity. Is it the province of this Assembly to legalize acts of the people performed illegally under the Constitution?

If we place the meaning which Webster gives to the word "eligible" in the clause of the Constitution under consideration, the clause will read, "No person holding any lucrative office," &c., is "fit to be chosen," "to hold a seat in the General Assembly"; "No person holding any lucrative office," &c., is in a "state of being capable of being chosen" "to hold a seat," &c.; or "No person holding any lucrative office," &c., is "legally qualified to be chosen to hold a seat," &c.

2d. In the Revision of 1860, page 91 and 95, we find that ineligibility, at the time of election, is a cause for contesting the election. And that the contestant shall file, within twenty days after the day when the votes are canvassed, a written statement of his intention to contest the election; and we would humbly submit how could the contestant know within twenty days after the votes are canvassed, whether his opponent is eligible, if eligibility refers to the time of taking his seat, which is more than 60 days after the votes are canvassed?

3d. The intention of the framers of the Constitution was to make all persons holding lucrative offices ineligible to an election by the people. Con. Deb., vol. 1st, page 576. The clause under the Constitution stood: "No person hold" &c., "shall be eligible to the General Assembly." Mr. Clarke, of Henry, claimed that the clause was equivalent to the phrase not eligible to an election. And in order to give the people a greater latitude in the selection of their officers, i. e., to select, if they desired, candidates holding other offices, he moved to strike out the word "eligible" so that the clause would read: "No person holding any lucrative office, shall have a seat in the General Assembly"; but the Convention did not desire to give to the people such great latitude, and accordingly voted it down.

4th. Con. Deb. vol. 1st, page 528. Mr. Clarke, of Henry, moved to amend Article 3d, sec. 22, so that it should read: "No person holding any lucrative office shall be eligible to hold a seat in the General Assembly." And he significantly adds that "other States have declared that all votes cast for persons under similar restrictions as those contained in this section were void." This amendment, at the time was voted down, but when the Constitution was put on its final passage, (vol. 2d, page 1009) Mr. Clarke, of Henry, reported back Article 3d, with this same section as amended above.

5th. All authorities, wherever the word "eligible" is used, refer it to the time of election. Cushing in his Law and Practice of General Assemblies, states that where such phrases are used as shall be "eligible to a seat," "shall be eligible as a candidate," for "shall be ineligible," that the disqualification relates to the time of election. See page 31. See also page 28, Cushing, in the same work, in which he holds that such phrases, "no person shall be capable of being elected," and "no person shall be eligible to a seat in the House," refer the time of the qualification in the connection in which they are used, to the day of election.

We would, therefore, in view of the foregoing considerations, submit that the Hon. J. S. Maxwell was not on the 2d Tuesday of October last, in the 32d Representative District, legally chosen "to hold a seat in the General Assembly," and that he is not entitled to a seat in this House; and further, that inasmuch as Milo Smith received a majority of all the legal votes cast in the 32d Repre-

sentative District, on the 2d Tuesday of October last, that he is, therefore, entitled to hold a seat on this floor.

All of which is respectfully submitted.

JOHN MEYER.

Mr. Bowdoin moved to lay both reports upon the table, and print 500 copies of each. Lost.

Mr. Mitchell, of Fremont, moved to lay both reports on the table. Carried.

The House then took up Senate File No. 31, a concurrent Resolution relating to Postmasters, which was read a 1st and 2d time.

Mr. Bowdoin offered the following substitute:

Resolved, By the House of Representatives, (the Senate concurring,) that George R. Brainard, be appointed Postmaster, for this General Assembly, and A. P. Burrhus, Assistant Postmaster and Mail Carrier.

The substitute was not adopted.

Mr. Shipman moved to strike out all that part of the Resolution relating to carrying the mail. Lost.

The following communication was then laid before the House:

POST OFFICE, DES MOINES, }
January 22, 1862. }

Hon. Speaker of House of Representatives :

DEAR SIR:—Will you please say to the members of the House, what instructions just received from the Post Office Department, require me to see that the Stamps be invariably placed upon all documents, papers and letters, sent from this office? As the law requires this labor to be performed by the persons sending such papers, &c., I propose to furnish the Legislature with such stamps as may be required, from time to time. By sending matter over already stamped, its transmission by mail will be expedited. Will you please designate into whose hands the stamps may be placed, for your use, that the person thus designated, may keep an account with this Department, and with the members, if necessary?

Every paper requires a one cent stamp. Documents are charged one cent an ounce, and must be stamped accordingly.

Your ob't servant,

J. TEESDALE, P. M.

Mr. Rothrock moved that the House do now adjourn. Lost.

Mr. Moir moved that "three" be stricken out of the resolution before the word "dollars" and "four" inserted, and upon this question, Mr. Kellogg demanded the yeas and nays, which were ordered and were as follows:

The yeas were, Messrs. Baker and Parker—2.

The nays were, Messrs. Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke,

Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, Mr. Speaker—90.

Absent or not voting, Messrs. Pierce and West.

The motion to strike out and insert, was lost.

The concurrent Resolution of the Senate was then adopted.

The House then took up the following concurrent Resolution from the Senate :

Resolved, By the Senate, (the House of Representatives concurring,) that a Committee of two from the Senate, and three from the House, be appointed to investigate and report, in relation to the contracts for clothing the 1st, 2d and 3d Iowa Regiments, and that said Committee be empowered to send for men and papers, to aid their investigation ; and that said Committee report the facts they find to this Session of the General Assembly, at as early a day as possible.

The Resolution was adopted, and the Chair appointed as such Committee on the part of the House, Messrs. Bowdoin, Bass and Wilson, of Chickasaw.

On motion of Mr. Kellogg, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
THURSDAY, JAN. 23, 1862. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Nash.

Journal of yesterday read and approved.

The following communication was received and read :

DES MOINES, IOWA, }
January 23d, 1862. }

Hon. Rush Clark :

MR. SPEAKER:—After reflection and consultation I have determined to accept the office of Post Master, trusting that should the compensation not prove commensurate with the labors to be per-

formed, your Honorable Bodies will not refuse to pay a fair equivalent for the extra service. I subscribe myself, sir, with much respect,

Your obedient servant,

GEO. R. BRAINARD.

On motion of Mr. Shipman, Geo. R. Brainard came forward and was duly sworn.

PETITIONS AND MEMORIALS.

Mr. Rothrock presented petition of N. C. Millhouse and 108 others, citizens of Cedar county, praying for a change in the boundaries of the 8th Judicial District, and for longer time for holding Courts in said county. Referred to delegation from 8th Judicial District.

Mr. Bass presented petition of Board of Supervisors of Claytoun county for an allowance of an account against State. Referred to Committee on Claims.

Mr. Lane presented Report of the Hon. John F. Dillon, Judge of 7th Judicial District, of omissions, discrepancies, &c., in the Code of Procedure. Referred to Committee on Judiciary.

Mr. Parker presented the petition of D. B. Foster and Wife for relief on a School Fund mortgage and judgment. Referred to Committee on Schools and State University.

Mr. Parker presented the petition of James M. Ham and others, praying that the relief asked for by D. B. Foster and Wife be granted. Referred to Committee on Schools and State University.

Mr. Eaton presented petition from M. M. Curtis and others asking for a law to protect sheep from the ravages of dogs. Referred to Committee on Agriculture.

Mr. Wright presented Resolution of Board of Supervisors of Mills county, for passage of an Act authorizing Treasury demand notes to be received in payment of taxes. Referred to Committee on Ways and Means.

REPORTS OF COMMITTEES.

The Judiciary Committee to whom was referred House File No. 49: A Bill permitting officers to amend certificates to depositions in certain cases, have had the same under consideration, and have instructed me to report the same back to this House with the recommendation that it be indefinitely postponed, the Committee being of opinion that it is inexpedient to pass laws for the benefit of incompetent and negligent officials.

JAS. H. ROTHROCK, from Committee.

Your Committee on Incorporations to whom was referred House File No. 8: An Act entitled an Act in relation to Life Insurance Companies, have had the same under consideration, and have re-

quested me to report a substitute, which is herewith transmitted and recommend its passage.

W. H. CURTISS, for Committee

The Committee on Claims to whom was referred House File No. 65: A Bill for the relief of Capt. James F. Morton and others employed in the military service of the State for the protection of the north-western frontier, report that they have had the same under consideration, and report the same back to the House without amendment, and recommend its passage.

THOS. MERCER, Chairman.

The Speaker announced Messrs. Young, Wilson of Pottawattamie, Walker and Clark of Tama, as additional members on the select Committee on prohibitory Liquor Law, under Mr. Gordon's motion to add four thereto, yesterday.

Mr Mitchell of Polk moved to take up substitute for Senate File No. 1: A Bill for an Act to alter the boundaries of the 3d, 4th and 5th Judicial Districts of Iowa. Read a first and second time.

Mr. Pendleton moved to amend by striking out the second section of the Bill.

Mr. Rothrock moved to refer to the Committee on Judiciary. The Bill was so referred.

The following new rule reported from Committee on Judiciary yesterday was taken up and adopted:

Joint Resolutions shall not be required to be framed or treated as a Bill, but shall be subject only to the rules pertaining to ordinary and concurrent Resolutions.

The following resolution, laid over under the rule, was taken up:

Resolved, That the Secretary of State be requested to inform this House of the number of Civil Officers of this State, the annual compensation made to each, and out of what fund made. The resolution did not prevail.

The following Resolution, laid over under the rule, was taken up and adopted:

Resolved, That the Adjutant General of this State be requested to inform this House the number of Commissioned Officers of the Military Department of this State, the compensation of each, and out of what fund said compensation is made.

The following Resolution offered by Mr. Gordon on yesterday and laid over under the rule, was taken up:

Resolved, That the word "two" in the second line of the 38th rule be stricken out and the word "ten" inserted. Mr. Gordon withdrew the resolution.

The following Resolution offered by Mr. Shipman on yesterday and laid over under the rule, was taken up:

Resolved, That until otherwise ordered there shall be but one session of this House per day, commencing at 10 o'clock, A. M. The rule on the subject is hereby suspended during the pleasure of the House. Resolution lost.

INTRODUCTION OF BILLS.

Mr. Williams of Des Moines introduced House File No. 68: A Bill for an Act to provide for vacating Town Plats. Read a first and second time and referred to Committee on Incorporations.

On motion of Mr. Bowdoin, House File No. 26: A Bill for an Act to assume and pay for the years 1862 and 1863 the direct tax imposed by the Federal Government, which was read a first and second time.

Mr. Curtiss moved that the rule be suspended and the Bill be read a third time now.

Mr. Kellogg moved that the Bill be referred to Committee of the Whole, and be made the order for Friday, 11 o'clock, A. M., and that the usual number of copies be ordered to be printed. The motion did not prevail.

Mr. Moir moved that the Bill be referred to Committee of the Whole, and be made the order for to-morrow, 2 o'clock, P. M.

Mr. Quinn moved to amend by printing the Act of Congress on that subject with the Bill. Amendment lost.

Message from the Senate:

MR. SPEAKER:—I am instructed by the Senate to inform your Honorable Body, that the Senate has passed Senate File No. 39: A Joint Resolution of thanks to 1st, 3d and 7th Regiments, Iowa Infantry, in which the concurrence of the House is asked.

WM. F. DAVIS, Secretary.

The motion of Mr. Moir that the Bill be referred to Committee of the Whole and made the order for to-morrow at 2 o'clock P. M. prevailed.

On motion of Mr. Bracewell, the House adjourned.

TWO O'CLOCK P. M.

House met pursuant to adjournment.

The order of business, on adjournment, was the

INTRODUCTION OF BILLS.

Mr. Young introduced House File No. 69: A Bill for an Act amendatory to an Act entitled an Act for the suppression of Intemperance, approved January 22, 1855, and for the further suppression of the traffic in Intoxicating Liquors. Read a first and second time, and referred to the Select Committee on that subject.

Mr. Meyer introduced House File No. 70: A Bill for an Act for

the preservation of Sheep from the ravages of Dogs. Read a first and second time, and referred to Committee on Police Regulations.

Mr. Van Anda introduced House File No. 71: A Bill for an Act to amend section 2193, chapter 91, of the Revision of 1860. Read a first and second time, and referred to Committee on Agriculture.

Mr. Moir introduced House File No. 72: A Bill for an Act to prohibit Swine from running at large. Read a first and second time, and referred to Committee on Agriculture.

Mr. Young introduced House File No. 73: A Bill for an Act relating to the Incorporation of the Iowa Conference Seminary, now known as Cornell College. Read a first and second time, and referred to Committee on Judiciary.

Mr. White introduced House File No. 74: A Bill for an Act to amend chapter 46 of the Revision of 1860. Read a first and second time, and referred to Committee on County and Township Organization.

Mr. Wright introduced House File No. 75: A Bill for an Act authorizing the Clerk of the District Court and Judges of Probate to issue Fee Bills. Read a first and second time, and referred to Committee on Judiciary.

Mr. Bracewell introduced House File No. 76: A Bill for an Act entitled an Act to amend section 3719, Revision of 1860, of the laws of Iowa. Read a first and second time, and referred to Committee on Agriculture.

Mr. Russell of Dallas, introduced House File No. 77: A Bill for an Act to amend an Act to provide for the taking up of water crafts found adrift, lost goods and stray animals. Read a first and second time, and referred to Committee on Agriculture.

Mr. Lowrie introduced House File No. 78: A Bill for an Act to amend section 5192, of the Revised Code of 1860. Read a first and second time, and referred to Committee on Charitable Institutions.

Mr. Russell of Jones introduced a Preamble and Resolution, in reference to the establishment of Territorial Governments in the Seceded States when the same may be conquered.

Mr. Kellogg moved to lay the Preamble and Resolution upon the table, and print the usual number of copies. Upon this question the yeas and nays were ordered and were as follows:

The yeas were, Messrs. Blackford, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Kellogg, Knoll, Mercer, Moir, Smeltzer, Stevenson, Williams of Mahaaka, and Wilson of Pottawattamie—14.

The nays were, Messrs. Baker, Bass, Bowdoin, Bracewell, Burton, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Eaton, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hardie, Holyoke, Hollingsworth, Hood, Jackson, Lake, Lakin, Lane, Loomis, Lorah,

Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Woodworth, Wright, Young, and Mr. Speaker—75.

Absent or not voting—Messrs. Calfee, Gibson, Hudnutt, Pierce, West, and Whitemore—6.

The motion did not prevail.

The motion to lay upon the table and print was lost.

Mr. Russell moved to refer to the Committee on Federal Relations.

Mr. Kellogg moved to amend by instructing the Committee to report against the Resolution. And upon this question the yeas and nays were ordered.

The Speaker announced that the hour had arrived for the special order; being the consideration of the Governor's Message in Committee of the Whole.

The House then went into Committee of the Whole on the Governor's Message.

Mr. Bowdoin in the Chair.

The Committee rose when the Chairman submitted the following Report :

The Committee of the Whole to whom was referred the Governor's Message, for the purpose of referring the same to the appropriate Committees have had the same under consideration, and have instructed me to report the following reference :

So much as relates to Revenue and Taxation to the Committee on Ways and Means.

So much as relates to Military Affairs, to the Committee on that subject.

So much as relates to School and University Funds, to Committee on Schools and University.

So much as relates to Charitable Institutions and so much as relates to Penitentiary, to Committee on Charitable Institutions.

So much as relates to Agriculture, to Committee on Agriculture.

So much as relates to Reclamations of Fugitives from justice, to Committee on Judiciary.

So much as relates to Land Grant, to Committee on Rail Roads.

So much as relates to Domestic Manufactures, to Committee on Domestic Manufactures.

So much as relates to Des Moines Improvement, to Committee on Des Moines Improvement.

All of which is respectfully submitted.

On motion the House concurred in the recommendation of the Committee.

The question pending at the time the House went into Committee of the Whole, was upon Mr. Kellogg's motion to instruct the Committee on Federal Relations to report against the passage of the Joint Resolution, introduced by Mr. Russell of Jones, upon which Mr. McLennan demanded the yeas and nays, which were ordered and were as follows:

The yeas were, Messrs. Baker, Bracewell, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Hardie, Jackson, Kellogg, Knoll, Lorah, Martin, McGlothlen, McLennan, Smeltzer, Speer, Stewart, Wetherall, and Wilson of Pottawattamie—23.

The nays were, Messrs. Bass, Blackford, Bowdoin, Burton, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Eaton, Friebe, Fuller of Fayette, Fuller of Harrison, Glanville, Gordon, Guthrie, Holyoke, Hollingsworth, Hood, Lake, Lakin, Lane, Loomis, Lowrie, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Stanton, Stevenson, Thompson, Van Anda, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Woodworth, Wright, Young, and Mr. Speaker—66.

Absent or not voting—Messrs. Calfee, Gibson, Hudnutt, Pierce, and West—5.

The motion of Mr. Kellogg did not prevail.

The Resolution was then referred to the Committee on Federal Relations.

Mr. Fairall introduced the following Resolution:

Resolved, That the Committee on Claims be authorized to examine and report on the bill of Wm. Lee, for stationery furnished the Adjutant General's Office, and if proper, to authorize that it be allowed by the Auditing Board.

The Resolution was adopted.

Mr. McLennan introduced the following Resolution:

WHEREAS, The perpetuity of a Constitutional Government is vital to the true lovers of liberty; and,

WHEREAS, The suppression of the present rebellion will require very great expenditure of money; and,

WHEREAS, Much valuable time, which is money, has been wasted in this House in introducing, discussing and referring resolutions, joint and otherwise, pertaining to the "Peculiar Institution," Therefore,

Resolved, By this House, the Senate concurring, That at least one-fourth of the time of the General Assembly be devoted to legislating for the white man; and that the services of an "intelligent

contraband" be employed to carry resolutions &c., affecting the status of his colored brethren, from both branches of this legislature to the Court of his majesty, the King of Dahomey.

Mr. Sarver moved that the Resolution be referred to the delegation from Dubuque county, and upon this question Mr. Fairall demanded the yeas and nays which were ordered and were as follows:

The yeas were, Messrs. Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Hardie, Holyoke, Hollingsworth, Jackson, Lake, Lakin, Lane, Loomis, Lowrie, Maxwell, McCall, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Pierce, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Stanton, Stevenson, Stewart, Van Anda, Walker, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—67.

The nays were, Messrs. Baker, Bass, Bracewell, Dunlavy, Fairall, Ferguson, Flint, Glanville, Guthrie, Hood, Kellogg, Knoll, Lorah, Martin, McGlothlen, Schramm, Shipman, Smeltzer, Speer, Thompson, Walton, Wetherall, Williams of Mahaska—23.

Absent or not voting—Messrs. Calfee, Hudnutt, West and Pierce.

The Resolution was so referred.

Mr. McLennan introduced the following Resolution:

Resolved, That the Chief Clerk of this House be and he is hereby directed to furnish each member with a bottle of mucilage and an ivory paper folder, similar to those now used by the Senate.

Upon the adoption of this Resolution Mr. Van Anda demanded the yeas and nays, which were ordered and were as follows:

The yeas were, Messrs. Bowdoin, Curtiss, Lowrie, McLennan, Parker, Quinn, and Stewart—7.

The nays were, Messrs. Baker, Bass, Blackford, Bracewell, Burton, Castor, Clark, Chase, Cleaves, Converse, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Glanville, Gordon, Guthrie, Hardie, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker.—80.

Absent or not voting—Messrs. Calfee, Gault, Gibson, Hudnutt, Pierce, and West—6.

The Resolution was not adopted.

Mr. Gordon moved that the Reports of the Committee on Elections, relative to the contested seat from Clinton County be taken from the table. Carried.

Mr. Irwin moved that the Majority Report be printed.

Mr. Porter moved to amend by printing the Minority Report also. Carried.

Upon the motion to print both Reports, Mr. Martin demanded the yeas and nays, which were ordered and were as follows :

The yeas were—Messrs. Baker, Bass, Bowdoin, Bracewell, Burton, Calfee, Castor, Chase, Cleaves, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Fuller of Fayette, Gault, Glanville, Gordon, Hol yoke, Hollingsworth, Hood, Lake, Lakin, Lowrie, McGlothlen, McQuinn, Mercer, Meyer, Mitchell of Polk, Moser, Nelson, Parker, Pendleton, Porter, Quinn, Rowles, Russell of Dallas, Schramm, Shipman, Smeltzer, Stanton, Stevenson, Walker, Wetherall, White, Williams of Mahaska, and Wilson of Chickasaw—48.

The nays were—Messrs. Blackford, Clark, Converse, Curtiss, Cutler, Denlinger, Dunlavy, Frisbie, Fuller of Harrison, Guthrie, Hardie, Jackson, Kellogg, Knoll, Lane, Loomis, Lorah, Martin, McLennan, Milburn, Mitchell of Fremont, Moir, Price, Rothrock, Russell of Jones, Sarver, Speer, Stewart, Thompson, Van Ande, Walton, Wasson, Wetherall, Whitemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—41.

Absent or not voting, Messrs. Gibson, Hudnutt, Pierce, Williams of Mahaska, and West—5.

The motion prevailed.

The following communication was received from his Excellency the Governor:

EXECUTIVE OFFICE, IOWA, }
JANUARY 21, 1862. }

To the Speaker of the House of Representatives :

I transmit herewith, for the body over which you preside, a copy of the report of the agents appointed at the Extra Session, 1861, of the General Assembly, to negotiate a State Loan. Also a copy of the Report of the Executive Committee of the State Historical Society.

SAMUEL J. KIRKWOOD.

On motion of Mr. Moir, the House ordered that the usual number of the Reports be printed for the use of the House.

On motion of Mr. Mitchell of Polk, the Chair appointed a Committee of three, consisting of Messrs. Mitchell of Polk, Hollingsworth and Moir, to make the necessary arrangements in relation to the postage of members and officers of the House.

On motion of Mr. Pendleton the House took up House File No. 65: A Bill for an Act for the relief of Capt. J. F. Martin and others employed in the military service of the State for the protection of the north-western frontier.

Mr. Kellogg moved that the rule be suspended and the Bill read a third time now. Carried.

Mr. Moir moved that the vote by which the bill had been ordered to its third reading be reconsidered. Carried.

On motion of Mr. Kellogg the Bill was referred to the Committee on Military Affairs.

On motion of Mr. Lane the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
FRIDAY, JANUARY 24, 1862. }

House met pursuant to adjournment.

No Clergyman present.

Journal of yesterday read and approved.

The following letter was received from the Adjutant General :

STATE OF IOWA, ADJUTANT GENERAL'S OFFICE, }
DES MOINES, JANUARY 24, 1862. }

HON. RUSH CLARK,

Speaker of the House of Representatives of Iowa :

SIR:—I have furnished the Clerk of the House, with printed copies of "*Errata, &c.*," in my report. Will you do me the favor to request of the members of the House, who have sent to their constituents, copies of the Report, to forward copies of "*Errata, &c.*?"

Truly Yours,

N. B. BAKER, Adj't General.

REPORTS OF COMMITTEES.

On motion of Mr. Bowdoin, by leave, House File, No. 57: A Bill for An act authorizing County Treasurers, and the State Treasurer, to receive and pay as money, the issues of the State Bank of Iowa, and its Branches, and the demand Treasury Notes of the United States, was taken up. Read a 1st and 2d time, and passed upon the files.

Mr. Lake, from Judiciary Committee, submitted the following majority report :

Majority Report of Judiciary Committee on the Resolution of Inquiry in regard to the Board of Supervisors :

Your Committee to whom was referred the Resolution offered by the Gentleman from Wayne, Mr. Bracewell, have had the same under consideration, and have directed me to report to this House as follows :

That in the opinion of a majority of this Committee, the abolishing of the system of County Boards of Supervisors would not meet with general favor throughout the State. That the system of County Supervisors, when fully and properly organized, is the best system of County government that has, as yet, been adopted in the United States. That the County Commissioner system is too nearly allied to the County Judge system to meet with favor in a Republican form of Government; that while the Counties of this State were thinly settled, and the inhabitants were constantly changing, it might have been useful as affording a more speedy and concentrated county administration; but that, at the present time, the need for such a system of government has passed away.

The Commissioner system is open to the objection that, while it does not afford the concentration and speediness of execution that is possessed by the County Judge system, yet it is open to the same chance for corruption, oppression and fraud; and we think that the history of several counties in this State, fully proves the undemocratic principle of such a system.

Your Committee do, however, believe that if the County Supervisor system, was so modified as to give each township a more thorough organization, and allow the Supervisors to make out the tax list, and have the same collected by township collectors compelling each collector to pay in the amount of tax for his township on a certain day, whether collected or not; and allowing each township to administer its own affairs to a greater extent, it would not only reduce the expenses of our County Government, but would cause the people in each town to look more carefully to the qualifications of their respective officers for the positions which they propose to occupy.

Your Committee have not, however, overlooked the fact that there exists in some parts of this State, a strong prejudice against the present system. They are not unaware that there can be some objections justly urged against the present system of County Supervisors; but they believe that such objections can be more easily remedied by perfecting the present system, than by changing to a new and entirely different one.

JED LAKE, for Committee.

Mr. Fairall from same Committee submitted the following Minority Report:

The undersigned would respectfully dissent from the Majority Report, and recommend that the Supervisor System be abolished, and that instead thereof, the Commissioner System be established in this State.

SAM. H. FAIRALL,
JAS. H. ROTHROCK.

The Committee on Judiciary, to whom was referred House File, No. 76: An Act to amend Section 3719 of the Revision of 1860 of the laws of Iowa, have had the same under consideration, and have instructed me to report the same back with a recommendation that it be indefinitely postponed. Your Committee are of the opinion that said Act is no improvement on Section 3719 of the Revision of 1860, and that said Section fully covers the ground intended by the Bill.

VAN ANDA, For the Committee.

Report of the Judiciary Committee on House File No. 64, entitled: A Bill for an Act to authorize the people of the several counties of this State to cancel their indebtedness to the Swamp Land Fund, shows: that said Committee have had under consideration said Bill and recommend that the same be indefinitely postponed, for the following reasons:

By the Act of Congress approved September 28th, 1850, entitled: An Act to enable the State of Arkansas and other States to reclaim Swamp Lands within their limits, the State of Iowa received the Swamp Lands for one purpose only, viz: to enable the State "to construct the necessary levees and drains to re-claim the Swamp and overflowed lands therein."

These lands were subsequently, by the General Assembly of the State of Iowa, "granted to the Counties respectively in which the same may lie or be situated," and for the purposes specified in the original grant. Therefore, your Committee are of the opinion

FIRST—That said lands cannot legally be diverted from the purposes of the grant; and

SECOND—It would not be prudent to make such diversion if in the power of this body so to do.

FAIRALL, For Committee on Judiciary.

The Committee on Judiciary, to whom was referred House File No. 73: A Bill relating to the Incorporation of the Iowa Conference Seminary, now known as Cornell College," have had the same under consideration, and have instructed me to report the same back and recommend its passage.

JAS. H. ROTHROCK, From Committee.

The Committee to whom was referred the resolution in relation to the propriety of authorizing the taking in payment of State and County taxes, and dues, the United States Treasury Demand Notes and the issues of the State Bank of Iowa, would report that they have had the same under consideration, and have arrived at the conclusion that the interest of the people of the State would be advanced by the passage of the Act now pending, as reported by the Committee of Ways and Means, authorizing the County and State Treasurers to receive the above denominated currency in payment of taxes of all kinds. Your Committee also beg leave to submit herewith a consolidated statement of the several branches of the State Bank of Iowa, and also a letter from the Secretary, Elihu Baker of Iowa City.

FULLER of Fayette, from Com.

CONSOLIDATED STATEMENT OF STATE BANK OF IOWA, MONDAY, JANUARY 6, 1862.

NAMES OF BRANCHES.	ASSETS.					
	SAFETY FUND.	SPECIE.	CURRENT NOTES OF OTH'R B'KS	CURRENT FUNDS DUE FROM B'KS & BANKERS.	LOANS AND DISCOUNTS.	OTHER ITEMS.
Muscatine Branch	\$ 9,899 05	\$32,670 05	\$12,425	\$10,492 22	\$ 47,804 73	\$27,776 47
Branch at Iowa City	12,185 55	46,705 30	21 890	29,692 43	52,505 11	36,080 89
Branch at Des Moines	21,393 35	42,859 95	22,143	5,747 43	123,215 88	6,869 25
Dubuque Branch	19,361 04	44,655 45	28,006	47,629 18	104,050 71	31,995 28
Oskaloosa Branch	12,500 00	32,066 70	24,320	29,361 39	79,890 33	11,635 78
Mount Pleasant Branch	13,346 13	39,360 00	14,336	23,716 30	68,079 92	10,961 80
Keokuk Branch	24,129 30	91,502 10	12,031	12,144 57	86,961 59	53,516 35
Merchants' Bank, Davenport,	23,000 00	78,100 10	51,669	37,814 58	84,561 50	20,109 44
Lyons' City Branch,	11,231 40	40,670 96	13,976	17,912 19	41,687 37	7,866 30
Branch at Burlington	24,840 00	165,655 80	36,133	65,612 89	188,296 86	35,128 23
Washington Branch	9,750 00	26,597 55	8,824	9,406 73	39 636 79	43,448 83
Fort Madison Branch	22,807 50	40,083 94	6,996	20,835 21	106,671 44	10,178 17
McGregor Branch	7,000 00	25,347 80	12,635	13,990 06	40,644 13	13,755 79
Council Bluffs Branch	8,280 00	19,168 10	6,165	9,831 00	30,905 54	12,392 21
Total,	219,723 74	725,443 80	271,549	284,186 18	1,094,911 90	321,714 79

NAMES OF BRANCHES.	LIABILITIES				
	CAPITAL.	CIRCULATION.	DUE OTHER BANKS AND BANK'RS	DUE DEPOSITORS.	OTHER ITEMS.
Muscatine Branch	\$ 35,850	\$ 67,200	\$ 3,414 75	\$34,034 38	\$ 568 81
Branch at Iowa City	48,480	85,052	271 79	56,607 67	8,647 82
Branch at Des Moines	64,000	106,931	1,689 84	40,152 11	9,455 91
Dubuque Branch	60,000	114,525	3,619 79	93,653 76	3,899 11
Oskaloosa Branch	50,000	98,663	.....	38,550 66	2,560 54
Mount Pleasant Branch	46,280	90,340	282 62	24,428 66	8,468 87
Keokuk Branch	77,000	149,477	1,674 75	37,916 57	14,216 59
Merchants' Branch, Davenport	45,540	54,740	6,281 53	182 918 02	5,745 07
Lyons' City Branch	35,000	64,030	445 05	30 344 00	3,525 17
Branch at Burlington	99,800	176,239	28,079 57	188,781 52	22,766 69
Washington Branch	41,440	68,348	216 52	25,321 72	2,337 66
Fort Madison Branch	67,000	106,838	1,364 23	21,228 84	11,141 19
McGregor Branch	25,000	49,075	205 19	29,222 36	9,870 23
Council Bluffs Branch	25,000	49,995	331 33	6,196 90	5,218 62
Total,	720,390	1,281,453	47,876 96	809,387 17	108,422 28

ELIHU BAKER, REGISTER.

H. PRICE, PRESIDENT.

STATE BANK OF IOWA, }
IOWA CITY, JULY 21, 1862. }

HON. H. C. LOOMIS, Secretary,

Dear Sir:—I have received your letter of 17th inst., asking for the last consolidated Statement, and any other information I may be able to give in relation to the condition of the Branches.

Herewith I transmit copies of the last consolidated Statement, showing the condition of the Branches on 6th inst.

It will be seen that their immediate Liabilities were as follows:

Notes in circulation.....	\$1,281,453 00
Due to other Banks and Branches	47,876 96
Due to Depositors.....	809,387 17

Total\$2,138,717 13

To meet which their Cash and ready available Cash means were as follows:

Safety Fund at Market value	\$219,723 74
Specie on hand	725,443 80
Circulating Notes of Branches and other Banks.....	271,549 00
Due from other Banks and Branches (exchange)....	334,186 18
United States and State Stocks, State Warrants, etc., at Market value, exclusive of Safety Fund, in- cluded in column of "other items".....	176,734 93

Total\$1,727,637 65

Showing 80 6-10 per cent. ready means to meet all Liabilities to the public.

A collection then of 19 4-10 per cent. on their Liabilities from their Bills Receivable (of which they then held \$1,094,911 90) would enable them to pay all their Liabilities to the public.

At the time of their last Statement (6th inst.) the Branches held of each other's Circulating Notes reported as in circulating \$116,741 00 which by an exchange amongst themselves would have reduced the circulation, reported that amount.

From the policy pursued since, it is believed that the Branches now hold at least \$250,000 00 of each other's Circulating Notes, which by a mutual exchange amongst themselves would reduce the circulation that amount.

It is also known that all the Branches have and are yet reducing their circulation by specie redemptions at their counters.

Truly yours,

ELIHU BAKER, Secretary.

The Committee on Enrolled Bills ask leave to report that they have handed the Governor for his signature, House File No. 11: a Joint Resolution for the location of a United States Arsenal and Armory.

D. G. FRISBIE, Chairman.

INTRODUCTION OF BILLS.

Mr. Wright introduced House File No. 79 : A Bill for an Act amendatory to an Act to provide for the making and repairing of Public Highways, and prescribing the further duties of Township Officers in certain cases. Read a first and second time, and referred to Committee on Roads and Highways.

Mr. Fairall introduced House File No. 80 : A Bill for an Act to prevent Male Stock from running at large. Read a first and second time, and referred to Committee on Agriculture.

Mr. Woodworth moved to take from the table House File No. 23: A Bill for an Act for Laying out Private Roads. The motion carried, and the Bill was referred to Committee on Roads and Highways.

Mr. Martin introduced House File No. 81 : A Joint Resolution that the State Binder be and is hereby directed to preserve 200 copies of each and every document now or hereafter ordered to be printed, etc. Read a first and second time, and referred to the Library Committee.

Mr. Martin introduced the following Resolution :

Resolved, That the Judiciary Committee be requested to inquire into the expediency of so amending Chapter 77 of the Revision of 1860, as to place all matters therein pertaining to "assignments for the benefit of Creditors" within the control and jurisdiction of County Courts and County Judges. Committee to report by bill or otherwise.

The Resolution was adopted.

Mr. Martin moved to take from the table House File No. 17: A Bill for an Act to confer jurisdiction upon County Courts, &c., which motion prevailed, and the bill was referred to Committee on Judiciary.

Mr. Lane moved to reconsider the motion by which the following Resolution was adopted on yesterday :

Resolved, That the Adjutant General of this State be requested to inform this House the number of Commissioned officers of the Military Department of this State, the compensation of each, and out of what fund said compensation is made.

The motion to reconsider prevailed.

Mr. Shipman offered the following resolution :

Resolved, That there be appointed a Committee of three to confer with a similar Committee on the part of the Senate to select a candidate for Assistant Post Master and Mail Carrier, and said Committee to recommend the amount of his per diem.

Mr. Gibson offered the following amendment :

Resolved, That the Chief Clerk of this House be authorized and required to furnish each member of this house with twenty-one three cent stamps each week during the present Session and also a

number of one cent stamps equal to the amount of papers each member is entitled to per week, the said stamps to be delivered to each member every Monday morning.

Mr. Cutler offered the following amendment to the amendment :

Resolved, That Geo. R. Brainard be instructed to obtain the necessary stamps from the Post-Master of this city in quantities to suit his convenience and also be authorized to employ a suitable person to put such stamps on all mail matter before it is sent to the Government Office.

The question was then put upon the amendment to the amendment, which was lost.

The question then recurred upon the amendment of Mr. Gibson to the original resolution which was lost.

The question then recurred upon the original resolution, upon which the yeas and nays were ordered, and resulted as follows :

The yeas were, Messrs. Baker, Bass, Burton, Chase, Converse, Cutler, Denlinger, Eaton, Eichorn, Fairall, Frisbie, Fuller of Harrison, Guthrie, Hollingsworth, Hood, Knoll, Lake, Lane, Loomis, Lowrie, Maxwell, McQuinn, Meyer, Milburn, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Shipman, Stanton, Stevenson, Van Anda, Walker, Walton, Wasson, White, Whittemore, Williams of Mahaska, Wilson of Pottawatamie, Woodworth, Wright, Young, and Mr. Speaker—47.

The nays were, Messrs. Blackford, Bowdoin, Bracewell, Calfee, Castor, Clark, Cleaves, Curtiss, Dorr, Dunlavy, Ferguson, Flint, Fuller of Fayette, Gault, Gibson, Glanville, Gordon, Hardie, Hudnutt, Holyoke, Jackson, Kellogg, Lakin, Lorah, Martin, McCall, McGlothlen, Mercer, Mitchell of Frem't, Moser, Quinn, Rowles, Russell of Jones, Sarver, Schramm, Smeltzer, Speer, Stewart, Thompson, Wetherall, Wilcox, Williams of Des Moines, and Wilson of Chickasaw—42.

Absent and not voting—Messrs. McLennan, Pierce, Russell of Dallas, and West—5

The resolution was adopted.

The Chair appointed the following Committee on said resolution : Messrs. Shipman, Glanville and Blackford.

Mr. Kellogg offered the following resolution :

Resolved, That the Committee appointed by this House to confer with a similar Committee on the part of the Senate in relation to an Assistant P. M., be requested to secure the appointment of Wesley B. Barnard to that place.

Mr. Van Anda moved to lay the resolution on the table. The motion prevailed.

Mr. Lane offered the following substitute to the resolution which had been reconsidered, calling for information from the Adjutant General :

Resolved, That the Adjutant General be requested to inform the

House the compensation paid to each member of the Governor's Staff, and out of what fund such compensation is made.

The substitute was adopted.

Mr. Denlinger introduced the following Resolution :

Resolved, That all public documents printed for the use of the House, be and the same are hereby ordered to be *equally* distributed among the members.

The Resolution was adopted.

Mr. Dorr introduced the following Resolution :

Resolved, That the Committee on Ways and Means be instructed to enquire into the expediency of amending the Revenue Laws in such a way that the tax-payer when listing his property, may deduct the amount of his indebtedness from the amount of his personal property.

Mr. Fairall moved that the Resolution be laid on the table. Lost. The Resolution was adopted.

Mr. Hollingsworth introduced the following Resolution :

Resolved, That the Committee on Agriculture be and are hereby instructed to inquire into the expediency of consolidating the offices of Secretary of State Agricultural College and State Board of Agriculture, and report to this House by bill or otherwise.

The Resolution was adopted.

Mr. Holyoke introduced the following Resolution :

Resolved, That the Committee on Ways and Means be instructed to inquire into the expediency of reporting a bill to this House, the purport of which shall be to encourage the payment of taxes, by discounting five per cent. on all taxes paid within six months of the time of assessment, and two and a half per cent. on all taxes paid within nine months thereafter.

The Resolution did not prevail.

Mr. Shipman introduced the following resolution, which was adopted :

Resolved, That the Secretary of State be requested to furnish a suitable chair for the Speaker's stand.

The resolution was adopted.

Mr. Fuller of Fayette, introduced the following resolution :

Resolved, That the Committee on Schools be instructed to inquire into the expediency of altering the School Law, so as to enable sub-districts to levy and collect their own taxes and manage other affairs of their district, and report by bill or otherwise.

The resolution was adopted.

Mr. Lane introduced the following resolution, which was adopted :

Resolved, That the Committee of Ways and Means be instructed to inquire into the expediency of transferring the moneys belonging to the School Fund to the State as a loan—making the State liable for the same, and providing for the annual payment of interest thereon to the School Fund.

Mr. Stephenson introduced the following resolution which was adopted :

Resolved, That the Committee on Judiciary be requested to inform this body at their earliest convenience, what disposition they made of the preamble and resolutions of the Board of Supervisors of Lee County, referred to them.

Mr. Nelson offered the following resolution, which was adopted: WHEREAS, A part of Section 843 of the Revision of 1860, apparently conflicts with Section 18, Art. 1, of the Constitution of this State; therefore,

Resolved, That the Judiciary Committee be requested to examine the same and report such action thereon, if any, as shall be deemed necessary.

Mr. Smeltzer introduced the following resolution, which was adopted :

Resolved, That the Committee on Judicial Districts be requested to inquire into the expediency of increasing the number of Judicial Districts to the number prescribed by the Constitution.

Mr. Fairall offered the following resolution :

Resolved, That the Committee on Printing be instructed to inquire whether the State Binding can be done at lower rates than now charged by the present State Binder, and to report to the House any and all bids offered before said Committee and by whom offered.

Upon the question of the adoption of this resolution, Mr. Fairall demanded the yeas and nays, which were ordered and were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bracewell, Burton, Castor, Clark, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hood, Jackson, Kellogg, Knoll, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Smeltzer, Speer, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—76.

The nays were, Messrs. Bowdoin, Calfee, Chase, Cleaves, Frisbie, Hollingsworth, Lake, Mercer, Stanton, Van Anda, and Whittemore—12.

Absent or not voting—Messrs. Dunlavy, Fuller of Fayette, Moser, Pierce, Shipman, and West—6.

The resolution was adopted.

Mr. Denlinger offered the following resolution :

Resolved, That the Judiciary Committee be instructed to inquire

into the expediency of introducing a bill allowing Boards of Supervisors in all Counties where the population exceeds eighteen thousand, to elect their own Clerk and defining the duties of said Clerk.

Mr. Converse moved to amend by striking out so much as refers to population.

Mr. Shipman moved to amend by striking out so much as defines duties of Clerks.

Mr. Shipman's amendment was lost.

Mr. Bracewell moved to lay the whole subject on the table—which motion prevailed.

Mr. Hardie moved to take from the table the following Resolution :

Resolved, That the Special Committee on the subject of the Liquor Law, be and is hereby instructed to report a bill repealing the Prohibitory Liquor Law and enacting a License Law, in lieu thereof; and upon that question, Mr. Hardie demanded the yeas and nays, which were ordered and were as follows :

The Yeas were, Messrs. Bass, Denlinger, Fairall, Flint, Hardie, Kellogg, Knoll, Lorah, Maxwell, McGlothlen, McLennan, Smeltzer, Stewart, Thompson, Van Anda—15.

The Nays were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Ferguson, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Lake, Lakin, Lane, Loomis, Lowrie, Martin, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, Mr. Speaker—77.

Absent or not voting—Messrs. Pierce and West—2.

The motion to take from the table did not prevail.

Mr. Eaton offered the following resolution :

Resolved, That the Clerk be instructed to furnish each member of this House with a map of the State of Iowa.

Mr. Curtiss moved to amend by adding a large map for the Hall. The amendment was lost.

The original resolution was then adopted.

Mr. Walker introduced the following resolution :

Resolved, That the military Law of Iowa is greatly deficient, and that the Committee on Military Affairs be requested to have this matter under their special consideration and report thereon at an early day.

The resolution was laid upon the table.

On motion of Mr. Baker, the House adjourned.

TWO O'CLOCK, P. M.

House went into Committee of the Whole upon the special order for this hour, being House File No. 26: A Bill for an Act to assume and pay for the years 1862 and 1863 the direct tax imposed upon the State of Iowa by Act of Congress, approved August 5th, 1861, and authorize the Governor to notify accordingly the Secretary of the Treasury of the United States.

Mr. Hardie in the Chair.

The Committee rose and reported the Bill back to the House without amendment, and recommended its passage.

Mr. Bowdoin moved that the rule be suspended, and the Bill read a third time now. Carried.

Upon the question, "Shall the Bill pass?" the yeas and nays were ordered and were as follows:

The Yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, Mr. Speaker.—90.

The Nays were—Hardie and Kellogg—2.

Absent or not voting, Messrs. Pierce and West.

The Bill passed and the title was agreed to.

Message from the Senate:

MR. SPEAKER: I am instructed by the Senate to inform your Honorable body that Messrs. Brown and Gray have been appointed a Committee on the part of the Senate, to act with a similar Committee on the part of the House, to investigate certain contracts for clothing to Iowa Regiments.

W. F. DAVIS, Secretary.

On motion of Mr. Bowdoin, the House took up House File No. 57: A Bill for an Act authorizing County Treasurers and the State Treasurer to receive and pay as money the issues of the State Bank of Iowa and its Branches, and the Demand Treasury Notes of the United States.

Mr. Smeltzer moved the following amendment, to section one, of said Bill, to strike from said section commencing at the word

"any" in the 11th line of said section the following language —
 "any of the issues of the State Bank of Iowa, so long as the same shall continue to be redeemed in specie."

Upon the question, "Shall the amendment prevail?" the yeas and nays were ordered, and were as follows:

The yeas were, Messrs. Bracewell, Converse, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Hardie, Hudnutt, Jackson, Kellogg, Knoll, Lake, Lowrie, Maxwell, McGlothlen, McLennan, Mitchell of Fremont, Pendleton, Smeltzer, Stevenson, Thompson—25.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Cleaves, Curtiss, Cutler, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Gordon, Guthrie, Holyoke, Hollingsworth, Hood, Lakin, Lane, Loomis, Lorah, Martin, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stewart, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—67.

Absent or not voting—Messrs. Pierce, and West.

The amendment did not prevail.

Mr. Dunlavy moved to amend by striking out of the first section the words "and also the Demand Treasury Notes of the United States."

Upon this question, Mr. Dunlavy demanded the yeas and nays, which were ordered, and were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, Mr. Speaker—92.

Absent or not voting, Messrs. Pierce and West.

The nays were, None.

The amendment did not prevail.

Mr. Mitchell moved to amend section one of said Bill by adding

the following : *Provided*, this Act shall expire of its own limitation on the 1st day of February, A. D. 1864. The amendment prevailed.

Mr. Jackson moved to amend section first of said Bill by adding after the words "the Demand Treasury Notes of the United States," the following, "and the currency of such other States as may be received and paid out of our State Bank."

Mr. Hardie moved the following amendment, add after the word "States" "or Territories."

The amendment to the amendment was lost.

The question then recurred upon the amendment offered by Mr. Jackson. The amendment did not prevail.

Mr. Moser moved that the rule be suspended, and the Bill read a third time now. Carried.

Upon the question, "Shall the Bill pass?" the yeas and nays were ordered, and were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Castor, Clark, Chase, Oleaves, Curtiss, Cutler, Eaton, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, Mr. Speaker—71.

The nays were, Messrs. Bracewell, Converse, Dorr, Dunlavy, Eichorn, Ferguson, Flint, Gault, Hardie, Kellogg, Knoll, Lake, McGlothlen, McLennan, Smeltzer, Stewart, Thompson—20.

Absent or not voting, Messrs. Calfee, Pierce and West.

The Bill passed and the title was agreed to.

Mr. Bowdoin moved that the rule be suspended and the Bill sent to the Senate immediately. Carried.

On motion of Mr. Price, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
SATURDAY, January 25, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Childs.

Journal of yesterday read and approved.

Mr. Maxwell presented the following protest and asked that the same might be entered upon the Journal :

I hereby protest against that part of the Bill making the notes of the State Bank of Iowa a legal tender for the payment of Taxes only so long as the Bank shall continue to redeem their notes with specie ;

For the following reasons, to wit : Because I believe that there will be a sufficient amount in United States Treasury notes, together with the warrants of the State of Iowa to pay the State Tax, and cannot see how the State Bank can be an exception to the general suspension of specie payment which has been adopted throughout the other States. And think that this part of the bill would seem to carry a different idea to the people, which I think we should not do unless our action became a positive guarantee as to the abilities of the State Bank to continue specie payments to February, A. D. 1864. By this view I think we keep our State and people free from the shackles of a dangerous, and by the mass of the people not a well understood, power.

Respectfully,

JOHN S. MAXWELL.

Mr. Curtiss moved to take up Communication on Speaker's desk. Carried.

The following communication from his Excellency the Governor was then taken up and read :

EXECUTIVE OFFICE, IOWA, }
January 22d, 1862. }

To the House of Representatives :

In compliance with your resolution passed on the 21st instant, requesting me to inform you "whether the officers in command" "of the Regiments of Iowa Volunteers now in the field, were" "elected according to law by the men comprising said Regiments," "and if not, by whom such officers were appointed," I have the honor to inform you that the company and field officers of the first and second regiments of Infantry and the company and part of the field officers of the first Regiment of Cavalry, were elected by their respective regiments, and that all other field and company officers have been appointed by me as Governor.

In the organization of companies for Regiments other than the first and second Infantry and first Cavalry, elections have generally been held by the companies for company officers, and I have appointed the person thus designated. In all cases of vacancies occurring in the field or company offices of a Regiment in the field, I have made appointments to fill such vacancies.

The language of your Resolution seems to imply that the appointment of officers for the Iowa Regiments, otherwise than by election by the men composing them, is, in the judgment of your body, not "according to law." As I have made many such appointments, and supposed I was acting lawfully in so doing, it seems to me to

be just and proper. I should indicate to you the authority under which I acted, and my reasons for believing that authority to be valid.

Early in the month of May, 1861, I received from the War Department General Order No. 15, dated May 4, 1861, presenting the organization of Volunteer Regiments for United States service, and providing, among other things, that "the Commissioned officers of the Company will be appointed by the Governor of the State furnishing it, and the Non-Commissioned officers, until the Company shall be embodied in a Regiment, will be appointed by the Captain, afterwards by the Colonel on recommendation of the Captain. * *

The field officers of the regiment will be appointed by the Governor of the State which furnishes the regiment." By section 4th, chapter 9th, of the Acts of Congress, passed at the extra session, 1861, and approved July 22d of that year, it is provided as follows: "The Governors of the States furnishing Volunteers under this act, shall commission the Field, Staff and Company officers, requisite for the said volunteers; but in cases where the State authorities refuse or omit to furnish Volunteers at the call or on the proclamation of the President, and Volunteers from such States offer their services under such call or proclamation, the President shall have power to accept such services, and to commission the proper Field, Staff and Company officers."

Section 10th of the same Chapter provides, "And when vacancies occur in any of the Companies of Volunteers, an election shall be called by the Colonel of the Regiment to fill such vacancies. and the men of each Company shall vote in their respective Companies for all officers as high as Captain, and vacancies above Captain shall be filled by the votes of the commissioned officers of the regiment, and all officers so elected shall be commissioned by the respective Governors of the States, or by the President of the United States."

By section 3d, chapter 57th, of the Acts of Congress at the same session, approved August 6th, 1861, it is provided "that vacancies hereafter occurring among the commissioned officers of the volunteer regiments shall be filled by the Governors of the States respectively, in the same manner as original appointments, and so much of the tenth section of the Act approved July 22d, 1861, as is inconsistent herewith, be and the same is hereby repealed."

This order and these laws are the authority under which I have acted in making the appointments that have been made by me. Their validity has, I believe, been recognized and acted on by every loyal State in the Union. I know it is claimed by some, that the troops raised under these laws of Congress, are yet the militia of the States by which they have been raised, and that I might have raised this question with the United States authorities, and refused to raise volunteers in this State unless they were allowed to elect their own officers. But I did not do this, for the

reason that the authorities of the United States are bound by the laws of the United States, and can receive such troops only as are organized in accordance with these laws. Had I tendered troops organized and officered contrary to the laws of the United States, the officers of the United States could not have accepted them, and the State must have been placed in the discreditable attitude of having refused to furnish the troops called for by the President, and having such troops raised and commissioned in the manner provided "in cases where the State authorities refuse or omit to furnish volunteers at the call or on the proclamation of the President." I determined our State should not be placed at this time in such attitude by my action, and have accordingly furnished the troops called for from this State, organized and officered in the manner prescribed by the laws of Congress. Our young men have promptly volunteered to fill up the regiments called for under these laws; thus consenting to the officering of the regiments in the manner therein provided. They have appeared to be less anxious in regard to the manner in which their officers should be appointed, than to have the privilege of serving their country in its need.

SAMUEL J. KIRKWOOD.

Mr. Stanton moved that the communication be laid upon the table and the usual number of copies printed for the use of the House. Carried.

Also the following communication from His Excellency the Governor, was taken up and read :

EXECUTIVE OFFICE, IOWA, }
January —, 1862. }

Gentlemen of the House of Representatives :

I have received from you the following resolution :

"*Resolved*, That His Excellency, the Governor of the State of Iowa, be requested to furnish information to the House of the number of acres of land he has certified to the Secretary of the Interior, that each of said roads is entitled to, up to date, by virtue of an Act of Congress, approved May 15th, 1856, entitled, "An Act making a grant of lands to the State of Iowa, in trust, to aid the construction of certain Rail Roads therein mentioned, and also how many continuous miles each of said Roads has completed, and in good running order."

In reply thereto, I have the honor to inform you that in the month of October, 1860, I certified to the Secretary of the Interior that the Mississippi and Missouri Railroad Company had completed the fourth twenty miles of said road westwardly from Davenport, whereby said Company became entitled to one hundred and twenty sections of land; that about the first day of January of the present year, I further certified to the Secretary of the Interior that said

Company had completed the fifth twenty miles of said Road westwardly from Davenport, and thereby became entitled to one hundred and twenty sections more of said land; that on the 8th day of March, 1860, I certified that the Dubuque and Pacific Railroad Company had completed the fourth, and on the 25th day of April, 1861, that said Company had completed the fifth twenty miles of said road westwardly from Dubuque, and that for each of said twenty miles of said Road, said Company became entitled to one hundred and twenty sections of land. These are all the certificates that have been issued by me to any of said Railroad Companies.

Evidence was presented to me in September last, that the Cedar Rapids and Missouri River Railroad Company had then completed forty miles of its Road westwardly from Cedar Rapids, and had the same in running order; but I could not make the necessary certificate, for the reason that said Company had not built the Roads from Marion to Cedar Rapids, and from Lyons to Clinton, which, by the terms of the law granting lands to said Company, must be completed before any certificate can issue.

There have been certified to the Dubuque and Pacific Railroad Company, and to the Mississippi and Missouri Railroad Company each seven hundred and twenty sections of land. This includes the lands certified by me as above set forth, and those certified by my predecessors.

I have not certified any lands for the Burlington and Missouri Railroad Company, and cannot find in the office of the Secretary of State, evidence of the amount certified for said Company before the commencement of my term of office.

I have official information that the Dubuque and Pacific Company have completed one hundred miles of their Road; the Mississippi and Missouri Company one hundred miles of their Road; and the Cedar Rapids and Missouri Company forty miles of their Road. I have not official information of the number of miles of Road completed by the Burlington and Missouri Company, but know as a matter of fact, that it is completed to Ottumwa, a distance of about seventy-five miles westwardly from Burlington.

Permit me to call your attention in this connection, to a question of importance connected with all the Railroad Companies. All of them have failed to comply strictly with the terms of the law by which they become recipients of the lands granted to this State for Railroad purposes. It is for the General Assembly to say what effect, if any, this failure shall have on their rights, under the law. The last General Assembly did not see fit to take any action in the case of the Mississippi and Missouri Company then in default, and I felt myself compelled to regard that want of action as a waiver for the time of a strict compliance with the law, and accordingly, since the close of that session, have certified for said Company the completion of their fourth and fifth twenty miles of road, although they were not completed within the times named in the law.

I would much prefer that you would take such action as would relieve me for the future from all doubts as to my duty on this point.

SAMUEL J. KIRKWOOD.

Which on motion of Mr. Clark, of Tama, was laid upon the table and the usual number of copies ordered to be printed for the use of the House.

The following communication was taken up and read :

OFFICE OF SEC'Y OF THE BOARD OF EDUCATION, }
DES MOINES, January 24th, 1862. }

HON. RUSH CLARK :

Speaker of the House of Representatives:

SIR—Herewith, please find my report on the condition of the State Library, which I would respectfully ask you to present to the body over which you have the honor to preside.

With Great Respect,

Your Obedient Servant,

L. J. COULTER,

State Librarian.

OFFICE OF SECRETARY OF STATE, }
DES MOINES, Jan. 23, 1862. }

HON. RUSH CLARK,

Speaker of the House of Representatives:

SIR—In compliance with a resolution of the House of Representatives as follows :

"Resolved, That the Secretary of State be requested to inform the House of the amount of fees received by him since the last regular session of the Legislature, and to furnish full and complete lists thereof,"

I have the honor of communicating to your Honorable Body that I am not able to furnish "full and complete lists," not having kept a register of fees received, but can approximate very nearly the amount.

The total amount of receipts since the close of the last session, for ordinary services, for which the law authorizes the Secretary to charge fees, does not exceed fifty dollars.

Since the close of the last session, the Secretary of State has examined proof and issued about 1,600 certificates under the Seal of the State, which certificates were attached to swamp land proof, upon which service I have received about \$340. The fees accruing from this source have had their origin since the last regular session of the General Assembly, and will cease to have an existence in the future, but to a very limited extent. I know of no additional

swamp land proof that will pass through the Secretary's Office for examination and certificate.

In addition to the above, I have received compensation for services, which the law did not require me to perform, which compensation was cheerfully paid by the parties for whom service was rendered.

The fees charged in the Secretary's office are for services rendered outside of the ordinary duties of the office, and in all cases the charges are made against the individual requiring the service, and in no case is the State charged fees, and the only compensation received from the State for services as Secretary of State is the annual salary of \$1,500.

I hope it may not be regarded as improper for me to state in this connection, that the duties of the Secretary of State have been greatly increased since the Legislature fixed the annual salary at \$1,500. At the next regular session thereafter, all the property of the State, both real and personal, not appertaining to any separate office, was placed under the care and control of the Secretary of State.

The Secretary was required to superintend the clearing, fencing and improvement of the Capitol Square, all of which was performed to the entire satisfaction of the next succeeding Legislature.

At the last regular session the Legislature assigned to the Secretary of State, the duty of building, with the advice and consent of the Census Board, a house to contain fire-proof vaults, of sufficient capacity to deposit the archives of the State, a room to accommodate the office of Register of the State Land Office, a room for Stationery, as well as a room for a General Warehouse; which house was built upon State grounds, under my immediate supervision, at a cost of but \$3,400. I am of the opinion—and that opinion is corroborated by the opinion of our best builders—that in the ordinary mode of managing public buildings, the house could not have been built for a less sum than from \$4,500 to \$5,000.

At the late extra Session the Legislature made an appropriation for improving and repairing the building which you now occupy which improvement was to be made by the Secretary of State. The appropriation was thought to be entirely inadequate to make the necessary repairs.

I adopted the most economical mode by purchasing material myself, hiring work by the day, giving constant attention and personal supervision, securing the completion of the work at two hundred dollars less than the appropriation, and for all this additional responsibility and service, no additional compensation was allowed.

In the item of fuel there has been a large saving.

I have uniformly bought wood at from 15 to 20 per cent. less per cord, and coal at from 1½ to 2 cents less per bushel, than the usual selling rates to the citizens of the town.

I have always made it a point to counsel with the Auditor and Treasurer in relation to contracts, improvements and expenditures, and have uniformly acted upon their suggestions, and between the officers composing the Census Board, there has been no difference of opinion—we have acted in concert and with entire unanimity.

Inasmuch as the question of the reduction of salaries has been raised, it is due to the Auditor and Treasurer to state that in the last three years, by the careful and economical management of the Census Board, in the contracts for Stationery, and in curtailing the ordinary State expenses, more than the amount of the salary of the Auditor, Treasurer and Secretary of State has been saved annually.

Very respectfully,

ELIJAH SELLS,

Secretary of State.

Mr. Stanton moved that the report be laid on the table, and the usual number of copies printed for the use of the House.

The motion prevailed.

On motion of Mr. Curtiss, the communication was laid on the table and the usual number of copies ordered to be printed.

The House took up Senate File No. 39, "A Joint Resolution of thanks to First, Third and Seventh Regiments of Iowa Volunteers," which, on motion of Mr. Nelson, was passed unanimously.

The House took up substitute for Senate File No. 14, "A Joint Resolution asking relief of Congress for Iowa Volunteers."

Mr. White moved its adoption.

Mr. Curtiss moved to amend by inserting after the word "State" in the 11th line of the resolution the following: "and the necessary female nurses to attend our sick soldiers in the hospitals." The amendment was adopted.

The question then recurred upon the adoption of the Joint Resolution as amended, and the resolution was passed unanimously.

Message from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has ordered printed the usual number of the following reports, to-wit: Report of the Agents to negotiate a State Loan, also, the report of the Executive Committee of the State Historical Society.

Also, that the Senate has concurred in the concurrent resolution of the House—that the two Houses will go into Joint Convention on Monday next at 11 o'clock, A. M., for the purpose of electing a State Printer and State Binder for the ensuing term.

W. F. DAVIS, Sec'y of Senate.

PETITIONS.

Mr. Hardie presented a petition from citizens of Iowa in the

Counties of Dubuque, Linn, Buchanan, Delaware, Blackhawk, Jackson, Alamakee, Clayton and Jones, praying for the repeal of the Prohibitory Liquor Laws. Said petition is forty feet in length and contains 2,562 names in double columns. Referred to the select Committee on that subject.

Mr. Fairall presented the petition of David Beardsley and others praying for a law to protect sheep from the ravages of dogs. Referred to Committee on Agriculture.

Mr. Bracewell presented the petition of J. N. McClanahan and others, asking that the present system of County Supervisors be changed to that of County Judge or Commissioners, and the establishment of an Auditor for each County. Referred to Committee on County and Township Organization.

Mr. White presented a petition of sundry citizens, praying for the enactment of a License Law. Referred to the Select Committee on Prohibitory Law.

Mr. Milburn presented the petition of Hannah M. Day and others, asking for a more efficient Prohibitory Law. Referred to the Select Committee on that subject.

REPORTS OF COMMITTEES.

Mr. Meyer, from Committee on Federal Relations, submitted the following report:

The Committee on Federal Relations have had under consideration the resolutions of the gentleman from Davis County, instructing our Senators and Representatives in Congress, recommending them to obtain the passage of a law to reduce the pay of Commissioned officers in the army and increase the pay of the privates and have instructed to report to this Honorable Body their immediate passage with the addition of two resolutions which read.

JOHN MEYER, a member of the Com.

Mr. Lake, from Committee on Federal Relations, submitted the following report:

The Committee on Federal Relations, to whom was referred the joint resolution, offered by the gentleman from Washington County, (Mr. Quinn,) having had the same under consideration, have directed me to report a substitute therefor and recommend its passage.

JED LAKE, Chairman.

Mr. Lake, from Committee on Federal Relations, submitted the following report:

The Committee on Federal Relations, to whom were referred the resolutions offered by the gentleman from Fayette, (Mr. Lakin,) also, the resolution offered by the gentleman from Des Moines County, (Mr. Jackson,) also, the resolution offered by the gentleman from Jones County, (Mr. Russell,) having had the same under consideration and considering that the main features of all these resolutions are embodied in the general resolutions of the gentleman

from Scott, (Mr. Lane,) and the gentleman from Linn, (Mr. Young,) and in the converse of those, have directed me to report the same back to the House, and recommend that they be laid on the table for future reference.

They have also authorized me to say that on Monday next they will present a majority and minority report on the two resolutions above referred to.

JED LAKE, of Buchanan Co., Chairman.

Mr. Young from the Judiciary Committee submitted the following report :

The Judiciary Committee to whom was referred a resolution instructing them to examine into and report upon the expediency of amending Section 4607 of the Revision of 1860, have had the same under consideration and have instructed me to report that said Section 4607 of the Revision of 1860 needs amendment, and to recommend the passage of a bill providing for such amendment, which bill is hereto annexed and made a part of this report, and is entitled : A Bill to amend Section four thousand six hundred and seven, Chapter 195, of the Revision of 1860.

YOUNG, Chairman.

Mr. Young introduced House File No. 82 : A Bill for an Act to amend Section 4607, Chapter 195, of the Revision of 1860, which was read a first and second time and ordered to be engrossed for a third reading to-morrow.

Mr. Lake from Judiciary Committee submitted the following report :

Your Committee to whom was referred Senate File No 13 : A Bill for an Act to authorize Deputy Clerks of the District Court to act in the absence of their principal in certain cases, &c., have had the same under consideration and have directed me to report the same back to the House and recommend that it do pass.

JED. LAKE, For Committee.

The Bill was then ordered to be engrossed for a third reading to-morrow.

Mr. Fairall from Judiciary Committee submitted the following report :

The Judiciary Committee, to whom was referred the resolution of inquiry, as to the Constitutional right of the Legislature to pass Acts to legalize former Acts and proceedings, respectfully report :

That the Legislature being possessed of Supreme Legislative authority, restricted only by the Federal and State Constitutions, can pass any law not inconsistent therewith.

That the only restriction as to this kind of Legislation imposed by either of said Constitutions is as follows, viz : "No bill of attainder, *ex-post facto* law, or law impairing the obligation of contracts, shall ever be passed."

That subject to these great safe-guards, the General Assembly has power to enact retrospective laws. This doctrine is well estab-

lished in this and other States, wherever the question has been raised.

The effect of these laws upon rights vested prior to their enactment, presents a different question from the one submitted to your Committee, and generally depends upon the nature of each case, but the general and apparently just rule seems to be that such legislation cannot effect vested rights.

As these laws are often highly injurious, oppressive and unjust, they should never be passed, except in extreme cases, and only when after close examination and the strictest scrutiny, they are deemed absolutely necessary to supply an evident mistake or oversight, or to relieve in cases of unavoidable accident.

FAIRALL, For Judiciary Committee.

Mr. Lake from Committee on Federal Relations submitted the following report :

The Committee on Federal Relations to whom was referred the resolution offered by the gentleman from Clinton Co., (Mr. Maxwell,) also the one offered by the gentleman from Clay, (Mr. Smeltzer,) also the one offered by the gentleman from Marion, (Mr. Wetherall,) having had the same under consideration have directed me to make favorable mention of the same and recommend that they be indefinitely postponed.

JED. LAKE, Chairman.

Mr. Van Anda from Committee on Incorporations submitted the following report :

The Committee on Incorporations, to whom was referred House File No. 68: An Act to provide for vacating Town Plats, have had the same under consideration, and have instructed me to report the same back with a recommendation that it pass.

VAN ANDA, Chairman.

Mr. Van Anda moved to take up substitute for House File No. 8, and recommit to Committee on Incorporations. Carried.

Mr. Hudnutt from Committee on Library submitted the following report :

The Committee on Library, to whom was referred a Joint Resolution, in relation to binding certain documents printed by order of this House, and the General Assembly, beg leave respectfully to report that they have examined the same and have deemed it expedient to present the following substitute, and recommend its passage :

Resolved, That the State Binder be and he is hereby directed by the Clerk, to procure 200 copies of all Documents—in pamphlet form—printed for the use of the House and Senate, or the General Assembly, and cause the same to be bound in one or more convenient volumes, with leather backs and pasteboard sides, and that one copy of said volume or volumes shall be delivered to each member and officer of the House; ten copies to the State Historical So-

ciety, ten copies to the State Librarian, and the remainder shall be deposited in the office of the Secretary of State.

All of which is respectfully submitted,

J. O. HUDNUTT.
EDWARD J. GAULT.
A. L. SPEER.
W. B. LAKIN.

Mr. McLennan of Dubuque delegation, submitted the following report :

COPY OF RESOLUTION.

WHEREAS, The perpetuity of a Constitutional Government is vital to the true lovers of liberty ; and,

WHEREAS, The suppression of the present rebellion will require a very great expenditure of money ; and,

WHEREAS, Much valuable time, which is money, has been wasted in this House, in introducing, discussing and referring resolutions, joint and otherwise, pertaining to the "peculiar institution ;" therefore,

Resolved, By this House, the Senate concurring, That at least one-fourth of the time of the General Assembly be devoted to legislating for the white man, and that the services of an "intelligent contraband" be employed to carry resolutions, &c., affecting the status of his colored brethren, from both branches of this Legislature, to the Court of his majesty, the King of Dahomey.

McLENNAN of Dubuque.

REPORT.

The Committee to whom was referred House File No. —, A Joint Resolution (hereto attached,) to facilitate the transaction of business by the General Assembly, would most respectfully submit the following report :

Your Committee cannot but heartily appreciate the high, and as we most candidly regard, the justly merited compliment paid to the old, wealthy and patriotic County of Dubuque, by the reference of the Preamble and Resolutions to her representatives, as a Committee, for the consideration of the questions therein contained.

Dubuque is one of the very oldest counties of Iowa ; settled by a people whose interests have always been closely identified with the interests of every section of this broad domain of freemen. Through a comparatively long and honorable history, our county has had a most enviable standing in the State and General Government. In our county there has never been a single violation of the Constitution of the United States or of our own State, or a resistance to any existing law of Iowa or General Government.

When the State arms were taken to engage in the Civil Wars of

Kansas, Dubuque did not furnish a man for the unholy service. When citizens of abolition counties, in this State, were engaged in making an invasion of a sovereign State, Dubuque was not represented; but on the bloody battle ground of Wilson's Creek her Governor Greys and Jackson Guards, (companies H and I of the glorious Iowa 1st.) performed deeds of prowess, the memory of which will be an enduring monument to their loyalty and heroic daring.

There never has been a slave stolen, decoyed away, or harbored in our county; moreover, there has never been in Dubuque county a single mob, threatening the freedom of speech, except by an abolition mob, which assailed with stones and other missiles, one of the most respectable men in this State; and while every effort has been made by the abolition wing of the Republican party to crush the freedom of speech, the freedom of the Press, and mobs have been called and led by bad men to tear down presses, the Democratic citizens of Dubuque county have implicitly obeyed every injunction of the Constitution.

Duly appreciating the compliment, your committee would most respectfully submit the following, as worthy of your consideration:

That the people of Iowa have organized a State government, with a constitution subject only to that of the United States. This constitution has excluded slavery from our State, and has at the same time given us such independence of every other State, that all the States combined with the general Government have not the power to force slavery upon us; and at the same time it has given us no power whatever over the question of slavery in any other State. As Legislators of Iowa, it is eminently none of our business.

Your Committee would farther represent, that the constitution has limited the powers of the General Assembly, and has imposed upon us certain duties, the neglect of which will imperil the dearest interests of the people; that these duties are now crowding upon us—that we have thousands of brave soldiers in the field, whose families are dependent upon our legislation—that our people are poor and scarcely able to afford the necessities of life, hundreds of whom are unable to pay their taxes, and all of whom are unwilling to be taxed for useless and mischievous legislation, and foolish and incendiary speech-making—that the government of this State is intended for the good of the people and not for the benefit of mere political gamblers—that the Legislature has been annoyed by preambles, resolutions, speeches and harangues, which can have no other result than the wasting the time of the Legislature, the money of the people, disturbing the peace of the country, and of no possible service to the people.

Your Committee do not fully concur in the points contained in the preamble and resolutions submitted to them, especially that portion which would appear to be a recognition of the Court of his Majesty, the King of Dahomey.

Your Committee would therefore report back the preamble and resolutions and recommend that all after the enacting clause be struck out, and the following inserted:

Resolved, That all after the enacting clause be struck out and the following inserted:

Be it Resolved by the Senate and House of Representatives of the General Assembly of the State of Iowa, That we tender our sincere thanks to Abraham Lincoln, President of the United States, for his modification of the Proclamation of General Fremont, which offered freedom to the slaves in Missouri, in violation of the laws of that State and the Constitution of the United States, and for the subsequent removal of said officer from his command.

That we tender our sincere thanks to the President for the removal of Simon Cameron from the War Department, and the appointment, in his stead, of E. M. Stanton, a conservative, able and patriotic statesman of the Constitutional, Democratic School.

That the President has done, to the character of the Government and to the Country, eminent service, by suppressing the incendiary and revolutionary portion of the report of Cameron when Secretary of War.

That we will use every effort in our power to hold up the hands of the President of the United States, in supporting the Constitution.

That we will use every effort in our power, to put down the rebellion; and for the more efficient prosecution of the War, we will oppose every effort to prostitute the Legislature of this State to the purposes of Abolition agitation.

That we congratulate the Country and the President of the United States, upon the hearty co-operation of the Democratic Party in the States of Indiana, New Hampshire and Pennsylvania, and we do most heartily endorse their endorsement of the Constitutional actions of the President of the United States—Abraham Lincoln.

All of which is respectfully submitted.

WM. McLENNAN,	} Dubuque Delegation.
THOMAS HARDIE,	
F. M. KNOLL,	
C. DENLINGER.	

Mr. Mitchell of Polk introduced House File No. 83: A Bill for an Act entitled an Act for fixing the times of holding Courts in the Fifth Judicial District of the State of Iowa. Read a first and second time, and referred to the Members from the Fifth Judicial District.

On motion of Mr. Kellogg leave of absence was granted to Mr. Sarver for a few days.

Mr. Martin introduced House File No. 84: A Bill for an Act to punish Garnishees for disposing of property in certain cases. Read a first and second time, and referred to Committee on Judiciary.

Mr. Price introduced House File No. 85: A Bill for an Act pre-

scribing the duties of Township Trustees and Road Supervisors in certain cases. Which was read a first and second time, and on motion of Mr. Rothrock was laid on the table, and the usual number of copies ordered to be printed.

Mr. Lowrie introduced House File No. 86: A bill for an Act to fine and remove County Treasurers from office in certain cases. Read a first and second time.

Mr. Moir moved that the contested election case from Clinton County, Milo Smith contestant, against John S. Maxwell incumbent, be made the special order for 11½ o'clock.

Mr. Bowdoin moved to amend by making it the special order for Monday, 2 o'clock P. M. Carried.

Mr. Bowdoin moved that when this House adjourn it adjourn to meet Monday morning. Carried.

Mr. Kellogg moved the indefinite postponement of House File No. 86.

Mr. Williams of Des Moines moved to amend by referring to a Select Committee of Three.

Mr. Converse moved to amend the amendment by referring to the Committee on County and Township Organization. Carried.

Mr. Denlinger introduced House File No. 87: A Bill for an Act authorizing Boards of Supervisors, in certain cases, to choose their own Clerks. Read a first and second time, and referred to Committee on Judiciary.

Mr. Fuller of Fayette introduced House File No. 88: A Bill for an Act relating to the Incorporation of the Fayette Seminary, now known as the Upper Iowa University. Read a first and second time and referred to Committee on Schools and State University.

Mr. Van Anda introduced House File No. 89: A Bill for an Act to repeal Chapter 7, of the laws of the State of Iowa, passed at the Extra Session of the Eighth General Assembly, "an Act entitled an Act for the relief of the Volunteer Soldiers of this State. Read a first and second time, and referred to Committee on Judiciary.

Mr. Russell of Dallas introduced House File No. 90: A Bill for an Act to amend an Act supplemental to an Act for the suppression of Intemperance. Read a first and second time, and referred to Select Committee on that subject.

Mr. Curtiss introduced House File No. 91: A Bill for an Act to amend Chapter 46, of the Revision of 1860, in relation to Bridges. Read a first and second time and referred to Committee on Roads and Highways.

Mr. Moser introduced House File No. 92: A Bill for an Act creating a Chairman for the Board of County Supervisors. Read a first and second time, and referred to Committee on County and Township Organization.

On motion of Mr. Curtiss the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
MONDAY, January 27, 1862. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Shaffer.

Journal of Saturday read and approved.

PETITIONS AND MEMORIALS.

Mr. Lake presented the petition of Thomas Beckley and 43 others; of Johnson Hartworth and 66 others; also, of E. K. Milan and others, that townships 91, range 7, 8, 9 and 10, be detached from Fayette County, and attached to Buchanan county. Referred to Committee on County and Township Organization.

Mr. Kellogg presented the petition of sundry citizens of Decatur County, praying for the repeal of the law creating a Board of Supervisors, and reviving the law creating and defining the powers of County Judges. Referred to the Committee on County and Township Organization.

Mr. Fairall presented the petition of sundry citizens of Johnson County, praying for a more efficient game law. Referred to the Committee on Police Regulations.

Mr. Rothrock presented a petition of Austin Parsons and 62 others, citizens of Cedar County, for a law for the protection of hedge fences. Referred to Committee on Agriculture.

Mr. Rothrock presented a petition of A. H. Perry and others, of Cedar County, for an Act to encourage the manufacture of sugar and molasses. Referred to the Committee on Domestic Manufactures.

Mr. Whittemore presented the petition of S. Palmer and others, praying for a more definite law in relation to partition fences. Referred to Committee on Agriculture.

Mr. Fuller, of Fayette, presented a petition of County Judge of Fayette County, asking that some change be made in the law in reference to the salaries of County Judges, and times of holding County Court. Referred to Committee on County and Township Organization.

Mr. Loomis presented a petition from sundry citizens of Cedar County, praying to so amend the present Prohibitory Liquor Law as to make the same more efficient. Referred to Select Committee on that subject.

Mr. Bass presented the petition of C. P. Goodrich and others, asking a change in the law passed at the late session of the Board of Education, providing for the teaching of the German and other foreign languages in our Common Schools. Referred to Committee on Schools and State University.

Mr. Hardie presented the petition of the members of the City

Council of Dubuque, asking for the passage of a Bill to repeal or restrict the powers of City Courts. Referred to Committee on Judiciary.

Mr. Blackford presented a petition from N. P. Rosencrans and others, citizens of Hancock County, praying for a repeal of the law creating a Board of County Supervisors, and substituting the County Judge system; also, praying that common law jurisdiction be conferred on County Courts. Referred to Committee on County and Township Organization.

Mr. Stanton presented the memorial of A. H. Wathen for services as Assistant State Geologist in 1858. Referred to Committee on Claims.

Mr. Price presented a petition from John Phillips and others, praying that so much of the County of Louisa, as is situated on the Island of Muscatine, in the Mississippi River, and all that part of said Island situated in Muscatine County, be organized into a new and separate township independent of all present political townships in said counties. Referred to the members from Louisa and Muscatine Counties.

Mr. Stanton presented a communication from Eliphalet Price to Gen. Baker. Referred to Committee on Military Affairs.

Mr. Russell, of Jones, presented a petition from Bradley Stuart and 62 others, citizens of Jones County, praying for an amendment to the Prohibitory Liquor Law so as to make it more efficient. Referred to Select Committee on that subject.

Mr. Clark, of Tama, by leave, introduced the following resolution:

Resolved, That this House will pay for no paper delivered to its members after the proper notice has been given through the Clerk to the editor or his employee, that it is the desire of a member to have said paper discontinued.

Mr. Hardie moved to lay the resolution on the table; and upon this question, Mr. Hardie demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Bass, Bracewell, Denlinger, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Glanville, Guthrie, Hardie, Hood, Kellogg, Knoll, Lakin, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, Moir, Pendleton, Quinn, Rowles, Schramm, Smeltzer, Speer, Stewart, Thompson, Walton, Wetherall, Wilson of Chickasaw—34.

The nays were, Messrs. Baker, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtis, Cutler, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Gordon, Hudnutt, Hollingsworth, Jackson, Lake, Lane, Loomis, McCall, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moser, Nelson, Parker, Porter, Price, Rothrock, Russell of Dallas, Russell of Jones, Shipman, Stanton, Stevenson, Van Anda, Walker, Wasson, White, Whittemore, Wilcox, Williams of Des

Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—53.

Absent or not voting, Messrs. Cleaves, Dorr, Holyoke, McQuinn, Pierce, Sarver and West—7.

The motion to lay on the table was lost.

Mr. Martin moved to refer the resolution to the Committee on Judiciary.

Mr. Mitchell of Fremont moved to amend by referring to Committee on Printing. Lost.

The Resolution was then referred to Committee on Judiciary.

REPORTS OF COMMITTEES.

Mr. Lake, from Committee on Federal Relations, submitted the following majority report :

The Committee on Federal Relations to whom was referred the Joint Resolution presented by the gentleman from Linn county (Mr. Young), having had the same under consideration, the majority of said Committee have directed me to make the following report :

That the resolution may and perhaps does contain the expression of the public opinion of the majority of the people of this State, but that a law emancipating the slaves of all persons throughout the national domain is not warranted by the Constitution of the United States, and is not within the power of Congress to enact.

That the plea of necessity may be one that in times of great public danger will warrant extraordinary legislation, but is a bad precedent to follow, and that your Committee think that if the Congress of the United States would pass an Act confiscating all the property of rebels and freeing the slaves, or even if they declared the slaves of all persons now residing in those States that have passed the ordinance of secession, free, it would have the same effect in crushing out this gigantic rebellion that would be obtained by this resolution, and at the same time save the United States millions of dollars that would otherwise be claimed in payment of slaves of loyal masters.

Your committee are unable to see that any good would be obtained by an act emancipating the slaves in Missouri, Kentucky, Maryland and Delaware, and contracting that the United States should pay for such slaves, believing as they do that those States will soon see the evils of the institution, and take measures to extinguish it within their own limits, without interference on the part of, or compensation from the Government of the United States.

In consideration, however, of the diversity of opinion existing in the Committee and the fact that the Resolution presented by the gentleman from Scott (Mr. Lane), covers the ground taken by the majority of this Committee, they have instructed me to report the two resolutions back to this House, and recommend that they be

referred to the Committee of the Whole House, and made the special order of some evening session at an early day.

JED. LAKE, Chairman.

Message from the Senate :

MR. SPEAKER—I am directed to inform your Honorable body that the Senate has adopted the accompanying concurrent Resolutions, relating to postage of members of the General Assembly, in which concurrence of the House is asked.

Resolved, By the Senate (the House of Representatives concurring) That the Secretary of State be directed to furnish to each member of the General Assembly, on Monday morning of each week, one cent postage stamps equal in number to the number of papers taken by each member per week; and in addition 20 one cent, and 10 three cent stamps, at the same time for the purpose of paying postage on documents and letters.

2. That it shall be the duty of the members of the Senate and House of Representatives to place stamps on all their papers, letters and other mail matter.

3. That the Secretary of State shall keep a regular account of the number of Postage Stamps purchased, and the number delivered to each member, and report once in two weeks to the General Assembly.

Also, that the Senate has refused to concur in the Resolution of the House, on the subject of an assistant Post Master and Mail Carrier, and that the same is herewith returned.

WM. F. DAVIS, Secretary.

Mr. Dunlavy from the Committee on Federal Relations, submitted the following

MINORITY REPORT :

Your Committee would most respectfully report the following facts and convictions in regard to the Preamble and Resolutions committed to them, relative to Emancipation :

It is true that there now exists in many of the Southern States, a gigantic and formidable rebellion against the Federal Government. And it is quite as true that Slavery is not the primary cause of this Rebellion; but that the agitation of the subject of Slavery by persons who had no Slaves and lived in States where Slavery neither did nor could exist, caused counter agitation in the South, and thus originated our National troubles.

This agitation contemplated the overthrow of the Government and first exhibited its hateful face in the forms of petitions asking for a Dissolution of the Union, which were presented by men in authority in the Government to the Congress of the United States. Its next exhibition was made by a warfare upon the Constitution of the United States.

FIRST—Against the return of Fugitive Slaves, as provided for by

the Constitution and the Laws made in pursuance thereof, and as interpreted by the Courts.

SECOND—Against an apportionment by which the Slaves of the South are represented in Congress.

THIRD—By assaults upon the Supreme Court of the United States. And finally, by an organized invasion of the State of Virginia, which made an actual war upon the Government.

Seeing these things and that there was not a single case of arrest where these men combined in the Northern States to commit these offences against the peace and good order of the country, the people of the South grew alarmed at this bad faith, and wicked and ambitious men amongst them made it the pretext for the formal secession of the Southern States from the Union, and their Declaration of Independence.

To consummate this wickedness and folly, this self-styled Government commenced war by a most wanton attack upon Fort Sumter which surrendered to the authority of their arms, which unhappy war is now upon us.

The Preamble says that "slavery is the main support of the rebel armies." Your Committee doubts not that Slavery as recognized by the Constitution of the United States is an element of strength in the Government, as it proved to be in the Revolutionary war when the slaves supported our armies whilst our Fathers fought for liberty as incorporated in the Constitution of the United States, and though the British Government declared the slaves free by Proclamation, yet, they were an element of real strength in the Government, and were, however, not thereby free.

In the late war with Great Britain, the slaves were an element of strength; nor were they an element of weakness in the war with the Government of Mexico. In times of peace the products of slave labor have been the chief source of export to make up the favorable balances of trade, and while the condition of Negro slaves may not be equal to that of white men who labor, this is a matter rather attributable to Divine Providence, who stamped them with inferiority, than to the Constitution of the United States, which has determined their *status* in the Government.

But your Committee is fully convinced that the main source of trouble, and the most formidable enemy in the war outside of our enemies are those who are trying to distract, divide and destroy, the Northern people in the prosecution of the war by raising questions which are entirely irrelevant and beyond the Legislative jurisdiction of the State, and which can tend only to destroy the moral power of those Union men in the South who have resisted every encroachment upon the Constitution, and drive them to desperation.

Your Committee is entirely unable to perceive that there is any necessary or even legitimate antagonism between the various institutions of the country as they came to us from the hands of our Fathers; that there is such a conflict between the two sections of

the country as are "complete and irreconcilable," as the preamble states. This is the very doctrine upon which Mr. Jefferson Davis has endeavored to build up his miserable Confederacy. It is the corner stone of the den of *treason*, and is none the less *treason*, because it emanates from Iowa; and were this doctrine true, that there is an irreconcilable and complete antagonism between them, then every consideration of justice, and morality, and peace, would demand the immediate recognition of the Southern Confederacy and the immediate conclusion of a treaty of peace. But your Committee forever will protest, and contend, and bring the whole power of the Government to bear against any dismemberment of the Government or mutilation of the Constitution, come whence it may, from South Carolina or Iowa.

Your Committee is not satisfied that the present National Crisis clearly demonstrates that slavery is at war with those vital principles of freedom, which underlie this Government.

That the happiness and peace and vitality of the Government has for more than three quarters of a century existed in the most perfect harmony with slavery and has grown powerful beyond any precedent in the history of man. Furthermore, your Committee are not aware of the muzzling of the *press* at any time heretofore by slavery, or anywhere in the State of Iowa, the boundary of which is the limits of our Legislative control, except in the instance in which the late General Fremont suppressed a press in this State for supporting the Constitution of the United States as expounded by the Supreme Court.

Nor has your Committee any knowledge of the stopping of free discussion except what has lately been done by the advocates of universal emancipation, who have decorated city lamp posts and gate posts with halters accompanied by a note informing Democrats that they should be hung if they dared utter sentiments in conflict with their own, and still others who committed violence upon the persons and property of their neighbors for expressing their honest conviction.

Your Committee cannot but feel that the charge of "infringing the most sacred rights of mankind, inciting to rebellion, kindling the fires of war, and endangering the lives, liberty and property of our people," comes with exceeding bad grace from a bill which proposes to destroy the Constitution, or in its own language, destroy our most sacred rights which are protected and fostered by the General Government, and let loose upon society 4,500,000 semi-barbarians to cut the throats of their masters.

It is also very clear to your Committee, after the most careful examination of the laws of the United States, that there are no laws upon our statute books defending slavery, except what are contained in the express provisions of the Constitution.

Your Committee has also with equal care sought in vain to find in history any such Government as that of the United States prior

to the adoption of the Constitution, and outside of that instrument we are unable to recognize any Government, and because it is outside of the Constitution we must forever ignore the existence of the Confederate States Government.

Therefore we are unable to comprehend the doctrine that the power to "provide for the common defense of the United States," can by any construction, even the most monstrous, be admitted, to give to Congress authority to destroy the very Constitution which was made to control all legislation whatever.

Your Committee further object to the law proposed for the enactment of Congress, for the following obvious reasons:

FIRST—Congress has no power to make any municipal laws whatever for any State of the Union. This power has always been exercised by the States. The wildest dreamer has never conceived such changes nor has the most unscrupulous enemy of the Government ever before proposed them.

SECOND—We have no evidence that the Negroes desire to emigrate to any other Country, and are quite sure that in South America, or elsewhere, colonization would involve them in a War which they have not capacity to conduct, and in wants which they have not the means to supply. And since the banishment of the Moors from Spain the history of man has never heard of so monstrous and inhuman a proposition as the forcible removal of a whole people into a strange and unfriendly climate, without property, without even the very lowest means of improvement, moral, intellectual, or physical. Should the country, in a fit of madness, attempt the destruction of the Negro race by such legislation, it would be more monstrous in the eyes of the human family and of HEAVEN, than the decimation of the Indians for which we stand convicted.

THIRD—The people of the United States are entirely satisfied with the burdens of Taxation already upon them, and are now scarcely prepared to make Slaves of themselves and families for the purpose of gratifying malice against the Constitution of our Fathers.

And your Committee, in view thereof, most respectfully report the following Resolutions:

Resolved, That the question of Slavery is not the legitimate subject matter of State legislation in Free States, and we most heartily reprehend the agitation of the Slavery question in and out of Congress.

Resolved, That we repudiate every effort to abridge the right of petition, the Freedom of the Press and of Speech.

Resolved, That we will give our hearty support to the Constitution of the United States as interpreted by the Supreme Court.

Resolved, That we heartily support the administration of Abraham Lincoln, President of the United States, in all constitutional efforts to sustain our Common Country as in one unbroken Union,

and that our Senators in Congress, be instructed, and our Representatives be requested thus to give him their hearty support.

H. DUNLAVY,
T. D. McGLOTHLEN.

Mr. Gibson from Committee on Federal Relations, submitted the following minority report :

MINORITY REPORT.

Your Committee on Federal Relations, having under consideration certain resolutions concerning the Rebellion and Civil War now unhappily existing in the country, the causes which have brought this great calamity upon the nation, and the means best calculated to restore it to its former position and prosperity, beg leave to submit the following report :

Your Committee in approaching the questions under consideration, recognize and assume two cardinal and practical truths :

FIRST—A causeless rebellion and insurrection of great magnitude have broken out against the Federal Government in eleven of the States of the Union, seriously menacing the very existence of the Nation, as well as all the sacred rights and liberties of thirty millions of people, and their posterity after them.

SECOND—This rebellion and insurrection against the Federal Government and its rightful authority ought to be suppressed through the constituted power of the nation, and the Union restored to its former position and integrity.

The only practical questions for consideration under the foregoing assumptions, seem to be : What are the most practicable means to suppress the rebellion? How can the country be most speedily and safely restored to its former condition, and what are the instrumentalities to be applied to overcome the obstacles in the way of so desirable an end. It would seem expedient to understand the nature and character of the obstacles to be surmounted. What, therefore, are the obstacles to be overcome in order to restore the country and vindicate the laws?

In the first place, your committee cannot fail to observe as an obstacle of the first magnitude, immense rebel and insurrectionary armies in the field, struggling with an inexorable determination to overthrow and break up the Government and Union of the United States, forming fortifications and batteries, and defying the legitimate authorities and supreme law of the land.

In the second place there is a disposition on the part of some millions of the people in eleven of the States of the Union, for certain alleged causes or delusions, unfriendly to the existence of the present Government of the United States.

It would seem, therefore, as the questions present themselves, that the end desired cannot be attained except through the defeat and overthrow of these rebel armies in the field, the capture and

occupation of the insurgents' strongholds, and a reconciliation of the people to the former status of the Union.

Now it is not usual for armies to be defeated and destroyed, and forts and batteries to be captured by legal enactments. As a practical question it cannot fail to be understood that these results are to be accomplished through opposing armies in the field, and by shot and shell.

It has been suggested in some patriotic and enlightened quarters and it has been a subject of discussion before your Committee, that as an auxiliary measure, Congress should pass an Act abolishing slavery throughout the United States, or at least in those States in which the rebellion prevails, inviting the slaves within the lines of our armies, and looking to the indemnification of loyal masters.

In the minds of your Committee, such an auxiliary measure involves many grave questions and serious difficulties. Such an act of Congress does not seem to be required to enable the armies of the Union to cope with the forces of the Rebellion on the one hand, nor does it seem calculated to produce reconciliation on the other. Such an Act, under all the circumstances, would not appear to be calculated to increase the number of friends or to diminish the number of enemies. Nor would such a measure seem to be adapted to promote the unity of feeling and purpose now happily prevailing so largely throughout the loyal portion of the country.

Your Committee would suggest a careful inquiry as to the practical result of such a measure. Would it, in point of fact, set the slaves free? If so, what would be the effect of setting at large four millions of houseless, homeless and destitute negro slaves? If not, what good or evil would result from the act? Would the measure bring within our lines one hundred thousand, one million or four millions helpless men, women and children? How many thousand soldiers can be spared for police duty? How many millions of money can be spared to feed, clothe and shelter them? or are four millions of negroes to be invited to range over the North? Are there not at this time hundreds of thousands of valueless slaves in the South without employment, eating up the substance of the blockaded and famine-stricken land, and therefore, to that extent, a cause of weakness to them? Would the act bring within our lines a greater number of slaves than now detract from rebel strength? Would they not send you their obnoxious, free negroes? Would not the rebel leaders rejoice at a proceeding calculated to unite public sentiment in the South, and divide it in the North, at a time when the divided Southern masses are beginning to awake from their delusion? Are we likely to have money at the end of the war to pay loyal masters for their slaves?

In the minds of your Committee, these inquiries, which might be multiplied, suggest grave doubts, at least, of the expediency of abolishing Slavery, and inviting all slaves within the lines of our armies as a means for suppressing the Rebellion and restoring the Union.

In the foregoing views your Committee have not considered questions arising under the Constitution. Your Committee do not doubt the power of Congress to confiscate the property of Rebels—slave property, as well as any other species. But such considerations properly arise on a question of penalty for Treason, and not in an inquiry as to the ways and means for suppressing an insurrection.

Nor does your Committee doubt that the Commanders of our armies in the field must adapt themselves to the exigencies of war, and exercise such wise and discretionary power as the necessities and rules of civilized warfare demand, and if in the exercise of discreet judgment, the success and safety of our armies are to be perpetrated, and the enemy to be weakened, by the appropriation of any species of rebel property, such appropriation would be legitimate. But in such emergencies our Commanders must be the sole judges of what is for their own advantage, in a military point of view, being held responsible to the country, always, for a just and proper exercise of discretionary power.

Your Committee do not feel called upon to go into the question of the alleged cause or causes of the present rebellion. Such inquiry, at the present time, would prove of no utility. These real or supposed causes are undoubtedly various, both remote and proximate, but your Committee are of opinion that there has been no just or adequate cause, and the contest has been forced upon the country by wicked and rebellious acts of aggressive war upon the Federal Government, and the loyal people of the State of Iowa are believed to be willing and determined to uphold the Government, and render the Chief Magistrate of the nation a cordial and united support.

Your Committee, therefore, recommend the adoption of the following preamble and Resolutions:

WHEREAS the Government is now engaged in suppressing the most formidable rebellion that modern history records; a rebellion that was conceived in unparalleled iniquity, and has been stimulated and magnified by the grossest misrepresentations, by appeals to the basest passions of human nature, and are kept alive by persistent falsehood as to the purposes of the Government, and,

WHEREAS it is a fact that cannot be disputed, that the institution of Slavery, as it exists in the rebel States, has been made the pretext for the rebellion, and the misrepresentations in the South of of the purposes of the Government as to that institution, are the means whereby that rebellion is strengthened and greatly aided, and,

WHEREAS the loyalty of the people to this Government—which is the best and most beneficent known to history, and has done more than all others on the face of the globe, since its establishment, for the advancement of civilization and the moral, mental

and physical development of mankind—is more than equal to the demands for the suppression of any rebellion that has, or can be raised, against it, and

WHEREAS the Government has now in the field over 600,000 volunteers, to aid in the suppression of this most infamous rebellion the world ever saw, and has yet in reserve more than three times that number, who are willing to volunteer, if necessary, to maintain the Government, enforce the Constitution, and preserve the Union, be it therefore,

Resolved, That the entire energies and powers of the Government should be concentrated to the suppression of the rebellion, the maintenance of the Constitution, and the preservation of the Union; and it is the duty of every department of the Government to so act as to attain these objects in the least possible time, and with the smallest sacrifice of life and property, and to certainly avoid the diversion of any of the forces or energies of the Government from these objects in making war upon any local institution of any of the States.

Resolved, That the whole constitutional power of the Government for the confiscation of the property of Rebels ought to be exercised to aid in suppressing the rebellion, and that in the exercise of this power no discrimination ought to be made in the kind of property to be confiscated, and the strictest faith and protection should be kept and given to loyal citizens and their property, in every part of the Union.

Resolved, That the Constitution of the United States is itself a Peace Commissioner and a Treaty of Peace, which has heretofore, is now, and ought continually hereafter to be held out to all rebels individually and collectively as the ultimatum of the Government, a sure panacea for the supposed evils of which they complain, and that a strict adherence to it must be observed by the Government, as a guarantee that its protection will be extended to all who recognize and accept it.

Resolved, That in Abraham Lincoln we recognize a man of strict integrity, and in the general policy and principles of his administration, as President of the United States, we heartily concur, and we hereby pledge to him in the future administration of the Government upon like principles our most cordial support.

Resolved, That the Secretary of State be directed to forward a copy of these resolutions to each of our Senators who are hereby instructed, and to each of our Representatives in Congress who are hereby requested to use their best endeavors to secure the passage of such laws as shall be necessary to carry out the spirit of the foregoing resolutions.

All of which is respectfully submitted.

H. D. GIBSON.

Pending the reading of Mr. Gibson's report, the Chair announced

that the hour appointed for the Joint Convention of the two houses had arrived.

Mr. Curtiss moved that a Committee of two be appointed to inform the Senate that the House is now ready to meet the Senate in such joint convention for the purpose of electing a State Printer and State Binder. The Resolution prevailed and the chair appointed as such committee Messrs. Curtiss and Martin.

The Committee reported that they had performed their duty and were discharged. The chair appointed Mr. Young teller on part of House.

The Senate preceded by the Lieutenant Governor then entered the Hall of Representatives and took the seats assigned them.

The joint roll was then called.

The following absentees were excused, viz: Messrs. Angle, Cleaves, Dorr, Duncombe, Glanville, Hammer, Hastings, McPherson, Moser, Neal, Pierce, Sarver, Smith, the other members being present.

The President of the Convention announced Mr. Ainsworth as teller on part of Senate, and that the first business before the convention was the election of State Printer and that nominations were in order.

Mr. Bowdoin nominated Francis W. Palmer.

Mr. Dunlavy nominated F. A. Gniffke of Dubuque.

Mr. Ainsworth nominated John Gharky.

Upon calling the roll, the result was as follows:

Whole number of votes cast,.....	120
Necessary to a choice,....	61
Of which, Francis W. Palmer received,.....	84
John Gharky received,.....	28
F. A. Gniffke received.....	6
J. Mahin received.....	1
Blank received.....	1

Mr. Francis W. Palmer having received a majority of the whole number of votes cast, was declared duly elected State Printer for two years from and after the expiration of his present term.

Those gentleman voting for Mr. Francis W. Palmer, were:

Messrs. Bowdoin, Baker, Blackford, Boardman, Bracewell, Brown, Burdick, Burton, Calfee, Castor, Clark of Tama, Clark of Johnson, Converse, Curtiss, Cutler, Dixon, Dungan, Dysart, Eaton, Foote, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Gordon, Gue, Guthrie, Hagans, Hatch, Holmes, Holyoke, Hood, Hurley, Kent, Lake, Lakin, Lane, Leake, Lewis, Loomis, Lowrie, McCall, McCrary of Lee, McCrary of Van Buren, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Nelson, Parker, Pattison, Pendleton, Porter, Price, Redfield, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Shaffer, Shipman, Stanton, Stevenson, Teter, Van Anda, Walker, Walton, Wasson, Watson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of

Chickasaw, Woodward, Woodworth, Woolson, Wright and Young.

Those gentlemen voting for Mr. Gharky, were Messrs. Ainsworth, Bass, Bracewell, Denlinger, Eichorn, English, Fairall, Ferguson, Flint, Gault, Gray, Green, Hesser, Hudnutt, Kellogg, Lorah, Martin, Maxwell, Schramm, Smeltzer, Stewart, Thompson, Wetherall, Williams of Mahaska, Wilson of Pottawattamie.

Those voting for Mr. Gniffke, were Messrs. Dunlavy, Hardie, Knoll, McLennan, Speer, Trumbull.

Voting for Mr. Mahin, Mr. Quinn.

The President announced that nominations for State Binder were next in order.

Mr. Mitchell, of Polk, nominated Frank M. Mills, of Polk County.

Mr. Fairall, nominated Wm. Lee, of Johnson County.

Mr. Moir nominated A. P. Luse, of Scott.

The House then proceeded to vote for State Binder with the following result :

Whole number of votes cast.....	117
Necessary to a choice.....	59
Of which Frank M. Mills received	87
Wm. Lee received.....	24
A. P. Luse received	4
Blank	2

Those gentlemen who voted for Mr. Mills were: Messrs. Bowdoin, Baker, Bass, Blackford, Boardman, Bowen, Brown, Burdick, Burton, Calfee, Castor, Clark of Tama, Clark of Johnson, Chase, Converse, Curtiss, Cutler, Dixon, Dungan, Dysart, Eaton, Foote, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Gue, Guthrie, Hagans, Hatch, Holmes, Hollingsworth, Holyoke, Hood, Hurley, Jackson, Kent, Lake, Lakin, Lane, Leake, Lewis, Loomis, Lowrie, Maxwell, McCall, McCrary of Lee, McCrary of Van Buren, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Nelson, Parker, Pattison, Pendleton, Porter, Price, Quinn, Redfield, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Shaffer, Shipman, Smeltzer, Stanton, Teter, Van Anda, Walker, Walton, Watson, Watson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodward, Woodworth, Woolson, Wright, and Young—87.

Those voting for Mr. Lee were, Messrs. Ainsworth, Bracewell, Denlinger, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Gray, Green, Hardie, Hesser, Kellogg, Knoll, Lorah, Martin, McLennan, McGlothlen, Stevenson, Stewart, Thompson, Trumbull, Williams of Mahaska—24.

Those voting for Mr. Luse were, Messrs. English, Hudnutt, Moir, Speer—4.

The following certificates were then signed by the President of Senate and Speaker of the House of Representatives, attested by

the tellers, in presence of the Joint Convention, and read by the Clerk of the House:

REPRESENTATIVES' HALL, }
DES MOINES, IOWA, Jan. 27, 1862. }

THIS WILL CERTIFY, That at an election by the Senate and House of Representatives of the State of Iowa, in Joint Convention assembled at the Capitol on Monday the 27th day of January, A. D. 1862, for the purpose of electing a State Printer, Francis W. Palmer having received a majority of all the votes cast for said office, was declared duly elected State Printer for the term of two years from and after the 1st day of May, A. D. 1863, or until his successor is elected and qualified.

Signed in the presence of the Joint Convention, the day and year first above written.

JOHN R. NEEDHAM,
President of the Joint Convention.

RUSH CLARK,
Speaker of the House of Representatives.

[Attest,]

L. L. AINSWORTH, Teller for the Senate.
ISAAC PENDLETON, Teller for the House.

REPRESENTATIVES' HALL, }
DES MOINES, IOWA, Jan. 27, 1862. }

THIS IS TO CERTIFY, That at an election by the two Houses of the General Assembly of the State of Iowa, in Joint Convention on Monday, January 27th, 1862, for the purpose of electing a State Binder, Frank M. Mills having received a majority of all the votes cast for said office, was duly declared elected State Binder, for the term of two years from and after the expiration of the present incumbent or until his successor is elected and qualified.

Signed in the presence of the Joint Convention, this 27th day of January, A. D. 1862.

JOHN R. NEEDHAM,
President of the Joint Convention.

RUSH CLARK,
Speaker of House of Representatives.

[Attest,]

L. L. AINSWORTH, Teller for Senate.
ISAAC PENDLETON, Teller for House.

Upon motion of Mr. Kellogg, the Joint Convention was dissolved.

The House was called to order.

Mr. Moir moved to lay on the table and print the several reports of the Committee on Federal Relations.

Mr. Fairall moved to postpone the whole subject indefinitely.

Mr. Shipman moved that the reports and resolutions be referred to the Committee of the Whole House and made the special order for Wednesday evening 6½ o'clock.

Mr. Hardie moved to lay the the whole subject on the table, and upon this question he demanded the yeas and nays, which were ordered and were as follows :

The yeas were, Messrs. Bass, Bracewell, Chase, Denlinger, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Gibson, Hardie, Hood, Kellogg, Knoll, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, Moir, Quinn, Schramm, Smeltzer, Speer, Stewart, Thompson, Walton, Wetherall, Williams of Des Moines, Wilson of Pottawattamie, and Woodworth—33.

The nays were, Messrs. Baker, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Converse, Curtiss, Cutler, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Jackson, Lake, Lakin, Lane, Loomis, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Shipman, Stanton, Stevenson, Van Anda, Walker, Wasson, White, Whittemore, Wilcox, Wilson of Chickasaw, Wright, Young, and Mr. Speaker—53.

Absent or not voting, Messrs. Cleaves, Dorr, Eaton, Glanville, Pierce, Sarver, West and Williams of Mahaska.

The motion did not prevail.

Mr. Kellogg moved that the House adjourn. Lost.

Mr. Hardie moved a call of the House, which was seconded. Upon calling the roll it was ascertained that the following members were absent, viz : Messrs. Cleaves, Dorr, Eaton, Pierce, Sarver, West, and Williams of Mahaska.

Mr. Shipman moved that further proceedings under this call be dispensed with. Upon this question Mr. Hardie demanded the yeas and nays, which were ordered and were as follows :

The Yeas were, Messrs. Baker, Bass, Blackford, Burton, Castor, Clark, Chase, Converse, Curtiss, Cutler, Denlinger, Ferguson, Frisbie, Fuller of Fayette, Fuller of Harrison, Glanville, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Lake, Lakin, Lane, Loomis, Maxwell, McCall, McQuinn, Mercer, Mitchell of Polk, Moser, Nelson, Parker, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Schramm, Shipman, Speer, Stevenson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Woodworth, Wright, Young, and Mr. Speaker.—61.

The Nays were—Messrs. Bowdoin, Bracewell, Calfee, Dunlavy, Eichorn, Fairall, Flint, Gault, Gibson, Hardie, Lorah, Lowrie, Martin, McGlothlen, McLennan, Meyer, Milburn, Mitchell of Fremont,

Moir, Smeltzer, Stanton, Stewart, Thompson, Wilson of Pottawatamie—24.

Absent or not voting, Messrs. Cleaves, Dorr, Eaton, Pendleton, Pierce, Sarver, West, and Williams of Mahaska.

The motion prevailed.

Mr. Kellogg moved to amend the motion to commit to Committee of the Whole House, by inserting instead of "Wednesday next," "Wednesday next, one week."

Pending the question on the amendment of Mr. Kellogg, the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

The Speaker announced that the hour had arrived for the consideration of the special order, it being the contested election case from Clinton County, of Milo Smith, contestant, *vs.* John S. Maxwell, incumbent.

Mr. Lowrie moved the adoption of the Resolution reported by the Minority of the Committee, which is as follows:

Resolved, That Milo Smith was duly elected to and is entitled to hold a seat in this House, as Representative from the 32nd District, composed of Clinton County.

Mr. Shipman moved to amend by substituting the Resolution reported by the majority of the Committee which is as follows:

Resolved, That John S. Maxwell, the incumbent, was duly elected to and is entitled to hold a seat as a member of this House.

Mr. Lake moved that the House adjourn. Lost.

The question then recurred upon the amendment offered by Mr. Shipman, being the resolution reported by the majority of the Committee, and upon this question the yeas and nays were ordered and were as follows:

The Yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Converse, Cutler, Deninger, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hoed, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Martin, McCall, McGlothlen, McLennan, McQuinn, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Schramm, Shipman, Smeltzer, Speer, Stanton, Stewart, Van Anda, Walton, Wasson, Wetherall, White, Whittemore, Wil-

cox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, Mr. Speaker—79.

The Nays were, Messrs. Curtiss, Lowrie, Meyer, Stevenson—4.

Absent or not voting—Messrs. Cleaves, Dorr, Glanville, Maxwell, Parker, Porter, Price, Sarver, Thompson, Walker, and West.

The amendment was adopted.

The question then recurred upon the adoption of the resolution as amended. The resolution prevailed.

On motion of Mr. Bracewell the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
TUESDAY, January 28, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Schaeffer.

Journal of yesterday read and approved.

COMMUNICATIONS ON SPEAKER'S DESK.

On motion of Mr. Stanton, communications on Speaker's desk were taken up.

The following communication from his Excellency, the Governor, was read :

EXECUTIVE OFFICE, IOWA, }
January 25, 1862. }

Gentlemen of the House of Representatives :

I received on yesterday the accompanying memorial from the officers of the 8th Regiment Iowa Volunteer Infantry, and transmit the same for your consideration.

It will afford me great pleasure to co-operate with you in any plan you may adopt for the removal of the grievances therein set forth.

SAMUEL J. KIRKWOOD.

On motion of Mr. Mitchell the memorial accompanying said communication, (being a memorial from the officers of the 8th Iowa Regiment of Volunteer Infantry, representing their destitute condition and praying for relief,) was referred to the Committee on Military Affairs, with instructions to report at an early day.

Message from the Senate :

MR. SPEAKER—I am directed to inform your Honorable Body that the Senate has passed the concurrent resolution of the House,

"Providing for the distribution of the Report of the Adjutant General of Iowa," without amendment, and that the same is herewith returned.

W. F. DAVIS, Sec'y Senate.

The following communications were then taken up and read :

EXECUTIVE OFFICE, IOWA, }
JANUARY 25, 1862. }

HON. RUSH CLARK,

Speaker of the House of Representatives :

In answer to a resolution that recently passed the body over which you preside, requesting me to "transmit the names of members who may have been commissioned or received pay as officers in the army," I have the honor to transmit to you the enclosed letter from me to the Adjutant General, and his reply.

SAMUEL J. KIRKWOOD.

EXECUTIVE OFFICE, IOWA, }
January 26, 1862. }

N. B. BAKER, *Adjutant General State of Iowa :*

SIR:—I have received from the House of Representatives the following Resolution :

"*Resolved*, That His Excellency the Governor be requested to transmit to this House the names of members who may have been commissioned, or received pay as officers in the army."

Please furnish the necessary information in such form that I can communicate the same to the House.

Very Respectfully,

SAMUEL J. KIRKWOOD.

STATE OF IOWA, ADJUTANT GEN'L'S. OFFICE, }
Des Moines, Jan. 25, 1862. }

HON. S. J. KIRKWOOD,

Governor of Iowa :

SIR:—I have the honor to acknowledge the receipt of yours of the 25th inst.

I beg leave to say that I have reported to you the names of the officers of the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, and 14th Iowa Volunteer Infantry, of the 1st, 2d, 3d and 4th Iowa Volunteer Cavalry, and a portion of the Field and Staff of the 15th and 16th Iowa Volunteer Infantry, and of the German Regiment at Camp McClellan, Davenport, and of the Light Artillery attached to the 4th and 9th Iowa Volunteer Infantry and Fletcher's Battery.

It is not in my power nor my province to decide who of these

commissioned officers are "members," or "who have been commissioned," or who have "received pay as officers in the army."

There have been commissions issued to some officers in the 15th and 16th and German Regiment (Iowa Infantry), but I believe all thus commissioned are on duty.

I saw in the House of Representatives at some time during the first week of the session, Capt. A. R. Pierce, of Company "M," 4th Iowa Cavalry, but I have no notice that he has accepted the Commission issued to him.

Truly Yours,

N. B. BAKER, Adjt. Gen. of Iowa.

STATE OF IOWA, ADJUTANT GENERAL'S OFFICE, }
DES MOINES, IOWA, January 27th, 1862. }

HON. SAMUEL J. KIRKWOOD,

Governor of Iowa:—

SIR:—In my answer of the 25th inst. to your inquiry in relation to a Resolution of the House, asking for certain information as to officers who may have been commissioned or received pay from the United States, I may have misunderstood its objects and intents. I supposed it referred only to officers who were commissioned and had received pay from the United States; but from a second examination of the Resolution I find that it refers to all who have been commissioned or who have received pay from the United States.

Hon Rush Clark, Speaker of the House, has been commissioned as Aid-de-Camp to the Governor, but I am not aware that he ever received any compensation for the service.

Other members of the House may have been commissioned as Field or Staff Regimental Officers in the Militia, or as Captains or Lieutenants of Companies which have been organized in the different towns in this State. As it seems that the House desires to be informed what members have been commissioned, if I could be informed of the full name of every member of the House, with the name of town and county in which each one resided, I could then, probably, on examination report a list of names of Officers commissioned in the Militia, when the names and residences on the list furnished correspond with those on rolls in my office.

I have the honor to be with great respect,

Truly Yours,

N. B. BAKER,

Adjutant General of Iowa.

STATE OF IOWA, ADJUTANT GENERAL'S OFFICE, }
DES MOINES, IOWA, January 25th, 1862. }

HON. RUSH CLARK,

Speaker of the House of Representatives:—

SIR:—I have the honor to acknowledge the receipt of a Resolu-

tion of the House, asking for information relative to the Compensation of the Governor's Staff.

The Compensation of the Adjutant General of the State is provided for in section 19, chapter 17, of the laws of the Eighth General Assembly, Extra Session of 1861.

Said section reads as follows :

"§ 19. During the time employed in calling out and organizing troops for the United States service, and during the time such troops remain in the actual service of this State, the Adjutant General shall be entitled to the full pay and allowances of a Colonel of Cavalry in the United States Army, and at other times his salary shall be at the rate of \$300 per annum."

The Auditor of State refused to allow a Warrant on the General Revenue Fund, and the claim of the Adjutant General has been presented to the Auditing Board for allowance for four months from July 25th, to November 25th, 1861, and said Auditing Board have allowed the Adjutant General \$253 per month; and the Adjutant General has received Warrants on the War and Defense Fund for \$1,012, on which he has received \$208.85.

An appointment of Assistant Adjutant General was made by the Governor of this State, on the unanimous recommendation of the Governor's Staff, and Lieutenant Colonel J. C. Culbertson entered on the duties of that office, and continued in the same until January 1, 1862. He was allowed by Auditing Board \$100 per month for his services from October 10, 1861, to December 10, 1861.

There has been no Quarter Master General appointed, but provision is made for the pay of one in section 20 of chapter 17 of the laws of Extra Session of 1861, hereinbefore referred to.

I cannot state what the Auditing Board have allowed Lieutenant Colonel Hiram Price, Pay Master General of the State. Section 21, chapter 17, of the laws last referred to, provide

"§ 21. During the time the Pay Master General shall be employed in paying troops while they remain in the actual service of the State, he shall be entitled to the full pay and allowances of a Lieutenant Colonel of Cavalry."

I am not aware that Major J. C. Hughes, Surgeon General of the State, has received any compensation.

No salary is attached to the office of Aid-de-Camp to the Governor, but if detailed by order of the Governor on Military service, said Aid-de-Camp would probably be paid such reasonable sum for his services as the Auditing Board might allow; *provided*, any funds were in the State Treasury from which it could be paid.

With great respect,

Truly Yours,

N. B. BAKER,

Adjutant Gen. of Iowa.

The House then took up the following concurrent Resolution passed by the Senate :

Resolved, by the Senate, the House of Representatives concurring, That the Secretary of State be directed to furnish to each member of the General Assembly on Monday morning of each week, one cent postage stamps equal in number to the number of papers taken by each member per week, and in addition twenty one cent and ten three cent stamps, at the same time, for the purpose of paying postage on documents and letters.

Resolved, That it shall be the duty of the members of the Senate and House of Representatives to place stamps on all their papers, letters and other mail matter.

Mr. Shipman offered the following substitute :

Resolved, by the House, the Senate concurring, That the Chief Clerk of the House, and the Secretary of the Senate be, and they are hereby instructed to make arrangements with the Postmaster in Des Moines, to put the stamps on all Legislative mail matter, provided he will do the same for one dollar per day during the session.

The substitute did not prevail.

Mr. Martin offered the following substitute :

Resolved, by the House, the Senate concurring, That there be deducted out of each member of the House and Senate's per diem, an amount sufficient to pay the Postmaster of Des Moines the rate of \$1.00 per day for placing stamps upon all letters and documents sent from the General Assembly.

The substitute did not prevail.

Mr. Curtiss moved to amend by inserting in the 4th line of the 1st resolution after the word "member" "and the clerks thereof." The amendment was adopted.

Mr. Shipman moved the indefinite postponement of the whole subject. The motion did not prevail.

The question then recurred upon the passage of the Senate concurrent resolution as amended, and upon this question the yeas and nays were demanded by Mr. Bowdoin, which were ordered and were as follows :

The yeas were, Messrs. Baker, Bass, Bracewell, Burton, Castor, Clark, Chase, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eichorn, Ferguson, Flint, Fuller of Fayette, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hood, Jackson, Knoll, Lake, Lakin, Lorah, Lowrie, Maxwell, McGlothlen, McLennan, McQuinn, Milburn, Moser, Porter, Price, Quinn, Russell of Dallas, Schramm, Speer, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Woodward, Young—54.

The nays were, Messrs. Blackford, Bowdoin, Calfee, Cleaves, Converse, Eaton, Fairall, Frisbie, Fuller of Harrison, Hollingsworth, Kellogg, Lane, Loomis, Martin, McCall, Mercer, Meyer,

Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Rothrock, Rowles, Russell of Jones, Shipman, Smeltzer, Stanton, Van Anda, White, Williams of Mahaska, Wilson of Pottawattamie, Wright and Mr. Speaker—37.

Absent or not voting—Messrs. Pierce, Sarver, and West.

The concurrent resolution as amended was adopted.

Mr. Moir, by leave, offered the following resolution :

Resolved, That this House having now voted the Clerks the same number of postage stamps as members, that they be entitled to the same number of papers.

And on this question, the yeas and nays were demanded by Mr. Fairall, which were ordered and were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Chase, Cleaves, Curtiss, Cutler, Dunlavy, Eichorn, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Lake, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Polk, Moir, Parker, Pendleton, Price, Quinn, Rowles, Shipman, Smeltzer, Stanton, Stevenson, Thompson, Van Anda, Wasson, Whittemore, Wilson of Chickasaw, Wilson of Pottawattamie, Young, and Mr. Speaker—54.

The nays were, Messrs. Calfee, Castor, Clark, Converse, Denlinger, Dorr, Eaton, Fairall, Ferguson, Gordon, Guthrie, Hardie, Jackson, Knoll, Lakin, Lane, Loomis, Lorah, Milburn, Mitchell of Fremont, Moser, Nelson, Porter, Rothrock, Russell of Dallas, Russell of Jones, Schramm, Speer, Stewart, Walker, Walton, Wetherall, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth, Wright—38.

Absent or not voting—Messrs. Pierce, Sarver, and West.

The resolution was adopted.

Mr. Bowdoin, by leave, offered the following resolution :

Resolved, That a Committee of three be appointed to confer with the Secretary of State, and ascertain the amount of compensation for which he will perform the duties required of him by the Resolution of the General Assembly relative to the procurement and distribution of postage stamps.

The Resolution was adopted.

The Chair appointed Messrs. Bowdoin, Hardie and Shipman as such Committee.

BILLS ON THEIR SECOND READING.

House File No. 2 : A Bill for an Act to amend Section 2967, Chapter 122 of the Revision of 1860, was then taken up and read.

Mr. Williams of Mahaska moved that the rule be suspended and the bill read a third time now. The motion did not prevail.

Mr. Young moved that the bill be engrossed for a third reading to-morrow. Carried.

House File No. 6: A Bill for an Act authorizing cities, towns and villages to regulate and license the sale of property by auctioneers, was taken up and read and ordered to be engrossed for a third reading to-morrow.

House File No. 76: A Bill for an Act entitled an Act to amend Section 3719 of the Revision of 1860 was taken up and read. The report of the Committee recommending the indefinite postponement of the bill, was concurred in.

House File No. 68: A Bill for an Act to provide for vacating town plats, was taken up and read, and on motion of Mr. Bowdoin, laid on the table, and the usual number of copies ordered to be printed for the use of the House.

House File No. 73: A Bill for an Act relating to the Incorporation of the Iowa Conference Seminary, now known as Cornell College, was taken up and read.

Mr. Young moved that the rule be suspended and the Bill be ordered to a third reading now. Carried. The Bill was then read a third time. On the question "shall the bill pass?" the yeas and nays were ordered and were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Porter, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Schramm, Smeltzer, Spec, Stanton, Stevenson, Thompson, Van Anda, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, Mr. Speaker—84.

The yeas were, Mr. Wetherall.

Absent or not voting—Messrs. Dunlavy, Eaton, Moser, Pierce, Price, Sarver, Shipman, Stewart, and West.

The bill passed and the title was agreed to.

Mr. McLennan, by leave, offered the following resolution:

Resolved, That the Janitor of the Capitol Building be required to remove the snow from the roof thereof.

The Resolution was adopted.

On motion of Mr. Gordon, the House adjourned.

TWO O'CLOCK P. M.

House met pursuant to adjournment.

The following report and communication were submitted by Mr. Bowdoin :

The Committee appointed to confer with the Secretary of State, and ascertain the amount of compensation for which he will perform the duties required of him by the Resolution of the General Assembly relative to the procurement and distribution of Postage stamps, respectfully beg leave to report that they have waited upon the Secretary of State, and in answer to the Resolution of the House have received from him the following communication in writing :

E. G. BOWDOIN, Ch'n.

OFFICE OF SECRETARY OF STATE, }
DES MOINES, Jan. 28, 1862. }

Messrs. Bowdoin, Hardie and Shipman, Committee :

In compliance with the concurrent Resolution of the two Houses and the Resolution of the House of Representatives upon the subject of furnishing Postage stamps, I have the honor to state that your resolutions will very greatly increase the labor of my office, but I will endeavor to furnish the stamps as you have directed, without compensation. If after trial, I find the force in my office is insufficient to perform the additional duties required by your resolution, I will notify the House of Representatives.

Very Respectfully,

ELIJAH SELLS.

The House took up House File No. 36: A Bill for an Act to prevent domestic animals from running at large during the winter season, which had been reported back to the House by the Committee on Agriculture, with the following amendment: "Strike out of the first section "1st Oct." and insert "25th Oct."

Mr. Williams of Des Moines moved to amend the amendment by striking out "25th Oct." and inserting "10th Nov."

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

The amendment offered by Mr. Williams of Des Moines, prevailed.

The question then recurred upon the amendment as amended, which was adopted.

Mr. Gibson moved that the bill be made the special order for Monday next, at 11 o'clock A. M. The motion did not prevail.

Mr. Wilson of Pottawattamie moved that the bill be indefinitely postponed, and upon this question the yeas and nays were ordered, and were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Calfee, Chase, Denlinger, Dunlavy, Eichorn, Fairall, Ferguson,

Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Hudnutt, Holyoke, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lorah, Lowrie, Martin, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Pendleton, Porter, Price, Quinn, Russell of Dallas, Russell of Jones, Schramm, Shipman, Smeltzer, Speer, Stanton, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawatamie, Wright, and Young—70.

The nays were, Messrs. Burton, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Eaton, Guthrie, Hollingsworth, Lane, Loomis, Maxwell, Parker, Rothrock, Rowles, Stevenson, Van Anda, White, Whittemore, Woodworth, and Mr. Speaker—22.

Absent or not voting—Messrs. Hardie, Pierce, Sarver, and West. The bill was indefinitely postponed.

Mr. Ferguson, by leave, offered the following resolution :

Resolved, That the use of this Hall be granted to the Rev. Mr. Teter of the Senate for religious services on Sabbath next.

The resolution was adopted.

House File No. 21: A bill for an Act for empowering the Adjutants of Iowa Regiments or Divisions to administer oaths, and take acknowledgments of Deeds, &c., was taken up.

The House concurred in the report of the Committee recommending the indefinite postponement of the bill.

The House took up House File No. 22: A bill for an Act to legalize the sales of certain School Lands.

Mr. Fairall moved that the bill be referred to the Committee on Schools and State University and that the Committee be empowered to send for persons and papers in order to enable the Committee to report the facts to this House. The motion prevailed.

The House took up House File No. 46: A bill for an Act to amend Section 2834 of the Revision of 1860.

Mr. Young moved its indefinite postponement.

Mr. Lakin moved that the bill be laid upon the table. The motion prevailed.

Mr. Lane, by leave, introduced the following Joint Resolution, House File No. 93 :

Resolved by the General Assembly of the State of Iowa, That the Adjutant General of the State be authorized and directed to send to the Hospitals or Camps in Missouri, where Iowa troops are located, such articles as can be spared from the military stores now on hand, and which will be conducive to the health and comfort of the sick.

The resolution was unanimously passed.

The House took up House File No. 49: A bill for an Act permitting officers to amend certificate to depositions in certain cases.

Mr. Martin moved to lay the bill on the table. Carried.

The House took up House File No. 27: A bill for an Act authorizing the redemption of Homesteads.

On motion of Mr. Bowdoin, the bill was laid on the table.

The House took up House File No. 59: A bill for an Act to exempt certain lands from taxation and to remit back-taxes on the same.

On motion of Mr. Lakin, the bill was laid on the table.

Mr. Bracewell moved that the House adjourn. Lost.

The House took up House File No. 18: A bill for an Act entitled an Act to amend an Act entitled an Act providing for auditing all accounts and disbursements arising under the call for Volunteers from Iowa, and, also for all men organized as the State Militia of Iowa, and ordered the same to be engrossed for a third reading to-morrow.

The House took up House File No. 9: A bill for an Act to amend Chapter 36 of the Revision of 1860.

By leave the bill was withdrawn.

On motion of Mr. Lake, House File No. 1: A bill for an Act to amend the game laws of the State of Iowa, was called up and referred to the Committee on Police Regulations.

The House took up House File No. 85: A bill for an Act prescribing the duties of Township Trustees and Board of Supervisors in certain cases, and referred the same to the Committee on Roads and Highways.

The House took up House File No. 67, substitute for House Files Nos. 33 and 38: A bill for an Act to specify the party plaintiff in suits brought for the collection of School Funds.

The substitute was adopted and passed upon the files.

On motion of Mr. Curtiss, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
WEDNESDAY, January 29, 1862. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Shaffer.

Journal of yesterday read and approved.

Mr. Shipman moved that the vote by which House File No. 36: A Bill for an Act to prevent Domestic Animals from running at large during the winter season, was indefinitely postponed on yesterday, be reconsidered. Carried.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Bowdoin presented the remonstrance of Hervey Wilbur and fifty-two others of Floyd County against the passage of a law prohibiting live stock from running at large. Referred to Committee on Agriculture.

Mr. Mercer presented sundry petitions from citizens of Marshall county praying that the present prohibitory liquor law be amended so as to render the same more efficient and secure its better execution. Referred to Select Committee on that subject.

Mr. Curtiss presented the petition of C. Fiske and 62 others praying that certain lands of the Protestant Episcopal Church in the Diocese of Iowa be exempt from taxation. Referred to the Select Committee on that subject.

Mr. Price presented the petition of sundry citizens of Muscatine county against any interference with present prohibitory liquor law rendering the same less stringent. Referred to the Select Committee on that subject.

Mr. Bracewell presented a petition from the Board of Supervisors of Wayne county praying for a change of present law in relation to printing delinquent tax lists in newspapers. Referred to Committee on Ways and Means.

Mr. Williams of Mahaska, presented the petition of Samuel Gilman and 31 others, asking protection for sheep against the ravages of dogs, and diseases peculiar to sheep. Also, the petition of Robert SeEVERS and 134 others for protection of sheep against ravages of dogs. Referred to Committee on Agriculture.

Mr. Castor presented the petition of Dwight Riggs and 87 others asking for a more stringent liquor law. Referred to Select Committee on that Subject.

Mr. Eaton presented the petition of Hiram Dunham and others, citizens of Jackson County, praying for the repeal of the present prohibitory liquor laws and the enactment of a License law in lieu thereof. Referred to the Select Committee on that subject.

REPORTS OF COMMITTEES.

Mr. Shipman from Committee on County and Township Organization, submitted the following reports:

The Committee on County and Township Organization to whom was referred House File No. 47: A Bill for an Act to amend an Act in relation to County Seats, would Report that they have had the same under consideration and have instructed me to report the same back to the House and recommend its passage.

SHIPMAN, Chairman.

The Committee on County and Township Organization to whom were referred certain memorials in relation to giving township trus-

tees certain powers in road cases, have instructed me to report the same, and ask that they be referred to the Committee on Roads and Highways.

SHIPMAN, Chairman.

Mr. Lake from Committee on Federal Relations submitted the following Report :

The Committee on Federal Relations having had under consideration the Resolution offered by the Gentleman from Cedar county (Mr. Loomis) commendatory of the Governor's Inaugural, are unable to come to any agreement in regard to the sentiments of said resolution. Therefore, they have directed me to report the same back to the House and recommend that it be referred to the Committee of the Whole House and made the special order for some evening session.

JED LAKE, Chairman.

Mr. Williams of Mahaska, from Committee on Judiciary submitted the following report :

The Committee on the Judiciary, to whom was referred House File No 84: A Bill for an Act to punish Garnishees for disposing of property in certain cases, having examined the same, I am directed to report the same back to the House without amendment and recommend its passage.

M. T. WILLIAMS, of Mahaska.

Mr. Young from Committee on Judiciary submitted the following Report :

The Judiciary Committee, to whom was referred a resolution offered by Mr. Clark of Tama, to the effect that newspapers furnished to any member of the House after due notice of its discontinuance has been given by him or by the Clerk to the proper party, shall not be paid for, have had the same under consideration, and have instructed me to report the following substitute and recommend its adoption :

Resolved, That no editor, publisher or proprietor of a newspaper shall be entitled to pay for newspapers furnished by him to any member of this body in pursuance of the order or direction of the Clerk, after being notified by the Clerk that such member desires the discontinuance of the same.

In the opinion of a majority of the Committee, the order or direction of the Clerk given to any editor, publisher or proprietor of a newspaper to furnish such newspaper to a member of this House during the present session, is not a contract.

When, under the resolution heretofore adopted by the House providing that each member should be supplied with 19 daily newspapers or their equivalent in weeklies, at the request of a member the Clerk has ordered or directed the editor, publisher or proprietor of a newspaper to supply such member with one or more newspapers, there is an implied understanding or agreement that the newspapers furnished in pursuance of said order shall be paid for by the

State, but time is in no sense "of the essence" of this implied understanding or agreement. The editor, publisher or proprietor, is not bound to supply the member with said newspapers for any given length of time, nor is the member bound to receive the same for any certain or definite period as a part of his allowance of newspapers. It is an implied understanding or agreement which may be terminated at will by the party furnishing the newspaper or the member entitled to receive the same, and ceases to exist when the proper party is duly notified that the member desires the paper to be discontinued.

YOUNG, Chairman.

Mr. Converse from Committee on Agriculture submitted the following reports :

The Committee on Agriculture, to whom was referred House File No. 71: An Act to amend Section 2193, Chapter 91, of the Revision of 1860, have had the same under consideration, and have directed me to report the same back with the recommendation that it do not pass.

CONVERSE.

The Committee on Agriculture, to whom was referred House File No. 10: An Act to prevent the spread of fire on the prairies and in the timber, also a substitute for the same, have had said bill and substitute under consideration, and have directed me to report them back with a substitute therefor, with the recommendation that the substitute for the substitute pass.

CONVERSE.

Mr. Van Anda from Committee on Incorporations submitted the following report :

The Committee on Incorporations, to whom was referred House File No. 8: An Act in Relation to Life Insurance Companies. have had the same under consideration, and have instructed me to report the same back to this House with the recommendation that it pass.

VAN ANDA, Chairman.

Mr. Stanton from the Committee on Printing, submitted the following report :

The Printing Committee, to whom was referred the resolution of this House instructing them to inquire if the State binding could not be done cheaper by contract than at present rates, and report all bids for the same to this House, would report that they have received no bids at all for doing said work, and that the opinion of a practical workman, Mr. Lane of Davenport, is, that the work cannot be done well for a less sum than that paid at present, which is also the opinion of your Committee.

STANTON.

Mr. Lake from Committee on Printing, submitted the following report :

To the House of Representatives of the State of Iowa :

Your Committee on Printing, to whom was referred the Resolution of Inquiry in regard to abolition of the office of State Printer, having had the same under consideration, the undersigned have directed me to make the following report :

That in order to ascertain how far the contract system would work in the City of Des Moines, we were under the necessity of visiting the various printing offices in that city, and examining into the facilities for said offices to perform the work necessary for the State. They first visited the office of Mr. Palmer, the present State Printer, and found that he had a large amount of material, an Adams Powea Press, an ordinary Hand Press, and a smaller Adams Job Press. Also, that he had in reserve another Adams Power Press, that could be used in cases of emergency. That he had the material necessary to perform all kinds of work usually required by the State, and a large corps of assistants to use the material. That they examined various specimens of his work and found that it was all neatly and properly performed, and that under the present system there is not that opportunity for slighting the work that there is under the contract system.

Your Committee thereafter visited the establishment of Mr. Bausman, and though that gentleman was not in at the time, yet the foreman of the office showed your Committee through the establishment. That the amount of the material there presented was not so great as necessary, and that the presses consisted of two ordinary Hand presses, one of which was stowed away in an apparently otherwise unoccupied room. That the foreman of the office informed your Committee that they had most of their press work done by Messrs. Mills & Bro. of this City.

Your Committee then visited the establishment of Messrs. Mills & Bro., and there found a very good establishment for Book Printing and Binding. That the Press used is an Adams Power Press driven by an Ericsson engine, on which at the time your Committee were present, they were printing the Des Moines Weekly Times.

One of the firm remarked to your Committee that it would be impossible for them to do any large amount of work for any other establishment. On inquiry your Committee also learned that even the State Printer could not with his present facilities keep up with the requirements of the State at all times but had to get them to do some of his work.

Mr. Mills also stated that no man could do the work of Printing required by the State in the manner and style required by law, for a less sum than that now paid. That should any one undertake to do it for a less sum he would swindle the State either in quality or amount of work performed, or else afterwards come begging at the

doors of this House for relief. Your Committee have also had conversation with several other printers who have stated the same in substance as stated by Mr. Mills.

Your Committee are, therefore, of the opinion, that it is not expedient for the State of Iowa to abolish the system of State Printer, and resort to the contract system. That, if at any future time, it should be deemed by the General Assembly that the work for the State could be done cheaper than at present prices paid therefor, the General Assembly can reduce the price to be paid, and at the same time have the law such that the inspector of the work can require a good job to be done, or the printer will not receive his pay therefor.

D. W. CHASE,
T. H. STANTON,
JOHN MITCHELL,
JED LAKE.

Mr. Flint, from Committee on Roads and Highways, submitted the following report :

Report of the Committee on Roads and Highways :

Your Committee have had under consideration House File No. 79: An Act amendatory to an Act to provide for making and repairing of public highways, and prescribing the further duties of Township Officers in certain cases, approved March 23d, 1858, and have directed me to report the same back to the House and recommend its passage.

J. H. FLINT.

Mr. McCall, from Committee on Engrossed Bills, submitted the following report :

The Committee on Engrossed Bills have examined the following :

House File No. 2: A Bill for an Act to amend Section 2,967, Chapter 122 of the Revision of 1860.

Also; House File No. 6: A Bill for an Act authorizing cities, towns and villages to regulate and license the sale of property by auctioneers.

Also; House File No. 82: A Bill for an Act to amend section 4,607, Chapter 195, of the Revision of 1860.

Also; Senate File No. 13: A Bill for an Act to authorize the Deputy Clerk of the District Court to act instead of his principal, in certain cases; and to legalize certain acts heretofore done.

All of which they find correctly engrossed.

McCALL.

Mr. Holyoke, by leave, introduced the following resolution :

Resolved, That this House order printed 1000 additional copies of the Report of the Trustees of the Insane Asylum, for the use of that institution. Which was adopted.

Leave of absence granted to Mr. Meyer for a few days.

Mr. Mitchell, from Select Committee, to whom was referred House File No. 83, submitted the following report:

Your Committee, to whom was referred House File No. 83: A Bill to fix the time of holding Court in the Fifth Judicial District, have had the same under consideration, and would respectfully report the same back to this House without amendment, and unanimously recommend its passage.

JNO. MITCHELL,
N. GUTHRIE,
A. HOOD,
GEO. S. WALTON,

Delegation of Fifth Judicial District of Iowa.

INTRODUCTION OF BILLS.

Mr. Fairall introduced House File No. 94: A Bill for an Act to amend section 2,045, of Revision of 1860. Read a first and second time, and referred to the Committee on Schools and State University.

Mr. Fairall introduced House File No. 95: A Bill for an Act to exempt young orchards from taxation. Read a first and second time, and referred to Committee on Agriculture.

Mr. Van Anda introduced House File No. 96; A Bill for an Act to amend section 5,066 of the Revision of A. D. 1860, of the laws of Iowa. Read a first and second time and referred to the Committee on Judiciary.

Mr. Gault introduced House File No. 97: A Bill for an Act to prevent the unlawful driving away of cattle and other stock, by drovers and others. Read a first and second time and referred to Committee on Agriculture.

Mr. Moir introduced House File No. 98: A Bill for an Act entitled an Act to amend section 843, of the Revision of 1860. Read a first and second time.

Mr. Kellogg moved to amend the title of said Bill by adding the following, "in relation to claims." The amendment prevailed. The Bill was referred to Committee on Judiciary.

Mr. Hudnutt introduced House File No. 99: A Bill for an Act to legalize certain acts of Louis Case, a Notary Public of Bremer County. Read a first and second time and referred to the Committee on Judiciary.

Mr. Cutler introduced House File No. 100: A Bill for an Act allowing the citizens of this State to change county boundaries. Read a first and second time and referred to Committee on New Counties.

Mr. Hardie introduced House File 101: A Bill for an Act to restrict and define the powers and duties of City Courts. Read a first and second time, and referred to Committee on Judiciary.

Mr. Stevenson introduced House File No. 102: A Bill for an

Act to legalize the acts of certain persons therein named in the establishing of a certain State Road. Read a first and second time and referred to the Committee on Roads and Highways.

Mr. Lorah introduced House File No. 103: A Bill for an Act to amend Chapter 42, of the Revision of 1860, relating to vacancies and special elections. Read a first and second time, and referred to Committee on County and Township Organization.

Mr. Williams, of Des Moines, introduced House File, No. 104: A Bill for an Act to legalize certain taxes for School House purposes in District No. 2, in the District Township of Huron, Des Moines County, Iowa. Read a first and second time and referred to Committee on Judiciary.

Mr. Moir introduced House File No. 105: A Bill for an Act to amend chapter 199 of the Revision of 1860, with respect to an indictment, its form and requisites. Read a first and second time, and referred to Committee on Judiciary.

Mr. Gibson introduced House File No. 106: A Bill for an Act to repeal an Act to provide for the establishment of a Commissioner in the City of New York, to promote immigration to the State of Iowa, approved March 30, 1860. Read a first and second time and referred to Committee on Ways and Means.

Mr. Lane introduced House File No. 107: A Bill for an Act to amend section 317, chapter 22, of the Revision of 1860, increasing the number of meetings of Boards of Supervisors. Read a first and second time, and referred to Committee on County and Township Organization.

Mr. Lane moved that when this House adjourn, it adjourn to meet to-morrow morning. Carried.

Mr. Lakin introduced House File No. 108: A Bill for an Act amendatory of the Laws for suppressing intemperance. Read a first and second time, and referred to Select Committee on that subject.

Mr. Fairall offered the following Resolution which was adopted:

Resolved, That the Committee of Ways and Means be requested to report to this House the amount due this State from the United States, for furnishing, equipping and subsisting troops, and be requested to report as to the expediency of passing a bill providing for the payment of the Federal Tax for 1862, by applying the amount of the claims of this State against the United States, and by paying the balance from the War and Defense Fund.

FAIRALL of Johnson.

Mr. Wright offered the following Resolution:

Resolved, That the Committee on Ways and Means be required to examine and report to this House, at an early day, the expediency of abolishing the present laws requiring notice of delinquent taxes to be published in the newspapers, and establishing a law in lieu thereof, requiring the County Treasurer to give notice of the same, by posting up a general notice of the delinquent taxes on the

door of the Court House, in the County where the same may be delinquent.

Mr. Russell of Jones moved to lay on the table, and on this question Mr. Wright demanded the yeas and nays, which were ordered and were as follows :

The yeas were, Messrs. Baker, Curtiss, Denlinger, Fairall, Frisbie, Hardie, Holyoke, Hollingsworth, Knoll, Lane, Lowrie, McLennan, McQuinn, Parker, Porter, Rowles, and Russell of Jones—17.

The nays were, Messrs. Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Ferguson, Flint, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hudnutt, Hood, Jackson, Kellogg, Lake, Lakin, Lorah, Martin, Maxwell, McCall, McGlothlen, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Pendleton, Price, Quinn, Rothrock, Russell of Dallas, Schramm, Smeltzer, Speer, Stanton, Stevenson, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—70.

Absent or not voting—Messrs. Loomis, Meyer, Pierce, Sarver, Shipman, Stewart, and West—7.

The motion to lay on the table did not prevail.

The question then recurred upon the adoption of the Resolution.

The Resolution was adopted.

Mr. Frisbie offered the following Resolution which was adopted:

Resolved, That the Committee on the Judiciary be and are hereby instructed to inquire into the expediency of increasing the number of Judges of the Supreme Court, and report by bill or otherwise.

Mr. Moser offered the following Resolution, which was lost :

Resolved, That the Committee on Ways and Means be instructed to enquire into the expediency of exempting five hundred dollars of improvement from taxation on all real estate, and report by bill or otherwise.

Mr. Wilcox introduced the following Resolution which was adopted :

Resolved, That that the Committee of Ways and Means be instructed to inquire into the expediency of authorizing the Chairman of the Board of Supervisors of the several Counties, to bid off the lands which may be offered for sale for delinquent taxes. Or, some other mode which, in the opinion of the Committee, would secure a more efficient and prompt collection of delinquent taxes, and report to this House.

Mr. Moir, by leave, introduced House File No. 109 : A Bill for an Act entitled an Act defining the time when an execution be-

comes a lien upon personal property. Read a first and second time and referred to Committee on Judiciary.

Mr. Moir offered the following Resolution which was adopted:

Resolved, That the Committee on Judicial Districts be instructed to inquire into the expediency of reducing the present number of Judicial Districts.

Mr. Rothrock, by leave, introduced House File No. 110: A Joint Resolution for amendment of Naturalization laws, which was read a first and second time, and referred to Committee on Judiciary.

On motion of Mr. Mitchell of Polk, the House took up House File No. 83: A Bill for an Act fixing the times of holding Courts in the Fifth Judicial District of the State of Iowa.

Mr. Mitchell of Polk moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was then read a third time, and upon the question: "Shall the Bill pass?" the yeas and nays were called, and were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtis, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Hol-yoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Schramm, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Ande, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—87.

The yeas were, None.

Absent or not voting—Messrs. Loomis, McQuinn, Meyer, Pierce, Sarver, Shipman, and West—7.

The Bill passed and the title was agreed to.

Mr. Fairall moved that Messrs. Pendleton and Smeltzer be added to the Committee on New Counties. The motion prevailed.

On motion of Mr. Price the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
THURSDAY, January 30 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Young.

Journal of yesterday read and approved.

The following message from the Senate was received, through William F. Davis, their Secretary :

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed Senate File No. 43: An Act to provide for the preservation of Trout in the waters of this State;

Also, That the Senate has concurred in the amendment of the House to the Concurrent Resolution providing the General Assembly with postage stamps, and has adopted the following amendment: "In Section 1, 4th line, after the word "Clerks" insert "and Secretaries;"

Also, That the Senate has passed the Concurrent Resolution from the House, authorizing the Adjutant General to send to Iowa Troops in Missouri certain clothing, &c., without amendment.

WM. F. DAVIS, Secretary.

PETITIONS, MEMORIALS, &C.

Mr. Hardie presented the petition of sundry attorneys, residents of Dubuque, asking for the passage of an Act to restrict the powers of City Courts. Referred to Committee on Judiciary.

Mr. Loomis presented the petition of sundry citizens of Cedar County, praying that the Prohibitory Liquor Law be so amended as to render the same more efficient and secure its better execution. Referred to the Select Committee on that subject.

Mr. Stephenson presented a petition asking for a law to protect sheep from the ravages of dogs. Referred to Committee on Agriculture.

Mr. Williams, of Mahaska, presented a petition of John Millikin and thirty-eight others, citizens of Mahaska County, asking for a law for the protection of wool and punishing the importation of diseased sheep into the State. Referred to Committee on Agriculture.

Mr. Price presented petition of John J. Dolson and others, residents of Muscatine Island, praying for the repeal of existing laws relating to and governing the Muscatine Island Levee, &c. Referred to members from Louisa County.

Mr. Parker presented three several petitions from ladies of Cedar County, asking that female nurses be appointed to attend the sick and wounded of Iowa.

On motion of Mr. Parker, the petitions were referred to a select Committee of three.

The Chair appointed Messrs. Russell of Jones, Parker and Dunlavy such Committee.

Mr. Thompson presented the petition of sundry citizens of Lee County, praying for an Act to protect sheep from the ravages of dogs. Referred to Committee on Agriculture.

Mr. Lake, from Committee on Military Affairs, submitted the following report :

Your Committee, to whom was referred the petition of the officers of the Eighth Regiment of Iowa Volunteers, have had the same under consideration, and have requested me to report the following preamble and resolutions and recommend their passage.

LAKE, for Committee.

Mr. Lake, by leave, introduced House File No. 111 : Joint Resolution concerning soldiers in Missouri, which was passed upon the files.

Mr. Fuller, of Fayette, from Committee on Ways and Means, submitted the following report :

The Committee of Ways and Means, to whom was referred House File No. 32 : Entitled an Act to repeal an Act for the establishment of a Commissioner of Immigration in the City of New York, have had the same under consideration and have instructed me to report a substitute therefor and recommend its passage.

FULLER, of Fayette.

Mr. Kellogg submitted the following report :

Your Committee to whom was referred a Bill authorizing the Auditing Board to allow all just claims arising under command of Col. John Edwards, Aid-de-Camp to his Excellency Governor Kirkwood, and Col. Morledge in expedition to Missouri, and a resolution pertaining to the same subject, have had the same under consideration and would beg leave to report : That in the opinion of your Committee the expedition was informal as the troops were State and not United States troops. The question arose among the members of your Committee, by what authority the aforesaid expedition was entered into, and that they might receive all information within their reach appeared before his Excellency, Governor Kirkwood, who stated in substance what may be found in his message recently submitted to this body, adding his reasons therefor, also kindly produced correspondence between himself, the aforesaid Colonels, and Generals Fremont, Pope, Prentiss, Hurlbut, and Col. Cramer, which I will now read if desired, (which were read.) Your Committee are of the opinion that the services rendered by the aforesaid Colonels, and the men under their command, in justice should be paid for by the General Government, who should make an appropriation for the same. In view of the foregoing statements your Committee have authorized me to report to this House the following concurrent Resolutions as a substitute and recommend their passage.

KELLOGG.

Mr. Kellogg introduced by leave, House File No. 112: A Joint Resolution, a substitute for House Files No's. 19 and 20, providing for the payment of certain claims of Col. John Edwards and others which was read a first and second time, and passed upon the files.

Mr. Rothrock from Committee on Schools and State University, submitted the following report:

The Committee on Schools and State University to whom was referred House File No. 88: A Bill for an Act relating to the incorporation of the Fayette Seminary, now known as Upper Iowa University, have had the same under consideration and have unanimously instructed me to report the same back, with the recommendation that it be passed.

ROTHROCK, Chairman.

Mr. Clark from Committee on Schools and State University submitted the following report:

The Committee on Schools and State University to whom was referred the Memorial and Resolution of the Board of Supervisors of Harrison county asking for the enactment of a law authorizing said Board to set apart the avails of a portion of their Swamp lands as a permanent school fund for said county, and also House File No. 53: Entitled an Act making the Swamp lands and the proceeds thereof in the several counties a permanent school Fund in said counties, have had the same under consideration and directed me to report the following bill as a substitute and recommend that it do pass.

CLARK, of Tama.

Mr. Denlinger from Committee on Schools and State University submitted the following report

The Committee on School and State University, to whom were referred Preamble and Resolutions from County Board of Supervisors of Mills County, Iowa, beg leave to report that they have examined said Preamble and Resolutions, and are of the opinion that if the lands named in said Preamble have been reclaimed according to law, the County has the right asked for without Legislative enactment. If said Swamp Lands have not been reclaimed the Legislature has no power to grant the request of the petitioners. The Committee therefore recommend the indefinite postponement of the Preamble and Resolutions.

C. DENLINGER, Committee.

Mr. Moir, from Committee on Judiciary, submitted the following Report:

The Committee on Judiciary, to whom was referred the Resolution requesting said Committee to examine section 843 of the Revision of 1860, in connection with section 18 of Article 1st, of the Constitution of the State of Iowa, and report by Bill or otherwise, beg leave to report that they have had the same under consideration, and that a Bill to amend said section 843 has been presented in this House.

MOIR, of Hardin.

Mr. Lake, from Committee on Judiciary, submitted the following Report:

Report of the Committee on Judiciary, on House File No. 89: The Judiciary Committee, to whom was referred House File No. 89: A Bill for an Act to amend chapter 7 of the laws of the Extra Session of the Eighth General Assembly of the State of Iowa, entitled an Act for the relief of Volunteer Soldiers, have had the same under consideration, and directed me to report the same back to the House and recommend that it do pass.

JED LAKE, of Buchanan.

Mr. Williams of Mahaska, from Committee on Judiciary, submitted the following Report:

The Judiciary Committee to whom was referred House File No. 96: A Bill for an Act to amend Section 5066 of the Revision of 1860, having considered the same, I am instructed to report the same back to the House and recommend its passage.

M. T. WILLIAMS, of Mahaska.

Mr. Mitchell of Fremont, from Judiciary Committee, submitted the following report:

The Judiciary Committee to whom was referred the following concurrent resolution, House File No. 110: Be it resolved by the House of Representatives (the Senate concurring) that our Senators in Congress be instructed and our Representatives requested to use their influence in favor of the passage of a law of Congress, which will entitle free white persons of foreign births serving in the federal army against rebellion to the full rights of citizenship upon an honorable discharge from service, and that the Secretary of State forward a copy hereof to our Members of Congress, have had the same under consideration and instructed me to report the same back to the House without amendment and recommend its adoption.

MITCHELL, of Fremont.

Mr. Stanton from Committee on Railroads submitted the following report:

The Railroad Committee to whom was referred House File No. 63: Entitled an Act in relation to the taxation of Mortgages, have had the same under consideration, and instructed me to report the same back to the House, and recommend that it be referred to the Committee on Judiciary.

STANTON.

Mr. McQuinn from the Committee on Railroads submitted the following report:

The Railroad Committee to whom was referred House File No. 25: A Bill for an Act defining the duties of Railroad Companies, have instructed me to report the same back without amendment, and recommend that it be laid upon the table, and the usual number printed for the use of this House.

McQUINN, Benton county.

The question was upon concurring in the report of the Commit-

tee. The report of the Committee was concurred in, and the Bill laid upon the table, and the usual number of copies ordered to be printed.

Mr. McCall from Committee on Engrossed Bills submitted the following report :

The Committee on Engrossed Bills have examined House File No. 18: A Bill for an Act entitled an Act to amend an Act providing for auditing all accounts and disbursements arising under the call for volunteers from Iowa, and also for all men organized as the State Militia of Iowa, and find the same correctly engrossed.

McCALL and SMELTZER, Committee.

Mr. Wright from Committee on Roads and Highways submitted the following report :

The Committee on Roads and Highways to whom was referred House File No. 91: A Bill for an Act to amend Chapter 46 of the Revision of 1860, in relation to Bridges, have had the same under consideration, and have instructed me to report the same back with a recommendation that it do not pass.

WRIGHT.

Mr. Price from Committee on Roads and Highways submitted the following report :

The Committee on Roads and Highways to whom was referred House File No. 62: An Act to amend Chapter 46 of the Revision of 1860, have had the same under consideration and they have instructed me to report the same back without amendment and recommend that it do pass.

PRICE.

Mr. Cutler from Committee on New Counties submitted the following report :

Your Committee to whom was referred House File No. 110: A Bill allowing the citizens of this State to change county boundaries, have had the same under consideration, and have directed me to make the following report :

Deeming said Bill of considerable importance would recommend that it be laid on the table, and the usual number printed.

L. H. CUTLER, Chairman.

The question was upon concurring in the report of Committee.

The report was concurred in and the bill laid on the table and the usual number of copies ordered to be printed.

On motion of Mr. Lake, substitute for House File No. 5: A Bill for an Act to amend an Act entitled an Act to protect game, passed January 28th, 1857, was taken up and referred to Committee on Agriculture.

INTRODUCTION OF BILLS.

Mr. Bracewell introduced House File No. 113: A Bill for an Act entitled an Act to abolish a law requiring delinquent tax lists to be

published in newspapers. Read a first and second time and referred to Committee on Ways and Means.

Mr. Maxwell introduced House File No. 114: A Bill for an Act to amend Section 764 of the Revision of 1860 in relation to advertising property for sale for taxes. Read a first and second time and referred to Committee on Ways and Means.

Mr. Nelson introduced House File No. 115: A Bill for an Act amending section 840 of the Revision of 1860. Read a first and second time and referred to Committee on Ways and Means.

Mr. Flint introduced House File No. 116: A bill for an Act to regulate the settlement of negroes and mulattoes in the State of Iowa. Read a first and second time.

Mr. Curtiss moved the indefinite postponement of the Bill.

Message from the Senate:

MR. SPEAKER—I am directed to inform your Honorable Body that the Senate has passed the following Bills in which the concurrence of the House is asked:

Senate Substitute for House File No. 26: An Act assuming the collection and payment of the quota apportioned to this State, of the direct tax annually laid on the United States by the Act of Congress approved August 5th, 1861, and authorizing notice thereof to the Secretary of the Treasury of the United States.

Also, House File No. 83: A Bill for an Act entitled an Act for fixing the times of holding Courts in the Fifth Judicial District of the State of Iowa, and the same is herewith returned.

W. F. DAVIS, Sec'y Senate.

Mr. Kellogg moved to lay the bill on the table. Lost.

The question then recurred upon the indefinite postponement of the bill, and upon this question the yeas and nays were ordered and were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Fairall, Ferguson, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lowrie, Martin, Maxwell, McCall, McQuinn, Mercer, Milburn, Mitchell of Fremont, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Van Anda, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—75.

The nays were, Messrs. Dunlavy, Eichorn, Flint, Gibson, Hardie, Kellogg, Lorah, McGlothlen, McLennan, Stewart, Thompson, and Wetherall—12.

Absent or not voting, Messrs. Hood, Meyer, Pierce, Sarver, and West.

The bill was indefinitely postponed.

On motion of Mr. Bowdoin the House took up Senate substitute for House File No. 26: A bill for an Act assuming the collection and payment of the quota apportioned to this State of the direct tax annually laid on the United States by the Act of Congress approved August 5th, 1861, and authorizing notice thereof to the Secretary of the Treasury of the United States. The substitute was adopted.

Mr. Bowdoin moved that the rule be suspended and the bill read a third time now. The motion prevailed.

The bill was then read a third time, and upon the question "shall the bill pass?" the yeas and nays were called and were as follows:

The yeas were—Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawatamie, Woodworth, Wright, Young, and Mr. Speaker—85.

The nays were, Messrs. Hardie, Kellogg, McLennan, and Wetherall—4.

Absent or not voting, Messrs. Glanville, Hood, Meyer, Pierce, Sarver and West.

The bill was passed and the title agreed to.

Mr. Bowdoin moved that the House take up the concurrent resolution of the Senate in relation to postage of members, &c. Carried.

Mr. Kellogg moved that the resolution be laid on the table. The motion prevailed.

Mr. Bowdoin offered the following resolution:

Resolved, by the House of Representatives, the Senate concurring, That A. P. Burrhus be appointed mail carrier for this General Assembly, with a compensation of two dollars per day for his services, such compensation to commence when he commenced carrying the mail;

And that the Postmaster in Des Moines be employed to place the necessary Postage stamps upon all the mail matter of this General Assembly, with a compensation therefor of one dollar per day.

Mr. Hardie moved to amend as follows :

Strike out all after the word "Resolved," and insert, "That the office of Postmaster of this House is hereby abolished and that in view of the financial difficulties of the State, the members of the General Assembly are required from this date to pay their own postage."

Mr. Castor moved to amend the amendment by striking out all after the word "Resolved," and insert the following :

That all resolutions and acts passed by this House, in regard to papers, postage, Postmaster and paper folders be and the same are hereby abolished, and that the Chief Clerk is hereby instructed to stop all papers accordingly.

Applications for leave of absence were severally made for Messrs. McCall, Mercer, Lane and Fairall, and granted.

Mr. Curtiss moved that the House adjourn. Lost.

Mr. Denlinger moved that the whole subject be laid upon the table and upon this question Mr. Hardie demanded the yeas and nays, which were ordered and were as follows :

The yeas were, Messrs. Baker, Bracewell, Castor, Cleaves, Cutler, Denlinger, Dunlavy, Eichorn, Guthrie, Lowrie, McLennan, McQuinn, Mercer, Smeltzer and Young—15.

The nays were—Messrs. Bass, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Converse, Curtiss, Dorr, Eaton, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Hardie, Hudnutt, Holyoke, Hollingsworth, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Schramm, Shipman, Speer, Stanton, Stevenson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, and Mr. Speaker—76.

Absent or not voting—Messrs. Hood, Meyer, Pierce, Sarver and West.

The motion to lay upon the table did not prevail.

Mr. Moir moved the previous question, which was seconded and the main question ordered to be put, viz: "Shall the amendment to the amendment prevail?" which was decided in the negative.

The question then recurred upon the amendment offered by Mr. Hardie, upon which Mr. Hardie demanded the yeas and nays which were ordered and were as follows :

The yeas were, Messrs. Bracewell, Castor, Cleaves, Converse, Dunlavy, Eichorn, Ferguson, Flint, Gault, Gibson, Glanville, Gordon, Hardie, Hudnutt, Jackson, Kellogg, Knoll, Lane, Lorah, McCall, McGlothlen, McLennan, Milburn, Mitchell of Polk, Moir,

Porter, Price, Quinn, Russell of Dallas, Russell of Jones, Speer, Stevenson, Stewart, Thompson, Wetherall, White, Wilcox, Wilson of Chickasaw, Woodworth—40.

The nays were, Messrs. Bass, Blackford, Bowdoin, Burton, Calfee, Clark, Chase, Curtiss, Cutler, Denlinger, Dorr, Eaton, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Guthrie, Holyoke, Hollingsworth, Lake, Lakin, Loomis, Lowrie, Martin, Maxwell, McQuinn, Mercer, Mitchell of Fremont, Moser, Nelson, Parker, Pendleton, Rothrock, Rowles, Schramm, Shipman, Smeltzer, Stanton, Van Anda, Walker, Walton, Wasson, Whittemore, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Wright, Young, and Mr. Speaker—49.

Absent or not voting, Messrs. Hood, Meyer, Pierce, Sarver and West.

The amendment did not prevail.

The question then recurred upon the resolution 'offered by Mr. Bowdoin, and upon this question the yeas and nays were demanded by Mr. Bowdoin, which were ordered and were as follows :

The yeas were, Messrs. Bowdoin, Chase, Eaton, Fairall, Frisbie, Fuller of Harrison, Gordon, Guthrie, Hudnutt, Holyoke, Lake, Lowrie, Martin, McQuinn, Mercer, Mitchell of Polk, Nelson, Parker, Rowles, Shipman, Smeltzer, Van Anda, Williams of Mahaska, and Mr. Speaker—24

The nays were, Messrs. Baker, Bass, Blackford, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eichorn, Ferguson, Flint, Fuller of Fayette, Gault, Gibson, Glanville, Hardie, Hollingsworth, Jackson, Kellogg, Knoll, Lakin, Lane, Loomis, Lorah, Maxwell, McCall, McGlothlen, McLennan, Milburn, Mitchell of Fremont, Moir, Moser, Pendleton, Porter, Price, Quinn, Rothrock, Russell of Dallas, Russell of Jones, Schramm, Speer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, and Young—65.

Absent or not voting—Messrs. Hood, Meyer, Pierce, Sarver, and West.

The substitute did not prevail.

Mr. Young moved to take from the table Senate Concurrent Resolution in reference to postage of members, &c. The motion prevailed.

Mr. Shipman moved to refer the Resolution to Committee of the Whole House, and that it be made the special order for 6½ o'clock to-morrow evening. The motion did not prevail.

The question then recurred on concurring in the amendment of the Senate. On this question the yeas and nays were demanded by Mr. Bowdoin, which were ordered and were as follows :

The Yeas were, Messrs. Baker, Bass, Blackford, Bracewell, Burton, Calfee, Clark, Chase, Cleaves, Curtiss, Cutler, Denlinger,

HOUSE OF REPRESENTATIVES.

Dorr, Dunlavy, Eichorn, Ferguson, Flint, Fuller of Harrison, Gault, Gibson, Glanville, Guthrie, Hardie, Holyoke, Hollingsworth, Jackson, Knoll, Lakin, Lowrie, Maxwell, McGlothlen, McLennan, Milburn, Moser, Pendleton, Porter, Rowles, Schramm, Smeltzer, Speer, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Woodworth, Wright and Young—55.

The Nays were, Messrs. Bowdoin, Castor, Converse, Eaton, Fairall, Frisbie, Fuller of Fayette, Gordon, Hudnutt, Kellogg, Lake, Lane, Loomis, Lorah, Martin, McCall, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Price Quinn, Rothrock, Russell of Dallas, Russell of Jones, Shipman, Stanton, White, Wilson of Pottawattamie, and Mr. Speaker—34.

Absent or not voting, Messrs. Hood, Meyer, Pierce, Sarver, and West.

The House concurred in the Resolution of the Senate.

Mr. McQuinn moved that when this House adjourn, it adjourn to meet to-morrow morning at 10 o'clock. The motion prevailed.

On motion of Mr. McQuinn the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
FRIDAY, January 31, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Young.

Journal of yesterday read and approved.

Mr. Woodworth presented the credential of his colleague, Mr. West. The credentials were accepted by the House. Mr. West then came forward to the Clerk's desk, was sworn in, and took his seat as a member of this House.

PETITIONS AND MEMORALS.

Mr. Mitchell of Polk presented the memorials of B. F. Allen and others, Edwin C. Litchfield and others, asking for protection of their title to Des Moines River Lands.

Mr. Mitchell moved to refer the memorials to a Select Committee of five.

The Chair appointed as such Committee Messrs. Mitchell of Polk, Williams of Mahaska, Hardie, Mercer, and Wilson of Pottawattamie.

REPORTS OF COMMITTEES.

Mr. Lake from Committee on Judiciary submitted the following report:

The Judiciary Committee to whom was referred House File No. 87: A Bill for An Act to allow the Board of Supervisors to elect their own Clerk, have had the same under consideration, and have directed me to report the same back to the House and recommend that it be indefinitely postponed.

JED LAKE.

Mr. Moir from Committee on Judiciary submitted the following report:

The Judiciary Committee, to whom was referred House File No. 99: A bill for an Act to legalize the Notarial acts of one Louis Case, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House and recommend its passage.

MOIR.

Mr. Porter, from Committee on Incorporations, submitted the following report:

The Committee on Incorporations, to whom was referred House File No. 48, have had the same under consideration and have directed me to report to the House the accompanying substitute for the same and recommend its passage.

J. R. PORTER.

Mr. Frisbie, from Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Joint Committee of the two Houses, have examined Senate substitute for House File No. 26 and House File No. 93, and also a Concurrent Resolution in relation to the distribution of the Adjutant General's report; and find the same correctly enrolled and herewith present the same for your signature.

D. G. FRISBIE,

Ch'n House Com. on Enrolled Bills.

Mr. Flint, from Committee on Roads and Highways, submitted the following report:

Your Committee, to whom was referred House File No. 102: A bill for an Act to legalize the acts of certain persons therein named in the establishing of a certain State Road, have had the same under consideration and instructed me to report the same back to the House, and recommend that it be referred to a select Committee, composed of the delegation from the Counties of Henry, Lee and Van Buren.

J. H. FLINT, of Wapello.

Mr. Price, from Committee on Roads and Highways, submitted the following report:

The Committee on Roads and Highways, to whom was referred

House File No. 85 : An Act to amend Chapter 46, of the Revision of 1860, have had the same under consideration, and they have instructed me to report the same back with some amendments and recommend that it do pass.

PRICE, Chairman.

INTRODUCTION OF BILLS.

Mr. Guthrie introduced House File No. 117: A bill for an Act to exempt bees from execution. Read a first and second time and referred to the Committee on Agriculture.

Mr. Curtiss introduced House File No. 118: A bill for an Act to remove the State Weights and Measures from Iowa City to Des Moines. Read a first and second time and referred to Committee on Public Buildings and Property.

On motion of Mr. Kellogg, House File No. 112: A Joint Resolution for the payment of certain claims of Col. John Edwards and others, was taken up and read a third time and passed unanimously.

On motion of Mr. Converse, leave of absence was granted to Mr. Upp, paper folder of the House.

A concurrent resolution, reported by Committee on Military Affairs, requesting our Senators and Representatives in Congress to use their influence with the War Department to procure the release of our brave soldiers taken prisoners at the battle of Belmont, was taken up and passed unanimously.

Mr. Young moved to suspend the regular order of business and take up the unfinished business. The motion did not prevail.

Mr. Dunlavy offered the following resolution, which was laid over under the rule :

Resolved, That the State Treasurer be requested to inform the House of Representatives whether the General Government has paid to the State of Iowa, any portion of the expenses incurred in raising volunteers in obedience to the call of the President of the United States; and if so, by whom was it paid, and whether the whole, or in part, were paid in specie, Treasury Notes, or any other representation of value; what amount has been paid out, and whether the payments that have been made were in redemption of the warrants in their order of issuance; furnishing a full and complete history of the amount received, what received in, and to whom paid out.

Mr. Walker offered the following resolution :

Resolved, (by the House of Representatives, the Senate concurring), that there be a Committee of two from this House, and one from the Senate, appointed to visit the Penitentiary, at Fort Madison, and make report to this House of the condition of said prison, with all other matters connected therewith, deemed expedient to be brought before this House.

Mr. Gibson offered the following amendment: "provided the Committee shall not be allowed mileage."

Mr. Lowrie offered the following amendment to the amendment: "that each one of the Committee receive in addition to his pay as member, two dollars per day for payment of expenses."

Mr. Bowdoin moved to lay the whole subject on the table. The motion prevailed.

Mr. Holyoke offered the following Joint Resolution:

Be it resolved by the General Assembly of the State of Iowa, That a Committee consisting of two members from this House, and one from the Senate, be appointed to visit the Hospital for the Insane, and report upon its general condition at an early day.

THOS. HOLYOKE,

Chairman of Committee on Charitable Institutions.

Mr. Kellogg moved to lay the resolution on the table. The motion prevailed.

The following message from the Senate was received through Wm. F. Davis, their Secretary:

MR. SPEAKER: I am instructed to inform your Honorable body that the Senate has passed Senate File No. 33: An Act in relation to Jurors' Fees," in which the concurrence of the House is asked.

W. F. DAVIS, Secretary.

Mr. Price offered the following resolution:

Resolved by the House, the Senate concurring, That the per diem pay of the members of this Legislature shall be one dollar, after the first sixty days of the present session.

Mr. Moser moved to lay the resolution on the table. Carried.

Mr. Gault offered the following resolution, which was laid over under the rule:

Resolved, That the Treasurer of State be required to inform this House the amount of gold and silver now in the Treasury, and how much of said money will be required to pay the interest on the State debt.

Mr. Wilson, of Pottawattamie, offered the following resolution, which was adopted.

Resolved, That the Committee on Schools and State University, be instructed to inquire into the expediency of amending Section 2,028 of the Revision of 1860, so as to prohibit the people of any school district from levying more than 3 mills on the dollar for school house purposes, in any one year, and report by bill or otherwise.

Mr. Fuller, of Harrison, offered the following resolution:

Resolved, That the Committee on County and Township Organizations be requested to inquire into the expediency of increasing the salaries of County Treasurers and Recorders, and report to this House by bill or otherwise.

Russell, of Jones, moved to insert "decreasing" instead of "increasing."

Mr. Bracewell moved to lay the whole subject on the table. Carried.

Mr. Wetherall offered the following resolution :

Resolved, That the Committee on Constitutional amendments, be instructed to inquire into the expediency of so amending the Constitution as to prevent the ingress of negroes and mulattoes to this State, and report at an early day such provision, if it shall be deemed expedient.

Mr. Woodworth moved that the resolution be indefinitely postponed, and upon this question, Mr. Wetherall demanded the yeas and nays, which were ordered, and were as follows :

The yeas were, Messrs. Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Hudnutt, Holyoke, Jackson, Lake, Lakin, Loomis, Lowrie, McQuinn, Mercer, Milburn, Mitchell of Polk, Moser, Nelson, Parker, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Shipman, Stanton, Van Anda, Walker, West, White, Whittemore, Wilcox, Williams of Mahaska, Wilson of Chickasaw, Woodworth, Wright, Young, Mr. Speaker.—50.

The nays were, Messrs. Bass, Bracewell, Denlinger, Dorr, Dunlavy, Eichorn, Ferguson, Flint, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hollingsworth, Hood, Kellogg, Knoll, Lorah, Martin, Maxwell, McGlothlen, McLennan, Mitchell of Fremont, Moir, Pendleton, Schramm, Smeltzer, Speer, Stevenson, Stewart, Thompson, Walton, Wasson, Wetherall, Williams of Des Moines, Wilson of Pottawattamie—37.

Absent or not voting, Messrs. Fairall, Lane, McCall, Meyer, Pierce, Sarver.

The motion prevailed.

Mr. Williams, of Mahaska, offered the following resolution, which was adopted.

Resolved, That the Committee on Ways and Means be instructed to inquire into the expediency of taxing salaries for State purposes, and report thereon by Bill or otherwise.

Mr. Curtiss introduced the following resolution :

Resolved, That the Committee on Charitable Institutions be requested to take into consideration the propriety of causing the Deaf and Dumb Asylum of this State to be removed from Iowa City to Des Moines City ; and, should they think it advisable to cause such removal, to report at an early day as convenient if suitable buildings can be procured for the same and upon what terms.

The resolution did not prevail.

Mr. Wilcox offered the following resolution :

Resolved, That the Committee on Ways and Means be instructed to inquire into the expediency of so amending Section 733 of the Revision of 1860, as to make the Assessors' duties commence on the first Monday of April.

Mr. McQuinn moved to amend by striking out "April" and insert "February."

Mr. Bracewell moved to lay the whole subject on the table. Carried.

The resolution in relation to binding certain documents for the use of the General Assembly, was taken up, and on motion of Mr. Cleaves, was recommitted to Committee on Library.

Mr. Kellogg offered the following Preamble and Resolution.
WHEREAS, The lease of the buildings now occupied by the Iowa Institution for the education of the Deaf and Dumb is nearly expired: therefore, be it

Resolved, That the Committee on Charitable Institutions be instructed to inquire into the expediency of moving said institution to this City, and report whether suitable buildings can be procured for said institution and on what terms.

Mr. Gault moved to amend by striking out "Committee on Charitable Institutions" and inserting "Committee on Public Buildings and Property," which amendment prevailed.

Mr. Williams, of Mahaska, moved to amend as follows: "And they also report the probable cost of such removal." The amendment was accepted.

Mr. Mitchell, of Fremont, moved to reconsider the vote by which Mr. Gault's amendment was adopted. The motion prevailed.

The question then recurred upon the amendment of Mr. Gault. The amendment did not prevail.

Mr. Lakin moved to amend the resolution by instructing the Committee to report at what point the Institution could be most advantageously located.

Mr. Bracewell moved to lay the whole subject on the table. Lost.

The question then recurred upon the amendment of Mr. Lakin. The amendment did not prevail.

The resolution as amended was adopted.

On motion of Mr. Bracewell, the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

The House took up Senate File No. 33: A bill for an Act in relation to jury fees, which was read a first and second time and referred to Committee on Judiciary.

The House then took up Senate File No. 43: A bill for an Act to provide for the preservation of Trout in the waters of this State, which was read a first and second time.

Mr. Hudnutt moved that the rule be suspended and the bill read a third time now. The motion prevailed, the bill was read a third time, and upon the question "Shall the bill pass?" the yeas and nays were called and were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bracewell, Burton Calfee, Castor, Clark, Chase, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Loomis, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Schramm, Shipman, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—76.

The Nays were, Mr. Moser—1.

Absent or not voting—Messrs. Bowdoin, Cleaves, Eaton, Fairall, Gordon, Lane, McCall, McQuinn, Meyer, Pierce, Porter, Price, Sarver, Smeltzer, Wetherall, Williams of Mahaska, Wilson of Chickasaw—17.

The bill passed and the title was agreed to.

Mr. Frisbie, from Committee on Enrolled Bills, submitted the following Report:

MR. SPEAKER:—The Joint Committee of the two Houses have examined Senate File No. 39, and House File No. 83, and find the same correctly enrolled. They are herewith presented for your signature.

D. G. FRISBIE,

Chairman of House Committee on Enrolled Bills.

House File No. 85: A Bill for an Act prescribing the duties of Township Trustees and Road Supervisors in certain cases, was taken up, and the following amendment reported by the Committee was adopted:

Read as follows: after the word "scraper" in fourth line of section 1, "and for payment of any indebtedness previously contracted by such Township for Road purposes."

On motion of Mr. Pendleton the House then resolved itself into Committee of the Whole on the Bill before the House.

Mr. Shipman in the Chair.

The Committee rose and made the following Report through their Chairman:

MR. SPEAKER:—The Committee of the Whole have had under consideration House File No. 85: A Bill for an act prescribing the duties of Township Trustees and Road Supervisors in certain

cases, and have instructed me to report the same back to the House and recommend its indefinite postponement.

SHIPMAN, Chairman.

Mr. Rothrock moved to lay the Bill on the table. The motion prevailed.

COMMUNICATIONS ON SPEAKER'S DESK.

The following communication was taken up and read :

IOWA STATE AGRICULTURAL SOCIETY, }
SECRETARY'S OFFICE, MUSCATINE, January 30, 1862. }

HON. RUSH CLARK,

Speaker of the House of Representatives :

In pursuance of the Act of the Legislature for the promotion of Agriculture, I present the Annual Report of the Iowa State Agricultural Society for the year 1861. The abstracts of County Societies and the valuable papers accumulated during the year will be prepared for the press in due time.

Very respectfully, yours,

J. H. WALLACE, Sec.

The Report accompanying the communication was referred to Committee on Agriculture.

Mr. Walker presented a communication from his colleague, Mr. Pierce, informing the House that his seat would not be occupied by him. Referred to Committee on Elections.

BILLS ON SECOND READING.

The House took up House File No. 8: A Bill for an Act in relation to Life Insurance Companies.

Mr. Kellogg moved to amend by striking out section 4. The amendment prevailed.

Mr. Bass moved that the rule be suspended and the Bill read a third time now. Carried.

The Bill was read a third time, and upon the question: "Shall the Bill pass," the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Loomis, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, Mcquinn, Mercer, Milburn, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell

of Jones, Schramm, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—83.

The nays were, None.

Absent or not voting—Clark, Fairall, Ferguson, Lane, McCall, Meyer, Mitchell of Fremont, Pierce, Sarver, Shipman and Smeltzer—11.

The Bill passed and the title was agreed to.

Mr. Martin, from Committee composed of delegation of Eighth Judicial District, beg leave to submit the following report :

The delegation from the Eighth Judicial District, to whom was referred House File No. 28: An Act to fix the times of holding Court in the Eighth Judicial District, have had the same under consideration, and have instructed me to report a substitute therefor, and ask that the same do pass.

MARTIN, Chairman.

Mr. Martin, by leave, introduced substitute for House File No. 28: A Bill for an Act to change the times of holding Courts in the Eighth Judicial District of the State of Iowa, which was read a first and second time.

Mr. Martin moved that the rule be suspended and the Bill read a third time now. Carried.

The Bill was read a third time, and upon the question: "Shall the Bill pass," the yeas and nays were ordered and were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Loomis, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Schramm, Shipman, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—85.

The nays were, None.

Absent or not voting, Messrs. Fairall, Lane, McCall, McQuinn, Moser, Pierce, Sarver, Smeltzer and West—9.

The bill passed and the title was agreed to.

Mr. Bowdoin offered the following resolution, which was lost :

Resolved, That the Chief Clerk be instructed to procure and put up in at least two conspicuous places in this Hall, so much of the postage laws as will inform members of this House of the amount

of postage stamps necessary to be placed on public documents ordered printed by the General Assembly to insure their transmission in the mail.

Mr. Curtiss moved that when the House adjourn that it adjourn to meet Monday morning. Lost.

The House took up substitute for House File No. 32: A Bill for an Act to repeal Chapter 81 of the Eighth General Assembly, Entitled an Act for the establishment of a Commissioner in the City of New York to promote immigration to the State of Iowa.

Mr. Williams of Mahaska moved that the rule be suspended and Bill read a third time now: the motion prevailed. The Bill was read a third time, and upon the question "Shall the Bill pass" the yeas and nays were ordered and were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Loomis, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Schramm, Shipman, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickssaw, Wilson of Pottawattamie, Woodworth, Wright, Young, Mr. Speaker.—86.

The nays were,—None.

Absent and not voting were, Messrs. Fairall, Lane, McCall, Meyer, Moser, Pierce, Sarver and Smeltzer.

The Bill passed and the title was agreed to.

The House took up House File No. 15: A Bill for an Act defining the duties of Justices of the Peace and Special Constables in certain cases, which was Engrossed for a third reading to-morrow.

On motion of Mr. Lowrie, leave of absence was granted to Mr. Thompson.

Mr. McQuinn moved that the House do now adjourn. Lost.

Mr. Hardie moved to take up the report and resolutions submitted by the delegation from Dubuque. Lost.

And on motion of Mr. McQuinn the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 SATURDAY, February 1, 1862. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Young.

Journal of yesterday read and approved.

Mr. Shipman moved that the regular order of business be suspended, and bills on their third reading be taken up. The motion prevailed.

BILLS ON A THIRD READING.

House File No. 82: A Bill for an Act to amend Section 4607, Chapter 195 of the Revision of 1860. The bill was read a third time, and upon the question: "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Denlinger, Dorr, Eaton, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison Gault, Gibson, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Lake, Lakin, Loomis, Lorah, Lowrie, Martin, Maxwell, McLennan, McQuinn, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, VanAnda, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—78.

The nays were, Messrs. Dunlavy, Glanville, Knoll, Moser, Quinn, and Schramm—6.

Absent or not voting—Messrs. Cutler, Fairall, Lane, McCall, McGlothlen, Meyer, Pendleton, Pierce, Sarver, Thompson.

The bill passed.

Mr. Kellogg moved to amend the title by adding the words: Relating to preliminary examinations before magistrates. The amendment prevailed, and the title as amended was agreed to.

House File No. 18: A bill for an Act entitled an Act to amend an Act entitled an Act providing for auditing all accounts and disbursements arising under the call for volunteers from Iowa, and also for all men organized as the State Militia of Iowa. Read a third time. On the question "shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler,

Denlinger, Dorr, Eichorn, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Loomis, Martin, Maxwell, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Schramm, Shipman, Speer, Stanton, Stevenson, Van Anda, Walker, Walton, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Young, and Mr. Speaker—66.

The nays were, Messrs. Bowdoin, Dunlavy, Eaton, Ferguson, Flint, Frisbie, Hardie, Hudnutt, Lake, Lakin, Lorah, Lowrie, McGlothlen, Milburn, Quinn, Stewart, Smeltzer, Wasson, Williams of Mahaska, Wright—20.

Absent or not voting—Messrs. Fairall, Lane, McCall, Meyer, Pendleton, Pierce, Sarver, Thompson.

The Bill passed and the title was agreed to.

House File No. 2: A Bill for an Act to amend Section 2967 Chapter 122 of the Revision of 1860.

Mr. Lake moved to recommit the bill to the Committee on Judiciary. The motion did not prevail.

The bill was read a third time, and upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Bowdoin, Calfee, Castor, Clark, Chase, Converse, Dorr, Dunlavy, Eaton, Frisbie, Fuller of Harrison, Gibson, Gordon, Hollingsworth, Hood, Kellogg, Lakin, Loomis, Martin, Maxwell, McQuinn, Mitchell of Fremont, Mitchell of Polk, Moir, Porter, Price, Rothrock, Shipman, Speer, Van Anda, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—42.

The nays were, Messrs. Blackford, Bracewell, Burton, Curtiss, Cutler, Denlinger, Eichorn, Ferguson, Flint, Fuller of Fayette, Gault, Glanville, Guthrie, Hardie, Hudnutt, Holyoke, Jackson, Knoll, Lake, Lorah, Lowrie, McGlothlen, McLennan, Mercer, Milburn, Moser, Nelson, Parker, Quinn, Rowles, Russell of Dallas, Russell of Jones, Schramm, Smeltzer, Stanton, Stevenson, Stewart, Walker, Walton, Wasson, Wetherall, West, Whittemore, Wilson of Chickasaw—44.

Absent or not voting—Messrs. Fairall, Lane, McCall, Meyer, Pendleton, Pierce, Sarver, and Thompson.

The bill did not pass.

Message from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed Senate File No. 41: An Act to abolish the Board of Commissioners of the Insane Asylum, in which the concurrence of the House is asked.

WM. F. DAVIS, Secretary.

Mr. Mitchell of Fremont, by leave, presented a petition of sundry citizens of Fremont county, praying that rebels from Missouri may be prevented from seeking an asylum for themselves and property in the State of Iowa. Referred to Committee on Judiciary.

Mr. Mitchell, by leave, offered the following resolution, which was laid over under the rule:

Resolved, That His Excellency, the Governor, be requested to communicate to this House all the information in his possession in reference to the rebels of Missouri taking refuge for themselves and property in Fremont county, Iowa, and the troubles arising therefrom, or so much thereof as he may deem to be not inconsistent with the public interest so to communicate.

Mr. Kellogg moved that the rule be suspended, and House File No. 18 be sent to the Senate immediately. The motion prevailed.

Leave of absence was granted to Mr. Guthrie.

House File No. 6: A Bill for an Act authorizing cities, towns and villages to regulate and license the sale of property by auctioneers, was read a third time, and upon the question, "Shall the bill pass," the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Denlinger, Dorr, Eaton, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Lake, Lakin, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McLennan, McQuinn, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—79.

The nays were, Mr. Glanville—1.

Absent or not voting—Messrs. Cutler, Dunlavy, Fairall, Knoll, Lane, McGlothlen, Moser, Pendleton, Pierce, Quinn, Sarver, Schramm, Thompson—13.

The bill passed, and the title was agreed to.

Mr. Stanton moved to reconsider the vote by which House File No. 2 was lost. The motion prevailed.

Mr. Kellogg moved to recommit to Committee on Judiciary. Lost.

Mr. Frisbie moved to refer to a select Committee of three. Carried.

The Chair appointed Messrs. Frisbie, Dunlavy and Lakin, such Committee.

Mr. Smeltzer, by leave, offered the following resolution:

Resolved, That the Secretary of State be requested (if compati-

ble with the public interest,) to furnish and cause to be put down, a strip of matting across the north end of this Hall, similar to the one now in the middle aisle.

Mr. Hardie moved to amend by striking out the words in parenthesis "(if compatible with the public interest.)" The amendment prevailed.

The Resolution as amended was adopted.

Mr. Rothrock moved to take from the table House File No. 85 : A Bill for an Act prescribing the duties of Township Trustees and Road Supervisors in certain cases. The motion prevailed.

The Bill was referred to Committee on Roads and Highways.

Senate File No. 13: A Bill for an Act to authorize the Deputy Clerk of the District Court to act instead of his principal in certain cases, and to legalize certain Acts heretofore done. Read a third time, and upon the question: "Shall the Bill pass," the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Denlinger, Dorr, Eaton, Eichorn, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Knoll, Lake, Lakin, Loomis, Lorah, Lowrie, Martin, Maxwell, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Schramm, Smeltzer, Speer, Stanton, Stevenson, Stewart, Van Anda, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—75.

The nays were, Messrs. Dunlavy, Ferguson, Gibson, Jackson, McGlothlen, Milburn and Stevenson—7.

Absent or not voting—Messrs. Fairall, Lane, McCall, Meyer, Pendleton, Pierce, Sarver, Shipman, Thompson and Walker—10.

The Bill passed and the title was agreed to.

Mr. Frisbie, from Committee on Enrolled Bills, submitted the following Report :

The Committee on Enrolled Bills ask leave to report that on yesterday, January 31, they presented to His Excellency, the Governor, for his approval, the following Bills, to-wit: Senate File No. 39, and House Files No's. 26, 83 and 93.

D. G. FRISBIE, Chairman.

Mr. Gault, by leave, offered the following Resolution :

Resolved, That the use of this Hall be allowed to the Aspinwall family, for the purpose of holding a Concert on next Monday night.

Mr. Kellogg moved to lay the Resolution on the table. The motion prevailed.

Mr. Curtiss moved that when this House adjourn it adjourn to meet Monday morning. Carried.

On motion of Mr. Nelson the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
MONDAY, February 3, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Fishback.

Journal of Saturday read and approved.

PETITIONS, MEMORIALS, &C.

Mr. Rothrock presented sundry petitions from citizens of Cedar County, for a law to protect sheep from the ravages of dogs. Referred to Committee on Agriculture.

Also; A petition from sundry citizens from Cedar county, praying for a law to prevent live stock from running at large. Referred to Committee on Agriculture.

Also; Sundry petitions from citizens of Cedar County, praying for the enactment of a more stringent Prohibitory Liquor Law. Referred to Select Committee on that subject.

Mr. Castor presented a remonstrance of Jas. M. Dawson and 115 others, citizens of Mahaska County, against the repeal of the Prohibitory Liquor Law. Referred to Select Committee on that subject.

Messrs. Maxwell and McQuinn presented two several petitions from citizens of Clinton and Benton counties, asking the repeal of the Prohibitory Liquor Law, and for the enactment of a License Law. Referred to Select Committee on Prohibitory Liquor Law.

Messrs. Pendleton and Williams of Des Moines, presented two several petitions from citizens of their respective counties, asking for a law to protect sheep from the ravages of dogs. Referred to Committee on Agriculture.

Mr. Eichorn presented a petition of Eli Millard and 72 others, asking legislation with reference to the Plank Road in Lee County. Referred to Committee on Judiciary.

Mr. Dunlavy presented a petition of sundry citizens of Davis County, praying for a special Act for the benefit of citizens of Davis County, who hold certain road orders. Referred to Committee on Roads and Highways.

Mr. Kellogg presented a memorial from the Board of Supervi-

sors of Decatur County, asking for a reduction of salaries of State and County Officers. Referred to Select Committee on that subject.

Mr. Van Anda presented a petition of sundry citizens of Delaware County, recommending Lieut. Livingston's improved patent rifle, and asking that the State contract for the manufacture thereof. Referred to Committee on Military Affairs.

Mr. Porter presented a memorial from the Board of Supervisors of Scott county, asking that the law limiting the number of days the Board of Supervisors shall sit, be so amended as to allow said Board to sit at least 25 days, in counties containing 20,000 inhabitants and upwards. Referred to Committee on County and Township Organization.

Leave of absence was granted to Mr. Bass.

REPORTS OF COMMITTEES.

Mr. Porter from Committee on Schools and State University submitted the following report :

The Committee on Schools and State University, to whom was referred the petition of C. P. Goodrich and others, of Jefferson Tp., in Clayton County, asking for a change in the law passed at the last session of the Board of Education, providing for the teaching of the German and other foreign languages in our Common Schools, have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it be indefinitely postponed.

J. R. PORTER.

Mr. Hudnutt, from Committee on Schools and State University, submitted the following report :

The Resolution referred to the Committee on Schools and State University, inquiring into the expediency of providing by law for the receipt of school and school-house orders in payment of taxes from their respective funds, has been considered by the Committee, and have instructed me to report that in their opinion the present Law is preferable, and recommend that the Resolution be not adopted.

Respectfully submitted,

J. O. HUDNUTT.

Mr. Shipman, from Committee on Township and County Organization, submitted the following reports :

The Committee on Township and County Organization, to whom was referred House File No. 92: An Act creating a Chairman of the Board of Supervisors, have had the same under consideration and have instructed me to report the same back to the House, and recommend its indefinite postponement.

SHIPMAN, Chairman.

The Committee on Township and County Organizations, to whom

was referred House File No. 103: An Act to amend Chapter 42 of the Revision of 1860, have had the same under consideration, and have instructed me to report the same back with the following amendments, and recommend its passage.

SHIPMAN, Chairman.

The Committee on Township and County Organizations, to whom were referred certain petitions and memorials in relation to changing certain County Boundary Lines, have had the same under consideration, and have instructed me to report the following Bill, and recommend its passage.

SHIPMAN, Chairman.

The Committee on Township and County Organizations, to whom was referred House File No. 107: An Act to amend Chapter 22 of the Revision of 1860, have had the same under consideration and have directed me to report the same back to the House with the following amendments, and recommend its passage.

SHIPMAN, Chairman.

The Committee, by leave, introduced House File No. 119: A Bill for an Act to confer certain powers on Boards of Supervisors to change County Boundaries. Read a first and second time and on motion of Mr. Lake laid upon the table and the usual number of copies ordered to be printed.

Mr. Young from Committee on Judiciary submitted the following report:

The Committee on Judiciary, to whom was referred Senate File No. 33: A Bill for an Act in relation to Jury Fees, have had the same under consideration, and a majority of the Committee have instructed me to report the same back to the House, and recommend that it do not pass.

YOUNG, Chairman.

Mr. Rothrock from Committee on Judiciary, submitted the following report:

The Committee on Judiciary, to whom was referred House File No. 104: A Bill to legalize the levy of certain taxes for school house purposes in District No. 2, in the District Township of Huron in Des Moines County, have had the same under consideration and have instructed me to report the same back to this House and recommend its passage.

ROTHROCK, From Committee.

Mr. Lake from Committee on Judiciary, submitted the following report:

The Judiciary Committee to whom was referred the memorial from the Board of Supervisors of Lee County asking a law allowing Counties to fund their outstanding indebtedness, have had the same under consideration and have prepared a bill to that effect and directed me to report the same to the House and recommend that it do pass.

JED LAKE.

Mr. Lake, by leave, introduced House File No. 120: A Bill for an Act to allow Counties to fund their outstanding warrants.

Mr. Lake moved that the bill be laid on the table and the usual number of copies printed. Carried.

Mr. Hardie from Committee on Agriculture, submitted the following report:

The Committee on Agriculture, to whom was referred the petition of Austin Parsons and sixty-two others, citizens of Cedar County, asking for the enactment of a law for the protection of Hedge Fences, have had the same under consideration and have instructed me to report the following Bill, with the recommendation that the same do pass.

HARDIE.

Mr. Hardie, by leave, introduced House File No. 121: A Bill for an Act for the encouragement of Hedging, which was read a first and second time and passed upon the files.

Mr. Wilson from Committee on Public Buildings and Property, submitted the following report:

The Committee on Public Buildings and Property, to whom was referred House File No. 118, entitled: A Bill for an Act to remove the State Weights and Measures from Iowa City to Des Moines, have had the same under consideration, and have directed me to report the same back by striking out the 3d Section of said Bill and recommend it do pass.

WILSON of Pottawattamie,
Chairman of Committee on Public Buildings.

Mr. Price from Committee on Roads and Highways, submitted the following report:

The Committee on Roads and Highways, to whom was referred House File No. 115: An Act to amend Section 840 of the Revision of 1860, have had the same under consideration, and have instructed me to report the same back and recommend that it do not pass.

PRICE.

Mr. Wright from Committee on Roads and Highways, submitted the following report:

The Committee on Roads and Highways, to whom was referred House File No. 23: An Act for laying out private Roads; also, a memorial from the Board of Supervisors of Wayne County; also a memorial from the Grand Jury of Jones County, all of which relates to the subject of highways, have had the same under consideration, and have instructed me to report a substitute and recommend its passage.

WRIGHT.

RESOLUTIONS LAID OVER UNDER RULE.

The House took up the following resolution, introduced on Saturday by Mr. Mitchell of Fremont:

Resolved, That his Excellency, the Governor, be requested to communicate to this House all the information in his possession in reference to the Rebels of Missouri taking refuge for themselves and property in Fremont county, Iowa, and the troubles arising therefrom, or so much thereof as he may deem to be not inconsistent with the public interest so to communicate. The Resolution was adopted.

The House took up the following Resolution introduced by Mr. Gault on Saturday:

Resolved, That the Treasurer of State be requested to inform this House the amount of gold and silver now in the Treasury, and how much of said money will be required to pay the interest on the State Debt. Introduced by Gault and laid over under the rule.

The resolution was adopted.

The House took up the following resolution, introduced by Mr. Dunlavy on Saturday:

Resolved, That the State Treasurer be requested to inform the House of Representatives, whether the General Government has paid to the State of Iowa any portion of the expenses incurred in raising volunteers in obedience to the call of the President of the United States, and if so by whom was it paid, and whether the whole or in part were paid in specie, Treasury notes, or any other representative of value, what amount has been paid out, and whether the payments that have been made were in redemption of the warrants in their order of issuance, furnishing a full and complete history of the amount received, what received in, and to whom paid out. The resolution was adopted.

INTRODUCTION OF BILLS.

Mr. Maxwell introduced House File No. 122: An Act to license Stallions and Jacks, which was read a first and second time and referred to Committee on Domestic Manufactures.

The following Message was received from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body, that the Senate has adopted the following Concurrent Resolution in which the concurrence of the House is asked:

Resolved, by the Senate, the House of Representatives concurring, that the Secretary of the Board of Education be authorized to procure 2000 additional copies of his report for the use of his office and for distribution in such manner as he may deem expedient; also, that the Senate has passed House File No. 28, without amend-

ment: A Bill for an Act to change the times of holding courts in the 8th Judicial District of the State of Iowa.

WM. F. DAVIS, Secretary.

Mr. Hood introduced House File No. 123: A bill for an Act entitled an Act to protect young men's rights, which was read a first and second time, and referred to Committee on Ways and Means.

Mr. Denlinger introduced House File No. 124: A Bill for an Act authorizing counties to become the purchasers of lands for delinquent taxes in cases where there is no other purchaser, which was read a first and second time, and referred to Committee of Ways and Means.

Mr. Martin introduced House File No. 125: A bill for an Act to exempt from execution the property of the Militia of Iowa mustered into the actual service of the United States: read a first and second time, and referred to Committee on Military Affairs.

Mr. Lowrie introduced House File No. 126: A bill for an Act entitled an Act to amend section 2275 of the Revision of 1860; read a first and Second time, and referred to Committee on Judiciary.

Mr. Lowrie introduced House File No. 127: A Bill for an Act entitled an Act to amend Section 1, Chapter 98 of Laws of the 6th General Assembly, and to legalize the records of certain deeds and conveyances in the Recorder's office at Ft. Madison in Lee county, and making the same evidence in legal proceedings; read a first and second time and referred to Committee on Judiciary.

Mr. Converse, by leave, moved to reconsider the vote by which House File No. 18: A Bill for an Act entitled an Act to amend an Act entitled an Act providing for auditing all accounts and disbursements arising under the call for volunteers from Iowa, and, also, for all men organized as the State Militia of Iowa, was passed. The motion prevailed.

Mr. Eaton moved to lay the Bill on the table. The motion prevailed.

Mr. Lake introduced House File No. 128: A bill for an Act to regulate evidence of written contracts, which was read a first and second time, and referred to Select Committee, of which Mr. Frisbie is chairman.

Mr. Williams of Mahaska, from Committee on Elections, by leave, submitted the following report and accompanying resolution.

The Committee on Elections, to whom was referred the letter of Hon. A. R. PIERCE, a member of this House representing the county of Jefferson, addressed to Hon. Peter Walker, requesting that the proper authority be informed that his seat in this House would not longer be occupied by him, attached hereto, have had the same under consideration, and I am instructed to report thereon that although the same is not addressed to the Speaker of the House as prescribed by law in such cases, yet the same, in the opinion of the Committee, is sufficiently formal to be regarded as a resigna-

tion of his seat in this General Assembly, and therefore submit the following Resolution:

Resolved, That the Speaker of the House be instructed to communicate the fact of said resignation to the Governor.

M. T. WILLIAMS of Mahaska, Chairman.

The resolution as reported from Committee was adopted.

Mr. Knoll introduced House File No. 129: A bill for an Act defining the duties of Coroners in certain cases. Read a first and second time and referred to Committee on Judiciary.

Mr. Wilson, of Pottawattamie, offered the following resolution, which was adopted:

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of amending the militia law of this State and report at their earliest convenience by bill or otherwise.

Mr. Bracewell introduced the following resolution:

WHEREAS, The Gallery in this Hall is for the accommodation of spectators; and,

WHEREAS, Spectators do not occupy said Gallery, but come within this House and occupy the rear seats; and,

WHEREAS, When there is so much noise in the House it is impossible for members, who occupy the rear seats on this floor, to hear the Clerks read or members speak; therefore be it

Resolved, That the Sergeant-at-Arms be instructed to remove from this House those seats near the door, which are for the accommodation of spectators.

Mr. Bowdoin moved to lay the resolution on the table. Lost.

The resolution was adopted.

The House then took up Concurrent Resolution of Senate, relative to the printing of Report of Secretary of Board of Education.

Mr. Frisbie moved its reference to the Committee on Schools and State University. Lost.

Mr. Hardie moved that the resolution be referred to Committee on Printing with instructions to inquire into and report the cost of printing two thousand extra copies. Lost.

Mr. Kellogg moved to amend by adding "provided the cost does not exceed \$200." Lost.

Mr. Kellogg moved to amend by adding the following: "That the report of the Secretary of Education, being the first 27 pages, be published only." Lost.

The question then recurred upon the adoption of the Senate Concurrent Resolution, and upon this question the yeas and nays were demanded and were ordered, and were as follows:

The yeas were, Messrs. Baker, Bowdoin, Burton, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Lake, Lakin, Loomis, Lorah, Lowrie, Martin, Maxwell, McLennan, McQuinn, Mercer, Milburn, Mitchell of

Fremont, Mitchell of Polk, Moser, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Russell of Dallas, Russell of Jones, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wright, Young, and Mr. Speaker—68.

The nays were, Messrs. Bracewell, Calfee, Ferguson, Flint, Kellogg, Knoll, McGlothlen, Moir, Nelson, Wetherall, West, Wilson of Pottawattamie, and Woodworth—13.

Absent or not voting—Messrs. Bass, Blackford, Fairall, Gordon, Guthrie, Lane, McCall, Meyer, Rowles, Sarver, Thompson and Walker.

The Concurrent Resolution was adopted.

Mr. Bowdoin offered the following Resolution, which was adopted:

Resolved, That John N. Dewey, F. R. West and S. R. Ingham, who were appointed at the Extra Session of the Eighth General Assembly, a Board of Commissioners to audit "all accounts and disbursements arising under the call for volunteers from Iowa, and also for all men organized as the State Militia of Iowa," be, and they hereby are directed to report to this House, at the earliest day possible, a tabular statement of all claims presented to them, showing the names of the claimants, for what the claim was made, the amount claimed, the amount allowed on each claim, and the date of such allowance; and also a statement of all expenses to the State arising out of, or connected with the auditing of said claims, together with the amount of mileage and per diem of said Auditing Board, from their appointment to the present time; and that the Chief Clerk be directed to furnish said Commissioners with a copy of this resolution.

Mr. Fuller, of Fayette, offered the following Resolution which was adopted:

Resolved, That the use of this Hall this evening be granted to Rev. G. J. Kynett (one of the Sanitary Commissioners for this State), for the purpose of delivering a lecture on the present condition of the soldiers now in the field from this State.

Mr. Cleaves, by leave, submitted the following report:

The Committee to whom was referred the Joint Resolution relating to the binding of documents, have had the same under consideration, and instructed me to report the following substitute, and recommend its passage.

J. CLEAVES, Chairman.

Mr. Cleaves offered the following substitute for concurrent resolution in reference to printing of all documents of this session.

Resolved by the House of Representatives, the Senate, concurring, That the State Printer be, and he is hereby directed to furnish the State Binder with 250 copies of all documents in pamphlet form printed at this session, for the use of the House and Senate or the

General Assembly, provided the same can be had without republication, who shall cause the same to be bound in one volume, with leather backs and tips, and pasteboard sides; and that one copy of said volume shall be delivered to each member and officer of this General Assembly; ten copies to the State Historical Society; ten copies to the State Librarian, and the remainder deposited in the office of the Secretary of State: *Provided*, however, that the cost of binding does not exceed 50 cents per copy.

Mr. Curtiss moved to amend by striking out "50 cts. per copy." Lost.

The question then recurred upon the adoption of the substitute as reported; and upon this question the yeas and nays were demanded, and were ordered, and were as follows:

The yeas were, Messrs. Baker, Bowdoin, Bracewell, Burton, Calfee, Clark, Chase, Cleaves, Curtiss, Cutler, Dorr, Eaton, Fuller of Harrison, Hudnutt, Holyoke, Hollingsworth, Jackson, Kellogg, Lake, Lowrie, Martin, Maxwell, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Nelson, Parker, Porter, Quinn, Rothrock, Shipman, Speer, Stevenson, Van Anda, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Wright, Young, Mr. Speaker—42.

The nays were, Messrs. Converse, Denlinger, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Gault, Gibson, Glanville, Hardie, Hood, Knoll, Lakin, Lorah, McGlothlen, McLennan, Milburn, Moir, Pendleton, Price, Rowles, Russell of Dallas, Russell of Jones, Schranm, Stanton, Stewart, Walton, Wetherall, Williams of Mahaska, Wilson of Pottawattamie, Woodworth—35.

Absent or not voting, Messrs. Bass, Blackford, Dunlavy, Fairall, Gordon, Guthrie, Lake, Lane, Loomis, McCall, Meyer, Moser, Sarver, Thompson, and Walker.

The substitute was adopted.

Mr. Shipman offered the following Resolution, which was adopted:

Resolved, That Zephaniah Washburne be recognized as the fireman for the Committee rooms of this House.

On motion of Mr. Cutler the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Frisbie introduced the following Resolution:

Resolved, That the Committee on Railroads be, and are hereby instructed to ascertain the cost, the amount of capital stock paid in, and the bonded and other indebtedness, together with the income

and net profits of each of the several Railroads in this State; and report to this House at as early day as practicable.

The resolution was adopted.

Mr. Russell, of Jones, introduced the following resolution:

Resolved, That the Committee on Expenditures, be instructed to examine into the expediency of making a general reduction of the salaries of State and County Officers, and report by Bill or other wise.

Mr. Stanton moved that the Resolution be amended by adding the following: "And report whether in their opinion the expenses of County Governments cannot be reduced, and in what particulars."

The amendment was adopted.

Mr. Williams, of Mahaska, moved that the word "Expenditure" be stricken out, and "Ways and Means" inserted. Carried.

The resolution was then adopted.

Mr. Martin moved that Mr. Gordon be granted leave of absence for a few days. Carried.

By leave, Mr. Lake, introduced House File No. 130: A Joint Resolution authorizing the Auditor of State to draw warrants on the General Fund for the salary of the Adjutant General. The Resolution was adopted.

Messages from the Senate.

The House took up Senate File No. 41: A Bill for an Act to abolish the Board of Commissioners of the Insane Asylum, which was read a first and second time, and was referred to the Committee on Charitable Institutions.

BILLS ON A SECOND READING.

The House took up Substitute for House File No. 23: A bill for an Act for laying out private roads.

Mr. Bowdoin moved that the substitute be laid on the table and printed. Lost.

Mr. Curtiss moved that the House do now go into Committee of the Whole upon the consideration of the substitute. The motion prevailed and the House went into Committee of the Whole, Mr. Curtiss in the chair.

The Committee rose and reported the bill back to the House without recommendation.

Mr. Kellogg moved to strike out "thirty" and insert "sixty-six."

Mr. Cleaves moved to refer the bill to a Select Committee of five of which Mr. Woodworth should be chairman.

Mr. Russell of Jones, moved that the Committee be instructed to insert a provision in the Bill providing that private roads should be laid out under the superintendence of the Township Trustees. Carried.

The motion to refer the Bill was then adopted.

The Chair appointed as such Committee, Messrs. Woodworth, Cleaves, Wright, Curtiss, and Dunlavy.

House File No. 121: A bill for an Act for the encouragement of Hedging, was then taken up.

Mr. Rothrock moved that Section 2 be stricken out. Carried.

On motion of Mr. Quinn the rule was suspended and the bill read a third time. Upon the question "Shall the Bill pass" the yeas and nays were ordered and were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Loomis, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McQuinn, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Russell of Dallas, Russell of Jones, Schramm, Smeltzer, Speer, Stanton, Stevenson, Stewart, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickssaw, Wilson of Pottawattamie, Woodworth, Wright, Young, Mr. Speaker.—81.

The nays were—None.

Absent and not voting were, Messrs. Bass, Fairall, Glanville, Gordon, Lane, McCall, McLennan, Meyer, Rowles, Shipman, and Thompson.

The Bill passed and the title was agreed to.

On motion of Mr. Wilcox, House File No. 58: A bill for an Act to encourage domestic manufactures, was taken from the table.

Mr. Stanton moved to strike out the word "fifty" in 4th line of 1st Section and insert "two hundred."

Mr. Martin moved to refer the Bill to Committee of the Whole House and make it the special order for to-morrow at 2 o'clock p. m. Carried.

Mr. Kellogg moved that the various reports and resolutions from the Committee on Federal Relations, relative to slavery emancipation, &c., be taken from the table. Carried.

Mr. Gibson moved that the reports and resolutions be printed.

Mr. Kellogg moved that the subject be made the special order for 6½ o'clock on Tuesday evening, February 11th, in Committee of the Whole.

Mr. White moved to strike out "Tuesday" and insert "Friday." Lost.

Mr. Chase moved to postpone the consideration of the whole subject till the 4th of July. Lost.

The motion of Mr. Kellogg was then adopted.

On motion of Mr. Nelson, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
TUESDAY, February 4th, 1862. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Fishback.

Journal of yesterday read and approved.

PETITIONS, &c.

Mr. Van Anda presented a petition from the citizens of Delaware County, asking that stock be restrained from running at large. Referred to Committee on Agriculture.

REPORTS OF COMMITTEES.

Mr. Kellogg, from Committee on Military Affairs, submitted the following report:

The Military Committee, to whom was referred House File No. 125: A Bill for an Act to exempt from execution the property of the militia of Iowa, mustered into the actual service of the United States, have had the same under consideration, and instructed me to make the following report:

In the opinion of your Committee, the passage of the Bill aforementioned might in some instances be of importance, at the same time would open the door for innumerable frauds, and in view of the law passed at the extra session of the Eighth General Assembly, your Committee are of the opinion that no additional legislation is needed on this subject; hence, respectfully recommend the indefinite postponement of the Bill.

KELLOGG, from Com. on Military Affairs.

Mr. Wilcox, from Committee on Domestic Manufactures, submitted the following report:

The Committee on Domestic Manufactures, to whom was referred House File No. 122: An Act to license Stallions and Jacks, have had the same under consideration and after mature deliberation have come to the conclusion that the provisions of the Bill do not legitimately come under the supervision of your Committee; but your Committee also believe the Bill should have all the consideration that the importance of the subject demands; and I am therefore instructed to report the Bill back to the House with the recommendation that it be considered in Committee of the Whole, and made the special order for this evening at 6½ o'clock.

WILCOX, Chairman.

Mr. Van Anda from the Committee on Judiciary submitted the following report:

The Committee on the Judiciary to whom was referred a petition from sundry citizens of Lee County, in relation to a certain plank

read, have had the same under consideration and have instructed me to report, that your committee are unacquainted with plank roads, never having been engaged in building the same, and not having sufficient knowledge thereon to know whether such road should be wide enough for both wheels to run on at the same time or not, but that your Committee are of the opinion that it should be, and therefore recommend that said petition be referred to the Delegation from Lee county with instructions to report thereon by bill or otherwise.

VAN ANDA, for the Committee.

The question was then put upon concurring in the report of Committee. The report was concurred in.

Mr. Converse from Committee on Agriculture submitted the following report :

The Committee on Agriculture, to whom was referred the petition of S. Palmer and others, in relation to partition fences, have had the same under consideration, and have directed me to report the accompanying bill.

A. CONVERSE.

Chairman Agricultural Committee.

The Committee, by leave, introduced House File No. 131: A Bill for an Act in relation to fences. Read a first and second time.

Mr. Lake moved to amend by striking out "one" and inserting "two." Lost.

The Bill was passed upon the files.

The following message from the Senate was received through Wm. F. Davis, their Secretary :

MR. SPEAKER:—I am directed to inform your Honorable body that the Senate has passed the following bills:

An Act to authorize Boards of Supervisors to remit school house taxes in certain cases.

An Act to require Clerks of the District Courts to keep an Appearance Docket.

In which the concurrence of the House is asked.

WM. F. DAVIS, Secretary.

Mr. Williams of Mahaska, from Judiciary Committee, submitted the following report :

The Committee on Judiciary, to whom was referred House File No. 105: A Bill for an Act to amend Chapter 199 of the Revision of 1860, with respect to an Indictment, its form and requisites, have had the same under consideration, and a majority of the Committee have instructed me to report the same back to the House with a recommendation that it be laid on the table.

WILLIAMS, Of Mahaska.

Mr. White from Committee on Enrolled Bills submitted the following report :

The Committee on Enrolled Bills ask leave to report that they

have examined House File No. 28 : An Act to change the times of holding Courts in the Eighth Judicial District of the State of Iowa, and find the same correctly enrolled, and present the same for your signature.

J. H. WHITE.

Mr. Holyoke from Committee on Charitable Institutions submitted the following report :

The Committee to whom was referred Senate File No. 41, have had the same under consideration, and have instructed me to report the bill back to the House and recommend that it pass without amendment.

THOS. HOLYOKE,

Chairman of Committee on Charitable Institutions.

Mr. Lowrie from Select Committee composed of the Representatives from Lee, Van Buren, and Henry Counties, submitted the following report :

MR. SPEAKER :—The Select Committee composed of the Representatives from Lee, Van Buren, and Henry Counties, to whom was referred House File No. 102 : A Bill for an Act to legalize the acts of certain persons therein named in the establishment of a certain State Road, have had the same under consideration and directed me to report the bill back to the House and recommend that it do pass.

C. W. LOWRIE, Chairman.

Mr. Pendleton from Committee on Military Affairs submitted the following report :

The Committee on Military Affairs, to whom was referred the petition of Herbert Livingston and other citizens of Delaware County, respecting Livingston's Improved Rifle, accompanied with a description thereof, have had the same under consideration, and would respectfully report that they do not deem themselves sufficiently informed as to its fitness and efficiency to unqualifiedly recommend its use, much less authorize the purchase thereof by the State, but inasmuch as the inventor is a resident of the State, and said rifle appears to have improvements not found in other fire-arms, we would recommend to his Excellency, the Governor, a full consideration of its merits before purchasing other arms.

PENDLETON,

Of the Military Committee.

Mr. Frisbie from Joint Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER :—The Joint Committee on Enrolled Bills have examined Senate File No. 43, find it correctly enrolled, and present the same herewith for your signature.

D. G. FRISBIE,

Chairman House Committee on Enrolled Bills.

INTRODUCTION OF BILLS.

Mr. Williams of Des Moines, by leave, introduced the following Joint Resolution for additional mail facilities:

Resolved by the General Assembly of the State of Iowa, That our members in Congress be requested to use their best exertions to procure increased mail facilities between Burlington and Clifton, so as to include Northfield in the Daily route; and also on the route between Burlington and Muscatine, by the way of Toolsborough, so as to have the mail carried tri-weekly instead of semi-weekly.

Which was referred to the Committee on Federal Relations.

Mr. Castor introduced House File No. 132: A Bill for An Act to amend Section 4324 of the Revision of 1860, in relation to malicious mischief on property. Read a first and second time and referred to Committee on Judiciary.

Mr. White introduced House File No. 133: A Bill for an Act to register and license dogs, and provide for the payment of damages in the maiming or killing of sheep by dogs. Read a first and second time and referred to Committee on Agriculture.

Mr. Mercer introduced House File No. 134: A Bill for an Act for the protection of Agricultural Fairs. Read a first and second time and referred to Committee on Agriculture.

Mr. Curtiss introduced House File No. 135: A Bill for an Act to organize Fire Companies in Cities, Towns and Villages, and to regulate the same. Read a first and second time and referred to Committee on Police Regulations.

Mr. Cleaves introduced House File No. 136: A Bill for an Act to authorize the Governor to appoint agents in regard to Swamp Land belonging to the State of Iowa and defining their duties. Read a first and second time and referred to Committee on Public Lands.

Mr. Holyoke introduced House File No. 137: A Bill for an Act to create the office of Township Collector. Read a first and second time and referred to Committee of Ways and Means.

RESOLUTIONS.

Mr. Frisbie offered the following Resolution:

Resolved, That the Committee on Roads and Highways be, and are hereby instructed to examine into the expediency of revising the present laws in reference to the establishment of Roads and report by bill or otherwise.

The Resolution was adopted.

Mr. Lowrie offered the following Resolution:

Resolved, That Peter Walker, Representative from Jefferson County, be entitled to the papers and stamps that A. R. Pierce, Representative from the same County, would have been entitled to

during the session, so long as the seat of Mr. Pierce remains vacant.

The Resolution was adopted.

Mr. Loomis offered the following Resolution :

Resolved, That the Committee on Township and County Organization be requested to inquire into the expediency of having the Town Clerk in each Township keep a book for the purpose of recording chattel mortgages in their respective Townships, and to report to this House by bill or otherwise.

The Resolution was adopted.

Mr. Holyoke moved to re-consider the vote by which House File No. 137: A Bill for an Act to create the office of Township Collector, was referred to Committee of Ways and Means. The motion prevailed.

Mr. Holyoke moved its reference to the Committee on County and Township Organization. The motion prevailed.

COMMUNICATIONS ON SPEAKER'S DESK.

The following Communication from the State Treasurer was taken up and read :

STATE OF IOWA, TREASURER'S OFFICE, }
DES MOINES, FEBRUARY 4, 1862. }

HON. RUSH CLARK,

Speaker of the House of Representatives :

SIR :—In answer to the following resolution, to-wit : "*Resolved*, That the Treasurer of State be requested to inform this House of the amount of gold and silver now in the Treasury, and how much of said money will be required to pay the interest on the State Debt," would state first that the amount of gold and silver now in the Treasury is Thirty Seven Thousand Nine Hundred and Eighty-Eight Dollars and Forty-Nine Cents (\$37,988 49,) and secondly, that the amount necessary to pay the interest on the State Debt per annum is as follows, to-wit :

On State Debt due in 1868.....	\$14,210 00
On State Debt due School Fund.....	12,229 57
On State Debt due in 1881, War Loan.....	13,492 40
Total.....	\$39,931 97

Respectfully submitted,

JNO. W. JONES, State Treasurer.

Messages from the Senate.

The House took up Senate File No. 56: A Bill for an Act to require Clerks of the District Courts to keep an Appearance docket ; read a first and second time and referred to Committee on Judiciary.

The House took up Senate File No. 57: A Bill for an Act to authorize Boards of Supervisors to remit School house taxes in certain cases, which was read a first and second time.

Mr. Nelson moved to refer to Committee on Schools and State University.

Mr. Martin moved to amend by referring to Committee on County and Township Organization. The amendment prevailed.

BILLS ON SECOND READING.

House File No. 91: A Bill for an Act to amend Chapter 46 of the Revision of 1860, in relation to bridges.

Mr. Wright moved that the Bill be referred to a Select Committee of three. The motion prevailed. The chair appointed as such Committee Messrs. Curtiss, Wright and Williams of Des Moines.

Substitute for House File No. 10: A Bill for an Act to prevent the Spread of fire on the prairie and in the timber in certain seasons of the year.

Mr. Bowdoin moved to amend by striking out the following words in 7th, 8th and 9th lines of Section No. 1, "between the first day of September in any year and the first day of May following."

Mr. Bracewell moved to strike out the enacting clause of the bill.

On motion of Mr. Mercer, the House adjourned.

TWO O'CLOCK P. M.

House met pursuant to adjournment.

The hour for the special order having arrived, being the consideration of House File No. 58: A Bill for an Act to encourage Domestic Manufactures; the House went into Committee of the Whole.

Mr. Lake in the chair.

The Committee rose and reported the Bill back to the House without recommendation.

Mr. Wilcox moved that the report of the Committee on House File No. 122: A Bill for an Act to license Stallions and Jacks, be taken up. Carried.

The question then recurred upon concurring in the report of the Committee, recommending its consideration in Committee of the Whole, and that it be made the special order for this evening at 6½ o'clock.

Mr. Moir moved to amend by inserting "7" instead of "6½;" the amendment prevailed.

The report as amended was concurred in.

Mr. Shipman moved that when this House adjourn it adjourn to meet at 7 o'clock this evening. Carried.

On motion of Mr. Lake the House adjourned.

SEVEN O'CLOCK, P. M.

House met pursuant to adjournment.

The hour for the special order having arrived, being the consideration of House File No. 122: A Bill for an Act to license Stallions and Jacks; the House went into Committee of the Whole. Mr. Lowrie in the chair.

The Committee rose and reported the Bill back to the House with the recommendation that it be indefinitely postponed; which report was concurred in.

On motion of Mr. Shipman the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
WEDNESDAY, February 5, 1862. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Fishback.

Journal of yesterday read and approved.

Mr. Lake moved that the regular order of business be suspended and bills on their second reading be taken up. The motion prevailed.

Mr. McQuinn by leave introduced House File No. 138: A Bill for an Act making further appropriations for the completion of the Blind Asylum at Vinton; read a first and second time and referred to Committee on Charitable Institutions.

Mr. Williams of Des Moines, by leave, introduced House File No. 139: A bill for an Act to provide for the making of deeds for swamp and overflowed lands, sold by the order of the county courts or Board of Supervisors; read a first and second time and referred to Committee on Public Lands.

Mr. Williams of Mahaska, by leave, offered the following resolution:

Resolved by the House of Representatives, the Senate concurring,
That it shall be the duty of the Post Master of the General Assem-

bly, to keep his Post Office open for the delivery of mail matter each day during the remainder of the Session, from 8 to 12 o'clock in the forenoon, and from 1 to 5 o'clock in the afternoon, and from 7 to 9 o'clock in the evening, and that he be also required to have the mails brought to the Capitol, if practicable, on the same day of their arrival at the Post Office in Des Moines. The resolution was adopted.

BILLS ON SECOND READING.

Substitute for House File No. 10: A bill for an Act to prevent the spread of fire on the prairies and in the timber in certain seasons of the year; was taken up and its consideration resumed.

Mr. Bracewell, by leave, withdrew his motion to strike out the enacting clause of the Bill.

The question then recurred upon the amendment of Mr. Bowdoin to strike out the following words in 7th, 8th and 9th lines of section 1, "between the first day of September in any year and the first day of May following."

Mr. Williams of Des Moines, moved that the House resolve itself into Committee of the Whole on the Bill under consideration, and that it be made the special order for to-morrow evening, 7 o'clock.

Mr. Young moved to amend by making it the special order for this hour. The amendment prevailed.

The motion as amended prevailed.

The House went into Committee of the Whole. Mr. Bracewell in the Chair.

The Committee rose, reported progress, and asked leave to sit again.

Mr. Lake moved that leave be granted the Committee to sit again at 2 o'clock this afternoon. Carried.

The following Messages were received from the Senate through Wm. F. Davis, their Secretary:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the following Resolutions in which the concurrence of the House is asked:

Resolved, by the Senate, the House concurring, That His Excellency, the Governor be instructed to use his best endeavors to procure a settlement with the Land Department at Washington, of the land and money due this State for Swamp Lands, entered by warrants and money, after the passage of the Act granting said land, and prior to their selection by the State.

Resolved, That the Secretary of State is hereby directed to present a copy of this resolution to the Governor of Iowa.

W. F. DAVIS, Secretary.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed a substitute for Senate File No. 55, entitled "A Bill for an Act to authorize the Governor to appoint one

additional Assistant Surgeon, and employing nurses for each regiment of Iowa Volunteers, and providing for their compensation," in which the concurrence of the House is asked.

W. F. DAVIS, Secretary.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: The Joint Committee on Enrolled Bills delivered to the Governor, for his signature, on yesterday, February 4th, House File No. 28, and Senate File No. 43.

D. G. FRISBIE,

Chairman House Com. En. Bills.

On motion of Mr. Frisbie, the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Shipman, from Committee on County and Township Organization, by leave, submitted the following report :

The Committee on Township and County Organization, to whom were referred certain resolutions in relation to creating the office of Township Collector, would report the following Bill, and recommend its passage.

SHIPMAN, Chairman.

The Committee, by leave, introduced House File No. 140: A Bill for an Act creating Township Collectors. Read a first and second time, and, on motion of Mr. Shipman, the Bill was laid on the table, and the usual number of copies ordered to be printed for the use of the House.

Mr. Glanville, by leave, presented the petition of Messrs. Brown and Allender, citizens of Van Buren County, in reference to Des Moines River Claims. Referred to Committee on Des Moines River Improvement.

The hour for the special order having arrived, being the further consideration of House File No. 10: A Bill for an Act to prevent the spread of fire in the prairies and in the timber in certain cases, the House went into Committee of the Whole, Mr. Bracewell in the Chair.

The Committee rose and reported the Bill back to the House with sundry amendments, and recommended its passage as amended.

The question then recurred upon the following amendments recommended by the Committee of the Whole, to wit: Strike out in 7th, 8th and 9th lines of section one, the following words: "be-

tween the first day of September in any year, and the first day of May following."

And upon this question, the yeas and nays were demanded by Mr. Converse, and were ordered, and were as follows:

The yeas were, Messrs. Bowdoin, Burton, Castor, Clark, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Flint, Frisbie, Fuller of Fayette, Gibson, Glanville, Holyoke, Hollingsworth, Jackson, Lake Lakin, Lowrie, Martin, Maxwell, McGlothlen, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Pendleton, Porter, Price, Quinn, Russell of Dallas, Russell of Jones, Sarver, Schramm, Speer, Stanton, Stevenson, Stewart, Thompson, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—57.

The Nays were, Messrs. Baker, Blackford, Bracewell, Calfee, Chase, Cleaves, Converse, Curtiss, Denlinger, Ferguson, Fuller of Harrison, Gault, Guthrie, Hardie, Hudnutt, Hood, Knoll, Loomis, Lorah, McLennan, McQuinn, Nelson, Parker, Rothrock, Rowles, Shipman, Smeltzer, Van Anda, Walker, Wilson of Chickasaw—29.

Absent or not voting, Messrs. Bass, Gordon, Kellogg, Lane, McCall, Wetherall, Williams of Mahaska.

The amendment prevailed.

The question then recurred upon the adoption of the following amendment to section one, recommended by the Committee of the Whole, add to section one, the following:

"Provided that during the months of February, March and April prairie river bottoms and prairie lowlands may be burned after taking proper precautions to prevent it from injuring property and timber land, and after having given at least three days' notice to the residents in the vicinity of said burning; and *provided farther*, that no person setting prairie fires, necessary for the protection of either person or property, shall be liable to the penalties of this Act."

Mr. Lake called for a division of the question:

The Chair decided the question divisible, and ordered the same to be divided.

Mr. Smeltzer moved to amend as follows: Insert after the word "control," "but should the fire set out cause no damage, then the party allowing it to escape shall not be held liable. Lost.

The question then recurred upon the adoption of the first part of said amendment, which included that part down to the words, "and provided further," and upon this question, the yeas and nays were demanded by Mr. Converse, and were ordered, and were as follows:

The yeas were, Messrs. Blackford, Bowdoin, Burton, Calfee, Clark, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Flint, Fuller of Fayette, Fuller of Harrison, Glanville, Hol-

yoke, Hollingsworth, Jackson, Lake, Lakin, Lowrie, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Moir, Moser, Pendleton, Porter, Quinn, Russell of Dallas, Russell of Jones, Sarver, Schramm, Stevenson, Thompson, Walker, West, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright—50.

The nays were, Messrs. Baker, Converse, Ferguson, Frisbie, Gault, Gibson, Guthrie, Hardie, Hudnutt, Hood, Knoll, Loomis, Lorah, Milburn, Mitchell of Polk, Nelson, Parker, Price, Rothrock, Rowles, Shipman, Smeltzer, Speer, Stanton, Stewart, Van Anda, Walton, Wasson, White, Whittemore, Young, Mr. Speaker—36.

Absent or not voting, Messrs. Bass, Gordon, Kellogg, Lane, McCall, Wetherall, Williams of Mahaska—7.

The amendment was adopted.

The question then recurred upon the adoption of the latter part of said amendment as divided.

Mr. Frisbie moved to amend by inserting after the word property "from fire." The amendment to the amendment prevailed.

The question then recurred upon the adoption of the amendment as amended; and upon this question the yeas and nays were demanded by Mr. Converse, were ordered, and were as follows:

The yeas were, Messrs. Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Curtiss, Cutler, Denlinger, Dunlavy, Eaton, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Guthrie, Holyoke, Jackson, Lakin, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, Mercer, Meyer, Mitchell of Fremont, Moir, Moser, Pendleton, Price, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Smeltzer, Stanton, Stevenson, Thompson, Walker, Walton, West, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright and Mr. Speaker—56.

The nays were, Messrs. Baker, Chase, Converse, Dorr, Fairall, Gault, Hardie, Hudnutt, Hollingsworth, Hood, Knoll, Lake, Loomis, Lorah, McQuinn, Milburn, Mitchell of Polk, Parker, Porter, Quinn, Rothrock, Shipman, Speer, Stewart, Van Anda, Wasson, White, Wilson of Chickasaw, and Young—30.

Absent or not voting—Messrs. Bass, Gordon, Kellogg, Lane, McCall, Wetherall and Williams of Mahaska—7.

The amendment was adopted.

The question then recurred upon the adoption of the following amendment recommended by Committee of the Whole: Strike out the following words in Section 1, "or by both fine and imprisonment at the discretion of the Court." The amendment was adopted.

Mr. Pendleton moved that the Bill and amendments be referred to a select Committee of three, to report complete, and that Mr. Moir be Chairman. The motion prevailed.

The Chair appointed Messrs. Moir, Bowdoin, and Pendleton such Committee.

House File No. 64: A Bill for an Act authorizing the people of the several Counties of this State to cancel their indebtedness to the swamp land fund, was taken up and recommitted to Committee on Judiciary.

House File No. 79: A Bill for an Act amendatory to an Act entitled an Act to provide for the making and repairing of public highways and prescribing the further duties of Township officers in certain cases, was taken up.

Mr. Bracewell moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

Mr. Pendleton moved to strike out Section 6 of the Bill. The motion prevailed.

On motion of Mr. Cutler, the Bill was recommitted to Committee on County and Township Organization.

House File No. 99: A Bill for an Act legalizing certain acts of Louis Case, Notary Public of Bremer County, was taken up and on motion of Mr. Curtiss, the rule was suspended, and the Bill read a third time; and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were—Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Loomis, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—88.

The nays were, Messrs. Dunlavy and Hardie.

Absent or not voting—Messrs. Bass, Gordon, Kellogg, McCall, Shipman, Wetherall, Williams of Mahaska.

The Bill passed and the title was agreed to.

The House took up House File No. 62: A Bill for an Act to amend Section 840, Chapter 46, of the Revision of 1860.

Mr. Curtiss moved to strike out the last Section. Carried.

Mr. Frisbie moved to recommit to the Committee on Roads and Highways. Carried.

Mr. Smeltzer, from Committee on Engrossed Bills, by leave, submitted the following report:

The Committee on Engrossed Bills would beg leave to report

that they have examined House File No. 18, and find the same correctly engrossed.

CHAS. SMELTZER.

Mr. Hardie, by leave, introduced House File No. 141: A Bill for an Act for the protection of growing fruit. Read a first and second time and referred to Committee on Judiciary.

Mr. Moser introduced the following resolution:

Resolved by the House of Representatives, the Senate concurring, That our Senators in Congress be instructed to cast their votes for the expulsion of Senator Bright, of Indiana, from the Senate of the United States.

Mr. Martin offered the following amendment:

And that they also be instructed to stand by and hold up the arms of the President of the United States in his views upon the question of slavery as applied to the rebellion now existing in the United States.

Mr. Denlinger moved that the resolution and amendment be laid upon the table. Lost.

Mr. Smeltzer moved that the House do now adjourn. Lost.

Mr. Sarver moved that the whole subject be referred to the Committee on Federal Relations, and upon this motion Mr. Hardie demanded the yeas and nays, which were ordered and were as follows:

The yeas were, Messrs. Baker, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Hol-yoke, Hollingsworth, Hood, Jackson, Lake, Lowrie, McQuinn, Mercer, Milburn, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Porter, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Stevenson, Thompson, Walker, Wasson, West, Whitemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Woodworth, Wright, and Mr. Speaker—50.

The nays were, Messrs. Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Gault, Guthrie, Hardie, Hudnutt, Knoll, Lakin, Loomis, Lora, Martin, Maxwell, McGlothlen, McLennan, Meyer, Mitchell of Fremont, Moser, Price, Rothrock, Shipman, Smeltzer, Speer, Stanton, Stewart, Van Anda, Walton, White, Wilson of Pottawattamie, and Young—35.

Absent or not voting—Messrs. Bass, Blackford, Gordon, Kellogg, Lane, McCall, Wetherall, and Williams of Mahaska.

So the resolution and amendment were referred to the Committee on Federal Relations.

Mr. Walker, by leave, presented a petition of G. P. Green and others, citizens of Jefferson County, praying for the repeal of the Prohibitory Liquor Law. Referred to select Committee on that subject.

On motion of Mr. Van Anda, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
THURSDAY, February 6, 1862. }

House met pursuant to adjournment.

Prayer by Elder Kimmons.

Journal of yesterday read and approved.

Mr. Mitchell of Fremont, moved to suspend regular order of business, and take up Communications on Speaker's Desk. The motion prevailed.

The following Communication from His Excellency, the Governor, with the accompanying documents, was taken up and read :

EXECUTIVE OFFICE, IOWA, }
FEBRUARY 6, 1862. }

Gentlemen of the House of Representatives :

In compliance with your Resolution requesting me to "communicate to you all the information in my possession in reference to the Rebels of Missouri taking refuge for themselves and property in Fremont County, Iowa, and the trouble arising therefrom, or so much thereof as I may deem to be consistent with the public interest," I have the honor to transmit the following papers :

"I."—Copy of letter from citizens of Fremont County, to me, dated January 8, 1862.

"II."—Copy of letter from me to Lieut. Col. Nutt, dated January 8, 1862.

"III."—Extracts from his letter in reply, dated January 17, 1862.

"IV."—Copy of letter from me to Lieut. Col. Nutt, dated January 14, 1862.

"V."—Extracts from his letter in reply, dated January 24, 1862.

"VI."—Copy of letter to me, from Board of Supervisors of Fremont County, dated January 10, 1862.

"VII."—Copy of my reply, dated January 18, 1862.

The foregoing papers contain all the official information on the subject indicated in your Resolution, and they tend to establish the following facts :—

FIRST—That a number of rebels or of aiders and abettors of Rebellion in Missouri, have fled from that State to escape the punishment justly due for their crimes there, and have sought safety and asylum for themselves and their property in this State.

SECOND—That these persons and their property have been received and protected in this State by persons who, to a greater or less degree, sympathize with them ; and

THIRD—That these facts produced the late unlawful attack on

Mr. Fugett, in Fremont County, out of which grew the subsequent unlawful arrest by some of our citizens of citizens of Missouri in this State.

There cannot, I think, be any doubt that persons from Missouri, who have either openly or secretly aided rebellion in that State, have fled to this State with their property to escape punishment, and that the presence of these persons and their property in this State was the cause of the recent unlawful acts in Fremont County. The only point upon which there can be any doubt is whether persons in our own State sympathize with them, and afford them asylum and protection.

As cumulative to the evidence on this point contained in the papers transmitted, I submit the following, received by me from private sources, upon which I confidently rely :

"During the last part of Summer and Fall the Rebels in Atchison County, Missouri, committed many outrages on the Union men in that County. The Union men, unable to protect themselves, sent to the Union men of Fremont County for help, and at their urgent solicitations a Company of Union men from Fremont County, under command of Captain Day of that County, went to their assistance and rendered good service. When this Company was about leaving to render assistance to the oppressed Union men of Missouri, certain persons in Fremont County protested against the movement in the strongest terms, and discouraged it as much as they possibly could. Many of the men who did so are the same men who now afford asylum to the Rebels from Missouri with their property, the same men who recently, themselves, unlawfully invaded Missouri and made arrests of Union men there."

It seems to me very evident that persons who oppose the going of our people to the assistance of the Union men of Missouri when they are in danger and ask assistance, who afford asylum and protection to fleeing Rebels and their property, and who are yet eager to enter Missouri to make unlawful arrests of Union men there, are at the least of very doubtful loyalty.

These facts are of grave importance and demand your careful consideration. If the condition of affairs now existing in Fremont County is permitted to continue there, and to obtain in other border Counties, it is scarcely possible that the peace of those Counties can be preserved.

Men in Missouri whose persons and property have been outraged by Rebels there who have fled or may flee to our State, will seek to right their wrongs by the strong hand, if those who have wronged them are within striking distance, and cannot be reached any other way. This, of course, cannot be permitted, but must be guarded against and prevented by the proper authorities, so far as possible. But, it will be impossible in many cases to guard against and prevent it, and then retaliation and reprisals from our State

will follow, and there will be seen the strange spectacle of a border warfare between the loyal people of Iowa and the loyal people of Missouri, for the sake of a band of Rebels and Traitors.

The safety of our people in the border Counties, and the good name of our State, alike demand that this condition of affairs shall not be permitted to exist. The law-making power of the State should in my judgment, go to the extreme verge of its power in guarding against it, and you may rest assured that I will, so far as in me lies, execute to the letter any laws you may enact, directed to that end.

SAMUEL J. KIRKWOOD

—
“I.”

To His Excellency,

SAMUEL J. KIRKWOOD,

Governor of the State of Iowa :

The undersigned citizens of Fremont County, in said State, would respectfully call the attention of your Excellency to the following facts, to-wit :

That in consequence of an “*Association*” of the Union men in Atchison County, Missouri, formed for their own protection and the support of the Government, many secessionists, unwilling to take oath necessary to entitle them to the protection of the association, have brought their property into said Fremont County, Iowa, and quartered it among that class of our citizens who are understood to be in sympathy with the rebellion, and claim protection against the lawless bands of men who infest North-western Missouri, preying upon the property of the secessionists principally, which lawless bands are styled “Jayhawkers.” That in some instances these “Jayhawkers” have followed and unlawfully taken such property back into Missouri ; that on the night of December 30, ult., a band of these lawless men entered our County and coming to the residence of a citizen, T. F. Fugett, of known secession sentiments, attempted to take property from his premises, under the pretext of taking the property of secessionists in retaliation for the outrages committed on the Union men ; that Fugett resisted, firing on them twice, and in turn received four shots from a revolver which render his recovery very doubtful ; that the neighbors of Mr. Fugett, and many of the citizens, greatly excited, gathered together in all to the amount of 200 or 300 to avenge the outrage, summarily, upon all persons found to be engaged in “Jayhawking ;” that two men supposed to belong to said bands, were the next morning fired upon by two of our citizens, and one of them instantly killed, the other after returning the fire, was wounded and captured ; that eleven

of the men supposed to belong to those bands have been arrested and placed in the jail of said county. Some of them are known to be very strong Union men, and doubtless innocent of the charge, and that by these several transactions, the public mind is excited to the highest pitch. Many of the citizens, especially those of the strongest secession sentiments, seem anxious to visit summary vengeance upon the prisoners for interfering with the property of their friends. They are liable at any time in a fit of uncontrollable excitement to carry out their violent threats. And especially is this likely to be the case if the prisoners are discharged by legal process. And in consequence of the intense animosity existing between the two classes of our citizens, partly owing to the fact that the Jayhawkers were not interrupting the property of *loyal citizens*, but were confining their depredations to secessionists; and partly because those most zealous in the secession cause in insisting upon *mob* violence, the loyal and strong Union men will resist to the last extremity any attempt to interfere with the quiet execution of the law. And if a collision should take place (of which we believe there is great danger) under the present state of public excitement it would prove very disastrous to our County, resulting perhaps in the death of many persons. Now, in order to keep down and suppress any riots or mobs so likely to trample under foot the laws of our State and the rights of our citizens, in the present emergency, to secure to said prisoners a trial by law; to preserve the peace and good order of community in said county; and to have an effective force to repel any future inroads by such lawless bands of invaders upon our county, we suggest and earnestly solicit your Excellency to grant an order authorizing Col. E. S. Hedges to order into camp at Sidney, one or more of the organized military companies in said county, at his discretion, to remain for thirty days, or for such time as he may think the peace and good order of society require it, to drill and discipline the men daily, and to use them when necessary for the purpose aforesaid. And we further state that there are only 120 stand of arms in our county, now in the hands of three volunteer companies, about 80 stand of which are without any accoutrements.

The number is insufficient to supply these companies. We therefore earnestly solicit your Excellency to order, furnished to said Col. E. S. Hedges, for the use of the organized companies in said county, additional arms to the amount, at least, of 40 to 80 stand, forty additional stand being necessary to furnish the company styled the "Sidney Guards," first called "Sidney Grays," of which J. A. Harvey is Captain.

Respectfully submitted January 8, 1862. Done with the concurrence and by the request of the most influential, prudent and loyal citizens of our county.

J. A. HARVEY,
R. W. MARVIN,
J. L. MITCHELL.

To his Excellency, S. J. Kirkwood.

"II."

EXECUTIVE OFFICE, IOWA, }
January 8th, 1862. }

LIEUT. COL. H. C. NUTT,

Aid de Camp, &c., Council Bluffs, Iowa.

SIR:—I have just received a communication from citizens of Fremont county, of which the enclosed is a copy.

You will immediately proceed to Sidney in said county, and fully investigate the matters therein set forth. Consult Judge Sears and Col. Hedges, and if you shall be satisfied the preservation of the public peace so require, call into the service such of the volunteer companies of the county as may be necessary to that end, and keep them in service as long as their services may be required. If in your judgment it shall be necessary to call out any military force, make the call first upon the company at Sidney. Call for no more troops than in your best judgment is really necessary, and keep them in service only so long as may be necessary. In this matter I must trust to your discretion and will hold you responsible for its sound exercise. Procure proper quarters for such troops as you may call out, and make the best arrangements you can for their subsistence. You must make all your arrangements as economically as possible. No extravagant charges for quarters or subsistence will be allowed.

You will preserve the public peace and protect the prisoners at all hazards.

I desire full information on the following points:

1st. Have Rebels or Rebel sympathisers come into Fremont county bringing with them their property, or have such persons sent their property from Missouri into the county? If so, give the names of such persons, a description of the property brought or sent, and the names of the persons, if any, of our citizens who have such property in possession.

2d. Does the sending or bringing of the property of such persons into that county tend to endanger the public peace?

3d. I desire a full detail of the facts connected with the attack on Mr. Fugett, and of the capture of those under arrest, with the causes of all the acts done, so far as you can ascertain them.

4th. It has been stated to me that one or two persons supposed to be the party that attacked Mr. Fugett, were shot by some of our citizens near Hamburg upon refusal to surrender. You will investigate the facts of this transaction and report to me fully thereon.

I am determined to preserve the peace of our State, and to pro-

tect the property of our citizens, but I am also determined that our State shall not be made an asylum for rebels who have been compelled to flee from their own State in consequence of their outrages on Union men there, if affording such asylum is to peril the peace of our own people. I am also determined that those of our own citizens who sympathize with and protect those fleeing rebels shall not make the consequences of their own acts the pretext for a breach of the public peace. The peace must be preserved and these prisoners afforded a full protection and a fair and impartial trial.

You will report to me in writing as soon as possible and keep me advised at short intervals of the situation of affairs.

Very Respectfully,

SAMUEL J. KIRKWOOD.

—
“ III.”

COUNCIL BLUFFS, IOWA, }
January 17, 1862. }

HON. S. J. KIRKWOOD,

Governor of Iowa, Des Moines :

SIR:—I received your letter dated January 8th, 1862, enclosing a communication from citizens of Fremont county, and in accordance with your instructions I proceeded on to Sidney on the morning of the 31st inst., for the purpose of carrying out said instructions and have to report my action as follows :

I found the statements contained in the communication above referred to, to be true in all material points. I will answer the four interrogations propounded in your letter in order.

1st. Yes. Rebels to the number of thirty families at least, with a large amount of horses, mules, cattle, hogs, &c., have left Missouri and come into Fremont county, and many of the same class have sent their property, who have not come into this State themselves. These persons have come themselves or sent their property to save the same from being seized by the Government that they have outraged for the past year. I was able to find the whereabouts and names of but a portion of these persons, but such as I have found I append below and will give you further information upon this point at an early day. The parties named below are all either rank secessionists or Rebel sympathisers, and I will make no distinction between them. It is enough to know that they are “not with us”—*are not Union men.*

Mr. John Pugh has 5 horses owned in Missouri, owner's name unknown. H. G. Bowin has 15 horses and mules owned by Nichols & Shouler. Nichols lives at St. Stevens, Nebraska, and has furnished the rebels in Northern Missouri with arms, and is a promi-

nant rebel. Milton McCartner has eight or ten horses and mules, owned by Mr. Holland, who lives near Rockport. The Heatt brothers have 6 horses, 60 hogs and 25 or 30 cattle; owner's name unknown. They had consulted Mr. Cornish as to whether they could lawfully keep stock which belonged to secessionists in Missouri, for if they could, that they could make a large amount of money by so doing, as the Secesh were willing to pay high prices. These men (Heatts) have six horses owned by one Hall who left Missouri in the night to save his property. Mr. Holloway brought 25 horses and mules into this State and has them scattered around at several places. Mr. Davis has 8 horses belonging to a man in Rockport; name unknown; can be found and identified as he is well known in Iowa. Mr. English (Senator) some three weeks ago went to Missouri and brought the personal property of one Poindexter, either the officer in Price's army or a brother—at all events a rabid rebel—and it is reported and believed in Sidney that Poindexter himself is about McKissock's Grove. Mr. English has a horse belonging to Poindexter now in his possession, but has sent him away from his own farm to a brother-in-law for fear of Jayhawking. The above property has all of it been sent from Missouri to prevent seizure and confiscation by the government. There have also been horses sent from Missouri lately, by rebels who dared not leave them even in Fremont County, and one lot of forty went on, the man saying he was too near home in Fremont. I think that there are at the present time 100 to 125 horses in Fremont County, brought there by Rebels to save them. Many place the number much higher, but from all my information I place the number as above.

In reply to your second question, I will say that by these acts I think the public peace is endangered, and I find all the Union men in Fremont are very certain it does, and say that unless it is stopped bloodshed will be the result. My reasons for thinking that it does endanger the public peace are, that there is great danger of this property being pursued by Jayhawkers and others, which would be almost certain to bring on a collision and bloodshed. *Second*—The accession of these rebels to the number of the same kind and their sympathisers in Fremont County, increases the bitter feeling between the two parties, and which now requires but a word to bring on a civil strife in that County.

As a sample—one John Cooper of McKissock's Grove, has, he says, "TWENTY-FIVE MISSOURI FRIENDS with him and he will keep them there as long as they will stay, that they are well armed and will shoot the first man who tries to arrest any of their number or seize a horse."

Questions 3d and 4th, I will answer together :

On the night of December 30th, a body of armed men from Missouri and Nebraska, under Captain Warren Price, who is said to be the leader of a band of Jayhawkers, came to the House of T. F.

Fugett, between 10 and 12 P. M., for the purpose, as they avowed on their way, of seizing some horses which had been taken from Missouri, and owned by Rebels in Missouri. Several of the party entered the house, and others went to the barn for the horses. Fugett got up and ran into another room and seized a double-barreled shot-gun and immediately fired at the crowd; then instead of firing the other barrel, he clubbed his gun and knocked down another. At this, Price drew his revolver and fired four shots at Fugett, all of which took effect, one in the neck — which is a serious but not dangerous wound. Fugett is rapidly recovering. The party then left Fugett's and went to several other places in the Grove, and took in all eleven (11) horses. These Captain Price sent in charge of two men, to Missouri; but the men lost their way, and at daylight were in sight of Sidney. They at once retraced their steps and tried to reach Missouri, via Hamburg. In the meantime a party of some forty men were in pursuit of the robbers, and when these two men with 11 horses came to Hamburg, they were hailed by C. McKissock and Giles Corrlis. The men paid no attention to the hail, when McK. and C. both fired their rifles. Corrlis killed his man dead, and McKissock wounded the other, who was taken prisoner, and is now in Fremont jail. He says that himself and the dead man were at Fugett's, and that they resided in Nebraska. The horses taken from the prisoners were left at Hamburg and proved up and taken away by avowed Rebels. No Union man has been molested as I could learn. The news, of course, spread like wildfire, and early the next morning the Sheriff and County Judge started with a posse of 100 men to arrest the horse thieves and the Sheriff said he would follow them to Arkansas if he did not get them. On their way an incident occurred worthy of note. These 100 men left Sidney in three parties, and it is asserted that when on the road, persons in one party were heard to hurrah for Jeff. Davis. The Sheriff denies this, but I think it can be proven, although it was not in the party in which the Sheriff was at the immediate head. Arriving at McKissock's Grove, this party stopped and another one from the Grove under the lead of H. English went into Missouri and arrested 12 men, and brought them to the Grove to lynch them, but as there was great doubt as to whether these were the men who were at Fugett's, after keeping them at the Grove one day, they were given over to the Sheriff, who took them to Sidney, where they were guarded by an armed force for three days, when upon a legal examination before the County Judge, they were all discharged except one, who had waived an examination, and given bail before, and the wounded man from Hamburg, who is now in jail. The Missourians complain bitterly of not only the arrest but of the men under whom it was done, and under whom they were placed as prisoners. They say that if they could have seen the face of one single Union man, either among their captors or guards, they would have attributed it to a mistake and said

nothing ; but now it looks as if their rebel enemies had run away to Iowa and sent rebel sympathisers from Iowa, and given them Union men's names, to be arrested, mal-treated and nearly lynched.

There are many men whom I have seen from Atchison County, who say that there is a large number of Union men sworn to shoot Harv. English at sight, as they think him to be the leader of their enemies in Iowa. While these prisoners were in the hands of Fremont authorities the military at Rockport hearing of the manner of the arrest, started to rescue them. At the line they left all but 20 men, who went to Sidney and demanded the release of the prisoners, which was refused. And there was danger of violence, but upon the assurance of Union men that the prisoners should have a fair trial, and would at once prove themselves innocent of the crime charged, they were induced to return home, which they did ; and on their way arrested in Iowa, a young man who had been in Price's army as a cook. The Captain of Missouri troops claimed to have made this and other arrests which he made in Missouri the same day, by order of the commanding officer at St. Joe. The truth of this I do not know. What became of the prisoner taken from Iowa by Missouri troops, I was unable to learn. In the meantime, on Saturday, January 4th, a report having gone to Rockport that the civil authorities were going to give up the prisoners to the mob to be lynched, some 200 men from Atchison County armed themselves and started for the rescue. They crossed the line and came to Hamburg, where they were met by some 50 Iowa troops, who tore up the bridge and refused to let them pass. Here again was a very near approach to open hostilities between Iowa and Missouri citizens ; but a flag of truce passed, and upon mutual explanations the Missouri men went home—did not go to Sidney at all. The Union men of Missouri say that all the party who went into Missouri were Secessionists, and that Iowa allows Rebels to flee into her State to avoid punishment, and then allows Secessionists to come to Missouri and arrest Union men without a shadow of law or right. I was able to disabuse them of this idea, or at least all I had a chance to talk with. This feeling is particularly bitter between Union men in Missouri, and the Secesh sympathisers in McKissock's Grove—who are nearly all that kind — and being so near the line increases the danger of collision. An armed guard is kept out now in many neighborhoods to warn them of approach of enemies. I find further, that many men who have been avowed Rebels and hooted at all soldiers as "Lincoln Thieves," are now very clamorous for armed protection, and now there is organized a Company which has memorialized you for commissions and arms that are not safe to arm. * * *

I remain, Sir, your Most Obedient Servant,

H. C. NUTT.

"IV."

EXECUTIVE OFFICE, IOWA, }
January 14, 1862. }

LIEUTENANT COLONEL H. C. NUTT,

Aid-de-Camp, &c., Council Bluffs, Iowa :

SIR: Since writing you a few days since in regard to the difficulty in Fremont County, I have learned that troops from Missouri have been to Sidney, and demanded the surrender into their hands of the persons arrested on suspicion of having assaulted Mr. Fugett. That the authorities in charge of the prisoners very properly refused to surrender them. That the Missouri troops, on their return, arrested in this State and took with them to Missouri one or more citizens of this State, and that such state of feeling exists in Fremont County and Atchison County, Missouri, that there is imminent danger of collision between the people. In addition to the duties required by my former order, you will proceed, as soon as possible, to Atchison County, and call upon the person who may be in command of the State or United States troops there; you will exhibit to him my former letter of instructions and this letter. A system of reprisals between the States shall not be allowed to grow up. Our people must not enter Missouri as was done a few days since, arrest prisoners, and bring them to this State for trial. And people from Missouri must not demand prisoners in the hands of the civil authorities of this State, or arrest persons in this State and carry them into Missouri for trial. Such state of things can produce but one result, and that is a border war. If the person arrested by the men from Iowa, who has not been discharged were not in the hands of the civil authorities, I would at once order his discharge. If the man or men arrested by the returning Missouri troops are not in the hands of the civil authorities of Missouri, you are instructed to ask his or their discharge. Men in Iowa who have violated the laws of Missouri in that State, can be reached in this State by requisition from the Governor of Missouri. All men may rest assured the authorities of Iowa will not make their State an asylum for Rebels and Traitors, and that all such will be promptly surrendered when legally applied for. The action of Iowa thus far, I think, has given loyal men of Missouri no ground to doubt the good faith of our authorities. You will present these views plainly but kindly to the officers in command in Atchison county and to the loyal citizens there and communicate as freely with them as you can in conversation. Inform all that "Jayhawking" expeditions into our State cannot be permitted under the claim of taking the property of rebels.

The evil results of such a course must be apparent. All information showing that such persons are in our State, and in regard to their property, will be placed at once in the hands of the United States officers for legal action, and they can then be legally dealt with. Nothing herein contained is intended to countermand anything contained in my former order. You may show both my letters in Sidney, so that all may know what I intend. As soon as I receive your report I will write Governor Gamble. Your early attention to these matters and your speedy report is expected.

Very Respectfully,

SAMUEL J. KIRKWOOD.

—
“V.”

COUNCIL BLUFFS, }
January 24th, 1862. }

HON. SAMUEL J. KIRKWOOD,

Governor of Iowa, Des Moines :

SIR:—In obedience to your letter of instruction dated January 14th, 1862, I went to Atchison County, Missouri, last Monday, and have spent several days there, and will now give you such additional particulars as I gained while there. I found the prisoner who had been arrested by the Missouri troops, in Iowa, released on parole. He is an Hungarian of more than ordinary intelligence. I saw him and learned that he had been in Price's army, having been induced to go there by wealthy rebels who had agreed to support his family while he was away. He says he soon saw he was on the wrong side, and when Gen. Fremont's proclamation of Amnesty was issued he left for home, but fearing violence from the loyal Germans in Rockport, went to Iowa. He says he was glad to be arrested as he can now be with his family and be protected by troops. I told him if he desired I would have him released and he could return to Iowa with me, which he declined. I afterwards learned from the officer in command, that he had orders for his release from St. Joseph upon his taking the oath. He is now at liberty. I also saw the officer in command of the State troops, and had a very free and plain conversation with him and other loyal men in regard to the invasion of Iowa. I do not think these troops have done much to stop Jayhawking, but have not taken sides with them. These troops have now gone below to be mustered out as they are six months men. Whether they will be re-placed by Federal troops I did not learn.

On my way to Missouri, I found at Sidney an intense excitement. There was said to be a *reliable report* that the Jayhawkers had met on Sunday near Sidney Landing, and had agreed upon Monday or

Tuesday night as the time to "clean out" McKissock's Grove. I was met by a petition signed by nearly every man along the line, calling for immediate help. A messenger had been sent for me, and the prominent Union men were in council at Judge Sears' to decide what should be done. I told them I was then on my way to Missouri, and if I saw or heard anything to justify me, I would return at once. In the meantime I ordered Colonel Hedges to hold two companies ready to move at an hour's notice. I was in doubt in regard to these reports, and would call out the Militia only as a last resort to repel invasion or preserve the public peace. On my way to Rockport I became satisfied that the danger was not as imminent as had been represented, and I learned from those that I thought knew, that there was no armed force in Atchison county at least. As soon as I had completed my business at Rockport, I procured conveyance, and took with me a good loyal farmer, and proceeded to visit several of the men who had been arrested and taken to Iowa. I saw four of these men who were arrested by English and his party. One of them—Wm. Lewis—a man who is called by the secessionists of Fremont County a Jay-hawker, I am satisfied from all that I can learn, has been and perhaps still is cognizant of all the movements of the Jay-hawkers, but I am equally well satisfied that he never goes with them, and was not at Fugett's, but I think he knew they were going to Fugett's. He is the leader and controlling spirit among the loyal men in North-Western Missouri. He is a man of wealth, a little hard and rough, perhaps, but is *loyal*. He says boldly, a Jay-hawker is a better man than a secessionist. He is very bitter against English and the leaders in the kidnapping. I had a long interview with this man. He says he has been outraged by men from Iowa, and says he shall have his revenge. I told him plainly what were your views, and that no invasion of Iowa would be permitted for any purpose, but that any one who had violated the laws of Missouri, could be reached in Iowa in a legal manner. He seemed pleased, and said if the authorities of Iowa would act in that spirit, it was all he and his friends desired. He seemed to be well aware of the result of the invading of either State, but such men he said must be reached, and the Jay-hawkers were the only ones who had reached them as yet. ¶I told him you had not been aware until the attack at Fugett's, that rebels had left Missouri and gone to Iowa, and that you were now taking steps to stop it. This seemed to put a new face on the matter, and he said plainly that they would try legal means first, and pledged himself to me that he would use his influence to prevent Kansas Jay-hawkers or any others from invading Iowa. He further intimated that many of these Jay-hawkers have gone South to join Gen. Lane. He says four or five of these kidnappers must be punished, and if civil law will do it, it will suit him best, if not, he knows what will. He told me that he would at once take legal steps to reach these men, and that no further invasion of Iowa should take place

in the meantime if he could prevent it. I was satisfied while there that he was in earnest, and could and would do as he agreed, and on my return to Sidney, Judge Sears says he can and will make his word good in every respect, and I am satisfied there will be no more Jay-hawking in Iowa for the present. C. McKissock, who shot the man at Hamburg—went through Missouri to Bloody Island in the Missouri River. This Island is claimed by Iowa, Nebraska and Missouri, and by the United States. He was seen to go there, was followed, taken and brought to Sidney Landing, in Missouri, where he was arrested by a civil officer for kidnapping, and taken to Rockport, and bound over in \$2,000, to appear for trial and released. I found all the loyal men in Missouri particularly bitter against English, and they say he shall smart for the treatment he gave those men he arrested. He cannot go four miles in Missouri by daylight, a live man, I don't believe.

On my return to Sidney, I found Col. Hedges and Capt. Harvey very anxious that I should call out the militia for 30 days at least, for drill. Captain Harvey very plainly told me he had no fear of immediate invasion, but that they might be needed in future, and were very much in need of drill. He says the military companies there have labored under many adverse circumstances. Men had been hooted at for joining companies and injured in their business, and something was needed to infuse proper spirit in the men. I told him * * * * that I would state the case to you fairly, and leave the responsibility with you.

In conclusion, I think immediate danger of trouble in Fremont County has passed, but I still think there should be some Federal troops sent here, more to arrest secessionists and secession property that have made Iowa an Asylum, than to protect us from invasion, but the officer placed in command should be *No. 1, in every respect*. An inefficient or imprudent officer would do much harm, but one of the right kind, by making a few arrests of men and property, would in my opinion not only end the present difficulty, but prevent forever its recurrence.

* * * * *

I remain your obedient servant,

H. C. NUTT.

—
“VI.”

To His Excellency,

SAMUEL J. KIRKWOOD,

Governor of the State of Iowa:

We, the members of the Board of Supervisors of Fremont Co., Iowa, respectfully represent unto your Excellency, that in the

neighboring Counties of Missouri, and especially in Atchison county, Missouri, adjoining the line of the State, there is an organized band of robbers and horse thieves known by the name of "Jayhawkers." That these marauders under the pretence of being armed in the cause of the Union, have commenced a system of midnight robbery along our southern border, and have already entered our County on a marauding expedition, and have attempted to murder our citizens and have stolen their property.

We also state that during the past Summer, Fred. Rector, Esq., the acting County Judge of this County, acting under the instructions of the Adjutant General of the State, had organized the militia of this County for the purpose of defending the persons and property of the citizens thereof. But that when he had succeeded in organizing a sufficient force to protect the County, he was, without any reason, deprived of his authority. That arms were never furnished to the companies organized under his supervision, and that since his removal the organization has been discontinued. We further represent that the inhabitants of Fremont County are *abundantly able and willing* to defend themselves. We therefore ask of your Excellency that the present County Judge, Hon. James A. Hodges be appointed to organize the militia of the County, and that when so organized they may be furnished with suitable and necessary arms for their use. And that the arms already distributed to our County may be placed in the possession of some person having authority to furnish them for use in case of another invasion. And we also ask your Excellency to call out one company of the mounted militia of this County from the townships of Madison and Franklin, for the protection of the southern border of our County.

WILLIAM C. SIPPLE, President
of the Board of Supervisors of Fremont County, Iowa.

A. LEITCH, Clerk of
Board of Supervisors of
Fremont County, Iowa.



January 10th, 1862.

—
"VII."

EXECUTIVE OFFICE, IOWA, }
January 18th, 1862. }

WM. C. SIPPLE, Esq.,

President Board of Supervisors,

Sidney, Fremont County, Iowa :

SIR:—I have just received a communication from the Board over

which you preside, touching the present unfortunate state of affairs in your county. I have already sent to your county my Aid, Lieut. Col. H. C. Nutt, to investigate the situation of affairs, and to take such steps as may be necessary to preserve the public peace. The condition of affairs on the Southern border of your County is very unfortunate and I intend to use all the means in my power to afford protection to our citizens. It has been suggested to me that the public peace has been jeopardized by these facts:

1st. That rebels and rebel sympathizers from Missouri, who have made themselves peculiarly obnoxious to Union men there by their outrageous conduct have fled to this State and are now in your County with their property, to avoid vengeance from those whom they formerly outraged.

2d. That the same class of persons in Missouri who cannot leave are sending their property into your County for protection from confiscation.

3d. That these men have sympathizers in your County, who harbor these men and conceal their property.

4th. That the Union men in Missouri, who have suffered from the outrages of these persons, are thus tempted to invade our State for the purpose of punishing them. I have instructed Col. Nutt to investigate these alleged facts and report to me fully thereon. Should I find the allegations to be correct, I shall take measures to relieve your people from this difficulty. Whilst I intend to protect our people from outrage and invasion, I also intend that our State shall not be exposed to danger of both by becoming an asylum for rebels and their property. I trust I shall have your assistance in effecting this object, and that you will impress upon your citizens the impolicy of exposing themselves to the danger they may bring upon themselves and their neighbors by harboring either rebels or their property.

The communication states that Fred. Rector, Esq., late acting County Judge of your County, had been authorized to organize the militia of your County, and "that when he had succeeded in organizing a sufficient force to protect the County, he was without any reason deprived of his authority."

This is a grave error. The reason that Judge Rector's authority was annulled, was that I was credibly informed that his loyalty to our Government was doubted; that he was of a class alleged to be somewhat numerous in your County, whose sympathies are much stronger for Rebels than for Union men. No man whose position is not above suspicion in this point can receive any authority from me, if I know his position, or can retain it a moment longer than the knowledge reaches me, if I have power to annul it. Colonel Hedges, of your County, has been authorized to organize your militia, and I do not see any good reason why his authority should be revoked and given to Judge Hodges.

Col. Hedges is represented to me as an efficient man and his loy-

alty is undoubted. The State arms now in your County are in the hands of good and loyal men, and I do not see the necessity of placing them elsewhere. If there should be any further disturbance of the peace in your County, the men who now have the arms can use them as well as others.

Col. Nutt will on request exhibit his instructions. Any aid you can render him will, no doubt, be thankfully accepted.

Very Respectfully,

(Signed,)

SAMUEL J. KIRKWOOD.

Mr. Mitchell of Fremont moved that the communication and accompanying documents be laid upon the table, and 5,000 copies ordered to be printed for the use of the House. The motion prevailed.

The following communication from the State Treasurer was taken up and read :

TREASURER'S OFFICE, }
Des Moines, Iowa, Feb. 5, 1862. }

HON. RUSH CLARK,

Speaker of the House of Representatives:—

SIR:—In answer to the following resolution, to-wit :

“*Resolved*, That the State Treasurer be requested to inform this House whether the General Government has paid to the State of Iowa, any portion of the expenses incurred in raising Volunteers in obedience to the call of the President of the United States, and if so by whom was it paid, and whether the whole or part was paid in specie, Treasury Notes, or any other representation of value what amount has been paid out, and whether the payments that have been made in redemption of the warrants in the order of their issuance, furnishing a full and complete history of the amount received, what received and what paid out.”

I would state that I received from His Excellency, Samuel J. Kirkwood, Eighty Thousand Dollars, said to have been received by him from the General Government in part payment for expense incurred by this State in raising Volunteers in obedience to the call of the President of the United States.

The amount paid to me was in kind as follows, to-wit :

Thirty-five Thousand and Twenty-seven 69-100 (\$35,027 69-100 Dollars in U. S. Demand Treasury Notes, and the balance, Forty four Thousand nine hundred and seventy-two 31-100 (44,972 31-100 Dollars in warrants on the War and Defense Fund. The Treasury Notes have all been paid on warrants of the War and Defense Fund, in the order of their issuance, with the exception of a balance now on hand of Thirty-one Hundred and Seventeen and 9-100 Dollars. And to cover this amount, I have notified parties holding the older warrants, to forward to me for redemption and

amount sufficient to take up this balance, and I am in daily expectation of them.

Respectfully Yours,

JNO. W. JONES, State Treasurer.

A Memorial in reference to School Lands was taken up and read and referred to Committee on Schools and State University.

Substitute for Senate File No. 55: A Bill for an Act to authorize the Governor to appoint an additional Assistant Surgeon for each Regiment of Iowa Volunteers, and employing nurses and providing for their compensation, was read a first and second time, and referred to Committee on Military Affairs.

The following Senate concurrent resolution was taken up and read:

Resolved by the Senate, the House concurring, That His Excellency the Governor be instructed to use his best endeavors to procure a settlement with the Land Department at Washington of the lands and money due to this State for Swamp lands entered by warrants and money, after the passage of the Act granting said land and prior to their selection by the State.

Resolved, That the Secretary of State is hereby directed to present a copy of this resolution to the Governor of Iowa.

Mr. Martin moved that the House concur in the Resolution. The Resolution was concurred in.

The regular order of business was resumed.

PETITIONS, &C.

Mr. Mitchell of Polk presented a petition of A. Yerger and 368 others, citizens of Polk county, asking for the repeal of the Prohibitory Liquor Law and substitution of a liberal License Law. Referred to the Select Committee on that subject.

Mr. Shipman presented a remonstrance of S. Webb and others, against the repeal of the Prohibitory Liquor Law. Referred to Select Committee on that subject.

Mr. Mercer presented sundry petitions from citizens of Marshall county, asking for the repeal of certain sections of the Land Grant Law of 1860. Referred to Committee on Railroads.

Mr. Speer presented the petition of sundry citizens of Boone and Webster counties praying for the passage of a law securing to them the title to certain lands. Referred to Committee on Public Lands.

Mr. Clark of Tama presented the petition of A. J. Wheaton and others, to protect sheep from the ravages of dogs.

Also, a petition of S. Shields and others, for a law to prohibit live stock from running at large.

Also, a remonstrance from A. J. Richardson and 168 others, against the passage of a law prohibiting live stock from running at large. Which were referred to the Committee on Agriculture.

Mr. Pendleton presented the petition of Samuel Cameron and

others, citizens of Woodbury county, praying that the duties of County Judges be increased. Referred to Committee on Judiciary.

Mr. Wilson of Pottawattamie presented the petition of Geo. J. Reed and 92 others, praying for the enactment of a law for each civil Township to support its own paupers, and the payment of all Township Officers, and for Township Trustees to levy a tax to defray the expenses thereof. Referred to Committee on County and Township Organization.

Mr. Rothrock presented a Memorial from the State Teachers' Associations, in regard to the School Laws of this State. Referred to Committee on Schools and State University.

Mr. Hudnutt presented a petition of Geo. W. Ruddick and others asking for the creation of a new Judicial District. Referred to Committee on Judicial Districts.

Mr. Lowrie presented a petition from sundry citizens of Lee county, praying for a repeal of all prohibitory Liquor Laws. Referred to Select Committee on that subject.

Mr. Russell of Jones presented a petition from sundry citizens of Jones county, for additional mail facilities. Referred to Committee on Federal Relations.

Mr. Wilson of Pottawattamie presented a petition of Joshua C. Layton and 182 others, citizens of Pottawattamie county, praying for the division of Pottawattamie county, and the formation of a new county thereof, to be called Lyon county. Referred to Committee on New Counties.

REPORTS OF COMMITTEES.

Mr. Shipman, from Committee on County and Township Organization submitted the following reports :

The Committee on Township and County Organization to whom was referred Senate File No. 57: An Act to authorize Boards of Supervisors to remit School House tax in certain cases, have had the same under consideration and have instructed me to report the same back to the House and recommend its passage.

SHIPMAN, Chairman.

The Committee on Township and County Organization, to whom was referred House File No. 74: An Act to amend chapter 46, Revision of 1860, fixing the compensation of Township Clerks, have had the same under consideration and have directed me to report the same back to the House, and recommend its passage.

SHIPMAN Chairman.

The Committee on Township and County Organization, to whom was referred House File No. 29: An Act entitled an Act to amend section 548, of the Revision of 1860, defining the duties of Township Clerks in certain cases, have had the same under consideration

and have instructed me to report the same back to the House, and recommend its passage.

SHIPMAN, Chairman.

Mr. Young, from Committee on Judiciary, submitted the following Report :

The Judiciary Committee, to whom was referred House File No. 132 : A Bill for an Act to amend section 4324, of the Revision of 1860, in relation to malicious mischief on property, have had the same under consideration, and have directed me to report the same back to the House, and recommend its indefinite postponement.

YOUNG, Chairman.

Mr. Lake, from Committee on Judiciary, submitted the following Report :

The Judiciary Committee, to whom was referred House File No. 141 : A Bill for an Act to protect growing Fruit, etc., have had the same under consideration, and have directed me to report that section 4325, of the Revision of 1860, provides all that is necessary to accomplish the objects of this Bill, and in a better manner. They therefore report back the Bill and recommend that it be not passed.

JED LAKE, for Committee.

Mr. Rothrock, from Committee on Judiciary, submitted the following Report :

The Committee on the Judiciary, to whom was referred House File No. 127 : A Bill for an Act to amend section 1, chapter 98, of the laws of the Sixth General Assembly, and to legalize the record of certain conveyances in the Recorder's Office at Fort Madison in the County of Lee, etc., have had the same under consideration and have instructed me to report the same back to this House and recommend its passage.

ROTHROCK, from Committee.

Mr. Moir, from Committee on Judiciary, submitted the following Report :

The Committee on Judiciary, to whom was referred the resolution of the gentleman from Mitchell, requiring said Committee to inquire into the expediency of increasing the number of Supreme Judges, have had the same under consideration, and have instructed me to report that on account of the decrease in legal business during the past year, and on account of the financial embarrassment of our State, and in view of the fact that we should, at the present time of our nation's peril, curtail our expenses, instead of increasing them, said Committee do not deem it expedient at the present time to increase the number of Supreme Judges in this State.

MOIR, of Hardin, member of said Com.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER :—The Joint Committee on Enrolled Bills, have

examined Senate Files 13 and 14, find the same correctly enrolled and herewith present them for your signature.

D. G. FRISBIE,

Chairman of House Com. on Enrolled Bills.

Mr. Meyer, from Committee on Police Regulations, submitted the following report :

The Committee on Police Regulations have had under consideration the petition of H. Sperry, and other citizens of Johnson County, praying for the repeal of the present Act to protect Game, and the enactment of a more stringent law on the same subject. The Committee have requested me to report, inasmuch as a Bill and numerous petitions on the same subject have been sent to the Agricultural Committee, that this petition be sent to the same Committee, or that the Bill and petitions on this same subject before that Committee be sent to the Committee on Police Regulations.

JOHN MEYER, Chairman.

Mr. Moir, from Select Committee on House File No. 10 and amendments submitted the following report :

Your Select Committee to whom was referred House File No. 10 : A Bill for an Act entitled an act to prevent the spreading fires on the prairie and in the timber, have arranged and copied the same with the amendments in their proper place, and herewith return the same.

W. J. MOIR, Chairman.

INTRODUCTION OF BILLS.

Mr. Gault introduced House File No. 142 : A Bill for an Act to amend Chapter 45 of the Revision of 1860 ; which was read a first and second time and referred to Committee on Judiciary.

Mr. Cutler introduced House File No. 143 : A Bill for an Act defining and providing for the collection and expenditure of the road funds of the several Townships of this State ; referred to Committee on County and Township Organization.

Mr. Wilcox introduced House File No. 144 : A Bill for an Act in relation to the assessment of property. Read a first and second time and referred to Committee on Ways and Means.

Mr. Lake introduced House File No. 145 : A bill for an Act providing that the thanks of the State of Iowa shall be extended to Iowa Volunteers.

Mr. Van Anda moved to refer to Committee on Federal Relations. Lost.

Mr. Shipman moved to refer to a Select Committee of five of which Mr. Van Anda shall be chairman. The motion prevailed.

The chair appointed Messrs. Van Anda, Shipman, Lake, Mitchell of Fremont and Gibson.

Mr. Russell of Dallas introduced House File No. 146 : A Bill for

an Act to establish Boards of County Commissioners and define their duties; read a first and second time and referred to Committee on County and Township Organization.

Mr. Young introduced House File No. 147: A Bill for an Act to amend an Act to amend an Act entitled: An Act to adapt the law for canvassing votes to the Supervisor system.

Also, House File No. 148: A Bill for an Act to amend Chapter thirty-six of the Revision of 1860, relating to qualification for office.

Also, House File No. 149: A Bill for an Act in relation to the payment of claims against the estates of deceased persons.

Also, House File No. 150: A Bill for an Act in relation to estates of decedents. Which were read a first and second time and referred to Committee on Judiciary.

Mr. McCall's leave of absence was further extended.

Mr. Wilson of Pottawatomie introduced House File: A Bill for an Act to amend an Act entitled an Act in relation to County Seats, which was read a first and second time and referred to Committee on Judiciary.

On motion of Mr. Moir the House adjourned.

TWO O'CLOCK P. M.

House met pursuant to adjournment.

RESOLUTIONS.

Mr. Stanton offered the following Resolution:

Resolved by the General Assembly of the State of Iowa, That while we may differ with the President of the United States in the policy which he has announced upon the question of slavery as connected with the present rebellion, yet our Congressional delegation are hereby instructed to use every Constitutional means in their power to sustain the President in the carrying out of that policy, or any other policy which the exigencies of the times and the preservation of the Union may require at his hands.

Mr. Hardie moved the following amendment: Strike out the words "while we may differ with the President of the United States in the policy which he has announced," and insert "we approve of the policy of the President of the United States."

Mr. Schramm moved that the resolution and amendment be referred to Committee on Federal Relations.

Mr. Lakin moved to lay on the table, and upon this question Mr.

Hardie demanded the yeas and nays, and were ordered and were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Curtiss, Cutler, Ferguson, Frisbie, Fuller of Fayette, Fuller of Harrison, Glanville, Guthrie, Hudnutt, Holyoke, Hollingsworth, Lake, Lakin, Lowrie, McQuinn, Mercer, Milburn, Pendleton, Porter, Quinn, Rothrock, Rowles, Sarver, Schramm, Stevenson, Walker, Wasson, West, Whittemore, Williams of Mahaska. Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, and Mr. Speaker—43.

The nays were, Messrs. Converse, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Flint, Gault, Gibson, Hardie, Hoed, Jackson, Knoll, Loomis, Lorah, Martin, Maxwell, McGlothlen, McLennan, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Price, Rothrock, Russell of Dallas, Russell of Jones, Shipman, Smeltzer, Speer, Stanton, Stewart, Thompson, Van Anda, Walton, White, Wilcox, Williams of Des Moines, Wright, and Young—44.

Absent or not voting—Messrs. Bass, Gordon, Kellogg, Lane, McCall, and Wetherall.

The motion to lay on the table did not prevail.

Mr. Young moved to amend the motion of Mr. Schramm by referring to Committee of the Whole, and be made part of the special order for Tuesday evening next. Carried.

The motion as amended prevailed.

Mr. Gibson offered the following Resolution:

Resolved, That the Committee on Military Affairs be requested to inquire into the expediency of providing for the election by each Regiment of the additional Assistant Surgeon and the two nurses, as provided for in the Senate bill.

The Resolution was adopted.

Mr. Converse introduced the following Resolution:

Resolved, That the Committee of Ways and Means be directed to inquire into the expediency of making an appropriation for the purpose of employing a lawyer to assist the Agricultural Committee in determining what laws are and what are not necessary for the general interests of Agriculture, and that they be required to report by bill or otherwise.

Mr. Shipman moved its indefinite postponement. Carried.

Mr. Castor introduced the following Resolution:

WHEREAS, The State of Iowa is bound for all losses arising from the improper management in loaning the School Fund, and

WHEREAS, T. K. Brooks and others borrowed from J. D. Eads a large amount of said funds to use in erecting the buildings now occupied by the General Assembly, and gave their obligation for the same, and that the State has settled with or released the said Eads from all obligation in loaning the above mentioned funds, Therefore,

Resolved, That the Committee on Public Buildings be instructed to ascertain what amount of said funds are unpaid, and whether the interest of the amount is annually paid, the amount and kind of security that was given, and what amount can be made or secured out of said claims. Also the expediency of releasing said individuals from the farther payment, provided they make a good and sufficient title to the State for the grounds and Capitol Buildings thereon, and any other information connected therewith, and report at an early day by bill or otherwise.

The Resolution was adopted.

Mr. Stewart offered the following Resolution which was laid over under the rule :

Resolved, That the Auditor of State be requested to furnish this House with a report of the items which constitute the contingent expenses of the Supreme Court, stated in the aggregate in his Report at \$3,514 32.

Mr. Russell offered the following resolution, which was lost :

Resolved, That a Select Committee of five be appointed by the Chair, with instructions to enquire into the legal power of the General Assembly to pass a law making provision for the seizure, confiscation and disposition of all the property of rebels which may have been, or may hereafter be brought within the limits of this State, and to present a bill making provisions for such seizure and disposition, if they deem it expedient at an early day.

Mr. Rothrock offered the following resolution, which was lost :

Resolved, That the Committee on Ways and Means be instructed to enquire into the expediency of exempting from assessment and taxation, all improvements upon farming lands, unless it be dwelling houses of over \$1,000 in value, and that they report to this House by bill or otherwise.

Mr. Fairall offered the following resolution, which was adopted :

Resolved, That the Committee on Military Affairs be requested to inquire as to the expediency of enacting a law providing for the election, by the men composing the Regiments of Iowa Volunteers now or hereafter to be raised, of their own officers, and to report by bill or otherwise.

Mr. Denlinger offered the following resolution :

Resolved, That the Committee on Ways and Means be requested to inquire into the propriety of requiring sportsmen who wish to hunt on the lands of other people, to pay a license of ten dollars per year.

Mr. Nelson moved to lay on the table. Lost.

Mr. Martin moved to refer to Committee on Agriculture. Lost.

Mr. Hardie moved to refer to Committee on Judiciary. Lost.

The resolution was adopted.

Messrs. Mitchell of Polk and Loomis, by leave, presented petitions from citizens of their respective counties, in relation to the

exemption of certain lands from taxes. The petitions were laid on the table for reference.

Leave of absence was extended to Mr. Castor, till Tuesday.

Mr. Frisbie from Joint Committee on Enrolled Bills, submitted the following report ;

MR. SPEAKER :—The Joint Committee on Enrolled Bills ask leave to report that they have this day, Feb. 6th, delivered to the Governor for his signature, Senate Files Nos. 13 and 14.

D. G. FRISBIE, Ch'n
H. Com. Enr. Bills.

BILLS ON A SECOND READING.

Mr. Williams of Des Moines moved to take from the table House File No. 68 : A bill for an Act providing for the vacation of town plats.

Mr. Williams of Des Moines offered a substitute for House File No. 68 : A bill for an Act providing for the vacation of town plats. The substitute was adopted, and read a first and second time.

Mr. Curtiss moved to strike out Sec. 7. Carried.

Mr. Lowrie moved to suspend the rule, and read the bill a third time now. Carried. The bill was read a third time, and upon the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Loomis, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker.—86.

Absent and not voting Bass, Calfee, Gordon, Kellogg, McCall, Pierce and Wetherall.

The bill passed and the title was agreed to.

Substitute for House File No. 10 : A bill for an Act to prevent the spreading of fires on the prairie and in the timber, was taken up. The substitute was adopted, and on motion of Mr. Bracewell the rule was suspended and the bill read a third time, and upon the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bowdoin, Bracewell, Burton,

Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison Gault, Gibson, Glanville, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Lake, Lakin, Loomis, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth and Mr. Speaker—78.

The nays were, Messrs. Blackford, Dunlavy, Knoll, Moser, Parker, Smeltzer, Van Anda, Wilson of Chickasaw, and Wright—9.

Absent or not voting—Messrs. Bass, Calfee, Gordon, Kellogg, Lane, McCall, Wetherall, and Young.

The bill passed and the title was agreed to.

House File No. 96: A bill for an Act to amend 5066 of the Revision of 1860, of the laws of the State of Iowa, in relation to taking change of venue in criminal proceedings, before Justices of the Peace.

Mr. Curtiss moved to strike out section 3. Carried.

The bill was then read a third time, and upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Loomis, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—85.

The nays were, None.

Absent or not voting—Messrs. Bass, Calfee, Gordon, Kellogg, Lane, McCall, Moir, Wetherall.

The bill passed and the title was agreed to.

The House took up House File No. 71: A Bill for an Act to amend Section 2193, Chapter 91 of the Revision of 1860.

Mr. Bracewell moved to strike out \$3 00 and insert \$0 50.

Mr. Martin moved to amend by inserting one dollar, and on this

question the yeas and nays were demanded by Mr. Martin and were ordered and were as follows:

The yeas were, Messrs. Bowdoin, Bracewell, Castor, Cleaves, Curtiss, Denlinger, Dunlavy, Ferguson, Flint, Fuller of Harrison, Gibson, Glanville, Guthrie, Hollingsworth, Hood, Loomis, Lorah, Martin, McGlothlen, Mercer, Mitchell of Fremont, Pendleton, Porter, Rowles, Russell of Jones, Sarver, Smeltzer, Speer, Walton, Wasson, West, Whittemore, Williams of Mahaska, Wilson of Pottawattamie, and Wright—37.

The nays were, Messrs. Baker, Blackford, Burton, Clark, Chase, Converse, Cutler, Dorr, Eaton, Eichorn, Fairall, Frisbie, Fuller of Fayette, Galt, Hardie, Hudnutt, Holyoke, Jackson, Knoll, Lake, Lakin, Maxwell, McLennan, McQuinn, Meyer, Milburn, Mitchell of Polk, Moir, Moser, Nelson, Parker, Price, Quinn, Russell of Dallas, Schramm, Shipman, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, White, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Woodworth, Young, and Mr. Speaker—51.

Absent or not voting—Messrs. Bass, Calfee, Gordon, Kellogg, Lane, McCall, and Wetherall.

The amendment did not prevail.

Mr. Curtiss moved to amend by inserting \$2 00. Lost.

Mr. Williams of Mahaska moved to amend by inserting \$1 25.

Mr. Shipman moved to refer the bill and amendments to a Select Committee.

Mr. Lake moved to amend, providing Messrs. Van Anda, Smeltzer and Curtiss constitute such Committee. Carried.

The motion as amended was adopted, and the bill so referred.

On motion of Mr. McLennan the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
FRIDAY, February 7, 1862. }

House met pursuant to adjournment.

Prayer by Elder Kimmons.

Journal of yesterday read and approved.

Mr. Shipman moved to suspend the regular order of business and take up Bills on their second reading. The motion prevailed.

BILLS ON SECOND READING.

House File No. 88: A bill for an act relating to the incorporation

of the Fayette Seminary, now known as the Upper Iowa University, was taken up and read.

Mr. Fuller, of Fayette, moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time; and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were—Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Calfee, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Loomis, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chicka-Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—86.

The nays were—None.

Absent or not voting—Messrs. Bass, Castor, Gordon, Kellogg, Lane, McCall, Wetherall—6.

The Bill passed and the title was agreed to.

The following message from the Senate was received, through Wm. F. Davis, their Secretary:

MR. SPEAKER: I am directed to inform your honorable body, that the Senate has ordered to be printed the usual number of copies of the special report of the Secretary of the Board of Education, relative to the investment of the School Fund, and certain amendments to the School Law.

Also; That the Senate has passed Senate File No. 91: A Bill for an Act to appropriate money for the relief of sick and wounded soldiers, among the Iowa Volunteers.

Also; A concurrent Resolution instructing our Senators and Representatives in Congress to use their best efforts to secure the passage of a law punishing with death, frauds and corruptions in contracts with the Government, in this, its hour of trial and peril.

In all of which the concurrence of the House is asked.

W. F. DAVIS, Secretary.

WHEREAS, the "Committee of Investigation on Government contracts," appointed in the House of Representatives in Congress have from evidence brought before them in the course of their investigations, ascertained that frauds of the most stupendous kind have been practiced on the Government of the United States, by persons in "high places" and having large contracts, involving the expenditure of millions of money, and

WHEREAS such frauds and corruptions are eating the life out of the nation, and endangering its existence as much as the armed rebellion now rife among a portion of our once happy and united people, therefore,

Resolved, by the Senate the House of Representatives concurring therein, That our Senators in Congress be instructed and our Representatives requested, to vote for and use their united efforts and influence to procure the passage of a law punishing with death any person who shall in any contract for the Government of the United States practice a fraud on said Government.

Resolved, That the public welfare requires the immediate dismissal from office of all persons who have directly or indirectly countenanced or procured such frauds to be practised on the Government of the United States.

Resolved, That the Secretary of State be requested to forward a copy of these resolutions to each of our Senators and Representatives, and a copy to the Secretary of War and President each.

Senate File No. 41: A Bill for an Act to abolish the Board of Commissioners of the Insane Asylum, was taken up and read.

Mr. Chase moved that the rule be suspended and the Bill read a third time now. Carried.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Calfee, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Jackson, Knoll, Lake, Lakin, Loomis, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—84.

The nays were, None.

Absent or not voting, Messrs. Bass, Castor, Gordon, Kellogg, Lane, McCall, Wetherall and Williams of Mahaska—8.

Bill passed and the title agreed to.

House File No. 47: A Bill for an Act to amend an Act entitled an Act in relation to County Seats, was taken up and read.

Mr. Moir moved to lay the Bill on the table and print the usual number of copies for the use of the House. The motion prevailed.

House File No. 84: A Bill for an Act to punish Garnishees for disposing of property in certain cases, was taken up and read.

Mr. Young moved to strike out "one hundred," and insert "two hundred."

Mr. Lowrie moved to recommit to the Committee on Judiciary. Lost.

Mr. Bracewell moved to refer to a Select Committee of five, of which Mr. Lowrie shall be Chairman. Carried.

The Chair appointed as such Committee, Messrs. Lowrie, Pendleton, Curtiss, Martin and Sarver.

The House took up substitute for House File No. 53: An Act to amend section 986, chapter 47 of the Revision of 1860. The substitute was adopted.

Mr. Fuller, of Harrison, moved that the rule be suspended, and the Bill read a third time now.

Mr. Mitchell, of Polk, moved to amend by recommitting the bill to Committee on Public Lands.

Mr. Cutler offered the following amendment: "And that the Committee on Public Lands be and are hereby instructed to see that the provisions of this Bill are so guarded that the Swamp Lands and their proceeds shall not be squandered in those counties which are but thinly settled." Carried.

Mr. Bowdoin moved that the Committee be instructed to incorporate the following amendment in the bill: "that nothing in this Act contained shall be construed as a waiver or release on the part of the State, of her right to withhold from said county, said county's proportionate share of the expenses of an agent to Washington as provided for in Section 984 of the Revision of 1860. Carried.

The question then recurred upon the motion to recommit the bill to Committee on Public Lands. The motion prevailed.

The House took up Senate File No. 91: A Bill for an Act to appropriate money for the relief of sick and wounded soldiers among the Iowa Volunteers; which was read a third time and upon the question "Shall the Bill pass," the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Calfee, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Jackson, Lake, Lakin, Loomis, Lorah, Lowrie, Martin, Maxwell, McGlothlen, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Van Anda, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—80.

The nays was, Thompson.

Absent or not voting, Messrs. Bass, Castor, Denlinger, Gordon,

Hood, Kellogg, Knoll, Lane, McLennan, Quinn, Wetherall, and Williams of Mahaska—12.

Bill passed and the title was agreed to.

Mr. Russell of Jones, from select Committee to whom was referred sundry petitions from the ladies of Clinton, Iowa, relative to appointing female nurses to attend sick and wounded Iowa soldiers, submitted the following report :

Report of Special Committee to whom were referred petitions of sundry ladies of Clinton, Iowa, and the petition of Mrs. Leffingwell and other ladies of Lyons, Iowa, praying the General Assembly to make provision for the appointment of Female Nurses to attend to the wants of sick and wounded Iowa soldiers. Your committee would report, that they have had the same under consideration, and would respectfully recommend that the prayer of the petitioners be granted, and with that view would suggest, that the bill now on the files, and passed by the Senate, be taken up and passed as early as possible. All of which is respectfully submitted.

JOHN RUSSELL.

G. W. PARKER.

H. DUNLAVY.

Leave of absence was granted to Mr. Hood.

House File No. 110: A joint resolution for amendment of Naturalization laws, was taken up.

Mr. Gibson offered the following amendment, insert after the word "service" "if in their opinion it be constitutional."

Mr. Curtiss moved to amend by striking out the words "free white."

Mr. Moir moved the previous question and the same being demanded by a majority of all the members present, upon the question "Shall the main question be now put?" the same was sustained. The question then recurred upon the amendment of Mr. Curtiss, and upon this question Mr. McLennan demanded the yeas and nays which were ordered and were as follows :

The yeas were, Messrs. Bowdoin, Burton, Cleaves, Curtiss, Frisbie, Holyoke, Loomis, Meyer, Milburn, Mitchell of Polk, Moser, Nelson, Rothrock, Russell of Dallas, Russell of Jones, Stanton, Stevenson, West, Whittemore, Wilcox, Wilson of Chickasaw, Woodworth, Young—23.

The Nays were, Messrs. Baker, Blackford, Bracewell, Calfee, Clark, Chase, Converse, Outler, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Guthrie, Hardie, Hudnutt, Hollingsworth, Jackson, Knoll, Lake, Lakin, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Moir, Parker, Pendleton, Porter, Price, Quinn, Rowles, Sarver, Schramm, Shipman, Smeltzer, Speer, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, White, Williams of Des Moines, Wilson of Pottawattamie, Wright, and Mr. Speaker—60.

Absent or not voting, Messrs. Bass, Castor, Eaton, Gordon, Hood, Kellogg, Lane, McCall, Wetherall, Williams of Mahaska.

The amendment did not prevail.

The question recurred upon the amendment offered by Mr. Gibson, and upon this question Mr. Price demanded the yeas and nays which were ordered and were as follows :

The yeas were, Messrs. Bracewell, Burton, Clark, Chase, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Gibson, Glanville, Hardie, Hudnutt, Lorah, Martin, Maxwell, McGlothlen, McLennan, Sarver, Schramm, Smeltzer, Speer, Stewart, Thompson, Williams of Des Moines, Wilson of Pottawattamie—28.

The nays were—Messrs. Blackford, Bowdoin, Calfee, Cleaves, Converse, Curtiss, Cutler, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Guthrie, Holyoke, Hollingsworth, Jackson, Knoll, Lake, Lakin, Loomis, Lowrie, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Stanton, Stevenson, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Wilson of Chickasaw, Woodworth, Wright, Young and Mr. Speaker—56.

Absent or not voting—Messrs. Bass, Castor, Gordon, Hood, Kellogg, Lane, McCall, Wetherall, Williams of Mahaska.

The amendment did not prevail.

The question recurred upon the adoption of the Joint Resolution. The Resolution was adopted.

Mr. Moser offered the following Resolution, which was adopted.

Resolved, That the Committee on Public Lands, be instructed to inquire if it is in the power of the General Assembly to transfer the lands known as the Swamp lands to any other purpose but those mentioned in the Act of Congress donating the same.

On motion of Mr. Bracewell the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Frisbie moved to reconsider the vote by which House File No. 110: A Joint resolution for amendment of Naturalization laws, was passed. The motion prevailed.

Mr. Frisbie moved to amend by striking out the word "free."

Mr. Ferguson moved to lay on the table. Lost.

The question recurred upon the amendment of Mr. Frisbie. The amendment prevailed.

The question recurred upon the passage of the Joint Resolution

as amended and upon this question Mr. Rothrock demanded the yeas and nays, which were ordered and were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Calfee, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Jackson, Knoll, Lake, Lakin, Loomis, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Mr. Speaker—81.

The nays were, Messrs. Meyer and Russell of Dallas—2.

Absent or not voting, Messrs. Bass, Castor, Gordon, Kellogg, Hood, Lane, Speer, Wetherall, Williams of Mahaska, and Young. The resolution was adopted.

House File No. 102: A Bill for an Act to legalize the acts of certain persons therein named in the establishment of a certain State Road, was taken up.

Mr. Stephenson moved to suspend the rule and read the Bill a third time now.

Mr. Moser moved to amend by striking out the following words in Section 3: "Daily State Register and Times of this City," and insert "Daily Gate City and Iowa Daily State Register, without expense to the State." The amendment prevailed.

The question recurred upon the motion to suspend the rule and read the Bill a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Calfee, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Guthrie, Hudnutt, Holyoke, Hollingsworth, Jackson, Lake, Lakin, Loomis, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Stevenson, Thompson, Van Anda, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright and Mr. Speaker—74.

The nays were, Messrs. Dunlavy, Gault, Hardie, Knoll, McLennan, and Stewart—6.

Absent or not voting—Messrs. Bass, Castor, Fairall, Gordon, Hood, Kellogg, Lane, McCall, Speer, Stanton, Walker, Wetherall, and Young.

The Bill passed and the title was agreed to.

House File No. 25: A Bill for an Act to exempt from execution the property of the militia of Iowa mustered into the service of the United States, was taken up.

The question was upon concurring in the report of the Military Committee recommending the indefinite postponement of the Bill.

The House refused to concur in the report of the Committee.

Mr. Gibson moved to recommit the Bill to the Committee on Judiciary.

Mr. Curtiss moved to recommit to Committee on Military Affairs. Lost.

The question recurred upon the motion of Mr. Gibson to recommit to Committee on Judiciary. Lost.

Mr. Curtiss moved to amend Section 2 as follows: after the word "act," insert "being deemed of immediate importance," and after the word "publication," add "in the Iowa Daily State Register and the Des Moines Daily Times, newspapers published in Des Moines."

The amendment was adopted.

Mr. Frisbie moved to suspend the rule and read the Bill a third time now. The motion prevailed.

Mr. Rothrock moved to reconsider the vote by which the rule was suspended and the Bill ordered to a third reading. The motion prevailed.

Mr. Martin moved to recommit the Bill to Committee on Judiciary.

Mr. Mitchell, of Fremont, moved to amend by recommitting to Committee on Military Affairs.

The following message from the Senate was received:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has adopted the following Resolutions, in which the concurrence of the House is asked:

Resolved by the Senate, the House of Representatives concurring, herein, That our Senators be instructed and our Representatives requested to vote for and use their influence to procure the passage of a law reducing the pay of commissioned army officers at least 25 per cent. upon what they are now allowed.

Resolved, That the Secretary of State be directed to forward to each of our Senators and Representatives in Congress, a copy of the foregoing resolution.

WM. F. DAVIS, Sec'y of Senate.

Mr. Frisbie moved to amend the amendment by adding "with instructions to report a Bill making no discrimination between common soldiers and officers in the provision thereof." Lost.

The question recurred upon the amendment of Mr. Mitchell of Fremont. The amendment prevailed.

The question recurred upon the motion as amended. The motion prevailed.

Mr. Smeltzer, from select Committee on House File No. 71, by leave, submitted the following report:

The select Committee, to whom was referred House File No. 71: An Act to amend Section 2193, Chap. 91 of the Revision of 1860, in relation to bounty on the scalps of certain animals, have had the same under consideration and beg leave to report a substitute for said Bill, entitled an Act allowing bounty on wolf scalps, and repealing Article 8, Chap. 91 of the Revision of 1860.

VAN ANDA,
SMELTZER,
COURTISS.

The Committee, by leave, introduced substitute for House File No. 71: A Bill for an Act in relation to bounty on wolf scalps.

Mr. Meyer moved to amend the Bill, so as to provide a bounty of one dollar for Prairie Wolves and two dollars for Timber Wolves. Lost.

Mr. Sarver moved to amend by allowing Boards of Supervisors to fix the amount of bounty on each wolf scalp not to exceed five dollars. Lost.

Mr. Moser moved to amend by adding "twenty-five cents on scalps of Gophers." Lost.

Mr. Sarver moved to add "Wild Cats." Lost.

The substitute was adopted.

Mr. Van Anda moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Burton, Caffee, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Flint, Frisbie, Glanville, Hardie, Hudnutt, Holyoke, Hollingsworth, Jackson, Knoll, Lake, Lakin, Loomis, Lowrie, Maxwell, McGlothlen, McLennan, McQuinn, Meyer, Milburn, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Schramm, Shipman, Smeltzer, Stanton, Stevenson, Van Anda, Walker, Walton, West, White, Whittemore, Williams of Des Moines, Young, and Mr. Speaker—59.

The nays were, Messrs. Bracewell, Dunlavy, Ferguson, Fuller of Harrison, Gault, Gibson, Guthrie, Lorah, Martin, Mercer, Mitchell of Fremont, Moser, Rothrock, Russell of Jones, Sarver, Wasson, Wilcox, Wilson of Chickasaw, Wilson of Pottawattamie, and Wright—20.

Absent or not voting—Messrs. Bass, Castor, Fuller of Fayette, Gordon, Hood, Kellogg, Lane, McCall, Speer, Stewart, Thompson, Wetherall, and Williams of Mahaska.

The Bill passed and the title was agreed to.

On motion of Mr. Shipman, House File No. 119, was passed upon the files.

On motion of Mr. Cutler, House File No. 105, was passed upon the files.

Mr. McQuinn moved to reconsider the vote by which the slavery resolutions were made the special order for Tuesday evening at 7 o'clock in Committee of the Whole. Carried.

Mr. McQuinn moved that they be made the special order in Committee of the Whole, for Wednesday evening at 7 o'clock. Carried.

On motion of Mr. Holyoke, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
SATURDAY, February 8, 1862. }

House met pursuant to adjournment.

Prayer by Elder Kimmons.

Journal of yesterday read and approved.

PETITIONS, MEMORIALS, &c.

Mr. Price presented petitions from citizens of Muscatine Island, praying for the repeal of a certain Act in reference to the Levee on Muscatine Island. Referred to the Select Committee on that subject.

Mr. Meyer presented a petition from citizens of Newton, Jasper County, praying for the repeal of an Act Incorporating the Town of Newton. Referred to Committee on Incorporations.

Mr. Mercer presented the petition of C. B. Hermon and others, citizens of Marshall County, asking the repeal of certain sections of the Land Grant law of 1860. Referred to Committee on Rail Roads.

Messrs. Williams of Des Moines, McQuinn, Loomis, Schramm, Gibson, Porter, Hardie, Van Anda, and Curtiss, presented petitions from citizens of their respective Counties, relative to prohibitory Liquor law. Referred to Select Committee on that subject.

Mr. Wilson of Pottawattamie presented the petition of William Lyman and 67 other citizens of Pottawattamie County, in reference to the formation of a new County to be called Lyon. Referred to Committee on New Counties.

Also, the petition of A. B. Norris and 83 other Farmers of Pottawattamie County, praying for the enactment of a law to protect

Sheep from the ravages of Dogs. Referred to Committee on Agriculture.

Also, the petition of M. Griffith and 36 other citizens of Pottawattamie County, praying for the enactment of a law making it the duty of each Civil Township to support its own Paupers, and pay all Township Officers, and for Township Trustees to levy a tax to defray the expenses thereof. Referred to Committee on County and Township Organization.

Mr. Clark of Tama presented the petition of sundry Citizens of Tama County, asking the repeal of certain sections of Land Grant law of 1860. Referred to Committee on Rail Roads.

Also, a memorial and resolution of the Board of Supervisors of Tama County, asking that amounts furnished in response to the call of Governor for the outfit of Soldiers be refunded to said County. Referred to Committee on Claims.

Mr. Eichorn presented a petition of William Skinner and seventy-seven others, asking legislation in reference to the Plank Road in Lee County. Referred to the members from Lee.

Mr. Hardie presented a petition from citizens of Dubuque, asking for the passage of a law restricting the powers and duties of City Courts. Referred to Committee on Judiciary.

Mr. Russell of Jones presented a memorial of the Board of Supervisors of Jones County, asking for a law creating the office of Township Collector, and giving Township Trustees power in the establishment of Roads. Referred to Committee on County and Township Organization.

REPORTS OF COMMITTEES.

Mr. Pendleton, from Committee on Military Affairs, submitted the following Report :

The Military Committee, to whom was re-committed House File No. 125 entitled : A Bill for an Act to exempt from execution the property of the Militia of Iowa, mustered into the actual service of the United States, have had the same under consideration, and have directed me to report a substitute which is herewith submitted, and its immediate passage recommended.

PENDLETON.

Mr. Lake, from Committee on Judiciary, submitted the following Report :

The Judiciary Committee, to whom was referred House File No. 101 : A Bill for an Act to restrict and define the powers of City Courts, have had the same under consideration, and have directed me to report a substitute therefor, and recommend that it do pass.

JED LAKE, for Committee.

Mr. Moir, from Committee on Judiciary, submitted the following Report :

The Judiciary Committee, to whom was referred House File No.

150: A Bill for an Act to amend section 2361, of the Revision of 1860, in relation to the estates of decedents, have had the same under consideration, and have instructed me to report the same back to this House and recommend the passage thereof.

MOIR, of Hardin.

Mr. Rothrock, from the Judiciary Committee, submitted the following Report :

The Committee on the Judiciary, to whom was referred House File No. 148 : A Bill for an Act to amend chapter 36, of the Revision of 1860, relating to qualifications for office, have had the same under consideration, and have instructed me to report the same back and recommend its passage.

JAS. H. ROTHROCK, from Committee.

Mr. Fairall, from Committee on Judiciary, submitted the following Report:

The Judiciary Committee, to whom was referred House File No. 147, respectfully recommend its passage.

FAIRALL, for Committee.

Mr. Lake, from Committee on Police Regulations, submitted the following Report :

The Committee on Police Regulations, to whom was referred House File No. 55 : A Bill for an Act to amend section 1534, of the Revision of 1860, of the laws of Iowa, in relation to partition Fences, have had the same under consideration, and have prepared a substitute therefor, and directed me to report the same back to this House and recommend that it be passed.

JED LAKE, for Committee.

Mr. Williams of Des Moines, from Select Committee on House File No. 91, submitted the following Report :

The Select Committee, to whom was referred House File No. 91: A Bill for an Act to amend chapter 46, of the Revision of 1860, in relation to Bridges, respectfully report that they have had the same under consideration, and have instructed me to report the same back to this House and recommend its passage.

Mr. Frisbie, from select Committee on House File No. 2, submitted the following Report :

The Select Committee, to whom was referred House File No. 2: A Bill for an Act to amend section 2967, chapter 122, of the Revision of 1860, have had the same under consideration, and ask leave to report the same back to the House with a substitute therefor, with the recommendation that the substitute be adopted.

Respectfully submitted,

D. G. FRISBIE,
W. B. LAKIN,
H. DUNLAVY.

Mr. Frisbie, from Select Committee on House File No. 128, submitted the following Report :

The Select Committee to whom was referred House File No. 128: A Bill for an Act to regulate evidence of Written Contracts, have had the same under consideration, and ask leave to report the same back to this House with the recommendation that it do not pass.

Respectfully submitted,

D. G. FRISBIE,
W. B. LAKIN,
H. DUNLAVY.

INTRODUCTION OF BILLS.

Mr. Curtiss introduced House File No. 152: A Bill for an Act to amend chapter 16, of the Revision of A. D. 1860, in relation to Notaries Public. Read a first and second time, and referred to Committee on Judiciary.

Mr. Moir introduced House File No. 153: A Bill for an Act entitled an Act to regulate the taxation of Costs. Read a first and second time, and referred to Committee on Judiciary.

RESOLUTIONS.

Mr. Hardie offered the following Preamble and Resolution:
WHEREAS, Since the opening of the present session of the General Assembly, much valuable time has been consumed by the introduction and discussion of Resolution having reference solely to Federal Affairs, or the Domestic Institutions and rights of States other than our own, to the detriment of the best interest of our State, and the interference with the legitimate business of the session, thereby wasting the money of the people, and that too at a time when they are overburdened with taxation, therefore.

Resolved, That having confidence in the ability, honesty, and patriotism of Abraham Lincoln, the President of the United States to sustain and uphold the Constitution and enforce the Laws; we are content to leave the settlement of the present troubles, and the administration of Federal Affairs in his hands, and hereby mutually agree, from this day, to frown down all attempts to distract the legislative business of this House, by the introduction of any Resolution, or the discussion of any Resolution already introduced, having a bearing in any degree upon questions not directly bearing upon the interests of the people of our own State, to the end that we may bring the session to a speedy close and thereby lessen the burdens of the people.

Mr. Young moved to refer the Resolution to Committee of the Whole, and that it be made part of the Special order for Wednesday evening next at 7 o'clock.

Mr. Bowdoin moved to lay upon the table, and upon this que

tion the yeas and nays were demanded by Messrs. Hardie and McLennan, which were ordered and were as follows :

The yeas were, Messrs. Baker, Blackford, Bowdoin, Burton, Calfee, Clark, Curtiss, Cutler, Frisbie, Fuller of Fayette, Fuller of Harrison, Holyoke, Hollingsworth, Jackson, Lake, Lakin, McQuinn, Mercer, Mitchell of Polk, Moser, Nelson, Parker, Rothrock, Russell of Dallas, Russell of Jones, Shipman, Stanton, Van Anda, Wasson, Whittemore, Woodworth, and Mr. Speaker—33.

The nays were, Messrs. Bracewell, Chase, Cleaves, Converse, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Gault, Gibson, Glanville, Guthrie, Hardie, Hudnutt, Knoll, Loomis, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, Meyer, Milburn, Mitchell of Fremont, Moir, Pendleton, Porter, Price, Quinn, Rowles, Sarver, Schramm, Smeltzer, Speer, Stevenson, Stewart, Thompson, Walker, Walton, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Wright, and Young—51.

Absent or not voting—Messrs. Bass, Castor, Gordon, Hood, Kellogg, Lane, McCall, Wetherall, and West—9.

The motion to lay on the table did not prevail.

The question recurred upon the motion to refer to Committee of the Whole, and make part of the Special order for Wednesday evening next at 7 o'clock, and upon this question the yeas and nays were demanded by Messrs. Hardie and Denlinger, which were ordered and were as follows :

The yeas were, Messrs. Baker, Blackford, Bowdoin, Calfee, Clark, Cleaves, Converse, Curtiss, Cutler, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Guthrie, Hudnutt, Holyoke, Hollingsworth, Jackson, Lake, Lakin, Loomis, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Stanton, Stevenson, Van Anda, Walker, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Woodworth, Wright, Young, and Mr. Speaker—56.

The nays were, Messrs. Bracewell, Burton, Chase, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Gibson, Glanville, Hardie, Knoll, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, Schramm, Smeltzer, Speer, Stewart, Thompson, Walton, and Wilson of Pottawattamie—28.

Absent or not voting—Messrs. Bass, Castor, Gordon, Hood, Kellogg, Lane, McCall, and Wetherall—8.

The motion to refer prevailed.

Mr. Mitchell of Fremont offered the following Preamble and Resolution :

WHEREAS, The whole matter of Federal Relations has been referred to the Committee of the Whole House, and made the Special order for Wednesday evening next at 7 o'clock, therefore,

Resolved, That there shall be no more discussion upon that subject in this House, except at evening sessions.

Mr. Young moved to lay on the table, and on this question the yeas and nays were demanded by Messrs. Fairall and Maxwell, which were ordered and were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Calfee, Clark, Curtiss, Cutler, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Holyoke, Jackson, Lake, Lakin, Loomis, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moser, Nelson, Pendleton, Porter, Rothrock, Russell of Dallas, Russell of Jones, Stanton, Van Anda, Walker, West, Whittemore, Wilcox, Williams of Mahaska, Woodworth, Young, and Mr. Speaker—37.

The nays were, Messrs. Bracewell, Burton, Chase, Cleaves, Converse, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Gibson, Glanville, Guthrie, Hardie, Hudnutt, Hollingsworth, Knoll, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, Mitchell of Fremont, Moir, Parker, Price, Quinn, Rowles, Sarver, Schramm, Shipman, Smeltzer, Speer, Stevenson, Stewart, Thompson, Walton, Wasson, White, Williams of Des Moines, Wilson of Chickasaw, Wilson of Pottawattamie, and Wright—47.

Absent or not voting—Messrs. Bass, Castor, Gordon, Hood, Kellogg, Lane, McCall, and Wetherall—8.

The motion did not prevail.

Mr. Fuller of Fayette introduced the following Resolution which was adopted.

Resolved, That the use of this Hall be granted to the Rev. A. J. Kynett on Sabbath at 3 o'clock P. M., and that he be requested to preach a sermon on the method by which the present Rebellion may be speedily put down.

Mr. Mitchell of Fremont offered the following Resolution, which was adopted:

Resolved, That the special message of his Excellency, the Governor, in reference to the troubles in Fremont County, be referred to a Special Committee of five, who shall take the same under consideration, and inquire what Legislation, if any, is necessary in the premises, and report by bill or otherwise.

The Chair appointed as such Committee, Messrs. Mitchell of Fremont, Lake, Curtiss, Van Anda, and Fairall.

Mr. Walker moved that when this House adjourn, it adjourn to meet Monday morning. Carried.

On motion of Mr. Stanton leave of absence was granted to his colleague, Mr. Quinn.

On motion of Mr. Lake the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
MONDAY, February 10, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Dr. Peet.

Journal of Saturday read and approved.

Mr. Lowrie moved that the use of this Hall on this evening be tendered to W. W. Johnson, a soldier wounded at the battle of Belmont, to exhibit his Panorama of said battle. The motion prevailed.

PETITIONS, &C.

Mr. Van Anda presented a petition from sundry citizens of Dubuque and Delaware Counties, praying for a law to abolish Empyricism or Quack doctoring.

Mr. Van Anda moved that the petition be referred to a Select Committee of three, of which Dr. Chase shall be Chairman. Carried.

The Chair appointed as such Committee Drs. Chase, Holyoke, and Cutler.

Mr. Williams of Des Moines presented a petition from sundry citizens of Des Moines County praying for the repeal of all Prohibitory Liquor Laws. Referred to Select Committee on that subject.

Mr. Hardie presented sundry petitions from citizens of Dubuque asking for the passage of a law restricting the powers of City Courts.

Mr. Clark of Tama, presented the petition of Franklin Davis and 58 others, to protect sheep from the ravages of dogs. Referred to Committee on Agriculture.

Mr. Stanton presented petitions of sundry citizens of Washington County, relative to Prohibitory Liquor Laws. Referred to Select Committee on that subject.

Also, a memorial from the Board of Supervisors of Washington County, praying for a more perfect Township organization. Referred to Committee on County and Township Organization.

Mr. Mercer presented a memorial from certain citizens of Marshall County, asking for the passage of an Act for the relief of R. H. Webster and others, quieting title to certain town property in Marshall. Referred to Committee on Judiciary.

REPORTS OF COMMITTEES.

Mr. Martin from Committee on Ways and Means submitted the following report :

The Committee on Ways and Means to whom was referred a Resolution instructing them to inquire into the expediency of mak-

ing a general reduction of the salaries of State and County Officers, and the expense of County Government, have according to order had the same under consideration, and directed me to make the following report thereon:

FIRST—That in the opinion of your Committee a direct reduction in the salaries of officers cannot be made so as to effect present incumbents, but that the same end may be reached by taxation, which will in due time be considered by your Committee.

SECOND—That in reference to the expense of County Government the most effectual way to bring about a reduction of such expenses, will be to so regulate our present Judiciary System as to require a much greater amount of the costs attending litigations to be paid by the parties litigant, and would recommend that so much of said resolution as refers to this matter be referred to the Judiciary Committee.

H. M. MARTIN, Chairman.

The question was upon concurring in the report of the Committee. The report was concurred in.

Mr. Shipman from Committee on Township and County Organization, submitted the following report:

The Committee on Township and County Organization, to whom was referred House File No. —: A Bill providing for the expenditure of the Road Fund in the several Townships in this State, have had the same under consideration, and have instructed me to report the same back to the House and recommend that the Bill be referred to the Committee on Roads and Highways.

SHIPMAN, Chairman.

The report was not concurred in. The Bill was passed upon the files.

Mr. Van Anda from Committee on Judiciary submitted the following report:

The Judiciary Committee to whom was referred substitute for House File No. 64: An Act authorizing the people of the several Counties in this State to cancel their indebtedness to the Swamp Land Fund of their respective Counties, have had the same under consideration, and have instructed me to report the same back and recommend that it do pass.

VAN ANDA, For the Committee.

Mr. Moir from Judiciary Committee submitted the following report:

The Committee on Judiciary to whom was referred House File No. 126: A Bill for an Act entitled: An Act to amend Section 2275, with respect to occupying claimants, beg leave to report that they have had the same under consideration, and have instructed me to present a substitute therefor, and recommend its passage.

MOIR, For Committee.

Mr. Hardie from Committee on Agriculture submitted the following report :

The Committee on Agriculture, to whom was referred House File No. 134 : A Bill for an Act for the protection of Agricultural Fairs, have had the same under consideration and have directed me to report: That in their opinion the provisions contained in Sections 1707 and 1708, of the Revised Code of 1860, are amply sufficient to give the "protection" intended by said Bill. They, therefore, recommend that the Bill be indefinitely postponed.

HARDIE, of Dubuque.

Mr. Converse, from Committee on Agriculture, submitted the following Report:

The Committee on Agriculture, to whom was referred House File No. 80 : An act to prevent male stock from running at large, have had the same under consideration, and have directed me to make the following report, to-wit :

That in the opinion of the Committee the object sought by the Bill is fully provided for by section 3, of chapter 60, of the Revision of 1860, and in a better manner. The Committee therefore recommend that the Bill be indefinitely postponed.

A. CONVERSE, Chairman.

Mr. Price, from Committee on Roads and Highways, submitted the following report :

The Committee on Roads and Highways, to whom was referred House File No. 85, have had the same under consideration, and they have instructed me to report the same back with some amendments, and recommend that it do pass.

Mr. Wasson, from Committee on Roads and Highways, submitted the following report :

The Committee on Roads and Highways, to whom was referred House File No. 62 : An Act to amend section 840, chapter 46, of the Revision of 1860, have had the same under consideration, and have instructed me to report the same back to the House, and recommend its passage.

J. WASSON.

Mr. Glanville from Committee on Roads and Highways reported back a petition from citizens of Davis county, asking for the passage of a special Act for their relief and recommended that the same be referred to the members from Davis county. The report was concurred in.

Mr. Meyer from Committee on Police Regulations, submitted the following report.

The Committee on Police Regulations have had under consideration, House File No. 70 : An Act for the preservation of sheep from the ravages of dogs, and they have instructed me to report it back to the House and recommend its passage.

JOHN MEYER, Chairman.

RESOLUTIONS LAID OVER UNDER THE RULE.

The following Resolution offered by Mr. Stewart, and laid over under the rule, was taken up and adopted:

Resolved, That the Auditor of State be requested to furnish this House with a report of the items which constitute the contingent expenses of the Supreme Court, stated in the aggregate in his Report at \$3,514.43.

INTRODUCTION OF BILLS.

Mr. Bracewell introduced House File No. 154: A bill for an Act to amend an Act entitled an Act in relation to revenue; read a first and second time and referred to Committee on Ways and Means.

Mr. Woodworth introduced House File No. 155: A bill for an Act to tax incomes; read a first and second time and referred to Committee on Ways and Means.

Mr. Mercer introduced House File No. 156; A bill for an Act for the relief of Reuben H. Webster and others; read a first and second time, and referred to Committee on Judiciary.

Mr. Moir introduced House File No. 157: A bill for an Act to amend Sections 4779 and 4780 of the Revision of 1860, respecting peremptory challenges in criminal cases; read a first and second time and referred to Committee on Judiciary.

Mr. Mercer introduced House File No. 158; A Bill for an Act to repeal sections 6 and 7 of chapter 37 of the special laws of the Eighth General Assembly, (approved March 26th, 1860;) read a first and second time and referred to Committee on Railroads.

Mr. Russell of Dallas, introduced House File No. 159; A bill for an Act to amend section 2 of Chapter 192 of the Code in order to confer additional powers upon Magistrates in certain cases; read a first and second time and referred to Committee on Judiciary.

RESOLUTIONS.

Mr. Lake introduced the following resolution which was laid over under the rule:

WHEREAS, it has become the customary practice of some of the members of this House whenever any matter is under discussion to make a speech on the subject and then move the previous question, or move to lay on the table, in order to prevent reply, Therefore, be it

Resolved, That when any member of this House ends a long speech by a motion to lay on the table, or by moving the previous question the same shall be disregarded.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform your Honorable body

that the Senate has passed the following Bill, in which the concurrence of the House is asked :

Senate File No. 100: An Act to legalize the acts of Joseph T. Knapp, a Notary Public.

WM. F. DAVIS, Secretary.

Mr. Frisbie from Joint Committee on Enrolled Bills submitted the following report :

The Joint Committee on Enrolled Bills ask leave to report that they have examined Senate Files 41 and 91, find the same correct and herewith present them for your signature.

D. G. FRISBIE,

Chairman House Committee on Enrolled Bills.

Mr. Curtiss introduced the following Resolution, which was lost :

Resolved, That a Committee of two be appointed to confer with the Governor, Secretary, Auditor and Treasurer of State, to learn the amount of the indebtedness of the United States to this State, on what account, and the balance due from this State to the United States, after deducting said indebtedness from the amount of the national tax to be assessed upon this State, and report the same to this House.

Mr. Price introduced the following Resolution, which was adopted :

Resolved, That the Railroad Committee be required to make a report on House File No. 24: An Act defining the duties of Railroad Companies.

Mr. Shipman introduced the following Resolution which was adopted :

Resolved, That the Committee on Agriculture be instructed to inquire into the manner of expending the One Thousand dollars per annum for the last four years, by the Secretary of the Agricultural College and farm, and also that they examine the vouchers for the same, and the Committee are further instructed to inquire into the expediency of discontinuing appropriations in that direction.

Also ; the following resolution, which was adopted.

Resolved, That the Secretary of the State Agricultural Society be requested to report to this House the amount of money drawn from the State Treasury, by the State Society, and by the various County Societies, for the past four years, specifying the purpose for which each amount was drawn, and the Chief Clerk be and is directed to send the Secretary a copy of this Resolution.

Mr. Cutler introduced the following Resolution, which was adopted :

Resolved, That the Committee on Public Buildings and Property, be and are hereby instructed to inquire into the expediency of removing the Office, Books and Property of the State Historical Society from Iowa City to the City of Des Moines, and report to this House, at an early day by bill or otherwise.

Mr. West introduced the following Resolution which was adopted :

Resolved, That the Committee on Judiciary be required to inquire into the necessity of a law making it the duty of each and every Justice of the Peace to report annually to the Board of Supervisors of their respective counties, the amount of fines imposed by him during the year; the amount, if any, collected and from whom; and the amount, if any, yet remaining uncollected, and from whom due; and also that the Clerk of the District Court be required to report in like manner, all fines imposed by the District Court, and also all forfeitures of bonds to appear before the Grand Jury, and to report at an early day by bill or otherwise.

Mr. Cutler introduced the following resolution :

WHEREAS, reports have been and still are in circulation in this and other States, to the effect that a system of exorbitant taxation is prevailing in some of the counties of this State, and

WHEREAS such reports are not only prejudicial to the interests but to the fair fame of our State, and render it a duty incumbent upon the General Assembly to either correct the evil or disprove these damaging statements, therefore,

Resolved, That a Select Committee of five be appointed by the Chair with power to make a full and thorough investigation, and send for persons and papers, if deemed necessary.

Mr. Lake offered the following amendment :

"The Committee are also hereby requested to inquire into the expediency of consolidating the sparsely settled organized counties, so that no county shall contain less than 500 inhabitants, and so that no new county shall hereafter be organized containing less than 500 inhabitants.

The amendment was adopted.

Mr. Frisbie moved that that portion of the resolution relative to sending for persons and papers be stricken out. Carried.

The resolution was then adopted.

The Chair appointed as such Committee, Messrs. Cutler, Lake, Curtiss, Gibson and Dorr.

On motion of Mr. Hardie, the House adjourned.

TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Price offered the following resolution :

Resolved by the House, the Senate concurring, That the General Assembly will adjourn *sine die* on the 11th day of March next.

Mr. Bracewell moved to lay the resolution on the table. The motion prevailed.

The following resolution was offered by Mr. Dunlavy, and laid over under the rule.

WHEREAS, in the State Treasurer's reply to the resolution of the House of Representatives, in relation to the reimbursement by the General Government to this State, for expenses incurred in raising volunteers for service in the United States army, &c., that of the eighty thousand dollars (\$80,000) received from the United States Government, but thirty-five thousand dollars (\$35,000) were paid in Demand Treasury Notes and forty-five thousand dollars (\$45,000) were paid by the Governor in Auditor's Warrants upon the War and Defense Fund, therefore,

Be it Resolved, That the State Treasurer be requested to report to the House of Representatives, at the earliest possible period what numbers embrace the first eighty thousand dollars of Auditor's warrants issued upon the War and Defense Fund, and to whom issued; what warrants were redeemed with the \$35,000 received in Demand Treasury Notes—giving the number of each warrant redeemed and the person to whom issued and to whom paid; give also the number of each warrant, and the person to whom issued, of the forty-five thousand dollars received from the Governor, and what of said warrants received from the Governor would have come within the eighty thousand dollars, if the whole amount of said eighty thousand dollars had been paid in the redemption of warrants in the order of their issuance, as required by law; whether the forty-five thousand dollars received from the Governor in War and Defense Warrants, instead of Demand Treasury Notes were received by an arrangement between him and the Governor, and receipted for as money, or whether the Governor withheld the Demand Treasury Notes received from the General Government to the amount of forty-five thousand dollars, upon his own responsibility, applying said forty-five thousand dollars to the payment of War and Defense Warrants in the hands of Ezekiel Clark, President of the Branch of the State Bank of Iowa, at Iowa City.

Leave of absence was granted to Mr. Schramm.

The House then took up House File No. 160: A Joint Resolution introduced by Mr. Dunlavy, instructing our delegation in Congress to use their influence to obtain the passage of a law decreasing the pay of Commissioned Officers, and increasing *pro rata* that of privates and non-commissioned officers. The resolution was passed unanimously.

• MESSAGES AND COMMUNICATIONS ON SPEAKER'S DESK.

Senate File No. 100: A Bill for an Act to legalize the Acts of Joseph T. Knapp, a Notary Public, was taken up and read a first

and second time, and on motion of Mr. Bracewell, the rule was suspended, and the Bill read a third time.

And upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Harrison, Gault, Glanville, Guthrie, Hudnutt, Holyoke, Hollingsworth, Jackson, Lake, Lakin, Loomis, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McQuinn, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Stanton, Stevenson, Van Anda, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Young and Mr. Speaker—71.

The nays were, Messrs. Denlinger, Dunlavy, Knoll, McLennan, Stewart and Wright—6.

Absent or not voting—Messrs. Castor, Fuller of Fayette, Gibson, Gordon, Hardie, Hood, Kellogg, Lane, McCall, Mercer, Quinn, Rothrock, Schramm, Speer, Thompson and Wetherall—17.

The bill passed and the title was agreed to.

House Files Nos. 100 and 119, recommitted to Committee on County and Township Organizations.

BILLS ON SECOND READING.

House File No. 89: A Bill for an Act to repeal Chapter 7 of the laws of the State of Iowa, passed at the Extra Session of the Eighth General Assembly, an Act entitled an Act for the relief of the volunteer soldiers of this State.

Mr. Curtiss moved to amend as follows: Strike out all of Section 1, after the word "following," in the ninth line of said Section and add the following: "That no civil action on any account, claim or demand, whatever, shall be brought in any of the Courts of this State against any person or persons now or hereafter mustered into the Regular Military service of the United States or of this State during the period of the present war, and for two months thereafter; *Provided*, the provisions of this Act do not extend to officers above the rank of Captain.

Mr. Rothrock moved to amend the amendment as follows: "provided the provisions of this Act shall not apply to Commissioned officers."

Mr. Russell, of Dallas, moved to recommit the Bill and amendments to Committee on Military Affairs. Carried.

Substitute for House File No. 125: A Bill for an Act to exempt from execution the property of Iowa Volunteers mustered into actual service of the United States. The substitute was adopted.

Mr. Frisbie moved to amend by striking out of 1st Section the words "of and below the rank of Captain."

Mr. Russell, of Jones moved that the Bill and amendment be re-committed to Committee on Military Affairs. Carried.

Substitute for House File No. 2: A Bill for an Act to amend Section 2967 of the Revision of 1860, regulating pleadings. The substitute was adopted.

Mr. Lake moved to amend by adding to Section 1, the following: "or if only a copy of said instrument is attached to such pleading, then the same may be denied by affidavit when the original is offered in evidence;" and on this question the yeas and nays were demanded by Messrs. Lake and Curtis, and were ordered and were as follows:

The yeas were, Messrs. Bracewell, Burton, Curtiss, Denlinger, Flint, Jackson, Lake, Lorah, McGlothlen, McLennan, Milburn, Mitchell of Fremont, Moser, Parker, Rowles, Smeltzer, and Stevenson—17.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Calfee, Clark, Chase, Converse, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Guthrie, Hardie, Hudnutt, Hollingsworth, Jackson, Knoll, Lakin, Loomis, Lowrie, Martin, Maxwell, McQuinn, Mercer, Meyer, Mitchell of Polk, Moir, Nelson, Pendleton, Porter, Price, Rothrock, Russell of Dallas, Russell of Jones, Sarver, Shipman, Speer, Stanton, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—65.

Absent or not voting, Messrs. Castor, Cleaves, Gordon, Holyoke, Hood, Kellogg, Lane, McCall, Quinn, Schramm, and Wetherall.

The amendment did not prevail.

Mr. Shipman moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Calfee, Clark, Chase, Cleaves, Converse, Cutler, Dorr, Dunlavy, Eaton, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Glanville, Guthrie, Hudnutt, Holyoke, Hollingsworth, Lakin, Loomis, Lowrie, Martin, Maxwell, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Speer, Stanton, Van Anda, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Woodworth, Wright, Young, and Mr. Speaker—61.

The nays were, Messrs. Bracewell, Curtiss, Eichorn, Ferguson,

Flint, Gault, Gibson, Guthrie, Hardie, Knoll, Lake, Lorah, McGlothlen, McLennan, Milburn, Parker, Pendleton, Smeltzer, Stevenson, Stewart, Thompson, and Wilson of Pottawattamie—23.

Absent or not voting, Messrs. Castor, Gordon, Hardie, Hood, Kellogg, Lane, McCall, Quinn, Schramm, and Wetherall.

The Bill passed and the title was agreed to.

On motion of Mr. Shipman, House File No. 87 was recommitted to Committee on County and Township Organization.

Leave of absence was granted to Mr. Russell of Dallas.

On motion of Mr. Price, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
TUESDAY, February 11th, 1862. }

House met pursuant to adjournment.

Prayer by the Rev. Dr. Peet.

Journal of yesterday read and approved.

Mr. Cutler moved that the regular order of business be suspended and Bills on their second reading be taken up. The motion prevailed.

Mr. McQuinn, by leave, presented a memorial of the Cedar Rapids and Missouri River Railroad Company. Referred to Committee on Railroads.

Leave of absence was granted to Mr. Nelson.

BILLS ON SECOND READING.

House File No. 62: A Bill for an Act to amend Section 840, Chapter 46 of the Revision of 1860, was read a second time.

Mr. Price moved to suspend the rule and read the Bill a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Guthrie, Hudnutt, Holyoke, Jackson, Lake, Lakin, Loomis, Lorah, Lowrie, Martin, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Pendleton, Porter, Price, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson,

Van Anda, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—75.

The nays were, Messrs. Denlinger, Hardie, Knoll, Maxwell, and McLennan—5.

Absent or not voting—Messrs. Castor, Dunlavy, Gordon, Hollingsworth, Hood, Kellogg, Lane, McCall, Nelson, Quinn, Rothrock, Schramm, and Wetherall.

The Bill passed and the title was agreed to.

House File No. 80: A bill for an Act to prevent male stock from running at large, was read a second time. The question was upon concurring in the report of the Committee, recommending the indefinite postponement of the bill. The report was concurred in.

House File No. 85: A bill for an Act prescribing the duties of Township Trustees and Road Supervisors in certain cases, was read a second time.

The following amendments reported by Committee to section 1, were adopted:

1st amendment—Read as follows after the word scraper in 4th line, section 1: "And for payment of any indebtedness previously contracted by such townships for road purposes."

2d amendment—In fifth line, strike out the words, "less than one mill nor"

Mr. Wright moved to amend by inserting "guide-boards" after the word "bridges," in 4th line of section 1. The amendment prevailed.

Mr. Bracewell moved to strike out "three" in 5th line of section 1, and insert "two." Lost.

The following amendment to section 2 was reported by Committee: Strike out the figures "30," in 5th line of said section, and insert "60."

Mr. Maxwell offered the following amendment to Section 2:

Strike out all after the word "money" in 5th line of said section and add the following, "within the time in which the road work is to be performed, then the same shall be returned as unpaid and shall be collected by the County Treasurer with per cent interest from the first day of May of the year for which said tax is due."

Mr. Shipman moved to fill the blank with "25." Lost.

Mr. Bracewell with "10." Lost.

Mr. Cutler moved to amend the amendment by striking out all after the word "with" and add the following "1 per cent per month after the 1st day of February following the assessment. The amendment to the amendment prevailed.

The question recurred upon the amendment as amended, upon

which the yeas and nays were demanded by Messrs. Maxwell and Fairall, which were ordered and were as follows:

The yeas were, Messrs. Blackford, Bowdoin, Bracewell, Burton, Calfee, Clark, Cleaves, Curtiss, Cutler, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Harrison, Gault, Glanville, Guthrie, Hudnutt, Holyoke, Hollingsworth, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moser, Parker, Pendleton, Rowles, Russell of Dallas, Russell of Jones, Sarver, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, West, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Woodworth, Young, and Mr. Speaker—57.

The nays were, Messrs. Baker, Bass, Chase, Converse, Denlinger, Eaton, Fuller of Fayette, Gibson, Hardie, Jackson, Knoll, Lakin, Loomis, McQuinn, Meyer, Moir, Porter, Price, Rothrock, Shipman, Van Anda, Wasson, White, Wilson of Pottawattamie, Wright—24.

Absent or not voting—Messrs. Castor, Gordon, Hood, Kellogg, Lake, Lane, McCall, Nelson, Quinn, Schramm, Wetherall.

The amendment as amended prevailed.

Mr. Lorah moved the following amendment to section 2, insert after the word "tax payer" in 3d line of said Section the word "residing." Lost.

Mr. Milburn offered the following amendment to Section 2, add to said section the following "provided any person choosing to work out said tax at fifty cents per day, shall have that privilege." The amendment was adopted.

Mr. Wilcox moved to lay the Bill and amendments on the table. Lost.

Mr. Williams of Mahaska, offered the following amendment to section 1, after the word township in the 7th line of said section insert "not to exceed one mill on the dollar." The amendment prevailed.

Mr. Moir offered the following amendment to section 3, strike out "two-thirds" in first line and insert "all," and "July" in 2d line and insert "August."

The following message was received from the Senate.

MR. SPEAKER:—I am directed to inform your Honorable Body, that the Senate has passed the following bills, in which the concurrence of the House is asked.

Senate File No. 60: A bill for an Act authorizing the reception of certain Auditor's warrants in payment of taxes.

Senate File No 63: A bill for an Act more effectually to secure a part of the Judgment, in favor of the School fund and against J. D. Eads and his sureties, and for partial relief of said sureties.

Senate File No. 70: A bill for an Act providing for the Recording of officers bonds.

Senate File No. 73: A bill for an Act to define the manner of canvassing votes cast at special Elections.

Senate File No. 83: A bill for an Act for the assessment, levy, and collection of the quota of this State, laid on the United States by Act of Congress of August 5th, 1861.

Senate File No. 87: A bill for an Act to authorize Boards of Supervisors to divide Townships into election precincts in certain cases.

Senate File No. 92: A bill for an Act authorizing County Treasurer of Webster county to apportion certain taxes, assessed on certain lands and town lots in said county.

Also, the following bills without amendment.

House File No. 4: A bill for an Act to confirm and legalize the acts of John W. Thompson, as a Notary Public in and for Scott county.

House File No. 99: A Bill for an Act legalizing certain acts of Louis Case, Notary Public of Bremer county.

W. F. DAVIS, Secretary.

On motion of Mr. McQuinn, the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Moir moved to reconsider the vote by which the amendment of Mr. Milburn was adopted. The motion prevailed.

Mr. Wright moved to lay the whole subject on the table. The motion prevailed.

House File No. 104: A Bill for an Act to legalize certain taxes for school house purposes in District No. 2, in the District Township of Huron, Des Moines County, was read a second time.

Mr. Williams, of Des Moines, moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Jackson, Kellogg, Knoll, Lake, Lakin, Loomis, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Penleton, Porter, Price, Rothrock, Rowles, Russell of Jones, Sarver,

Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Woodworth, Wright, Young, and Mr. Speaker—80.

The yeas were, None.

Absent or not voting, Messrs. Castor, Dunlavy, Gordon, Hood, Lane, McCall, Nelson, Quinn, Russell of Dallas, Schramm, West, and Wilson of Pottawattamie.

The bill passed and the title was agreed to.

House File No. 103: A Bill for an Act to amend Chapter 42 of the Revision of 1860, relating to vacancies and special elections, was read a second time.

The following amendment reported by Committee was adopted: Strike out Section 2, and substitute the following:

"SEC. 2. That all vacancies in the office of County Supervisors shall be filled by the Trustees of the Township in which such vacancy occurs, which appointee shall hold his office until the 1st of January following said appointment, and until his successor is elected and qualified.

Mr. Kellogg moved to recommit the Bill to Committee on County and Township Organization. Lost.

The Bill was ordered to be engrossed for a third reading to-morrow.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: The Joint Committee on Enrolled Bills, ask leave to report that they have presented the Governor for his signature, Senate Files 41 and 91.

And also that they have examined House Files 4 and 99, and find the same correctly enrolled, and herewith present them for your signature.

D. G. FRISBIE,

Chairman House Com. Enrolled Bills.

House File No. 70: A Bill for an Act for the preservation of sheep from the ravages of dogs, was read a second time, and on motion of Mr. Shipman, was recommitted to the Committee on Agriculture.

Senate File No. 33: A Bill for An Act in relation to Jurors' Fees, was read a second time.

Mr. Fairall moved to amend section 3 by striking out "fifty cents" in third line of said section and inserting "one dollar."

Mr. Mitchell of Polk moved that the Bill and Amendment be committed to Committee of the Whole, and be made the Special order for two o'clock to-morrow evening. Lost.

The question recurred upon the amendment of Mr. Fairall, which was lost.

Mr. Young moved to strike out section 4, and upon this question

the yeas and nays were demanded by Messrs. Young and Van Anda, and were as follows :

The yeas were, Messrs. Blackford, Dorr, Hudnutt, Lakin, Moir, Parker, Rowles, Smeltzer, Van Anda, Williams of Mahaska, Young—11.

The nays were, Messrs. Baker, Bass, Bowdoin, Bracewell, Burton, Calfee, Clark, Chase, Cleaves, Converse, Curtiss, Denlinger, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Guthrie, Hardie, Holyoke, Hollingsworth, Jackson, Kellogg, Knoll, Loomis, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moser, Pendleton, Porter, Price, Rothrock, Russell of Dallas, Russell of Jones, Sarver, Shipman, Speer, Stanton, Stevenson, Thompson, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, and Mr. Speaker—71.

Absent or not voting—Messrs. Oastor, Cutler, Gordon, Hood, Lake, Lane, McCall, Nelson, Quinn, Schramm, Stewart.

The amendment was lost.

Mr. Martin moved to amend section 3, by inserting after the words "District Courts" in second line of said section the words "in all civil actions." Lost.

Mr. Pendleton moved to amend section 2, by striking out in 4th line of said section "one dollar and fifty cents," and inserting "two dollars," and upon this question the yeas and nays were demanded by Messrs. Van Anda and Moir, which were ordered and were as follows :

The yeas were, Messrs. Blackford, Calfee, Denlinger, Dorr, Hardie, Hollingsworth, Kellogg, Maxwell, McQuinn, Moir, Parker, Pendleton, Smeltzer, Van Anda, Wetherall, Wright and Mr. Speaker—17.

The nays were, Messrs. Baker, Bass, Bowdoin, Bracewell, Burton, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Guthrie, Hudnutt, Holyoke, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, McGlothlen, McLennan, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moser, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Speer, Stanton, Stevenson, Thompson, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth and Young—68.

Absent or not voting—Messrs. Castor, Gordon, Hood, McCall, Nelson, Quinn, Schramm, and Stewart.

The amendment did not prevail.

Mr. Pendleton offered the following amendment to section 2, strike out in fourth line the words "one dollar and fifty cents," and insert "an amount of County Warrants equivalent at the current price to one dollar and fifty cents in cash," and upon this question the yeas and nays were demanded by Messrs. Maxwell and Van Anda, which were ordered and were as follows :

The yeas were, Messrs. Baker, Blackford, Curtiss, Denlinger, Dorr, Fairall, Hollingsworth, Kellogg, Lakin, Maxwell, McQuinn, Mitchell of Fremont, Moir, Parker, Pendleton, Rowles, Van Anda, Wetherall and Woodworth—19.

The nays were, Messrs. Bass, Bowdoin, Bracewell, Burton, Calfee, Clark, Chase, Cleaves, Converse, Cutler, Dunlavy, Eaton-Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Guthrie, Hardie, Hudnutt, Holyoke, Jackson, Knoll, Lake, Lane, Loomis, Lorah, Lowrie, McGlothlen, McLennan, Mercer, Meyer, Milburn, Mitchell of Polk, Moser, Porter, Price, Rothrock, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Speer, Stanton, Stevenson, Thompson, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Young and Mr. Speaker—65.

Absent or not voting, Messrs. Castor, Gordon, Hood, Martin, McCall, Nelson, Quinn, Schramm, Stewart.

The amendment was lost.

Mr. Van Anda moved that the House adjourn. Lost.

Mr. Kellogg moved that the rule be suspended, and the Bill read a third time now. Carried.

The Bill was read a third time, and upon the question "Shall the Bill pass," the yeas and nays were ordered and were as follows :

The yeas were, Messrs. Baker, Bass, Bowdoin, Bracewell, Burton, Calfee, Clark, Chase, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Guthrie, Hardie, Holyoke, Hollingsworth, Jackson, Kellogg, Knoll, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moser, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Speer, Stanton, Stevenson, Thompson, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, and Mr. Speaker—74.

The nays were, Messrs. Blackford, Gibson, Hudnutt, Lakin, Moir, Parker, Smeltzer, Van Anda, Williams of Mahaska, and Young—9.

Absent or not voting, Messrs. Castor, Cleaves, Fairall, Gordon, Hood, Lake, McCall, Nelson, Schramm, Stewart.

The Bill passed and the title was agreed to.

On motion of Mr. Bowdoin messages and communications were taken up.

Senate File No. 92: A Bill for an Act authorizing County Treasurer of Webster County to apportion certain taxes assessed on certain Lands and Town Lots in said County, was read a first and second time, and referred to Committee on Judiciary.

Senate File No. 60: A Bill for an Act authorizing the reception of certain Auditor's Warrants in payment of Taxes, was read a first and second time and referred to Committee on Ways and Means.

Senate File No. 83: A Bill for an Act for the Assessment, Levy and Collection of the quota of this State laid on the United States by the Act of Congress of August 5th, 1861. Read a first and second time and referred to Committee on Ways and Means.

Senate File No. 73: An Act to define the manner of canvassing votes cast at special elections, was read a first and second time and referred to Committee on Elections.

Senate File No. 87: A bill for an Act to authorize Boards of Supervisors to divide Townships into election precincts in certain cases, was read a first and second time, and referred to Committee on County and Township Organization.

Senate File No. 70: A bill for an Act for the recording of officers' bonds, was read a first and second time, and referred to Committee on Judiciary.

Senate File No. 63: A bill for an Act more effectually to secure a part of the judgment in favor of the School Fund against J. D. Eads and his securities, and for partial relief of his securities, was read a first and second time and was referred to a Select Committee consisting of Messrs. Lowrie, Fairall, Moir, Lakin and White.

Mr. Smeltzer from Committee on Engrossed bills submitted the following report:

The Committee on Engrossed Bills would beg leave to report that they have examined House File No. 103: A bill for an Act to amend Chapter 42 of the Revision of 1860, relating to vacancies and special elections, and find the same correctly engrossed.

SMELTZER, for Com.

The following communication from his Excellency, the Governor, with accompanying report and account, was taken up and read:

EXECUTIVE OFFICE, IOWA, }
February 11th, 1862. }

Gentlemen of the House of Representatives:

I have the honor to transmit for your consideration, copies of a report and an account received by me from James Hall, who has made the Geological Survey of this State, so far as the same has been completed.

SAMUEL J. KIRKWOOD.

ALBANY, January 1st, 1862.

To His Excellency,

SAMUEL J. KIRKWOOD,

Governor of the State of Iowa;

At the close of the year 1860, I addressed to you a short statement in reference to the Geological Survey of Iowa, as has been usual to do annually, since the survey commenced. In that report I stated that, relying upon what I had anticipated would be the action of the Legislature, in March 1860 I had engaged Mr. C. A. White for two years as Assistant in the Iowa Survey. Since, however, the Legislature, while it did not suspend the work, failed to make an appropriation. I made an arrangement by which the Iowa Survey should be chargeable with a portion only, and a comparatively short period of the engagement, while Mr. White's services were, in great measure, transferred to New York. In a previous Report I have called your attention to the condition of the work at the time of your accession to the Executive office.

By direction of the Hon. Ralph Lowe, your predecessor, I procured the publication of a paper entitled "Geological Survey of Iowa—Supplement to Volume I," containing ninety-four pages, and three plates of illustrations. The object of the publication at that time, was mainly to secure priority for work done in the Iowa Geological Survey. Of this book I secured the publication of two hundred and fifty copies, in order to be able to send it to such Institutions and Libraries as had been furnished with the previous Volumes, of which about that number was distributed by act of the Legislature and direction of the Governor.

Not however having received any direction in reference to the work, I have not distributed the copies, with the exception of a small number to secure publication. I ask your direction as to the disposition of the copies.

I have subsequently published another paper upon a new species of fossils from investigations in the Iowa Geological Survey, with the view of securing priority of notice, and gaining credit for the Survey. Besides these published notices I have considerable unpublished matter, among which are detailed surveys of those counties within the limits of the coal region, with carefully drawn maps upon which are laid down all known coal openings, all quarries of stone, etc. I have also some detailed examinations made in other counties of the State. Mr. C. A. White has furnished me notes and reports upon his examinations in detail, of which a general report of interest and importance can be given. Altogether the material in my hands is quite sufficient to constitute a volume of 400 or more pages, and I would suggest the propriety of publishing the same in the style of the former volume: more particularly, since the present condition of the country may preclude any arrange-

ments for the completion of the survey for some time to come. I would suggest as a matter of great importance to the State at this time and for the future, as constituting a record of what has been done in her Geological Survey, that these materials be published, so as to be accessible to the citizens of the State and public generally. At the same time this would be but fulfilling the promise given when the first volume was issued.

I have constantly kept in mind the interests of the survey, regarding this as my duty, as it would afford me great satisfaction to arrange and publish the materials now collected, and which may be done at a comparatively moderate cost.

I enclose herewith a statement of accounts, showing the amount of money actually paid out and for what purposes, as well as the charge for my own time. In this account I have not included time that, under other circumstances, I should have charged to the Survey. In order to forward certain objects of the work, I have been in Iowa in 1861, for which time and expenses I have made no charge to the survey.

Should the Legislature see fit to order the publication of this volume, as suggested, I shall feel willing to give so much of my own time as may be necessary to the accomplishment of that object, without any charge, and I will make the most economical arrangements for engraving, printing and binding.

I am, with great respect,

Your obedient servant,

JAMES HALL.

The Hon. SAMUEL J. KIRKWOOD, Governor, &c.

The State of Iowa Geological Survey,

In account with James Hall.

1860		Dr.	Cr.
Jan.	1	Amount due as rendered carried to new account.	\$ 1,352 28
		In account of publication.	766 53
		Transportation, boxes, &c.	190 82
March		Travelling expenses of Self to Des Moines and returning.	75 00
		Time of Self occupied in duties of the survey.	250 00
April	5	Paid storage, Ogden & Copp, and drayage.	8 25
June	5	Amount paid to C. A. White for travelling expenses and time.	134 19
		Same for time occupied on Collections.	50 00
		Amount paid R. P. Whitfield.	138 00
		Time of Self charged to end of 1860.	750 00

STATEMENT OF GEOLOGICAL SURVEY—CONTINUED.

	Amount paid E. Hobart, printing plate.	4 25	
	E. Van Benthusen, printing supplement and plate paper.	125 12	
	H. Ferguson engraving diagrams.	11 00	
Nov. 27	To account rendered to C. A. White traveling expenses and time.	152 92	
	Freight at sundry times.	8 34	
	Time of self charged to Jan. 1862.	750 00	
	Time of R. P. Whitfield to January 1862.	116 75	
	Time and expenses of C. A. White to January, 1862, (account not rendered.)	.....
	Total.....	\$ 4,883 45	
Jan. 1	By cash on hand.		\$ 320 61
May	By amount of Treasury Warrants.		2,309 58
	Total		2,630 19
	Balance.....		\$ 2,253 26
	To add to account of C. A. White.		

The report and accounts were referred to Committee on Claims.
The following Communication and accompanying Bill of Items were taken up.

AUDITOR'S OFFICE, }
Des Moines, February 11, 1862. }

To the Honorable House of Representatives of the State of Iowa:

In response to the Resolution of your body calling for "a report of Items which constitute the Contingent Expenses of the Supreme Court, stated in the aggregate in the report at \$3,514 43," the following Statement is submitted, showing the several Items composing the said amount, and for what the several expenditures were incurred, with the date of payment, and to whom paid, as shown by the respective bills on file in this office.

Respectfully,

J. W. CATTELL, Auditor of State.

The Bill of Items was referred to Committee on Expenditures.

CONTINGENT EXPENSES OF SUPREME COURT.

1859.				
Nov.	14	To J. A. Crandall.....	Bailiff, 28 days.....	\$56 00
"	"	" L. Kinsey.....	Per diem at Davenport.....	140 00
"	"	" George G. Wright.....	Mileage.....	34 00
"	"	" L. D. Stockton.....	Mileage.....	18 00
"	"	" L. D. Stockton.....	Express charges, stationery, and postage.....	6 70
"	"	" Democrat and News.....	Newspapers.....	1 35
"	"	" Sanders & Bro.....	Newspapers.....	1 25
"	"	" Sanders & Bro.....	Advertising.....	9 00
"	"	" James Grant.....	Express charges, gas bill, postage, fuel, etc.....	42 48
"	"	" United States Express Co.....	Charges on box of papers.....	20 10
Dec.	15	" William Warr.....	Desk for Court Room.....	11 50
"	16	" John Teesdale.....	Circulars and advertising.....	19 00
"	17	" H. Strathern.....	Furnishing pipe, blacking stoves, etc.....	13 52
"	"	" W. W. Moore.....	Window curtains.....	11 10
"	"	" John Bryan.....	Balance on desk.....	8 75
"	28	" State Journal.....	Printing copies of opinion.....	5 00
1860.				
Jan.	3	" W. Redhead.....	Postage.....	32 39
"	17	" D. B. Spaulding.....	Soap, and glasses 90, bailiff 24 days.....	48 90
"	19	" William Warr.....	Desk for Court Room.....	14 50
"	19	" John Teesdale.....	Newspapers.....	4 00
"	20	" William Riddle.....	Bailiff 17 days.....	34 00
"	20	" R. P. Lowe.....	(No bill on file).....	12 47

CONTINGENT EXPENSES OF SUPREME COURT—CONTINUED.

282

JOURNAL OF THE

Jan.	20	To C. Baldwin.....	(No bill on file)	\$12 47
"	31	" L. Kinsey.....	Recording opinions	142 80
Feb.	2	" Mills & Co.....	Record books and blanks.....	83 00
"	15	" William Warr.....	Case for Court Room	50 00
Mar.	3	" Mills & Co.....	Sales book and circulars.....	18 20
"	19	" C. Baldwin	Mileage	68 00
"	21	" L. Kinsey.....	Recording opinions.....	72 00
"	28	" W. Redhead.....	Postage	92 04
"	28	" W. Redhead.....	For gold pens and pen knives	5 75
April	3	" A. Shaw.....	Postage	2 00
"	12	" R. P. Lowe.....	Mileage	28 00
May	1	" Sanders & Bro.....	Newspapers and advertising	12 00
"	1	" Democrat and News.....	Newspapers	1 80
"	1	" L. Kinsey.....	Per diem.....	135 00
"	1	" C. G. Plummer	Green paper.....	1 25
"	1	" John Collins.....	Chairs	15 50
"	1	" George Caruthers.....	Bailiff \$12, preparing room \$8.....	20 00
"	1	" James Thorington	For balance as bailiff, April Term	3 50
"	1	" James Grant.....	Gas bill, postage, freight, Librarian pay, etc.....	78 70
"	1	" George W. Ells.....	Gold pens and pen knives	12 00
"	8	" United States Express Co.....	Charges on box papers	13 85
"	26	" L. Kinsey.....	Recording opinions	13 30
"	29	" Davenport Gas Company.....	Gas bill	11 05
June	5	" J. B. Broadbent	Repairing clock	75
"	5	" J. H. Boyd.....	Large office chair	4 00
"	14	" L. Kinsey	Recording opinions	23 45
"	27	" H. Murry	Cleaning Court Room.....	8 00

June	29	To John Hays	Bailiff 21 days	42 00
"	29	" L. Kinsey	Postage	25 00
July	3	" L. Kinsey	Recording opinions	28 35
"	6	" Mills & Co.	Paper, 3 copies of Code, binding, etc.	45 00
"	9	" W. Redhead	Postage	30 07
August	3	" W. W. Moore	Crape	3 75
"	8	" L. Kinsey	Recording opinions	31 50
Sept.	3	" O. Baldwin	Mileage	64 00
"	13	" L. Kinsey	Recording opinions	19 25
Oct.	2	" W. Redhead	Postage	49 86
"	29	" Houston & Co	Large chair	25 00
Nov.	5	" George G. Wright	Mileage	36 00
"	5	" United States Express Co.	Charges on box of papers	18 10
"	5	" James Thorington	curtains 40, bailiff 20 days	40 40
"	5	" R. P. Lowe	Mileage	31 00
"	5	" L. Kinsey	Per diem	120 00
"	5	" L. Kinsey	Express charges	3 00
"	14	" Sanders & Bro.	Advertising	11 00
"	14	" James Grant	Table, wood, freight, postage, curtains, gas bill, Librarian's pay, painting, glazing room, carpenter work, etc.	222 15
"	14	" Luse, Lane & Co.	Record, and Dillon's Digest	25 00
Dec.	10	" G. W. Ells	Gold pen, knives, and pen holders	15 50
"	10	" Mills Bro.	Record and binding	19 00
"	31	" John Hays	Bailiff 24 days	48 00
1861.				
Jan.	2	" L. Kinsey	Recording opinions	52 00
"	2	" L. Kinsey	Gold pen	2 50
"	5	" W. Redhead	Postage	37 06
Feb.	6	" L. Kinsey	Recording opinions	52 10

CONTINGENT EXPENSES OF SUPREME COURT—CONTINUED.

Feb.	23	To John Teesdale	Printing circulars and blanks	48 95
Mar.	13	" L. Kinsey	Recording opinions	9 65
March	16	" R. P. Lowe	Mileage \$29, Express charges \$10,	39 00
April	20	" W. Redhead	Postage	38 55
"	29	" U. S. Express Co.,	Charges on box papers,	15 75
May	7	" Sanders & Co.,	Advertising and newspapers,	15 00
"	7	" Geo. G. Wright	Mileage	37 00
"	7	" L. Kinsey	Per diem	125 00
"	7	" L. Kinsey	Express charges	5 00
"	7	" Jas. Thorington,	Express \$1,00, Bailiff 23 days,	47 00
"	13	" C. Baldwin,	Mileage	64 00
"	13	" L. Kinsey	Express charges	2 25
"	13	" Jas. Grant,	Librarian pay, Postage, Exp. ch'gs., Fuel, Papers, &c.	101 92
June	1	" John Teesdale,	Advertising	7 50
"	25	" J. Bennett,	Freight	50
"	25	" Mills Bros.,	Court Record	17 50
"	29	" Jno. Hays,	Bailiff, 20 days	40 00
"	29	" Jno. Hays,	Drayage and Sundries—small bills,	5 40
July	2	" W. Redhead	Postage and gold pen	7 62
"	5	" John Teesdale	Postage	42 15
Sept.	16	" L. Kinsey	Recording opinions	110 00
Oct.	3	" John Teesdale	Postage	23 73
"	4	" R. P. Lowe	Mileage	29 00
"	4	" R. P. Lowe	Express charge	5 00
"	28	" M. Kennedy	Drayage	50
"	29	" L. Kinsey	Per diem	75 00
Nov.	2	" Geo. G. Wright	Mileage	34 00

Nov.	2	" Geo. G. Wright.....	Postage and Express charges.....	.....8 50
"	2	" United States Express Co.....	Charges on box of papers.....	.....14 95
Total.				\$3,529 43
By warrant returned and canceled January 14th, 1860.....				.....15 00
Total				\$3,514 43

Mr. Gault offered the following Resolution, which was adopted :
Resolved, That the Committee on Public Buildings and Property, be and is hereby authorized to call for persons and papers in their investigation of the disposition of the School Fund, and the security on the notes as reported upon by J. M. Beck, from Nos. 45 to 54 inclusive, in his published report ; also, the title to grounds upon which the Capitol Building stands, and that known as the Capitol Square, and that the Attorney General of the State is hereby instructed to render all service in his official capacity during said investigation, that the Committee may require.

And on motion of Mr. Shipman, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
WEDNESDAY, February 12, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Dr. Peet.

Journal of yesterday read and approved.

Mr. Shipman moved that House File No. 140: A Bill for an Act creating the office of Township Collector, be made the special order for 2 o'clock P. M. to-morrow. Carried.

Mr. Kellogg moved to take up bills on their second reading. Carried.

Mr. Van Anda, from Select Committee on House File No. 145, by leave, submitted the following report :

The Select Committee to whom was referred House File No. 145: A Bill for an Act providing that the thanks of the State shall be extended to Iowa Volunteers, having had the same under consideration, have instructed me to report the same back with the following amendments, viz : Add to section one, the following : " Excluding all who by reason of desertion, or other cause, as may appear from the official reports, have proved themselves unworthy of such distinction.

Strike out the whole of Section four, and insert the following as a new section :

" Whenever other companies or regiments of Iowa Volunteers shall distinguish themselves in like manner upon the battle field, or by services in camp or upon the march, so as in the opinion of the officers of State mentioned in the second section of this Act, to deserve the mark of commendation herein provided for, it

shall be their duty to proceed as in the case of the Regiments named."

Thus amended, the passage of the Bill is recommended.

S. G. VAN ANDA,
H. DUNLAVY.

Mr. Hollingsworth, by leave, presented the petition of G. P. Ellis and others, asking for the relief of A. C. Price and A. Clemens as securities for W. Clemens, on a criminal recognizance. Referred to Committee on Judiciary.

Mr. Moser, from Committee on Federal Relations, by leave, submitted the following report:

Your Committee on Federal Relations, to whom was referred a certain resolution instructing our Senators in Congress to cast their votes for the expulsion of Senator Bright, of Indiana, from the Senate of the United States, have had the same under consideration, and have instructed me to report, that before the Committee met, the object of the resolution had been accomplished; and that the action of our Senators was proper, and meets the approval of your Committee.

All of which is respectfully submitted.

R. A. MOSER.

BILLS ON SECOND READING.

House File No. 28: A Bill for an Act to allow organized counties to fund their outstanding warrants, was read a second time.

Mr. Pendleton moved to commit the Bill to Committee of the Whole, and make it the special order for 2 o'clock P. M., Friday next. Lost.

Mr. Kellogg moved to lay on the table. Lost.

Mr. Lake moved to amend section 2 by striking out all of lines 7 and 8, after the word "fixed," and insert, "*Provided further*, that no bonds shall be issued for any other sums than fifty dollars and one hundred dollars." Lost.

Mr. Wilson, of Pottawattamie, moved to amend section 2, 9th line, by striking out "five" and inserting "ten." Carried.

Mr. Bowdoin moved to amend section 2 by striking out "ten," last word in 9th line, and insert "six."

And upon this question the yeas and nays were demanded by Messrs. Smeltzer and Maxwell, and were as follows:

The yeas were—Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtis, Cutler, Dorr, Dunlavy, Eaton, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Martin, Maxwell, McCall, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Parker, Pendleton, Porter, Price, Rowles, Russell

of Dallas, Russell of Jones, Sarver, Shipman, Speer, Stanton, Stewart, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright and Young—73.

The nays were, Messrs. Eichorn, Lowrie, McQuinn, Meyer, Moir, Moser, Rothrock, Smeltzer, Stevenson, Thompson, Van Anda and Mr. Speaker—12.

Absent or not voting—Messrs. Chase, Denlinger, Hood, McLennan, McGlothlen, Nelson, Quinn and Schramm—8.

The amendment was adopted.

Mr. Dunlavy moved to reconsider the vote by which the amendment offered by Mr. Lake to section 2 was lost. The motion prevailed.

Mr. Moir moved to amend the amendment by striking out "fifty" and inserting "twenty-five." Lost.

The question recurred upon the amendment of Mr. Lake. The amendment was adopted.

Mr. Smeltzer moved to amend section 8 by adding "which tax shall be paid in cash." Lost.

Mr. Smeltzer moved to amend section 9 by adding "which shall be paid in the order of their issuance."

Mr. Martin moved to strike out section 10. Carried.

Mr. Kellogg moved to amend by striking out the following words in section 11: "the same have not been issued in accordance with the provisions of this Act," and inserting in lieu thereof "the Board of Supervisors shall so order."

Mr. Frisbie moved to strike out section 11. Carried.

Mr. Williams of Mahaska, moved to amend section 8 as follows: After the word "raised" in third line, insert the words "for county purposes." Carried.

Mr. Martin moved to amend same section by inserting after the word "any" in first line, the word "of the above." Carried.

Mr. Fuller, of Fayette, moved to reconsider the vote by which Mr. Bowdoin's amendment to section 2 was carried. Lost.

Mr. Smeltzer offered the following new section in lieu of section 10 stricken out:

Sec. 10. "When any bonds so issued become due, they shall be paid out of the County funds in the County Treasury in the order of their issuance; and if there should be no funds for taking up said bonds, then they shall be audited and paid as any other claim against the county." Lost.

Mr. Frisbie moved to strike out the enacting clause of the bill.

Mr. Clark, of Johnson, moved to recommit the Bill to a select Committee of three, of which Mr. Lake shall Chairman.

Mr. Kellogg moved to lay on the table. Lost.

Mr. Hardie moved that when this House adjourn, it adjourn to meet at 7 o'clock this evening. Carried.

The question then recurred upon the motion of Mr. Clark, of Johnson, to recommit the Bill to a Select Committee of three, of which Mr. Lake shall be Chairman. The motion prevailed.

The Chair appointed as such Committee, Messrs. Lake, Lowrie and Fairall.

Mr. Dorr, by leave, introduced House File No. 161: A Bill for an Act to resume all rights conferred upon the Cedar Rapids Co., by an Act approved March 26th, 1860. Read a first and second time and referred to Committee on Railroads.

Mr. Frisbie introduced the following resolution:

Resolved, That the Committee on Charitable Institutions be and are hereby required to inquire into the expediency of reporting a Bill reducing the number of Trustees of the Insane Asylum to three. The resolution was adopted.

House File No. 85: A Bill for an Act prescribing the duties of Township Trustees and Railroad Supervisors in certain cases, was taken up and recommitted to Committee on Roads and Highways.

On motion of Mr. Gordon, the House adjourned.

7 O'CLOCK, P. M.

House met pursuant to adjournment.

The hour for the special order having arrived, being the consideration of the reports and resolutions relative to slavery and emancipation, the House went into Committee of the Whole. Mr. Kellogg in the chair.

The Committee rose, reported progress, and asked leave to sit again Friday evening next at 7 o'clock.

The report of the Committee was concurred in.

On motion of Mr. Kellogg, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
THURSDAY, February 13, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Henry Turner.

Journal of yesterday read and approved.

Mr. Williams, of Mahaska, by leave, introduced the following resolution :

Resolved, That the prayer of the Rev. Dr. Peet, delivered at the opening Session of this House—a copy of which is herewith presented—be spread upon the journal of the House.

The resolution was adopted.

The following is the copy of the prayer accompanying said resolution :

O, God! the immortal, invisible! Who art exalted above all thrones and dominions! King of Kings! and Lord of Lords! Whose wise and just PROVIDENCE ordereth all things in Heaven and on Earth; with all due reverence and adoration, we look unto Thee as the Author of our being and the Giver of all good.

We beseech Thee! O God! to bestow Thy blessing upon our country and upon all the people of these United States! may Thy paternal and holy protecting Providence be over them for good! May they ever be Thy people, and the Lord be their God!

Behold, we beseech Thee with Thy favor and blessing the President of the United States, the Governor of the State in which we live, and all others who are lawfully set in authority over us! and so replenish them with Thy Heavenly wisdom, that they may always incline to Thy will, and walk in Thy way!

And we humbly pray Thee! O, Gracious God! to behold with Thy favor and blessing, the Legislature of this State, now assembled before Thee! Give them wisdom to know and to ordain whatever shall be best for the general good.

May all things be so ordered and settled by their endeavors upon the best and surest foundation, that peace and happiness, truth and justice, religion and piety may be established among us for all generations! And to Thee, the only wise God, our Savior, be glory and majesty, dominion and power, both now and ever. AMEN.

PETITIONS, &C.

Messrs. Knoll, Hardie, Walker, Bass and Woodworth, presented petitions from sundry citizens of their respective Counties, relative to Prohibitory Liquor Laws. Referred to select Committee on that subject.

Mr. Gordon presented petitions from sundry citizens of Adams County, asking the passage of the law to protect sheep from the ravages of dogs. Referred to Committee on Agriculture.

Mr. Lorah presented a remonstrance of 182 citizens of Cass County against a change of the boundaries of said County. Referred to Committee on New Counties.

Mr. Rothrock presented a petition of Sylvanus Yates and fifty five others, citizens of Cedar County, praying the enacting of a law conferring additional jurisdiction on County Courts. Referred to Committee on Judiciary.

Also a petition of R. M. Lowry and 152 others, citizens of Cedar County, for an Act abolishing Board of Supervisors and creating a Board of three Commissioners, and for reduction of salaries. Referred to Committee on County and Township Organization.

Mr. Hollingsworth presented the memorial of J. H. Sanders, asking the Legislature to exempt the property of the soldiers of the War of 1812, from taxation in levying the Federal taxes. Referred to Committee on Ways and Means.

Mr. Flint presented a petition from C. B. Vangent, in reference to certain claims. Referred to Committee on Claims.

Messrs. Porter and Fairall presented petitions from citizens of their respective Counties, asking certain lands of Protestant Episcopal Church, be exempted from taxation. Referred to select Committee on that subject.

Mr. Lane presented a petition of J. F. Dillon and members of the Bar of Scott County, in favor of the system of Township Collectors. Referred to Committee on Ways and Means.

Mr. Moir presented a communication from John J. Popejoy, asking relief. Referred to Committee on Judiciary.

Mr. Parker presented a petition S. P. Farrington and fifty-two others, citizens of Clinton County, asking for a tax on dogs. Referred to Committee on Agriculture.

Mr. Wilson, of Chickasaw, presented the petition of sundry citizens of Chickasaw County, asking for an amendment to School Laws. Referred to Committee on Schools.

Mr. Fairall presented a petition of sundry citizens of Johnson County, conferring additional jurisdiction on County Courts. Referred to Committee on Judiciary.

REPORTS OF COMMITTEES.

Mr. Bowdoin from Committee on Ways and Means, submitted the following report:

The Committee of Ways and Means, to whom was referred Senate File No. 83: A Bill for an Act for the assessment, levy and collection of the quota of this State of the tax laid on the United States, by the Act of Congress approved August 5th, 1861, have had the same under consideration, and have instructed me to report the Bill back to the House without amendment, and recommend the passage of the same at an early day.

E. G. BOWDOIN, Chairman.

The Committee of Ways and Means, to whom was referred Senate File No. 60: An Act authorizing the reception of certain Auditors' Warrants in payment of taxes, have had the same under consideration, and have instructed me to report the Bill back to the House without amendment, and recommend its passage.

E. G. BOWDOIN, Chairman.

Mr. Williams of Mahaska, from Committee on Elections submitted the following report :

The Committee on Elections, to whom was referred Senate File No. 73 : A Bill for an Act to define the manner of canvassing votes cast at special elections, have examined the same, and have instructed me to report the same back and recommend its passage with an amendment as follows :

Strike out all of the first Section after the words 1860, in the 8th line and insert the following in lieu thereof: It shall be the duty of the Clerk of the District Court, County Judge, and Chairman of the Board of Supervisors, to act as a Board of Canvassers in case the District in which such election occurs is wholly within one County, and it shall be their duty as such Board to meet at twelve o'clock M., on the second day after said election occurs, unless the second day thereafter shall be on Sunday, in which case they shall meet on the following Monday, to canvass the votes cast at such election, and for such service they shall each receive the same compensation per diem, and mileage, as if sitting as members of the Board of Supervisors, and in those districts composed of more than one County, the Chairman of said Board of Supervisors of the several Counties comprising said District, shall act as a Board of District Canvassers, *Provided*, That should the Board of Supervisors be in session on the day for canvassing the votes of a District comprising but one County, then the Board of Supervisors shall act as such Canvassers for their County, as at a general election.

Respectfully submitted,

M. T. WILLIAMS, For the Committee.

Mr. Lake from Committee on Judiciary, submitted the following report :

The Judiciary Committee, to whom was referred Senate File No. 56: A Bill for An Act to require Clerks of the District Court to keep an Appearance Docket, have had the same under consideration, and have directed me to report the same back to the House and recommend its passage.

JED LAKE, For Committee.

Mr. Mitchell of Fremont, from Committee on Judiciary, submitted the following report :

The Judiciary Committee, to whom was referred House File No. 142: A Bill for an Act entitled an Act to amend Chapter forty-five of the Revision of 1860, have had the same under consideration, and instructed me to report the same back to the House and recommend its reference to the Committee on Ways and Means.

J. L. MITCHELL of Fremont.

The following message from the Senate was received :

MR. SPEAKER :—I am directed to inform your Honorable Body that the Senate has passed Senate File No. 105 : A Bill for an Act to amend an Act entitled an Act to provide for the authentication, publication and distribution of the Acts, Rules and Regulations of

the Board of Education, passed December 19th, 1861, in which the concurrence of the House is asked. That the Senate has also passed the following House Bills:

House File No. 32: A Bill for an Act to repeal Chapter 81 of the Acts of the Eighth General Assembly, entitled An Act for the establishment of a Commission in the City of New York to promote Immigration to the State of Iowa.

House File No. 88: A Bill for an Act relating to the Incorporation of the Fayette Seminary, now known as the Upper Iowa University.

House File No. 102: A Bill for an Act to legalize the acts of certain persons therein named, in the establishment of a certain State Road.

All without amendment.

WM. F. DAVIS, Sec'y of Senate.

Mr. Williams of Mahaska, from Judiciary Committee, submitted the following report:

The Judiciary Committee, to whom was referred that portion of the Governor's message relating to reclaiming fugitives from justice, have had the same under consideration, and I am directed to report a Bill on that subject, which is herewith submitted and its passage recommended.

WILLIAMS of Mahaska, for Committee.

The Committee, by leave, introduced House File No. 162: A bill for an Act to provide compensation to agents of the State for reclaiming fugitives from justice: which was read a first and second time and passed upon the files.

Mr. Converse from Committee on Agriculture submitted the following reports:

The Committee on Agriculture to whom was referred House File No. 117: An Act to exempt Bees from execution have had the same under consideration and have directed me to report the same back to the House with the recommendation that it pass.

A. CONVERSE, Chairman.

The Committee on Agriculture to whom was referred House File No. 97: An Act to prevent the unlawful driving away of cattle &c. by drovers and others, have had the same under consideration and have directed me to report the same back with [the recommendation that it pass.

A. CONVERSE, Chairman.

The Committee on Agriculture to whom was referred sundry petitions to protect sheep from the ravages of Dogs, and House File No. 133: A bill for an Act to register and license dogs, &c., have had the same under consideration and have directed me to report the bill back to the House with a substitute, with the recommendation that it be adopted.

A. CONVERSE, Chairman.

Mr. Lowrie from Committee on Railroads submitted the following report :

The Railroad Committee to whom was referred a Resolution requesting said Committee to ascertain the cost, the amount of the capital stock paid in, and the bonded and other indebtedness, together with the income and nett profits of the several Railroad Companies in this State, have had the same under consideration, and would report that the law does not require the officers of said Railroad Companies to file in the office of any of the State officers all of such facts, but only a part of them, which are filed in the office of the Secretary of State. Your Committee would therefore ask to be discharged from the further consideration of said subject, and that the Secretary of the State furnish to this House all the facts on file in his office relating to said subject.

C. W. LOWRIE, Chairman.

Mr. Wilson of Pottawattamie from Committee on Public Buildings and Property, submitted the following report :

The Committee on Public Buildings and Property to whom was referred Resolution of enquiry into the expediency of removing the office, books and property of the State Historical Society from Iowa City to Des Moines City, have had the same under consideration and have instructed me to report that they deem the removal inexpedient at the present time.

WILSON of Pottawattamie, Chairmam.

Mr. Frisbie from Committee on Enrolled Bills submitted the following Report :

MR. SPEAKER :—The Joint Committee on Enrolled Bills ask leave to report that they presented to the Governor, for his signature, on Wednesday, February 12th, House Files 4 and 99. And also that they have examined Senate File No. 100, and find it correct and herewith present the same for your signature.

D. G. FRISBIE, Chairman.

Mr. Rothrock from Committee on Schools and State University submitted the following report :

The Committee on Schools and State University to whom was recommitted House File No. 22: An Act to legalize the sale of certain school lands in Tama county, have had the same under consideration, and have taken testimony as directed by Resolution of this House, from which the Committee are satisfied of the truth of the following facts :

1. That the first payment upon the land described in the Bill, was paid into the County Treasury of Tama county.

2. That the default of L. S. Frederick to the School Fund was about \$1300, nearly the whole of which was for interest and a very small amount if any was principal.

Your Committee would therefore recommend the passage of the Bill.

ROTHROCK, Chairman.

Mr. Woodworth from Select Committee on House File No. 23, submitted the following report :

The Special Committee to whom was referred House File No. 23: A Bill for laying out private roads, and a substitute therefor, have had the same under consideration and have directed me to report the accompanying Bill as a substitute and recommend its passage.

W. C. WOODWORTH, Chairman.

RESOLUTIONS LAID OVER UNDER THE RULE.

The following resolution introduced by Mr. Lake, and laid over under the rule, was taken up.

WHEREAS, It has become the customary practice of some of the members of this House, when any matter is under discussion, to make a speech on the subject and then move the "previous question" or move to lay on the table, in order to prevent reply ; Therefore, be it

Resolved, That when any member of this House ends a long speech by a motion to lay on the table, or by moving the previous question, the same shall be disregarded.

The Resolution was lost.

The following Resolution offered by Mr. Dunlavy was taken up and adopted :

WHEREAS, In the State Treasurer's reply to the resolution of the House of Representatives, in relation to the reimbursement by the General Government to this State, for expenses incurred in raising volunteers for service in the United States army, &c., that of the eighty thousand dollars received from the United States Government, but thirty-five thousand dollars were paid in Demand Treasury Notes and forty-five thousand dollars were paid by the Governor in Auditors' Warrants upon the War and Defense Fund, therefore,

Be it Resolved, That the State Treasurer be requested to report to the House of Representatives, at the earliest possible period, what numbers embrace the first eighty thousand dollars of Auditors' warrants issued, what warrants were redeemed with the \$35,000 received in Demand Treasury Notes—giving the number of each warrant redeemed and the person to whom issued and to whom paid ; give also the number of each warrant, and the person to whom issued, of the forty-five thousand dollars received from the Governor, and what amount of said warrants received from the Governor would have come within the eighty thousand dollars, if the whole amount of said eighty thousand dollars had been paid in the redemption of warrants in the order of their issuance, as required by law ; whether the forty-five thousand dollars received from the Governor in War and Defense Warrants, instead of Demand Treasury Notes were received by an arrangement between him

and the Governor, and receipted for as money, or whether the Governor withheld the Demand Treasury Notes received from the General Government to the amount of forty-five thousand dollars, upon his own responsibility, applying said forty-five thousand dollars to the payment of War and Defense Warrants in the hands of Ezekiel Clark, President of the Branch of the State Bank of Iowa, at Iowa City.

On motion of Mr. Rothrock Senate File No. 105: A Bill for an Act to amend an Act entitled an Act to provide for the authentication, publication and distribution of the Acts, Rules and Regulations of the Board of Education, passed December 19th, 1861, was taken up and read a first and second time.

Mr. Rothrock moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Moir, Moser, Nelson, Parker, Pendleton, Price, Rothrock, Rowles, Russellof Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—86.

The nays were—None.

Absent or not voting—Messrs. Denlinger, Gault, Hood, Mitchell of Polk, Porter, Quinn, Schramm.

The Bill passed and the title was agreed to.

INTRODUCTION OF BILLS.

Mr. Gordon introduced House File No. 163: A Bill for an Act to amend Chapter 100 of the Revision of 1860, which was read a first and second time and referred to Committee on Judiciary.

Mr. Lake introduced House File No. 164: A Bill for an Act to regulate Mutual Insurance Companies. Read a first and second time and referred to Committee on Incorporations.

Mr. Lowrie introduced House File No. 165: A Bill for an Act making Rail Road Companies liable for injuries to stock. Read a first and second time and referred to Committee on Rail Roads.

Mr. Lake by leave, introduced the following Resolution, which was adopted:

WHEREAS, This House did on the — day of February, 1862, authorize the Chair to appoint a Committee to investigate the frauds said to have been committed in some of the Counties of this State in regard to the levying of taxes, and,

WHEREAS, There was no power given to said Committee to send for persons and papers: Therefore

Resolved, That said Committee be empowered to subpoena such persons as may be found in this City who are acquainted with the facts, and use their testimony in making their report.

Mr. Stanton introduced House File No. 166: A Joint Resolution on newspaper postage. The Resolution was referred to Committee on Federal Relations.

RESOLUTIONS.

Mr. Clark of Tama offered the following Resolution which was adopted:

Resolved, That the Committee on Ways and Means be directed to take into consideration the propriety of such a change in the Revenue Law as will make it the duty of each Township Assessor to note opposite each piece or parcel of property by him assessed, in a column on his assessment book prepared for that purpose, the number of Sub-District in which such property is situated, and if in their opinion such a change would be feasible to report by bill or otherwise.

Mr. Fuller of Fayette offered the following Resolution which was adopted:

WHEREAS, By the report of the Secretary of the Board of Education, it appears that there are at present employed in the State University at Iowa City,

A President at a salary of.....	\$1,500
Five Professors at a salary of \$1,000 each.....	5,000
Assistant teacher Normal Department.....	500
Secretary Board of Trustees.....	150
Treasurer.....	200
Janitor.....	300

Total,\$7,650

And that according to his report there was only an average attendance of one hundred and ten scholars during the past year, and

WHEREAS, It has been reported that a majority of those in attendance were from Iowa City, for whose tuition the President of said University charges and receives an additional fee, Therefore, be it

Resolved, That the Committee on Schools and State University are hereby instructed to inquire into the expediency of reducing the Professorships in said University, and other expenses; also what

number of scholars are in attendance from the various counties in the State, what number from Iowa City or elsewhere, for whose tuition there is an additional fee charged, and also to report whether in their opinion said Institution yields a proportionate advantage to the State for the expenses incurred in maintaining it.

Mr. Cutler introduced the following Resolution which was adopted :

Resolved, That the Committee of Ways and Means be requested to inquire into the expediency of requiring the several County Treasurers of this State to annex to their tax receipts the valuation of all property, and report by bill or otherwise.

Mr. Lowrie moved to take up House File No. 25 : A Bill for an Act in relation to the duties of Rail Road Companies, and refer to Committee on Rail Roads. The motion prevailed.

BILLS ON SECOND READING.

Senate File No. 73 : A Bill for an Act defining the manner of canvassing votes cast at special elections, was read a second time.

Mr. Frisbie offered the following amendment: After the word "Assembly" insert the words "member of the Board of Education and Representative in Congress."

Mr. Cutler moved that the bill and amendments be referred to the Committee on County and Township Organization.

Mr. Loomis moved to amend by recommitting the bill and amendments to the Committee on Elections.

The amendment of Mr. Loomis was adopted and the bill and amendments were so re-committed.

The following message was received from the Senate by Wm. F. Davis, their Secretary :

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed Senate File No. 116 — Joint Resolution in relation to the Second Regiment of Iowa Volunteers—in which the concurrence of the House is asked.

W. F. DAVIS, Secretary.

Mr. Moser, by leave, introduced House File No. 167 : A Bill for an Act to set off the funds arising from the sale of the 16th section to the township in which they are situated for the support of Common Schools, and for the management of said fund, and for the distribution of the interest arising therefrom. Read a first and second time, and referred to Committee on Schools.

Senate Files Nos. 60 and 83 were read a second time.

Mr. Bowdoin moved that the Bills be made the special order for Feb. 14, at 2 P. M., which motion prevailed.

Senate File No. 57 was read a second time.

Mr. Martin offered the following amendments to Section one, which were adopted, viz :

Insert after the word District in the 4th line, "or any town or

city district organized under the provisions of article 4 of an Act entitled an Act to confer certain powers on towns and cities for school purposes, passed December 24, 1858, or under article 5th of an Act amendatory to the above entitled Act, passed Feb. 26th, 1860."

Insert after the word sub-district in 8th line, the words, "or town or city district."

Mr. Frisbie offered the following amendment:

Add to section one, the following: "And provided no part of said tax has been collected."

Mr. Bowdoin moved that the Bill and amendments be referred to the Committee on Schools and State University."

The motion prevailed, and the Bill and amendments were so referred.

Mr. Kellogg introduced the following resolution:

Resolved, That the Committee on Ways and Means, be requested to report in their Revenue Law, the following form of Tax Receipt, compelling County Treasurers to use the same:

FORM OF TAX RECEIPT.

\$00 00

TREASURER'S OFFICE, COUNTY, IOWA, }
....., 18.... }

RECEIVED of DOLLARS, and Cents, in
full for all Federal, State, County, School and School District, Road, Township, and Special Taxes for the year
18..., on the following Real Estate, and his (or her) Personal Property, assessed in County, Iowa.

PART OF SECTION.	S.	Tp	R.	ACRES.	VALUATION.	AMOUNT.	KIND OF TAX.	AMT.	INT.	REMARKS.
N. E. qr.....	28	70	24	160.00	\$3,000 00	2 mills	Federal Tax.	\$ 6 00	\$ 00	No Delinquent
.....						4 mills	State	12 00	....	No Delinquent
.....						2 mills	County	6 00	....	No Delinquent
.....						1 mill	School	3 00	....	No Delinquent
.....						1 mill	Road	3 00	....	No Delinquent
.....						4 mills	School Dist.	12 00	....	No Delinquent
.....							Township .....			.....
.....						1 mill	Special	3 00	....	No Delinquent
.....							Total .....			.....

..... Treasurer,

..... County, Iowa.

Mr. Curtiss moved that the resolution be so amended as to direct the Committee to "inquire into the expediency &c." The amendment prevailed, and the resolution was adopted.

Mr. Mitchell of Polk moved that Senate File No. 116: A Joint Resolution in relation to Iowa Volunteers, be taken up. The motion prevailed, and the Resolution was read a first and second time.

Mr. Kellogg moved its reference to the Committee on Military Affairs. Lost.

Mr. Porter moved that the last vote be reconsidered. Carried.

The Resolution was then referred to the Committee on Military Affairs.

On motion of Mr. Bracewell, the House adjourned.

TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

The Chair announced that the hour for the consideration of the special order had arrived, being House File No. 140: A bill for an Act creating the office of Township Collector.

Mr. Kellogg moved that the House resolve itself into Committee of the Whole on the bill under consideration. Lost.

Mr. Bracewell moved to strike out the enacting clause of the bill.

Mr. Kellogg moved a call of the House, pending which,

Mr. Ferguson moved that further proceedings under the call be suspended. Carried.

Leave of absence was granted to Mr. Speer.

Mr. Frisbie moved to commit the bill to Committee on Ways and Means.

Mr. Kellogg moved to postpone until the 4th day of July, and upon this question the yeas and nays were demanded by Messrs. Kellogg and Maxwell, and were as follows:

The yeas were, Messrs. Bracewell, Calfee, Castor, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Fuller of Harrison, Gibson, Glanville, Gordon, Hood, Kellogg, Lorah, Lowrie, McCall, McLennan, Moir, Moser, Rowles, Russell of Dallas, Sarver, Smeltzer, Stewart, Thompson, Van Anda, Wetherall, Wright—30.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Dorr, Eaton, Frisbie, Fuller of Fayette, Gault, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Martin, Maxwell, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Parker, Pendleton, Porter, Price, Russell

of Jones, Shipman, Stanton, Stevenson, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Young and Mr. Speaker—57.

Absent or not voting—Messrs. Denlinger, Nelson, Quinn, Rothrock, Schramm, and Speer.

The motion did not prevail.

The question then recurred upon the motion of Mr. Frisbie, to commit to Committee on Ways and Means. The motion prevailed.

Mr. Moser offered the following Resolution, which was adopted :

Resolved, That the Committee on Ways and Means be instructed to report a bill immediately making an appropriation for the payment of the mileage of members of the General Assembly.

On motion of Mr. Cleaves, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
FRIDAY, February 14th, 1862. }

House met pursuant to adjournment.

Prayer by the Rev. Henry Turner.

Journal of yesterday read and approved.

The following message from the Senate was received :

MR. SPEAKER:—I am directed to inform your Honorable Body, that the Senate has passed Senate File No. 9: A substitute for House File No. 57: A bill for an Act to provide for the payment of taxes, and the Interest and Principal of the School Fund, in Treasury Demand Notes, issued by the authority of the Government of the United States, and the Notes issued by the several Branches of the State Bank of Iowa, in which the concurrence of the House is asked.

WM. F. DAVIS, Sec'y Senate.

Mr. Frisbie from Joint Committee on Enrolled Bills, submitted the following report ;

MR. SPEAKER:—The Joint Committee on Enrolled Bills ask leave to report that they have handed His Excellency the Governor for his approval, Senate Files No. 100; and also that they have examined House Files Nos. 32, 88, and 102, find the same correct and present them for your signature.

D. G. FRISBIE, Ch'n

H. Com. Enr. Bills.

On motion of Mr. Moser, Senate File No. 9, a substitute for

House File No. 57: A Bill for an Act to provide for the payment of taxes and the interest and principal of the School Fund in Treasury Demand Notes, issued by the authority of the Government of the United States, and the notes issued by the several branches of the State Bank of Iowa, was taken up and read a first and second time.

Mr. Kellogg moved that the Bill be laid upon the table and the usual number of copies printed for the use of the House. The motion did not prevail.

Mr. Hardie moved to strike out the second Section of the Bill.

On motion of Mr. Walker, the House adjourned.

TWO O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Bowdoin moved that the special order for this hour, being the consideration of Senate File No. 60: A Bill for an Act authorizing the reception of certain Auditors' Warrants in payment of taxes and Senate File No. 83: A Bill for an Act for the assessment, levy and collection of the quota of this State of the tax laid on the United States by the Act of Congress of August 5th, 1861, be postponed until after the House has disposed of the Bill under consideration at its adjournment. The motion prevailed.

The question then recurred upon the motion of Mr. Hardie, to strike out the second Section of the Bill; and upon this question the yeas and nays were demanded by Messrs. Lake and McLennan and were as follows:

The yeas were, Messrs. Bracewell, Converse, Denlinger, Dorr, Dunlavy, Eichorn, Ferguson, Flint, Gault, Hardie, Hudnutt, Jackson, Knoll, Lake, Lorah, Maxwell, McGlothlen, McLennan, Pendleton, Smeltzer, Stevenson, Stewart, Thompson, Wetherall, and Wilson of Chickasaw—25.

The Nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Castor, Clark, Chase, Cleaves, Curtiss, Cutler, Eaton, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Gordon, Guthrie, Hollingsworth, Hood, Lakin, Lane, Loomis, Lowrie, Martin, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Stanton, Van Anda, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—60.

Absent or not voting, Messrs. Calfee, Holyoke, Kellogg, Martin, Nelson, Quinn, Schramm, and Speer.

The motion did not prevail.

Leave of absence was granted to Messrs. Calfee and Holyoke.

Mr. Shipman moved that the rule be suspended and the Bill read a third time now.

Mr. Lake offered the following amendment to Section 2 of the Bill: Strike out the following words, "the notes issued by the several branches of the State Bank of Iowa," and insert "Warrants on the War and Defense Fund." The amendment did not prevail.

Mr. Lake offered the following amendment: Add to Section 2 the following, "and shall at all times use due diligence in sending the notes of the branches to the said branches and convert the same into specie;" and upon this question the yeas and nays were demanded by Messrs. Lake and McLennan and were as follows:

The yeas were, Messrs. Bracewell, Converse, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Gibson, Gordon, Hardie, Hudnutt, Jackson, Kellogg, Knoll, Lake, Lakin, Lorah, Martin, Maxwell, McGlothlen, McLennan, Milburn, Mitchell of Fremont, Pendleton, Rowles, Sarver, Smeltzer, Stevenson, Stewart, Thompson, Wetherall, Williams of Mahaska, Wilson of Chickasaw—36.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Castor, Clark, Chase, Cleaves, Curtiss, Cutler, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Glanville, Guthrie, Hollingsworth, Hood, Lane, Loomis, Lowrie, McCall, McQuinn, Mercer, Meyer, Mitchell of Polk, Moir, Moser, Parker, Porter, Price, Rothrock, Russell of Dallas, Russell of Jones, Shipman, Stanton, Van Anda, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—51.

Absent or not voting—Messrs. Calfee, Holyoke, Nelson, Quinn, Schramm, and Speer.

The amendment did not prevail.

Mr. Fairall offered the following amendment: Add to Section 2 "it shall be the duty of the several County Treasurers and State Treasurer, once a month and oftener if they deem it necessary, to send the notes of the several branches of the State Bank to their respective branches and convert the same into specie;" and upon this question the yeas and nays were demanded by Messrs. Lake and McLennan, and were as follows:

The yeas were, Messrs. Bracewell, Converse, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Gibson, Gordon, Hardie, Holyoke, Hood, Jackson, Kellogg, Knoll, Lake, Lorah, Martin, Maxwell, McGlothlen, McLennan, Pendleton, Smeltzer, Stevenson, Stewart, Thompson, Wetherall, Williams of Mahaska, and Wilson of Chickasaw—36.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Bur-

ton, Castor, Clark, Chase, Cleaves, Curtiss, Cutler, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Glanville, Guthrie, Hollingsworth, Lakin, Lane, Loomis, Lowrie, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Moser, Parker, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Stanton, Van Anda, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—54.

Absent or not voting, Messrs. Calfee, Holyoke, Nelson, Quinn, Schramm, and Speer.

The amendment did not prevail.

Mr. Shipman moved the previous question, which was seconded by a majority of the Whole House, and upon the question "Shall the main question be now put?" the yeas and nays were demanded by Messrs. McLennan and Smeltzer and were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Castor, Clark, Chase, Cleaves, Curtiss, Cutler, Eaton, Ferguson, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Gordon, Guthrie, Hollingsworth, Hood, Lane, Lowrie, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Stanton, Stevenson, Van Anda, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Woodworth, Wright, Young, and Mr. Speaker—57.

The nays were, Messrs. Bracewell, Converse, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Flint, Gault, Hardie, Hudnutt, Jackson, Kellogg, Knoll, Lake, Lakin, Loomis, Lorah, Martin, Maxwell, McGlothlen, McLennan, Pendleton, Smeltzer, Stewart, Thompson, Wetherall, Williams of Mahaska, Wilson of Chickasaw, and Wilson of Pottawattamie—30.

Absent or not voting—Messrs. Calfee, Holyoke, Nelson, Quinn, Schramm, and Speer—6.

The question was decided in the affirmative.

The question recurred upon the motion of Mr. Shipman to suspend the rule, and read the Bill a third time now. The motion prevailed. The Bill was read a third time.

Mr. Hardie moved a call of the House which was seconded. The roll was then called and all the members found to be in attendance except such as were excused.

Upon the question "Shall the Bill pass?" the yeas and nays were ordered and were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Castor, Clark, Chase, Cleaves, Curtiss, Cutler, Eaton, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Gordon, Guthrie, Hollingsworth, Hood, Lakin, Lane, Loomis, Low-

rie, Martin, Maxwell, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Pendleton, Porter, Price, Shipman, Stanton, Stevenson, Van Anda, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—65.

The nays were, Messrs. Bracewell, Converse, Denlinger, Dorr, Dunlavy, Eichorn, Ferguson, Flint, Gault, Hardie, Hudnutt, Jackson, Kellogg, Knoll, Lake, Lorah, McGlothlen, McLennan, Smeltzer, Stewart, Thompson, and Wetherall—29.

Absent or not voting—Messrs. Calfee, Holyoke, Nelson, Quinn, Schramm, and Speer—6.

The Bill passed and the title was agreed to.

Pending the call of the yeas and nays, Mr. Lake, when his name was called, submitted the following explanation :

Senate File No. 9 : Substitute for House File No. 57 ; In voting upon this Bill I desire to say that I am in favor of taking the United States demand notes under the provisions of this Act but believing as I do that the taking of the notes of the branches of the State Bank of Iowa will be of more injury than the taking of United States demand notes will be of benefit, I must cast my vote against the passage of the bill ; therefore I vote no.

(Signed.)

JED LAKE.

Mr. Bowdoin from Committee on Ways and Means, by leave, submitted the following report :

The Committee on Ways and Means to whom was referred House File No. 30 : A Bill for an Act making appropriations for the payment of the per diem and mileage of the members and officers of the Ninth General Assembly, have had the same under consideration, and have instructed me to report the accompanying Substitute for the bill, and recommend the passage of the substitute.

E. G. BOWDOIN, Chairman.

The Committee, by leave, introduced substitute for House File No. 30 : A Bill for an Act making appropriations for the payment of the per diem of the members and officers of the Ninth General Assembly ; which was read a first and second time, and on motion of Mr. Shipman the rule was suspended and the Bill read a third time, and upon the question "Shall the Bill pass" the yeas and nays were ordered and were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Guthrie, Hardie, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moser, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas,

Russell of Jones, Sarver, Shipman, Stanton, Stevenson, Thompson, Van Anda, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—73.

The nays were, Messrs. Denlinger, Eichorn, Ferguson, Flint, Gordon, Hudnutt, Mitchell of Fremont, Moir, Smeltzer, Stewart, Walker, Wetherall and White—13.

Absent or not voting, Messrs. Calfee, Gibson, Holyoke, Nelson, Quinn, Schramm, and Speer.

The Bill passed and the title was agreed to.

Mr. Lake, by leave offered the following resolution which was adopted :

Resolved, That a Committee of three be appointed to ascertain the amount of the mileage due each member of this House.

The Chair appointed as such Committee, Messrs. Lake McLennan and Moser.

Mr. Lane, by leave, offered the following Resolution which was adopted :

Resolved, That the Chief Clerk be directed to have printed two (2) thousand copies of the arrangement made by the Adjutant General, with Railroad Companies, for the transportation at reduced rates of fare, of Iowa Soldiers. Said printed copies to be distributed as follows: one thousand copies for the Adjutant General's office, of which fifty copies are to be sent by him to each Regiment of Iowa troops, and the remainder to be distributed in equal numbers to the members of the Legislature.

Mr. McLennan, by leave, introduced the following resolution which was adopted :

Resolved, That the Adjutant General be requested to report to report to this House, copies of the correspondence, petition, &c., relating to certain Iowa Soldiers who were enlisted in the so called "Lyon Regiment" and subsequently transferred to the 19th Missouri Volunteers and subsequently to the 3d Missouri Volunteers.

The special order was then taken up being the consideration of Senate Files Nos. 60 and 83.

Senate File No. 83: A Bill for an Act for the assessment, levy and collection of the quota of this State of the tax laid on the United States by the Act of Congress of August 5th, 1861; was read a second time.

Pending the consideration of the special order, Mr. Bowdoin from Committee on Ways and Means, submitted the following report:

The Committee of Ways and Means, who were requested by a Resolution to report to this House the amount due this State from the United States for furnishing, equipping and subsisting troops, and to report as to the expediency of passing a bill providing for the payment of the Federal Tax for 1862, by applying the amount of the claims of this State against the United States, and by pay-

ing the balance from the War and Defense Fund," have instructed me to Report :

That the amount due this State from the United States has not yet been liquidated, nor can it be definitely ascertained what is the amount of our claims, until we get the report of the Auditing Board, showing the amount of claims allowed. But the amount claimed is, as nearly as can be approximated, from \$370,000 to \$400,000.

Whatever this amount may be, when adjusted, your Committee are of opinion should be applied in payment of the Federal Tax for 1862, and have accordingly provided for such application and payment in the bill now before the House, known as Senate File No. 83.

As to the balance of the Federal Tax for 1862, which will remain due after such adjustment and application as aforesaid of the claim of our State, your Committee are of the opinion that it should not be paid from the War and Defense Fund, as contemplated in your resolution, but should be paid out of the direct tax proposed to be immediately levied in addition to the State tax of 1861, of two mills on the dollar, on the valuation of 1861, as provided for in the bill already alluded to as Senate File No. 83.

E. G. BOWDOIN, Chairman.

Mr. Clark of Tama offered the following amendment to section 5 : Strike out the word "June" in the third line, and insert "September." The amendment did not prevail.

Mr. Curtiss offered the following amendment to section 3 : Strike out "two" in tenth line, and insert "one."

Mr. Williams of Mahaska moved to amend the amendment by striking out "one" and inserting "one and a half."

Mr. Bracewell moved that when this House adjourn, it adjourn to meet at 7 o'clock p. m. Carried.

On motion of Mr. Curtiss, the House adjourned.

SEVEN O'CLOCK, P. M.

The hour having arrived for the further consideration of the special order, being the Reports and Resolutions relative to slavery and emancipation, the House went into Committee of the Whole. Mr. Lake in the Chair.

The Committee rose, reported progress, and asked leave to sit again Monday evening next at 7 o'clock. The report of the Committee was concurred in.

On motion of Mr. Bracewell, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 SATURDAY, February 15, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Turner.

Journal of yesterday read and approved.

On motion of Mr. Shipman, the House resumed the consideration of Senate File No. 83: A bill for an Act for the assessment, levy and collection of the quota of this State of the tax laid on the U. S. by Act of Congress of August 5th, 1861.

The Chair announced that the question pending was the amendment of Mr. Williams of Mahaska to the amendment of Mr. Curtiss to section three of the bill.

Leave of absence was granted to Mr. Cutler.

Message from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed Senate File No. 75: A bill for an Act to amend Chapter 105 of the Revision of 1860, concerning guardians of the property of minors.

Senate File No. 18: A bill for an Act legalizing the acts of Notaries Public, in which the concurrence of the House is asked.

That the Senate has also passed House File No. 104: A bill for an Act to legalize certain taxes for school house purposes, in District No. 2, in the District Township of Huron, Des Moines county, Iowa, without amendment.

W. F. DAVIS, Secretary.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: The Joint Committee on Enrolled Bills, have examined Senate Files No. 33 and 105, find them correctly enrolled, and present the same for your signature.

D. G. FRISBIE,

Chairman House Com. Enrolled Bills.

Message from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed House File No. 30: A bill for an Act making appropriations for the payment of the per diem of the members and officers of the Ninth General Assembly, without amendment.

W. F. DAVIS, Sec'y Senate.

Leave of absence was granted to Mr. Young for one week.

Mr. Guthrie moved that when this House adjourn it adjourn to meet Monday morning. Carried.

Mr. Curtiss by leave of the House accepted the amendment to his amendment offered by Mr. Williams of Mahaska.

The question recurred upon the amendment of Mr. Curtiss as modified to strike out "two," in tenth line of section 3, and insert

"one and a half," and upon this question the yeas and nays were demanded by Messrs. Fairall and Kellogg, and were as follows :

The yeas were, Messrs. Bass, Bracewell, Castor, Clark, Cleaves, Curtiss, Denlinger, Dunlavy, Fairall, Ferguson, Flint, Gibson, Guthrie, Hardie, Hood, Kellogg, Knoll, Martin, McGlothlen, McLennan, Milburn, Moir, Price, Smeltzer, Stewart, Thompson, Walker, Wetherall, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, and Wright—31.

The nays were, Messrs. Bass, Bracewell, Castor, Clark, Cleaves, Curtiss, Denlinger, Dunlavy, Fairall, Ferguson, Flint, Gibson, Guthrie, Hardie, Hood, Kellogg, Knoll, Martin, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moser, Parker, Pendleton, Porter, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Stanton, Stevenson, Van Anda, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Young and Mr. Speaker—50.

Absent or not voting—Messrs. Cutler, Eichorn, Gault, Holyoke, Maxwell, Nelson, Quinn, Schramm, Shipman, Speer.

The amendment was lost.

Mr. Bowdoin offered the following amendment : insert after the word "Congress" in 9th line of section 11, "or any subsequent acts." The amendment prevailed.

Mr. McLennan moved that the House do now adjourn. Lost.

Mr. Bowdoin moved to suspend the rule and read the Bill a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Dorr, Eaton, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hudnutt, Hollingsworth, Hood, Jackson, Kellogg, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Stanton, Stevenson, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—75.

The nays were, Messrs. Denlinger, Dunlavy, Fairall, Hardie, Knoll, McLennan, Stewart, Thompson—8.

Absent or not voting, Messrs. Calfee, Cutler, Eichorn, Holyoke, Lake, Maxwell, Nelson, Quinn, Schramm, Shipman and Speer.

The bill passed.

Mr. Bowdoin moved to amend the title by adding thereto, "or any subsequent acts and the payment of Auditor's Warrants on

the War and Defense Fund." The amendment was adopted, and the title as amended agreed to.

Mr. Frisbie from Joint Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER :—The Joint Committee on Enrolled Bills ask leave to report that they have placed in the hands of the Governor for his approval, Senate Files Nos. 33 and 105, and House Files Nos. 32, 88, and 102.

D. G. FRISBIE, Ch'n
H. Com. Enr. Bills.

The following communication from the Secretary of State was received :

OFFICE OF SECRETARY OF STATE, }
Des Moines, February 15th, 1862. }

To the Speaker of the House of Representatives :

SIR :—In compliance with a concurrent resolution of the General Assembly of the State of Iowa, requiring the Secretary of State to furnish postage stamps to the Members, Secretaries and Clerks of said body, and report once in two weeks to the General Assembly, I respectfully submit the following :

The amount of postage stamps purchased for distribution as provided by said resolution, for the two weeks, commencing with the 3d day of February, 1862, is equal in value to the sum of \$450.

The stamps distributed in accordance with said resolution, amount to the sum of \$449.32, leaving a balance in stamps for a future distribution, of 68 cents in value.

The amount of stamps delivered to each member and officer of the House of Representatives, provided for, is equivalent to \$1.64 per week.

The amount of stamps delivered to each member and officer in the Senate, provided for, is equivalent to \$1.40 per week.

Annexed hereto is a list of the members and officers who received stamps at distributions Nos. 1 and 2.

Respectfully submitted,
ELIJAH SELLS,
Secretary of State.

DISTRIBUTION NO. 1—FEBRUARY 3D, 1862.

Senators Ainsworth, Angle, Boardman, Bowen, Brown, Burdick, Dixon, Duncombe, Dungan, Dysart, English, Foote, Gray, Green, Gue, Hagans, Hatch, Hastings, Hesser, Holmes, Hurley, Jennings, Kent, Leake, Lewis, McCrary of Lee, McCrary of Van Buren, McPherson, Neal Pattison, Redfield, Shaffer, Smith, Teeter, Trumbull, Udell, Watson, Williams, Woodward, Woolson, President.

OFFICERS—Davis, Secretary, Gue, Assistant Secretary, McKae, Enrolling Clerk, Hewitt, Engrossing Clerk.

Representatives Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Pierce, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker.

OFFICERS—Aldrich, Chief Clerk; May, 1st Assistant Clerk; Lyon, 2d Assistant Clerk; Brown, Engrossing Clerk; Jaeger, Enrolling Clerk.

DISTRIBUTION NO. 2—FEBRUARY 10, 1862.

Senators Ainsworth, Boardman, Bowen, Brown, Burdick, Dixon, Duncombe, Dungan, Dysart, English, Foote, Gray, Greene, Gue, Hagans, Hammer, Hatch, Hastings, Hesser, Holmes, Hurley, Jennings, Kent, Leake, Lewis, McCrary of Lee, McCrary of Van Buren, McPherson, Neal, Pattison, Pollard, Redfield, Smith, Teeter, Trumbull, Udell, Watson, Williams, Woodward, President.

OFFICERS—Davis, Secretary; Gue, Assistant Secretary; McRae, Enrolling Clerk; Hewitt, Engrossing Clerk.

Representatives Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Pierce, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker.

OFFICERS—Aldrich, Chief Clerk; May, 1st Assistant Clerk; Lyon, 2d Assistant Clerk; Brown, Engrossing Clerk; Jaeger, Enrolling Clerk.

On motion of Mr. Russell of Jones, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES,)
MONDAY, February 17, 1862.)

House met pursuant to adjournment.

Prayer by Rev. Mr. Chamberlain.

Journal of Saturday read and approved.

Mr. Williams of Mahaska moved that Senate File No. 60: An Act authorizing the reception of certain Auditors' Warrants in payment of taxes, be taken up and made the special order for 2 o'clock P. M. The motion prevailed.

PETITIONS, &C.

Mr. Van Anda presented a petition from sundry citizens of Delaware County, asking for the passage of a law requiring Rail Roads to be fenced. Referred to Committee on Rail Roads.

Mr. McCall presented the petition of Peter W. Hopkins and seventy-five others, citizens of Story and Polk Counties, asking for additional mail facilities. Referred to Committee on Federal Relations.

Mr. Mercer presented a petition of H. C. Knapp and others, citizens of Marshall County, asking the repeal of Sections 6 and 7, Chapter 37 of the Land Grant Law of 1860. Referred to Committee on Rail Roads.

Mr. Lake presented the petitions of James Jamison and others, citizens of Buchanan County, asking such change in the law as to give County Judges original jurisdiction in civil cases, when the amount in controversy does not exceed \$500. Referred to Committee on Judiciary.

Mr. White presented the petition of C. C. Applegate and 47 others, citizens of Scott County, praying this General Assembly to pass a law establishing the office of Township Collector. Referred to Committee on Ways and Means.

Mr. McQuinn presented the petition of William Wallace and 60 others, citizens of Benton County, praying for the repeal of Section 3852 of the Revision of 1860. Referred to Committee on County and Township Organization.

Messrs. Russell of Dallas, and Parker presented the petitions of sundry citizens of their respective Counties relative to the Prohibitory Liquor Law. Referred to Select Committee on that subject.

Mr. Williams of Mahaska, presented the petition of M. L. Jackson and 90 others, citizens of Mahaska County asking the passage of an Act to confer additional powers on County Courts. Referred to Committee on Judiciary.

Mr. Fairall presented the petition of sundry citizens of Iowa City asking that the City Charter of Iowa City be revoked. Referred to Committee on Incorporations.

REPORTS OF COMMITTEES.

Mr. Bowdoin from Committee on Ways and Means submitted the following reports:

The Committee of Ways and Means, to whom was referred House File No. 106: A Bill for an Act to repeal an Act providing for the establishment of a Commissioner of Immigration to the State of Iowa, have had the same under consideration, and inasmuch as one bill has already passed this House providing for such repeal, have instructed me to report this bill back and recommend that it be laid upon the table.

E. G. BOWDOIN, Chairman.

The Committee of Ways and Means, to whom was referred House File No. 123: A Bill for an Act to protect Young Mens' Rights, have had the same under consideration, and have instructed me to report the bill back to the House and recommend that it do not pass; the law on that subject being in the opinion of your Committee sufficiently favorable as it now stands.

E. G. BOWDOIN, Chairman.

The Committee of Ways and Means, to whom was referred a resolution requesting them to inquire into the propriety of requiring sportsmen who wish to hunt on the lands of other people to pay a license of ten dollars a year, have had the same under consideration and have instructed me to report that in their opinion any such legislation is not expedient.

E. G. BOWDOIN, Chairman.

Mr. Denlinger from Committee on Schools and State University, submitted the following report:

The Committee on Schools and State University, to whom was referred the resolution instructing your Committee to inquire into the expediency of amending Section 2028 of the Revision of 1860, so as to prohibit the people of a School District from levying more than 3 mills on the dollar for School House purposes in any one year, beg leave to report that they have had the subject matter in consideration and have instructed me to report that they deem the same inexpedient.

DENLINGER.

Mr. Clark of Tama, from Committee on Schools and State University, submitted the following report:

The Committee on Schools and State University, to whom was referred House File No. 167, entitled, "A Bill for an Act to set off the funds arising from the sale of the Sixteenth Section, for the support of Common Schools, and for the management of said fund and the distribution of the interest arising thereon, have had the same under consideration, and have directed me to report the same

back to this House with the recommendation that it be indefinitely postponed.

L. CLARK.

Mr. Shipman from Committee on County and Township Organization, submitted the following reports :

The Committee on Township and County Organization, to whom was referred House Files No. 119 and 100, would report the same back to the House with the following substitute for both bills, and recommend the passage of the substitute.

SHIPMAN, Chairman.

The Committee on County and Township Organization, to whom was referred Senate File No. 87 : A Bill for an Act to authorize Boards of Supervisors to divide Townships into election precincts in certain cases, have had the same under consideration, and have instructed me to report the same back to the House and recommend its passage.

SHIPMAN, Chairman.

The Committee on Township and County Organization, to whom was referred sundry petitions and memorials, praying for a change in the system of County government, would beg leave to submit the following report :

The majority of the Committee think that any change in the system of County government at this time would be unwise and impolitic in the extreme, believing as we do that the Supervisor system is the true one, not only for our State, but for any other State in the world, as has been shown by experience wherever the system has been tried. It is therefore the part of wisdom to cure defects that may be apparent rather than make any radical change, uprooting the whole system and planting a more objectionable one in its stead. Your Committee do not feel called upon, at this time, to present any arguments in favor of the Supervisor system. The County Judge and the Commissioner system have both been tried effectually in our State, and now we would ask that the Supervisor system may have a fair trial ; believing as we do that as the system is perfected the people of our State will like it more and better. Your Committee would therefore report the petitions and memorials back to the House and recommend that the prayer of the petitioners be not granted.

GEO. C. SHIPMAN, Chairman.

Mr. Williams of Mahaska, from Judiciary Committee, submitted the following report :

The Judiciary Committee, to whom was referred Senate File No. 70 : A Bill for an Act providing for the recording of officers' bonds, have examined the same and have instructed me to return the same back to the House and recommend its passage, with the following amendments : After the word "officers" in the third line of Section 2, insert the words "including Justices of the Peace and Consta-

bles," and strike out the figures "1856" in the fourth line of the same Section and insert the figures "1859" in their stead.

WILLIAMS of Mahaska, for Committee.

Mr. Moir, from Committee on Judiciary, submitted the following reports :

The Judiciary Committee, to whom was referred Senate File No. 92: A Bill for an Act entitled an Act authorizing the County Treasurer of Webster County to apportion certain taxes assessed on certain lands and town lots in said County, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to this House, without amendment and recommend its passage.

W. J. MOIR, of Hardin,
Member of Committee.

The Judiciary Committee, to whom was referred House File No. 63, beg leave to report that they have had the same under consideration, and inasmuch as this Bill relates to a change in our present Revenue Law, they have instructed me to report the same back to this House and recommend that it be referred to the Committee on Ways and Means.

MOIR, one of said Committee.

The Judiciary Committee, to whom was referred House File No. 159: A Bill for an Act entitled an Act to amend Chapter 192, in order to confer additional powers upon magistrates, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House and recommend that it do not pass.

MOIR.

Mr. Fairall, from Committee on Judiciary, submitted the following report :

The Judiciary Committee, to whom was referred the petition of George P. Ellis and others, for the relief of Willis Clemens, Aurora Clemens, and A. C. Price, report that they have had the same under consideration and find the matters contained in said petition are true, and that the relief prayed should be granted, and report a Bill accordingly.

FAIRALL, for Judiciary Committee.

The Committee, by leave, introduced House File No. 169: A Bill for an Act for the relief of Willis Clemens and others. Read a first and second time and passed upon the files.

Mr. Fairall, from Committee on Judiciary, submitted the following Report :

The Judiciary Committee, to whom was referred the Resolution of the gentleman from Henry, as to the duties of Clerks and Justices, respectfully report that they have had the same under consideration, and have instructed me to report the accompanying Bill.

FAIRALL, for Judiciary Committee.

The Committee, by leave, introduced House File No. 170: A Bill for an Act in relation to Clerks and Justices, which was read a first and second time and passed upon the files.

Mr. Castor, from Committee on Agriculture, submitted the following Report:

The Committee on Agriculture, to whom was referred House File No. 95: A Bill for an Act to exempt young Orchards from Taxation, have had the same under consideration, and have directed me to report the same back to this House with the recommendation that it be indefinitely postponed.

S. J. CASTOR.

Mr. Van Anda, from Committee on Incorporations, submitted the following Report:

The Committee on Incorporations, to whom was referred House File No. 164: A Bill for an Act to regulate Mutual Insurance Companies, have had the same under consideration, and have instructed me to report the same back with a recommendation that it do pass.

VAN ANDA, Chairman.

Mr. Mitchell of Polk, from Committee on Public Lands, submitted the following Report:

Your Committee on Public Lands, to whom was referred House File No. 139: An Act to provide for the making of Deeds for Swamp and Overflowed Lands, sold by the order of the County Court or Board of Supervisors, have had the same under consideration, and have instructed me to report the same back with an additional section and recommend its passage.

MITCHELL, of Polk,
Chairman of Committee on Public Lands.

Mr. Walker, from Committee on Expenditures, submitted the following Report:

The Committee on Expenditures, to whom was referred the report of the items which constitute the Contingent Expenses of the Supreme Court, stated in the aggregate at \$3,514 43 by the Auditor of State have instructed me to make the following Report:

"That we have had the bills of items submitted by the Auditor of State before us, and we find the same correct in its footing up, and the items therein set forth, such as are provided for by law in chapter 84, page 100, of the Special Acts and Resolutions passed at the regular session of the Eighth General Assembly, and in section 2645 of the Revision of 1860. Your Committee have in connection with the bill of items, examined into the law making such contingent appropriation, and would recommend that for the ensuing two years said contingent fund shall not exceed two thousand dollars appropriated as a Contingent Fund for the Supreme Court.

P. WALKER, for Committee.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following Reports :

The Joint Committee on Enrolled Bills ask leave to report that they have presented the Governor for his approval Senate File No. 9, and House Files No's. 30 and 104.

D. G. FRISBIE,
Chairman House Committee Enrolled Bills.

The Joint Committee on Enrolled Bills ask leave to report that they have examined Senate File No. 9, and House Files No's. 30 and 104, find the same correctly enrolled, and present them herewith for your signature.

D. G. FRISBIE,
Chairman House Committee Enrolled Bills.

INTRODUCTION OF BILLS.

Mr. Shipman introduced House File 171 : "A bill for an Act providing for the election of a Secretary of the Board of Trustees of the Iowa Agricultural College and Farm, and repealing certain sections of Article 3, chapter 67 of the Revision of 1860." Read a first and second time and referred to Committee on Agriculture.

Mr. Meyer introduced House File No. 172: A Bill for an Act to repeal an Act entitled an Act to incorporate the town of Newton, Jasper County, Iowa, and also to repeal an Act entitled an Act to correct an error in an Act to incorporate the town of Newton, Jasper County, Iowa. Read a first and second time and referred to the Committee on Incorporations.

Mr. Gordon introduced House File No. 173: A Bill for an Act to legalize certain acts of County Judges. Read a first and second time and referred to Committee on Judiciary.

Mr. Parker introduced House File 174: A Bill for an Act for the relief of C. H. Toll, a Notary Public of Clinton County. Read a first and second time, and referred to the Committee on Judiciary.

Mr. Russell, of Jones introduced House File 175: A Bill for an Act to confer jurisdiction on Township Trustees, and giving them power to locate, change or discontinue roads within the limits of their respective townships. Read a first and second time.

Mr. Kellogg moved to lay the Bill on the table, and print the usual number of copies for the use of the House. Carried.

Mr. Mitchell, of Polk, introduced House File No. 176: A Bill for an Act to provide for the printing and distribution of the Report of the Adjutant General for the year ending January 1st, 1863. Read a first and second time and referred to Committee on Printing.

Mr. Quinn introduced House File No. 177: A Bill for an Act to repeal Section 3,852 of the Revision of 1860. Read a first and second

time and referred to Committee on County and Township Organization.

Mr. Curtiss introduced House File No. 178: A Bill for an Act to regulate the issuing of certificates of election in certain cases. Read a first and second time and passed upon the files.

RESOLUTIONS.

Mr. Knoll introduced the following resolution, which was read and referred to Committee on Constitutional amendments.

Resolved, That it is hereby proposed to amend Section first of the Constitution of the State of Iowa, so that the same shall read as follows, to wit: "Every white male citizen of the United States of the age of twenty-one years, who shall have been a resident of the State six months next preceding the election, and the county in which he claims his vote twenty days; and every white male of foreign birth, of the age of twenty-one years and upwards, who shall have resided in the State one year next preceding the election, and twenty days in the county in which he claims his vote, and shall have declared his intention to become a citizen of the United States, conformably to the laws of the United States on the subject of naturalization, shall be entitled to vote at all elections which are now or may hereafter be authorized by law.

Mr. Bracewell introduced the following Preamble and Resolution:

WHEREAS, There are large tracts of land in this State, owned by Speculators, a large number of whom do not pay their taxes, and
WHEREAS, Those lands have been offered for sale at different times and there have been no bidders, and,
WHEREAS, Those persons refuse to sell the same at a reasonable price, and thereby prevent the settlement and improvement thereof, and by so doing deprive the State of a large amount of revenue, therefore, be it

Resolved, That the Committee on Ways and Means be instructed to inquire into the propriety of a more efficient law for the collection of delinquent taxes, and to give greater inducements for persons to purchase lands offered for sale for delinquent taxes, and report by bill or otherwise.

The resolution was adopted.

Mr. Wilson of Pottawattamie, introduced the following resolution which was adopted:

Resolved, That the Committee on Township and County Organization be instructed to inquire into the expediency of making the office of Treasurer and Recorder a fee office, instead of the present salaried system, and report to this House by Bill or otherwise.

Also. The following Preamble and Resolution:

WHEREAS, the building now used as the Capitol does not belong to

the State, and besides is entirely too small and in danger of falling down, and,

WHEREAS, The purposes of the Legislature and State Officers, as well as the convenience of the members will be better subserved by meeting on the west side of the river, and,

WHEREAS, The members of the Legislature are put to much unnecessary inconvenience and expense in going to and from the Capitol, in consequence of its location in the country, and,

WHEREAS, The business of the General Assembly would be greatly facilitated by meeting in and having the use of suitable rooms near the city, so that Committees could conveniently have evening sessions, thereby saving to the State a large expense by shortening the sessions, therefore, be it

Resolved, That a Select Committee of three be appointed to inquire whether suitable buildings can be procured on the west side of the river, and whether the same can be leased for a number of years; and if so, on what terms, and report to this House, by Bill or otherwise.

The resolution was adopted.

The Chair appointed as such Committee, Messrs. Wilson of Pottawattamie, Lane and Fairall.

Mr. Kellogg introduced the following resolution, which was unanimously adopted:

WHEREAS, The Anniversary of the birthday of the Father of his Country—George Washington—is drawing near, therefore,

Resolved, by the House of Representatives the Senate concurring, That the two Houses meet in Joint Convention, on the 22d day of February, at two o'clock P. M., to hear the reading of Washington's Farewell Address.

The Chair read a telegraphic despatch to the House, announcing the surrender of Fort Donelson, and the capture of 15,000 men by the Federal army, including Generals Johnson, Floyd, Buckner and Pillow.

And thereupon Mr. Gault offered the following resolution, which was passed unanimously:

Resolved, That the Secretary of State be authorized to bring out the big gun and fire a salute of 34 rounds from Capitol Hill in honor of the glorious victory achieved in the capture of Fort Donelson, and its garrison of 15,000 men.

Mr. McCall moved that when the House adjourn it adjourn to meet at 7 o'clock P. M. Carried.

On motion of Mr. Curtiss, the House adjourned.

SEVEN O'CLOCK P. M.

House met pursuant to adjournment.
On motion of Mr. McLennan, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
TUESDAY, February 18, 1862. }

House met pursuant to adjournment.
Prayer by Rev. Mr. Chamberlain
Journal of yesterday read and approved.
Mr. Shipman, by leave, introduced the following resolution which was adopted:
Resolved, That the use of this Hall be granted to Hugh J. Campbell of Muscatine, on to-morrow evening, for the purpose of delivering a lecture on the subject of the present rebellion.

PETITIONS, &C.

Mr. Hardie presented the petition of sundry citizens of Dubuque county asking for the repeal of all prohibitory liquor laws; referred to select Committee on that subject.

Also, sundry petitions from citizens of Dubuque asking for the passage of a law to restrict and define the powers and duties of City Courts, which were passed upon the files.

Mr. Wetherall presented the petition of J. Welsh and 21 others asking that the name of Marysville in Marion county be changed to Port Royal; referred to Committee on County and Township Organization.

Mr. Wright presented the petition of H. C. Watkins and others asking that additional jurisdiction be conferred on County Courts. Referred to Committee on Judiciary.

Mr. Russell of Jones, presented the petition of E. Cutler and 78 others, citizens of Jones county, asking that civil and criminal jurisdiction be conferred on County Judges; referred to Committee on Judiciary.

Mr. Hood from Committee on County and Township Organization submitted the following Minority Report:

Mr. Speaker:—Your Committee on County and Township Organization to whom were referred sundry resolutions and petitions

praying for a change in the system of County Organization, have had the same under consideration, and although a majority of your Committee have reported in favor of the Supervisor system, we the minority feel constrained to dissent from the report made by the majority of your Committee for the following reasons :

1. The Supervisor system while it may be adapted to the wants of the citizens in some portions of the State, works a great injury in other parts.

2. The system above alluded to, creates hundreds of additional and unnecessary officers, to pay which, causes the levy and collection of additional onerous taxes, which our people are little able to bear.

3. Your Committee are very clear in the opinion that the interests of the people of this State would be better subserved in innumerable ways by abolishing the system of the Board of Supervisors and in lieu thereof create a system popularly known as the Commissioner system. Therefore, we submit the following resolution and recommend its passage.

Resolved, By the House of Representatives the Senate concurring herein, that we are in favor of abolishing the present system of Boards of County Supervisors and establishing in lieu thereof the system of county government popularly known as the County Commissioner system.

INTRODUCTION OF BILLS.

Mr. Lowrie introduced the following Bills :

House File No. 179 : A Bill for an Act to amend section 3961 of Revision of 1860.

House File No. 180 : A Bill for an Act to amend section 3006 of the Revision of 1860.

House File No. 181 : A Bill for an Act to amend section 3952 of subdivision 3 of the Revision of 1860.

House File No. 182 : A Bill for an Act to repeal sections 3156, 3157, 3160 and 3163 of the Revision of 1860.

House File No. 183 : A Bill for an Act in relation to plank roads and conferring certain powers upon Boards of County Supervisors. All of which were severally read a first and second time and referred to Committee on Judiciary.

RESOLUTIONS.

Mr. Curtiss offered the following resolution which was adopted :

Resolved, That the Chief Clerk of this House furnish each member of the joint convention to be held in this Hall on the 22d inst., a copy of the "Star Spangled Banner."

Mr. Lowrie from Select Committee composed of the members from Lee county, submitted the following report :

The Select Committee composed of the members from Lee county, to whom was referred the memorial of citizens of Lee county, praying the vacation of a certain plank road in said county have had the same under consideration and as the power of the General Assembly to vacate said road is strictly a legal one, your Committee have instructed me to report said petition back and request that the same be recommitted to the Judiciary Committee.

C. W. LOWRIE, Chairman.

Mr. West introduced the following Resolution :

Resolved, That the Clerk of the House be directed to procure 2500 copies of the Adjutant General's Report with such corrections and additions as said Adjutant General may deem proper and that 1000 copies be left at the disposal of the Adjutant General, and the remainder be distributed to the members of this House.

Mr. Moir moved to refer the resolution to the Committee on Military Affairs with instructions to report the cost of printing. Carried.

MESSAGES AND COMMUNICATIONS ON SPEAKER'S DESK.

Substitute for Senate File No. 18: A Bill for an Act to legalize the acts of Notaries Public; was read a first and second time and referred to Committee on Judiciary.

Senate File No. 75: A Bill for an Act to amend Chapter 105 of the Revision of 1860, concerning Guardians of property of Minors; was read a first and second time and referred to Committee on Judiciary.

The following communication from the Secretary of the Iowa State Agricultural Society, was read and referred to Committee on Agriculture :

IOWA STATE AGRICULTURAL SOCIETY, }
SECRETARY'S OFFICE, MUSCATINE, February 30, 1862. }

HON. RUSH CLARK,

Speaker of the House of Representatives :

In obedience to a Resolution passed by the House of Representatives on the 10th inst., calling upon me as Secretary of the State Agricultural Society, to report the amount of money drawn from the State Treasury by the State Society and the various County Societies for the last four years, specifying the purpose for which each amount was drawn, I submit the following Report :

The "Act for the encouragement of Agriculture," approved January 28, 1857, makes an annual appropriation of two thousand dollars to the State Society. This amount has been drawn each year since that time. As the law does not contemplate that this money should be set aside by the Society for any specific object, it has not

been kept separate from the other funds, but all have been used as in the judgment of the Directors, would best promote the usefulness of the Society. By the failure of the Treasurer during the past year and of his bankers also, about fourteen hundred dollars of the Society's money was in great jeopardy, but all has been recovered except \$262,71 which remains in his hands, and which the President has been instructed to collect with fair prospect of success. With this exception there has been no deficit of any amount whatever in the last six years.

The various County Societies have drawn from the State in the last four years as follows :

In 1858.....	\$5,458 38
In 1859.....	6,803 36
In 1860.....	7,246 42
In 1861.....	4,951 05

In the County Societies as in that of the State, the money drawn from the State has not been kept distinct from other funds. In many of the counties however that amount has been annually set apart to apply on fair grounds.

This liberal assistance from the State has been the life and soul of all, and is still, of a large number of our County Societies, especially in the newer counties. And if it were withdrawn a great many would immediately dissolve.

There is a plan, however, by which this heavy draft upon the State may be much reduced and at the same time not cripple nor materially impair the usefulness of these associations. And at an early day, I will take the liberty of submitting it through your Committee on Agriculture.

Very Respectfully,

J. H. WALLACE,
Secretary State Agricultural Society.

Message from the Senate by Wm. F. Davis their Secretary.

MR. SPEAKER :—I am directed to inform your Honorable Body, that the Senate has concurred in the following House Resolution :
WHEREAS, The anniversary of the Birth-day of the "Father of his Country," GEORGE WASHINGTON, &c., therefore,

Resolved by the House of Representatives, the Senate concurring,
That the two Houses meet in Joint Convention, on the 22d day of February, at 2 o'clock, P. M., to hear the reading of Washington's Farewell Address.

WM. F. DAVIS, Secretary.

Leave of absence was granted to Mr. Wilson of Chickasaw.

The following communication from the Adjutant General and accompanying documents were read and referred to Committee on Military Affairs.

STATE OF IOWA, ADJUTANT GENERAL'S OFFICE, }
 DES MOINES, IOWA, February 17th, 1862. }

HON. RUSH CLARK,

Speaker of the House of Representatives:—

SIR:—In response to a resolution of the House of Representatives, I have the honor to transmit the accompanying copies of documents relating the "Lyon Regiment," so called.

As the attention of several members of the House was called to the subject by the petition which was forwarded to the Governor of the State, I have placed a copy of that petition first. The subsequent copies of documents will explain the efforts of the Governor and of this Department to obtain the transfer of Iowa men, who were induced to enlist in the so called "Lyon Regiment," to some Iowa Regiment.

With great respect,

Truly Yours,

N. B. BAKER,

Adjt. General of Iowa.

—
 BENTON BARRACKS, NEAR ST. LOUIS, }
 February 5th, 1862. }

To His Excellency,

THE GOVERNOR OF IOWA:

We, the undersigned citizens of Iowa, would most respectfully represent that we were recruited and enlisted in the State of Iowa as Iowa Volunteers with a full understanding that we were to be exclusively an Iowa Company and a representative Company of that State in a memorial Regiment which was forming at St. Louis to be composed of one Company from each of the Western States and one from Connecticut, and said Regiment was to be named and known as the "Lyon Regiment;" that we were to be counted in the quota of Iowa Troops. At the time we were enlisted, which was some time in the month of October last, we were told and it was published that several of the Companies to form said Regiment were already at St. Louis. Feeling a deep pride in our State and believing that would reflect much credit on her to be well represented in such a memorial Regiment composed of Companies from all the different States in the Western Department, we were induced to come to St. Louis, as we believed to join such a memorial Regiment. On reaching St. Louis, the several Companies referred to were not there and never had been. We therefore had some fears

that said memorial Regiment would not be formed as represented, and many of us hesitated about being mustered into the service; but we were assured and re-assured by E. K. Parris, our 1st Lieutenant, under whom we were mustered, that in case said memorial Regiment was not filled up and organized as represented, that we should be put into an Iowa Regiment. We have been kept here ever since, some 40 of us being told from time to time that the Companies from the other States and a sufficient number of recruits from Iowa to fill our Company would be here in a short time; that agents had been employed to attend to it. Our Company is not purely an Iowa Company; they have recruited some five or six men and put them into our Company from Missouri and other States; they borrowed some thirty odd men out of a Missouri Regiment to muster our Captain, D. B. Greene, who were sent away from here as soon as he was mustered, and they have appointed a man by the name of Goddard to the 2d Lieutenantcy, who was a citizen of Wisconsin that they had recruited. There is no memorial Regiment as represented and we are not purely an Iowa Company. We have only forty-seven men altogether, and have every reason to believe that our Company is to be filled up by recruits from where they can best be got, without regard to State.

We would further represent that we have been of late united with a Missouri Regiment and are notified by our officers that hereafter we will be known officially as the Third Regiment of Missouri Volunteers. We requested our officers to be transferred into an Iowa Regiment, which was refused us by saying they were satisfied with the arrangement that had been made, and were our commanders, desiring and intending under all circumstances as good citizens and obedient soldiers, to show proper respect to our officers and discharge our every duty towards them and our country, refraining from any act that would cast the least stain upon the noble State of Iowa or upon our individual character; yet we can't but feel sorely aggrieved at the treatment we have received in being thus deceived into a Missouri Regiment, and feel that under the circumstances we ought and should be allowed to go into an Iowa Regiment or be discharged.

We therefore appeal to your Honor as our Governor, in whom we have undiminished confidence, will see our wrongs righted, if in your power so to do. Our prayer is that we may be united to an Iowa Regiment or discharged. Earnestly and sincerely asking your aid and assistance—to this end we will in good faith ever pray.

Solomon Nichols, Aaron B. Danner, Silas Garber, Orvill McGinness, Samuel Lee, Thos. Woodrow, Thompson Houser, Isaac Garber, Jas. L. Kerr, G. W. Porter, Henry H. Oglesbee, Theodore F. McKee, Geo. White, Abram Garber, Chas. C. Allen, Green B. Woodbridge, John H. Freeman, H. A. Miles, Fernando C. Chittenden, Geo. W. Morrell, Wm. Fisher, Geo. Wise, Chas. Goode-

now, Wm. Jackson, M. T. Beddow, Francis Goodenow, Orange Pound, John W. Burris, and Francis T. Graham.

I herewith transmit a list of all the names of the persons enlisted from Iowa under the representations and statements referred to in the petition, and who have all expressed themselves time and again, and requested me to lay the matter before your Honor, though several of them were absent, and did not sign the petition for that reason, we deeming it necessary to forward it immediately, as we had been informed that we were soon to be moved to Rolla, where the residue of the Missouri Third Regiment was :

W. F. Peck, Silas Garber, Chas. C. Allen, Heman A. Miles, Geo Yount, Henry C. McKee, Abram Garber, M. F. Beddow, Orron P. Bickford, John W. Burris, Fernando Chittenden, Thomas E. Cooper, Vernon Craig, Aaron Danner, John H. Freeman, Wm. Fisher, Francis Goodenow, Chas. E. Goodenow, Martin Henry, Thompson Hoover, Wm. Johnson, Jas. L. Kerr, Samuel Lee, Orville McGines, John N. McEvers, Theo. F. McKee, Geo W. Morrell, Solomon Nichols, Henry H. Oglesbee, Jos. Osterdock, George W. Porter, Orange Pound, Wm. Shaw, Wm. H. Vaughn, Geo Wise, Thos. C. Woodrow, Green B. Woodrige, Jefferson Yount, Isaac Garber.

Yours, &c.,

(Signed,)

H. A. MILES.

Letter marked "D." in correspondence with Gov. Gamble, of Missouri.

BENTON BARRACKS, NEAR ST. LOUIS, }
January 8th, 1862. }

GENERAL: Referring to your letter of Nov. 11th, 1861, addressed to me at Dubuque (of which I perceive you have a copy) I beg leave now to reply to it by enclosing the muster roll desired, and to request me to forward you my commission, and also one for my First Lieutenant, Edward K. Parris; my Second Lieutenant, Jas. Kay, having lately been promoted to a First Lieutenancy and transferred to another company, which does not claim to represent the State of Iowa, will not desire his commission, or expect it from you. The vacancy has not yet been filled.

The certificate appended to the muster roll, you will perceive, I was obliged to alter in some respects, to conform it to the circumstances under which my company was formed, which were in several regards, different from those of other Iowa Companies, organized into complete Iowa Regiments. I trust, however, that as it stands, it will meet with your approval, as being in form correct.

My commission, I suppose, should date from the date of my ap-

pointment as Captain, with authority to raise a Company, which date you will perceive from the enclosed paper marked A. Lieutenant Parris' commission in like manner, I suppose, should date from the date of the enclosed paper marked B.

If, however, you should be of a different opinion, I presume there could be no question, but that the date of both Lieutenant Parris' and my own commission should be as early as October 1, 1861, when we had authority from Gov. Kirkwood to raise the Company in Iowa, which authority is enclosed and marked C.

If the three papers marked A., B. and C., are of no value in your office, may I trouble you to enclose them to me with the commissions, and oblige me, as I wish particularly to retain the autograph permission of His Excellency, Gov. Kirkwood.

Hoping to hear from you at your earliest convenience,

I have the honor to be, General,

Your Obedient Servant,

D. B. GREENE,

Capt. Iowa Co. C, Lyon Regiment.

*Roll of Iowa Company "C," 19th (Lyon) Regiment of Missouri
Volunteers, (Iowa Militia.)*

NAMES.	AGE	RESIDENCE.	NATIVITY.	RANK.
David B. Greene.....	31	Dubuque	Mass.	Captain
Edward K. Parris. ..	31	"	D. C.	1st Lieut
James Kay.....	39	St. Louis, Mo	Mo.	2d Lieut
Wm. F. Peck.....	44	Waverly	N. Y.	1st Serg
Frederick W Goddard	21	Beloit, Wis	N. Y.	2d Serg
Silas Garber.....	26	Elkport	Iowa	3d Serg
Chas C. Allen	27	Waverly	Iowa	4th Serg
Heman A. Mills.....	34	"	Iowa	5th Serg
Geo Yount	19	Dubuque	Iowa	1st Corp
Henry C. McKee.....	23	Dyersville	N. Y.	2d Corp
Geo. White.....	34	Elkport	Iowa	3d Corp
Abram Garber.....	29	"	Iowa	4th Corp
John M. Gray	27	St. Louis, Mo	N. Y.	5th Corp
Frederick W. Gerald .	33	St. Joseph "	Penn.	6th Corp
Peter Feys.....	29	St Louis, Mo.	Germany	7th Corp
William Sipp.....	24	R'ktow'p "	N. Y.	8th Corp
John H. Roberts ...	24	St. Louis "	Maine	Musician
Sylvester H. Ricketts .	17	St. Joseph "	Missouri	Musician
Alonzo Bell	43	St. Louis "	Mass.	Wagon'r
Armstrong, James....	37	" "	Mass.	Private
Beddew, Michael T. .	24	Elkport	Iowa	Private
Bicksford, Orson P. .	24	"	Michigan	Private

MUSTER ROLL—Continued.

NAMES.	AGE	RESIDENCE.	NATIVITY.	RANK.
Barris, John W	21	Waverly	Iowa	Private
Besley, Walter G	18	St. Louis Mo.	Missouri	do
Baldwin, Elijah D	21	" "	Conn.	do
Bendy, Frederick G	23	" "	N. Y.	do
Baker, Peter	25	R'cktwp, "	N. Y.	do
Chittenden, F. C	23	Waverly	Vermont	do
Cooper, Thos E	18	"	Iowa	do
Craig, Vernon	18	Dyersville	Iowa	do
Cotta, Peter	32	St. Louis "	France	do
Carmody, Martin C	21	" "	Ireland	do
Curran, Brian	28	St. Joseph "	Ireland	do
Danner, Aaron B	24	Elkport	Iowa	do
Darion, Christoph	22	R'cktwp, "	Switzerland	do
Deame, Jas W	18	St. Louis "	Mass.	do
Davis, Jackson A	18	St. Joseph "	N. H.	do
Fuller, Benj. A	38	St. Louis "	Mass.	do
Froelich, G. T. W	26	" "	Germany	do
Freeman, John H	20	Waverly	Iowa	do
Fisher, Wm	19	"	Iowa	do
Goodenow, Francis A	40	Elkport	Vermont	do
Goodenow, Chas E	18	"	Vermont	do
Garber, Isaac	22	"	Iowa	do
Graham, Francis T	19	Waverly	Iowa	do
Green, Erastus R	30	St. Louis "	Tenn.	do
Grosz, Joseph H	23	R'cktwp "	Germany	do
Goilliot, Philip	43	St. Joseph "	France	do
Heyl, Wm	27	St. Louis "	Germany	do
Houser, Thompson	32	Waverly	N. Y.	do
Helnakamp, Harmon	29	St. Louis "	Germany	do
Holcomb, Enock W	20	R'cktwp "	Ohio	do
Heird, Wm	36	" "	Sweden	do
Haggerty, John	18	St. Louis "	Ireland	do
Hunt, Robert N	41	R'cktwp "	Maine	do
Hunt, Theo. E	20	Chicago, Ill	Maine	do
Henry, Martin	18	Dyersville	Iowa	do
Johnson, Wm	18	Waverly	Iowa	do
Kerr, James L	22	"	N. Y.	do
Lee, Samuel	44	Elkport	England	do
Lewis, Abraham	18	St. Joseph "	Rhode Island	do
Mendell, Sigismund R	30	St. Louis "	Germany	do
Mattheysans, Joseph	49	" "	France	do
McGuinness, Orville	31	Waverly	N. Y.	do
Molliter, Peter	19	Almoral	Germany	do
Mitchelle, Louis	30	St. Louis "	France	do

MUSTER ROLL—Continued.

NAMES.	A'E	RESIDENCE.	NATIVITY.	RANK.
Maxey, Meredith.....	38	R'cktwp Mo.	Ireland	Private
Mingniot, Leon.....	22	St. Joseph "	France	do
McEvers, John N....	42	Elkport	New York	do
McKee, Theo. F.....	18	Dyersville	"	do
Morrill, Geo W.....	20	Waverly	Mass	do
Nichols, Solomon M..	34	Elkport	New York	do
Nolan, Andrew.....	19	R'cktwp "	Ireland	do
Nolan, Martin.....	23	" "	"	do
Nolan, Randolph A...	21	" "	"	do
Orleans, August.....	30	St. Louis "	France	do
Oglesby, Henry H....	21	Elkader	New York	do
Osterdock, Joseph S..	28	Dyersville	"	do
Porter, Geo W.....	35	Elkport	"	do
Pound, Orange.....	19	Waverly	"	do
Renter, John M.....	25	St. Louis "	Indiana	do
Rigot, Henry J.....	30	St. Joseph "	France	do
Slock, Jacob.....	41	St. Louis "	Germany	do
Shaw Wm.....	21	Elkport	Iowa	do
Sullivan, Bartholomew	32	St. Louis "	Ireland	do
Toy, Wm.....	22	R'cktwp "	Penn	do
Trammel, Wm M....	18	" "	Wisconsin	do
Vaughn Wm H.....	35	Elkport	Maine	do
Wise, Jonathan.....	28	St. Louis "	Kentucky	do
Wise, George.....	30	Waverly	"	do
Wilson, John.....	39	St. Joseph "	Germany	do
Woodrow, Thos C....	24	Elkport	New York	do
Woodbridge, Green B.	44	"	Kentucky	do
Wycoff, Newton.....	35	St. Louis "	New York	do
Wilkinson, John.....	26	" "	Ireland	do
Wolf, Leopold.....	22	" "	Germany	do
Yount, Jefferson.....	18	Dubuque	Iowa	do

I hereby certify that the foregoing is a correct Roll of the Commissioned and Non-Commissioned officers and privates of said Company organized in the State of Iowa, and specially permitted to be raised for the Lyon Regiment by the Governor of the State October 1st, 1861, and mustered into the service of the United States by Lieut. J. C. Bundy, Kane Co. Cavalry, at St. Louis, Mo., on the 27th day of November, 1861, under proclamation of the President of the United States, bearing date —, 1861. From place of enrollment or quarters, to Rendezvous, — miles.

Date of arrival at Rendezvous, —, 186 (Signed,)

DAVID B. GREENE, Captain.

Copy of letter marked "A" in correspondence with Gov. Gamble of Missouri.

HEAD QUARTERS LYON REGIMENT, }
ST. LOUIS, September 20, 1861. }

SPECIAL ORDER NO. 15.

Mr. D. S. Greene is hereby authorized to recruit a Company to be attached to this Regiment, the 19th Missouri Volunteers, with himself as Captain. The Company must be raised at once, and frequent reports of progress made to these Head Quarters.

Signed, JOHN McNEIL, Col. Commanding.
To D. B. GREENE.

OFFICE OF PROVOST MARSHALL, }
ST. LOUIS, MISSOURI. }

I hereby certify that the above is a true and exact copy of Special Order, No. 15, from the Head Quarters of the Regiment, September 20, 1861.

A. WATSON WEBB,
1st Lieut. and Adj't Lyon Regiment, 10th Mo. Vols.
Head Quarters Lyon Regiment 19th Mo. Vols. Benton Barracks,
January 8th, 1862.

Copy of letter marked "B" in correspondence with Gov. Gamble of Missouri.

HEAD QUARTERS LYON REGIMENT, }
ST. LOUIS, September 23, 1861. }

SPECIAL ORDER NO. 19.

Mr. Edward K. Parris is hereby appointed First Lieutenant in Capt. D. B. Greene's Company of this Regiment. Lieut. Parris will report himself to Capt. Greene, who will apply at these Head Quarters for necessary recruiting authority and transportation passes for Lieut Parris, who will proceed to immediate duty.

JOHN McNEIL, Col. Commanding.

To EDWARD K. PARRIS, St. Louis.

Letter and Documents marked "C" in correspondence with Gov Gamble of Missouri.

DUBUQUE, September 30, 1861.

COL. WM. B. ALLISON :

*Dear Sir :—*Having obtained authority to recruit a distinct Company of Iowans for the Lyon Regiment, I beg leave to present to you as the Representative of His Excellency, Gov. Kirkwood, the facts respecting it for your approval, if deemed a case where permission to recruit in this State should be granted.

The Lyon Regiment, (so named in orders by Gen. Fremont,) is intended by the Major General commanding the Western Department as a tribute and memorial to the worth and gallantry of the late Gen. Lyon, and the plan of its organization contemplates the raising of a Company from each State in the Western Department, and one from Connecticut, Gen. Lyon's native State, and the one where his ashes repose. Each Company is to be embraced in the quota of troops required from the State in which it is recruited, and credited to that State. The Regiment as a whole is intended to be composed of the best fighting material to be found, and to be at least equal to any Regiment in the service.

To secure this as far as possible, recruiting officers are instructed to enlist only men who are sound and able-bodied in every respect, and none will be permitted to fill the position of an officer who is not found competent after due examination.

In regard to equipments of recruits, I would say that uniforms, including under clothing, coats, pants, blouses and caps, overcoats, blankets of the warmest and most serviceable quality, are all ready and lying at St. Louis, and will be distributed to the men immediately upon their arrival at Head Quarters. I would be pleased to have you examine a specimen which I have with me. Arms of the best quality are already reserved for this Regiment, and the most desirable and commodious quarters in St. Louis, are allotted for their accommodation on their arrival. I beg leave to enclose you a printed circular giving other particulars in reference to the Field officers and the plan of the regiment.

I have been designated to recruit a Company to represent the State of Iowa in this memorial Regiment, and before entering upon my duties I desire to have the approval and consent of the proper authorities in this State. The Commanding General is greatly interested in the prosperity of this Regiment, and appreciating most highly the courage and devotion to Gen. Lyon of the First Iowa Regiment, is anxious to have this State well represented in the corps. He believes, as do the Field Officers of the Regiment, that the Hawk-Eye Company will be the Banner Company of the Regiment.

Allow me, sir, to submit this hasty statement and to request your approval of the organization and consent to recruit a Company to represent the bravery and gallantry of Iowa.

I am sir, very respectfully, yours,

E. K. PARRIS,
1st Lieutenant Lyon Regiment.

ADJUTANT GENERAL N. B. BAKER :

I submit the foregoing statement for your consideration. Lieut. Parris informs me that the Military Departments of other Western States have cordially endorsed the efforts now being made to raise a regiment as above contemplated. Lieut. P. proposes to recruit in the country, providing that you will consent that he shall do so. I am of opinion that it will not injure the service here to give the authority.

Please answer me by telegraph if you approve or otherwise.

Very truly yours,

[Signed.]

WM. B. ALLISON.

The fame of Gen. Lyon is so intimately connected with that of the gallant First Iowa Regiment, that I am in this case, induced to break through the rule I have established.

I, therefore, consent that one company for the Lyon Regiment may be raised in this State, and request Colonel Allison to afford any courtesy and aid in his power to the recruiting officer.

[Signed.]

SAMUEL J. KIRKWOOD.

October 1, 1861.

Letter marked "E" in correspondence with Gov. Gamble of Missouri :

HEAD-QUARTERS DEPARTMENT OF MISSOURI, }
ST. LOUIS, Jan. 10, 1862. }

To HIS EXCELLENCY, S. J. KIRKWOOD,

Governor of Iowa, Davenport :

Gov. : Your letter, and also that of your Adjutant General, of the 2d inst., are received.

The "Lyon Regiment" was organized as the "19th Missouri,"

and is so enrolled. It consists of only four companies, numbering in all, about 300 men. I understand that one of these was recruited in Iowa, a part of one in Illinois, and the other two-and-a-half in Missouri.

This fragment of a regiment, so far as official records show belongs to this State, and can be united by the Governor with any other fragment to make a full regiment. The fact that some portion of it was recruited in another State does not change the legal *status*. As yet, however, no consolidation has been effected, and probably an arrangement can be made between yourself and Gov. Gamble so that the Iowa company may be transferred to some Iowa Regiment without injury to the public service.

Several of the Missouri (so called) regiments organized under Gen. Fremont are partially made up of troops from other States. If we were now to attempt a reorganization by assigning Companies and fragments to the several States to which the men belong it would create endless confusion and greatly injure the public service, as the men are generally in the field or held in readiness for field service.

Very respectfully,

Your obedient servant,

[Signed.]

H. W. HALLECK, Maj. Gen.

P. S.—I would remark that I have never issued any orders for consolidating Regiments except by direction of the War Department. In all other cases I have left the reorganization to the Governors of the States, to which according to the muster rolls the troops belong. In my opinion this authority is given to them by law.

H. W. H.

—
Letter marked "F" in correspondence with Gov. Gamble:

STATE OF IOWA, ADJUTANT GENERAL'S OFFICE, }
DES MOINES, IOWA, January 17, 1862. }

SIR:—Yours of the 8th inst. is received. I am directed by the Governor to say that it now appears that your original authority to raise a Company was "to recruit a Company to be attached to this the 19th Missouri Volunteers," see paper marked "A."

The letter of Lieutenant Parris, marked "C" makes no allusion to the "19th Missouri." This might have been an accidental omission. It certainly misled the Governor, for at that time Lieutenant Parris must have been aware that it was the policy of this State not to allow recruiting in this State for Volunteer Regiments of other States.

Besides this, I fear it has resulted in imposition upon Iowa men who are in your Company.

If it were proper for the Governor to Commission officers of Companies in Volunteer Regiments of other States, or if he could do it in this particular case, he would not do so, after the examination of the papers you have sent, and the representations made to us by those who have an interest in the welfare of friends who enlisted under representations which have not been realized.

Truly, Yours,

[Signed]

N. B. BAKER,

Adjutant General of Iowa.

Capt. D. B. GREENE,

19th Missouri Volunteers,

Benton Barracks, St. Louis, Mo.

The papers you requested me to return are enclosed, marked "A," "B," and "C."

—

STATE OF IOWA, ADJUTANT GENERAL'S OFFICE, }
DES MOINES, January 18th, 1862. }

SIR:—I have the honor to address you in relation to a Company of men in the 19th Missouri Volunteers, a large part of whom were enlisted from this State, and it is my firm belief were made a part of the said Missouri 19th without their consent and against their wishes.

The Governor of this State never would have given his consent as he did, had the application which was made to me stated the whole facts.

The enclosed copies of papers marked "A," "B," "C," "D," "E," and "F," will explain fully the condition of the matter.

I am requested by the Governor of this State, to ask of you that the Iowa men may be transferred to such Iowa Regiments as said soldiers may elect.

Truly Yours,

[Signed]

N. B. BAKER,

Adjutant General of Iowa.

Gov. GAMBLE, of Missouri,
St. Louis.

—

HEAD-QUARTERS, STATE OF MISSOURI, }
ADJUTANT GENERAL'S OFFICE, }
ST. LOUIS, Jan. 27, 1862. }

SIR:—Your communication to His Excellency, Gov. Gamble, dated January 18, 1862, has been received.

The several copies of letters referred to therein, were found en-

closed. The purport of the communication is to request Gov. Gamble to transfer to some Iowa Regiment a number of men in a Company of the Nineteenth Regiment Missouri Volunteer, said to have been enlisted from your State.

I am directed to reply that in Missouri the largest liberty to recruit for Regiments of other States has been given, and many hundreds of our young men have entered the service as Iowa, Kansas, and Illinois Volunteers. The Governor has considered it a matter of advantage to the cause, that they have chosen to take service where they could find it, and would hesitate to adopt a course that might prevent them enlisting at all. For instance, at the time when Missouri was allowed but ten Regiments of Volunteers, and these were already formed or forming, there were men along our Western, Northern, and Eastern boundary lines, organizing into Companies and Regiments. When they found they were excluded from the Missouri Volunteers they disbanded and filled up Regiments forming in the adjacent States. The Governor would have been very reluctant to deprive the Government of the Union of these men by forbidding them to leave the State for the purpose named. Under similar circumstances, many citizens of Iowa and Illinois have been enrolled in our Volunteer forces.

It would be impossible to inform our own men who are mustered in Regiments of other States, and it would be equally impracticable to return to those States their citizens mustered as Missouri troops. But if this exchange were possible, the objection to attempting to make it, is well set forth by Major General Halleck in his letter of 10th of January, 1862, to His Excellency, Gov. Kirkwood.

Gen. Halleck remarks: "If we were to attempt a reorganization by assigning Companies and fragments to the several States to which the men belong, it would create endless confusion and greatly impair the public service, as the men are generally in the field or held in readiness for field service.

The whole battalion of the 19th Missouri was consolidated with the 3d Missouri on the 18th of January, 1862, and the withdrawal of the Company referred to, in your communication, would break up the Regimental organization thus formed.

For this and other reasons above mentioned, the Governor feels constrained to decline to issue the order requested.

I have the honor to remain, Sir,

Your Obedient Servant,

CHESTER HARDING, JR.,

Adjt. Gen. of State of Missouri.

N. B. BAKER, Adjt. General of State of Iowa.

STATE OF IOWA, ADJUTANT GENERAL'S OFFICE, }
DES MOINES, February 3d, 1862. }

GENERAL:—I have the honor to acknowledge the receipt of yours of the 27th ult.

I did not ask of you for any general transfer of Iowa men from Missouri Regiments. I only asked that in case of imposition and deception, or something akin to these, the men thus imposed upon and deceived should be transferred to such Iowa Regiments as they might select.

Truly Yours,

N. B. BAKER,

Adj. General of Iowa.

Gen. CHESTER HARDING, Jr.,

Adj. General of Missouri, St. Louis, Mo.

—
Mr. Hudnutt, by leave, introduced House File No. 184: A Joint Resolution instructing the Governor of Iowa to request the release of Iowa troops from the 3d Missouri Volunteers. The Resolution passed unanimously.

Message from the Senate.

MR. SPEAKER:—I am directed to inform your Honorable Body, that the Senate has ordered the printing of ten thousand copies of the report of the Secretary of the Agricultural College Board and Farm.

WM. F. DAVIS, Secretary.

BILLS ON SECOND READING.

Senate File No. 60: A Bill for an Act authorizing the reception of certain Auditors warrants in payment of taxes, was taken up and read a second time.

Mr. Fairall offered the following amendment to Section 1, insert after the word "shall" in the 15th line, the following words "when they receive such warrant write across the face thereof the words cancelled" "and." Carried.

Mr. Moir moved to amend same section by inserting after the word "Treasurers" in 15th line "in the several counties." Carried.

Mr. Bowdoin moved to amend section 1 as follows: Strike out after the words "payment of" in 4th line the following "State taxes whether the same are on account of ordinary State taxes or on account of." Lost.

Mr. Bowdoin moved to amend same section by inserting after the word "Treasurers" in 9th line the words "and collectors of taxes." The amendment prevailed.

Mr. Fairall moved to strike out the word "ordinary" in 5th line of section 1. Carried.

On motion of Mr. Bracewell the House adjourned.

TWO O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Price, by leave, introduced the following resolution which was laid over under the rule :

Resolved, That the 41st rule of this House be so amended as to read nine instead of ten.

Mr. Baker, by leave, introduced the following resolution :

WHEREAS, the per diem of the officers has not been fixed, therefore,

Resolved, That certificates be drawn by the Speaker of this House and attested by the Chief Clerk in favor of said officers of the House (exclusive of Speaker) as follows : For each Clerk for the sum of one hundred dollars. For each other officer for the sum of forty dollars.

The House resumed the consideration of Senate File No. 60 : A Bill for an Act authorizing the reception of certain Auditor's warrants in payment of taxes.

Mr. Fairall moved to strike out "State" in 4th line of Section 1. Carried.

Mr. Frisbie moved to insert after the word "State" in last line of Section 1, "and Federal." Carried.

Mr. Kellogg moved to amend said Section 1 as follows : by inserting the words "in payment of State and Federal" between 3d and 4th lines. Carried.

Mr. Williams of Mahaska moved to amend Section 2, as follows : after the word "interest" in 6th line "keeping an account of such interests separately." Carried.

Mr. Kellogg moved to amend Section 2, by inserting before the word "fund" in 2d line "war and defense," and before the word "Fund" in 5th line "war and defense." Carried.

Mr. Williams of Mahaska, moved to amend by striking out all after the words "as may be" in 8th line. Carried.

Mr. Gibson moved to amend Section 2, as follows : strike out in 8th line "as near as may be." Lost.

Mr. Fairall moved to amend Section 3, by inserting the following words : "payable to the payee naming him or bearer" between 8th and 9th lines. Carried.

Mr. Cleaves moved to insert the following as Section 4 :

"Section 4. No State bonds on account of the war and defense fund shall be hereafter issued or sold," and to change Section "4" to

"5," and upon this question the yeas and nays were demanded by Messrs. Fairall and Lorah and were as follows:

The yeas were, Messrs. Baker, Bass, Bracewell, Chase, Cleaves, Converse, Curtiss, Denlinger, Dorr, Eaton, Eichorn; Fairall, Ferguson, Flint, Gault, Glanville, Hardie, Hudnutt, Hood, Jackson, Kellogg, Knoll, Lorah, Martin, McGlothlen, McLennan, Moser, Price, Schramm, Smeltzer, Van Anda, Walker, Walton, Wetherall, Wilcox, Woodworth—37.

The Nays were, Messrs. Blackford, Bowdoin, Burton, Castor, Clark, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Guthrie, Hollingsworth, Lake, Lakin, Lane, Loomis, Lowrie, McCall, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Parker, Pendleton, Porter, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Stanton, Stevenson, Wasson, West, White, Williams of Des Moines, Williams of Mahaska, Wright, Mr. Speaker—41.

Absent or not voting Messrs. Calfee, Cutler, Dunlavy, Gibson, Holyoke, Maxwell, Milburn, Nelson, Quinn, Speer, Stewart, Thompson, Whittemore, Wilton of Chickasaw, Wilson of Pottawattamie, and Young.

The amendment did not prevail.

Mr. Denlinger moved to amend Section 3, by striking out the word "small" in 4th line of said Section and inserting the word "smaller" in lieu thereof. Lost.

Mr. Wetherall offered the following amendment to Section 2, by striking out the words after "issued" in 4th line of said section "the said Auditor shall issue new warrants on said war and defense fund" and inserting the following in lieu thereof, "the warrants on the war and defense fund issued by the Auditor shall be." Carried.

Mr. Bracewell moved that the bill be engrossed for a third reading to-morrow. The motion prevailed.

Substitute for House File No. 133: A Bill for an Act to protect sheep from the ravages of dogs, was read a second time.

Mr. Converse moved that the Bill be laid on the table and the usual number of copies printed for the use of the House. The motion prevailed.

Substitute for House File No. 101: A Bill for an Act to protect and define the powers and duties of City Courts, was read a second time.

Mr. Hardie moved that the substitute be adopted. The motion prevailed.

The Bill was passed upon the files to 3d reading.

House File No. 117: A Bill for an Act to exempt Bees from execution, was read a second time.

Mr. Frisbie moved to strike out "ten" and insert "five." Lost.

Mr. Hudnutt moved to indefinitely postpone. Lost.

Mr. Stanton moved to table. Lost.

Mr. Guthrie moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass," the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bowdoin, Bracewell, Burton, Castor, Clark, Chase, Converse, Curtiss, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hardie, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Loomis Lorah, Lowrie, Martin, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Sarver, Shipman, Smeltzer, Stanton, Stevenson, Stewart, Van Anda, Walker, Walton, Wasson, Wetherall, West, Whittemore, Williams of Mahaska, Woodworth, Wright and Mr. Speaker—64.

The nays were, Messrs. Bass, Cleaves, Frisbie, Fuller of Fayette, Hudnutt, Hollingsworth, Moser, Schramm, White, Williams of Des Moines, Wilson of Pottawattamie—11.

Absent or not voting—Messrs. Blackford, Calfee, Cutler, Dunlavy, Gibson, Holyoke, Lane, Maxwell, Milburn, Nelson, Quinn, Russell of Jones, Speer, Stewart, Thompson, Wilcox, Wilson of Chickasaw, and Young.

The Bill passed and the title was agreed to.

On motion of Mr. Stanton the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
WEDNESDAY, February 13, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Chamberlain.

Journal of yesterday read and approved.

Mr. Lane, by leave, offered the following resolution :

Resolved by the Senate and House of Representatives of the State of Iowa, That in the name of the whole people of the State, we thank the Iowa troops for their undaunted bravery and gallant conduct in the recent fight at Fort Donelson, in which in the post of honor they nobly sustained their own brilliant fame, and won fresh and unfading laurels for the State.

That a copy of this Resolution be forwarded to the Colonel of each of the Iowa Regiments engaged in the battle at Fort Donelson.

At the request of the Chair the members rose to their feet, and the Resolution was passed unanimously by acclamation.

Mr. Kellogg moved that the regular order of business be suspended and bills on their second reading taken up. The motion prevailed.

BILLS ON SECOND READING.

House File No. 47: A Bill for an Act to amend an Act entitled an Act in relation to County Seats, was read a second time.

Mr. Lakin moved to strike out the enacting clause. The motion did not prevail.

Mr. Smeltzer moved to amend Section 3 by inserting after the word "of" in second line "at least five."

Mr. Bracewell moved to amend the amendment by inserting after the word "witnesses" in second line, "from each Township." The amendment to the amendment did not prevail.

Message from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed the following Bills in which the concurrence of the House is asked:

Senate File No. 123: A Bill for an Act to provide for the maintenance of the widows and minor children of decedents, and to amend Section 2403 of the Revision of 1860.

Senate File No. 129: A Bill for an Act to legalize the official acts of Edward T. Edgington, a Notary Public of Lucas County.

W. F. DAVIS, Secretary.

The question recurred upon the amendment offered by Mr. Smeltzer. The amendment was lost.

The following message was received from the Senate.

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed the following Joint Resolution in which concurrence of the House is asked.

That the Senate has passed the Resolution of thanks to the Iowa troops at Fort Donelson, without amendment.

W. F. DAVIS, Sec'y Senate.

Mr. Kellogg moved to suspend the further consideration of the bill before the House for the present, and take up the message just received from the Senate. The motion prevailed.

The House took up the following Senate Joint Resolution which was passed unanimously:

Resolved by the General Assembly of the State of Iowa, That the Governor be and is hereby authorized to send not more than three persons to look after, care and provide for the Iowa soldiers wounded at Fort Donelson, Tennessee.

Resolved, That any expense incurred in their behalf shall be paid out of the Governor's Contingent Fund.

The House resumed the consideration of the bill before it on reception of the message from the Senate.

Mr. Pendleton offered the following amendment to Section 4:

After "petitions" in first line insert "certified as required in Section three of this Act," and strike out in third line "being satisfied," and in fourth line "that the interest of said County require said relocation may" and insert "shall." The amendment prevailed.

On motion of Mr. McLennan the House adjourned.

2 O'CLOCK, P. M.

The House resumed the consideration of the Bill before it at the adjournment.

Mr. Smeltzer moved to re-consider the vote by which the amendment of Mr. Pendleton was adopted :

Mr. Moser moved to lay the motion to re-consider on the table. Lost.

The question recurring upon the motion to re-consider, it was lost.

The Chair read the following communication from the Adjutant General.

STATE OF IOWA, ADJUTANT GENERAL'S OFFICE, }
February 19th, 1862. }

HON. RUSH CLARK,

Speaker of the House of Representatives :

SIR: I have just received the following despatch from Chicago :

CHICAGO, Feb. 19th, 1862.

TO ADJUTANT GENERAL BAKER :

The Second Iowa acquitted themselves with great bravery at Fort Donelson—led the best and most successful charge—have suffered terribly. Besides the Second, there were the Seventh, Tenth, Eleventh, Twelfth and Fourteenth Iowa Infantry in the fight. The friends of Cols. Tuttle, Lauman, Perczel, Hare, Wood and Shaw, will rejoice that the glory of the fight and the victory belongs, and is attached to their names, and to the brave officers and soldiers under them. Another glorious page has been recorded in the history of Iowa by her gallant troops in the field.

With great respect, I have the honor to rejoice in the glory of Iowa, and the triumph of Union men.

N. B. BAKER,
Adjutant General of Iowa.

Mr. Keillogg, by leave, introduced the following resolution, which was unanimously adopted :

Resolved by the General Assembly of the State of Iowa, That the Governor and Adjutant General of this State be authorized and directed to procure Regimental Flags for the Iowa Regiments, and that said flags shall bear the State Arms of Iowa, and such words commemorative of battles in which any of the Iowa Regiments have distinguished themselves, as the Governor and Adjutant General may determine.

The House resumed the consideration of the Bill before it.

Mr. Moir moved to amend Section four as follows: Strike out "ten" in the 7th line, and insert "fifty," and strike out "at least three weeks before such election," in last line, and add "four consecutive weeks, which last publication shall be at least twenty days before said election." The amendment prevailed.

Mr. Dorr offered the following amendment to section four: Add, "Provided an election shall not be ordered oftener than once in five years. Lost.

Mr. Frisbie moved to amend Section five as follows: Strike out "twenty" in first line and insert "thirty." Lost.

Mr. Russell, of Jones, moved to amend by striking out "at four public places," in third line, of section five, and insert "in every township." The amendment prevailed.

Mr. Wetherall moved to amend section five, as follows: Strike out "one insertion," in second line and insert "three insertions." Lost.

Mr. Cutler moved to strike out "practicable" in third line of section 8. Lost.

Mr. Wetherall moved to strike out "thereafter," in same line. Lost.

Mr. Moir offered the following amendment: Add to section 9, "And if a greater number of legal voters in the said county remonstrate against said re-location than petition for it, the election shall not be ordered by said Board of Supervisors, and if the same persons petition and remonstrate, they shall only be counted on the remonstrance, and such remonstrance shall only be signed by legal voters of the County, and be accompanied by affidavits in the same manner and to the same effect as the petition for re-location, as required by section three of this Act."

Mr. Lake moved to amend the amendment as follows: "The names so appearing on both petition and remonstrance, shall not be counted on either." Lost.

Mr. Kellogg moved to amend the amendment by striking out the following words: "and if the same persons petition and remonstrate they shall only be counted on the remonstrance." Lost.

The question then recurred upon the amendment of Mr. Moir.

The amendment prevailed.

Mr. Lakin moved to amend section 3 in second line after "of"

insert "three," and strike out "sufficient to satisfy said Board." Lost.

Mr. Kellogg moved to amend Section three, by inserting "or witness," after "witnesses" in second line. Lost.

Mr. Loomis moved that the Bill be engrossed for a third reading to-morrow.

Mr. Pendleton moved to amend Section four, by striking out the following words in fourth and fifth lines, "that at the next general election holden thereafter," and insert "shall order a special election at which." Lost.

Mr. Frisbie moved to add the following as a new section, denominated ten and change Section ten to eleven:

"SEC. 10. When the people of any County have held an election upon the re-location of the County Seat, under the provisions of this Act, it shall not be lawful for the Board of Supervisors to make an order for another vote upon such re-location for the term of five years. Lost.

The question recurred upon the motion of Mr. Loomis to engross the Bill for a third reading to-morrow; and upon this question the yeas and nays were demanded by Messrs. Van Anda and Kellogg, and were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Converse, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gordon, Guthrie, Hardie, Hudnutt, Hood, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, McCall, McGlothlen, McLennan, McQuinn, Mercer, Milburn, Mitchell of Fremont, Moir, Moser, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright and Mr. Speaker—73.

The nays were, Messrs. Bracewell, Cleaves, Curtiss, Dunlavy, Gibson, Glanville, Hollingsworth, Kellogg, Meyer, Schramm, Van Anda and Wetherall—10.

Absent or not voting—Messrs. Curtiss, Dunlavy, Holyoke, Maxwell, Mitchell of Polk, Nelson, Quinn, Speer, Stevenson, West and Wilson of Chickasaw—11.

The motion prevailed.

Mr. McCall, from Committee on Engrossed Bills, submitted the following report:

The Committee on Engrossed Bills have examined Senate File No. 60: A Bill for an Act authorizing the reception of certain Auditors' Warrants in payment of taxes, and find the same correctly engrossed.

McCALL & SMELTZER.

Mr. Frisbie, from Committee on Enrolled Bills, submitted the following reports:

The Committee on Enrolled Bills have presented to the Governor for his approval a Joint Resolution of thanks to the Iowa troops engaged in the recent fight at Ft. Donelson.

D. G. FRISBIE, Ch'n
H. Com. Enr. Bills.

MR. SPEAKER:—The Joint Committee on Enrolled Bills, ask leave to report that they have examined a Joint Resolution of thanks to the Iowa troops engaged in the recent fight at Ft. Donelson, find the same correctly enrolled, and herewith present the same for your signature.

D. G. FRISBIE, Chairman
House Committee on Enrolled Bills.

Mr. Ferguson, by leave, introduced the following resolution:

Resolved by the House of Representatives, (the Senate concurring,) That the Governor is hereby authorized to pay the expenses of all wounded soldiers on their return home. Referred to Committee on Military Affairs.

Mr. Lake, by leave, introduced the following resolution, which was adopted:

Resolved, That the Governor be requested to inform this House in what kind of funds the \$80,000 refunded by the United States to this State, were paid by the United States; whether the same funds were paid into the Treasury of the State, and if not, why not and by what authority.

Mr. Hardie moved to take up House File No. 101: A Bill for an Act to restrict and define the powers and duties of City Courts. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Stanton, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—80.

The nays were, None.

Absent or not voting, Messrs. Dunlavy, Holyoke, Maxwell, Moir, Moser, Nelson, Speer, Stevenson, West, Wilson of Chickasaw.

The Bill passed and the title was agreed to.

Mr. Bowdoin moved to take up Senate File No. 60: A Bill for an Act authorizing the reception of certain Auditors' Warrants in payment of taxes. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Gordon, Guthrie, Hudnutt, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, and Mr. Speaker—79.

The nays were, Messrs. Gault, Hardie, McLennan, and Stewart—4.

Absent or not voting, Messrs. Clark, Dunlavy, Holyoke, Lake, Maxwell, Nelson, Quinn, Speer, Wetherall, Wilson of Chickasaw, and Young.

The Bill passed.

Mr. Bowdoin moved to amend title so as to read: A Bill for an Act authorizing the reception of Auditors' Warrants on the War and Defense Fund in payment of State and Federal Taxes. The motion prevailed and the title as amended was agreed to.

House File No. 22: A Bill for an Act to legalize the sales of certain School Lands in Tama County, was read a second time.

Mr. Rothrock moved to suspend the rule and read the Bill a 3d time now. The motion prevailed.

The Bill was read a third time; and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Converse, Curtiss, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lowrie, Martin, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Pendleton, Pierce, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Stanton, Stevenson, Stewart,

Thompson, Van Anda, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, and Mr. Speaker—80.

The nays were—None.

Absent or not voting—Messrs. Cleaves, Cutler, Dunlavy, Hol-yoke, Lorah, Maxwell, McLennan, Nelson, Quinn, Speer, Wether-all, Wilson of Chickasaw, and Young.

The Bill passed and the title was agreed to.

Substitute for House Files Nos. 100 and 119: A Bill for an Act conferring certain power upon Board of Supervisors to change County boundaries. The substitute was adopted.

Mr. Bracewell moved to lay on the table and print. Carried.

Substitute for House File No. 23: A Bill for an Act for laying out private Roads. The substitute was adopted.

Mr. Cutler moved to lay on the table.

Mr. Curtiss moved to amend by adding, "and print." Lost.

The question recurred upon the motion to lay on the table. Lost.

Mr. Hardie moved to adjourn. Lost.

Mr. Gordon moved to recommit. Lost.

Mr. Bracewell moved to strike out the enacting clause.

On motion of Mr. Lake, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
THURSDAY, February 20, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Fleming.

Journal of yesterday read and approved.

Mr. Shipman moved to suspend regular order, and take up bills on their 2d reading. Carried.

Mr. Van Anda, from Committee on Incorporations, by leave, submitted the following Report :

The Committee on Incorporations to whom was referred House File No. 172: An Act to repeal an Act entitled an Act to incorporate the town of Newton, Jasper county, Iowa; also to repeal an Act entitled an Act to correct an error in an Act to incorporate the town of Newton, in Jasper county, Iowa, have had the same under consideration, and have instructed me to report the same back with a recommendation that said bill, with all similar bills and petitions upon the same subject, be referred to a Special Committee of three

of whom the gentleman from Johnson (Mr. Fairall), shall be chairman, with instructions to report a general Bill upon the subject.

VAN ANDA, Chairman.

The report was concurred in.

The Chair appointed as such Committee, Messrs. Fairall, Meyer and Van Anda.

Mr. Calfee, by leave, presented the petition of S. Weeks and 75 others, citizens of Clark county, praying for a more stringent Prohibitory Liquor Law. Referred to Select Committee on that subject.

Mr. Wilcox, by leave, presented the petition of W. G. Kephart, and 285 others, citizens of Des Moines county, for a more stringent Prohibitory Liquor Law. Referred to Select Committee on that subject.

Mr. Wilson of Pottawattamie, by leave, presented the petition of sundry citizens of Pottawattamie county, praying that certain road orders may be legalized and made receivable for county taxes. Referred to Select Committee on that subject.

Mr. Mercer, by leave, presented the petition of H. A. Gerhart and 25 others, citizens of Marshall county, asking that the law granting lands to the Cedar Rapids and Missouri River Railroad, may be so amended as to place that Company on the same basis as the other land grant companies in this State. Referred to the Committee on Railroads.

Mr. Dunlavy from Committee on Charitable Institutions, by leave, submitted the following report :

The Committee on Charitable Institutions to whom was referred a Resolution directing the Committee to enquire into, and report as to the expediency of removing the Asylum for the Deaf and Dumb from Iowa City to Des Moines, and also the probable expense of such removal, have had the same under consideration, and I am instructed to report, That in the opinion of the Committee it is *expedient* at this time to make such removal; that the Committee have been unable to determine the cost of such removal, yet they are of opinion that it would be unwise for the State in the present depressed state of affairs, to make any expenditure whatever in that direction.

Your Committee therefore recommend that the said Resolution be indefinitely postponed.

Respectfully submitted,

DUNLAVY.

Mr. Mitchell of Polk moved to lay the whole subject on the table. Carried.

Mr. White, by leave, presented the petition of Dr. J. Van Horn and 123 others, legal voters of the City of Le Claire, praying for the repeal of City Charter. Referred to Committee on Incorporations.

Mr. Clark of Tama, by leave, presented the petition of 100 citi-

zens of Tama County, praying that sections 6 and 7 of the law granting certain lands to the Cedar Rapids and Missouri River Rail Road Company be repealed. Referred to Committee on Rail Roads.

Mr. Wasson, by leave, presented a petition from all the members of the bar of Keokuk County, asking for a law giving Civil and Criminal jurisdiction to County Judges. Referred to Committee on Judiciary.

Mr. Speer presented a like petition from citizens of Boone Co. Referred to same Committee.

Mr. McCall, by leave, presented the petition of citizens of Story county, praying that the Cedar Rapids and Missouri River Rail Road Company, be placed upon the same footing with the other Land Grant Rail Road Companies of this State. Referred to Committee on Rail Roads.

Mr. Walton, by leave, presented the petition of O. R. Jones and others, citizens of Greene County, praying that section 6 and 7 of the Land Grant to Cedar Rapids and Missouri River Rail Road Company be repealed. Referred to Committee on Rail Roads.

Mr. Burton, by leave, presented Preamble and Resolution of the Board of Supervisors of Alamakee County, for a law authorizing the citizens of Alamakee and Clayton Counties to vote for a division of said Counties and to form a new County. Referred to Committee on County and Township Organization.

Mr. Chase, by leave, introduced House File No. 185: A Joint Resolution instructing our Senators and requesting our Representatives in Congress to ask the appointment of N. B. Baker as Brigadier General. The Resolution was adopted.

Mr. Mitchell of Fremont, from Committee on Military Affairs, by leave, submitted the following Report:

The Committee on Military Affairs, to whom was referred a Resolution to authorize the Governor to pay the expenses of wounded soldiers in returning home, have had the same under consideration and instructed me to report the following substitute and recommend its adoption:

Resolved, by the House of Representatives, the Senate concurring, That His Excellency, the Governor, be directed to pay out of the "Contingent Fund," to each and every wounded soldier of the Iowa troops the expenses incurred by him in returning home.

J. L. MITCHELL of Fremont, for Com.

The Chair announced the question to be on the Concurrent Resolution reported by Committee.

The Resolution was unanimously adopted.

Mr. Lowrie moved that when this House adjourn it be until tomorrow morning. Carried.

Mr. Williams of Mahaska, from Judiciary Committee, by leave, submitted the following Report:

The Judiciary Committee, to whom was referred House File No.

156 : A Bill for an Act for the relief of Reuben H. Webster and others, have examined the same, and have instructed me to report the same back to the House without amendment, and recommend its passage.

WILLIAMS of Mahaska.

Mr. Moir, from Judiciary Committee, by leave, submitted the following Report :

The Committee on Judiciary, to whom were referred House Files No's. 163 and 173, beg leave to report that they have had the same under consideration, and have instructed me to report a substitute for both Bills and recommend the passage thereof.

MOIR.

House File No. 164 : A Bill for an Act to regulate Mutual Insurance Companies, was read a second time, and on motion of Mr. Curtiss was recommitted.

The House resumed the consideration of substitute for House File No. 23 : A Bill for an Act laying out private Roads.

The Chair announced the question to be on the motion of Mr. Bracewell to strike out the enacting clause. The motion did not prevail.

Mr. Martin moved to re-commit. Lost.

Message from the Senate:

MR. SPEAKER :—I am directed to inform your Honorable Body that the Senate has adopted the following Resolution, in which the concurrence of House is asked :

Resolved, by the Senate, the House of Representatives concurring, That a joint Committee of two on the part of the Senate and — on the part of the House, be appointed to examine and report to this General Assembly, the amount of mileage due to, and the number of miles traveled by each member of this General Assembly, as contemplated by the New Constitution of Iowa, and that Messrs. Foote and Potter have been appointed such Committee on the part of the Senate.

WM. F. DAVIS, Sec. Senate.

The House took up the message from the Senate.

On motion of Mr. Lake, the blank in the resolution was filled with "three." The Resolution was adopted.

The Chair appointed the Committee previously appointed on mileage as such Committee, to-wit : Messrs. Lake, McLennan and Moser.

Mr. Castor, by leave, introduced House File No. 186 : A bill for an Act to prevent the importation, running at large or sale of diseased sheep. Read a first and second time, and referred to Committee on Agriculture.

Mr. Shipman, by leave, offered the following resolution :

Resolved, That the Speaker and Chief Clerk of this House be authorized to sign a certificate for forty dollars, in favor of Zepha-

nia Washburn, as part pay for his services as fireman of the Committee Rooms.

The Resolution was adopted.

Mr. McCall, from Committee on Engrossed Bills submitted the following report :

The Committee on Engrossed Bills have examined House File No. 47 : A bill for an Act to amend an Act entitled an Act in relation to County seats, and find the same correctly engrossed.

McCALL and SMELTZER.

The House resumed the consideration of House File No. 23.

Mr. Wilcox moved to strike out section 12. The motion prevailed.

Mr. Van Anda moved the previous question, which was not seconded.

Mr. Russell of Jones moved to lay on the table and print. Lost. The bill was passed back upon the files.

BILLS ON A THIRD READING.

House File No. 47 : A bill for an Act to amend an Act entitled an Act in relation to County seats. The bill was read a third time, and upon the question, " Shall the bill pass ? " the yeas and nays were as follows :

The yeas were—Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Fairall, Ferguson, Frisbie, Fuller of Fayette, Fuller of Harrison, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lane, Loomis, Lorah, Lowrie, Martin, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Pierce, Porter, Price, Rothrock, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Thompson, Walton, Wasson, Wetherall, West, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth, Wright and Mr. Speaker—72.

The nays were, Messrs. Bass, Cleaves, Cutler, Dunlavy, Eichorn, Flint, Gault, Gibson, Lakin, McGlothlen, McLennan, Rowles, Russell of Dallas, Stewart, and Van Anda—15.

Absent or not voting—Messrs. Kellogg, Maxwell, Nelson, Quinn, Walker, Whittemore, Wilson of Pottawattamie, and Young.

Bill passed.

Mr. Fairall moved to amend the title by striking out the words, " to amend an Act entitled an Act in relation to " and insert the words, " for the re-location of. " The amendment prevailed and the title as amended was agreed to.

The following communication was taken up and read :

DES MOINES HOUSE, DES MOINES, IOWA, }
February 14th, 1862. }

HON. RUSH CLARK,

Speaker of the House of Representatives :

SIR:—Having been appointed by His Excellency, Gov. Kirkwood, as one of the Committee to accompany him to visit Fort Donelson, as provided by Joint Resolution which passed both branches of the General Assembly this day, I beg leave to be excused from attending the sessions of the House until my return.

Very Respectfully,

R. D. KELLOGG.

Mr. Kellogg was excused.

Mr. Lane, from Committee on Military Affairs, submitted the following report :

The Committee on Military Affairs, to whom was referred Senate File No. 116: A Joint Resolution in reference to the Second Iowa Regiment of Volunteers, respectfully report that they have had the same under consideration, and report the same back with a substitute and recommend the passage of the substitute.

JAMES T. LANE, Chairman.

The Committee, by leave, introduced Substitute for Senate File No. 116: Joint Resolutions in relation to the Second Iowa Regiment of Volunteers. The Substitute was adopted and the Resolutions passed unanimously.

On motion of Mr. Hood the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
FRIDAY, February 21st, 1862. }

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Fleming.

Journal of yesterday read and approved.

Mr. Wetherall presented the following protest of himself and others :

The undersigned, entertaining a high opinion of the valor and patriotism of the Iowa soldiery, and having a just regard for those officers who have won imperishable renown by the skill and valor

with which they have directed the efforts of our troops, would therefore represent :

FIRST—Justice to those who at the call of their country, (which to them was the voice of God,) rallied to her rescue, and have since proved their unfaltering attachment to her by the most heroic efforts, making the name of an Iowa soldier synonymous with all that is chivalric on the battle field and heroic and enduring in the camp : requires that their worth and patriotism should be taken into consideration, and for no light or transient causes should one without experience upon the field or in the camp, be placed in position to outrank their highest and best officers.

SECOND—We have been taught in the severe school of adverse battles, suffering soldiery with disease decimating their ranks, and all the baleful concomitants of a want of skill, the danger of discriminating against the service of those who have not only proved their patriotism but their military skill also.

Therefore, with Wilson's Creek, Belmont and Fort Donelson, still fresh in our recollection, and inspiring us with deep respect for the Iowa Regiments and their commanding officers, we protest against the Resolution of this House designed to place N. B. Baker in a position outranking the gallant Colonels of the Second and Seventh Iowa Volunteers.

W. EDWIN WETHERALL,
GEORGE B. STEWART.
N. GUTHRIE.
HARTLEY BRACEWELL.

PETITIONS, &C.

Mr. Wilson of Pottawattamie, presented the petition of sundry citizens of Pottawattamie county praying for protection against the claims of Railroad Companies to the odd sections of swamp lands, &c. Referred to Select Committee on that subject.

Mr. Moir presented the petition of R. F. Ripley and 34 others, members of Teachers Institute in Hardin County, in reference to School laws passed by Board of Education ; referred to Committee on Schools and State University.

Mr. Lake presented petitions from sundry citizens of Buchanan county asking such change in the law as to give county judges original civil jurisdiction in all cases not to exceed \$500 ; referred to Committee on Judiciary.

REPORTS OF COMMITTEES.

Mr. Milburn from Committee on Military Affairs submitted the following report :

The Military Committee to whom was referred the resolution directing the Clerk of the House to procure 2500 copies of the Adjutant

General's report, with instructions to report the cost of printing, have had the same under consideration, and have ascertained that the printing of 2500 copies will cost \$1,450, or about 58 cents per copy, and have instructed me to report the same back to this House without recommendation.

ISAAC MILBURN.

Mr. Loomis from Committee on County and Township Organization submitted the following report :

The Committee on County and Township Organization to whom was referred House File 177 : A Bill for an Act to repeal Sec. 3852 of the Revision of 1860, have had the same under consideration, and instructed me to report the same back to the House, and recommend its indefinite postponement.

LOOMIS of Cedar.

Mr. Williams of Mahaska, from Committee on Judiciary submitted the following report :

The Judiciary Committee to whom was referred House File No. 129 : A Bill for an Act defining the duties of Coroners in certain cases, have had the same under consideration, and I am instructed to report the same back to the House without amendment, and recommend its indefinite postponement, the Committee being of opinion that the laws now in force on that subject are sufficiently comprehensive and efficient.

WILLIAMS of Mahaska.

Mr. Rothrock from Committee on Judiciary submitted the following report :

The Committee on the Judiciary to whom was referred House File No. 157 : A bill for an Act entitled an Act to amend Sections 4779 and 4780 of the Revision of 1860, respecting peremptory challenges in criminal cases, have had the same under consideration, and have instructed me to report the same back and recommend its passage.

JAS. H. ROTHROCK, from Committee.

Mr. Holyoke from Committee on Charitable Institutions submitted the following report :

The Committee on Charitable Institutions to whom was referred House File No. 138 : A Bill for an Act to appropriate the sum of Ten Thousand dollars for the completion of the building for the Asylum for the Blind, have had the same under consideration, and instructed me to make the following report :

It appears from the report of the Commissioner to superintend the building of the said Blind Asylum, that the State contracted with Messrs. Finkbine & Lovelace, to take the building in its then present state, and to finish and complete said building for the sum of Twenty Thousand dollars. That said contractors agreed to enclose the Blind Asylum Building before the first day of December, 1861, for the sum of Two Thousand four hundred and twenty dollars, and that said contractors have fulfilled said contract, to enclose

the building with the exception of the partition walls in the third story, which were not completed, occasioned by the failure of the contractor to furnish brick, contracted to the State. From the present condition of the building it further appears that the roof of said building is supported in part by temporary posts set upon the tops of these unfinished partition walls, thus making the roof very insecure and greatly endangering the whole structure. And further, to add to the insecurity of the building, the doors and windows are not enclosed; the building, thus being entirely open, is at the mercy of every storm and tempest, which unfinished state of said building, in the opinion of many of our most experienced mechanics and also in the opinion of your Committee, renders it in a very unsafe condition and liable to great injury if not total ruin. It is therefore recommended that the bill do pass.

THOS. HOLYOKE, Chairman.

Mr. Lake from Select Committee on House File No. 120; submitted the following report:

The Select Committee to whom was referred House File 120: A Bill for an Act to allow counties to fund their outstanding warrants have had the same under consideration, and have made certain amendments thereto, and report the same back to the House and recommend that it be passed.

JED LAKE, Chairman.

Mr. Castor from Committee on Agriculture, submitted the following report:

The Committee on Agriculture, to whom was referred House File No. 186: "A Bill for an Act to prevent the importation, running at large, and sale of diseased sheep," have had the same under consideration, and I am instructed to report the same back to the House and recommend its passage with the following amendments:

1st. Insert the word "knowingly," in the first section in the fifth line, after the word "charge."

2d. Strike out the words: "Agricultural Society of the County, if there be one, and if not for the benefit of."

CASTOR.

INTRODUCTION OF BILLS.

Mr. Frisbie introduced House File No. 187: A Bill for an Act fixing the salaries of Sheriff. Read a first and second time, and referred to Committee on Township and County Organization.

Mr. Van Anda introduced House File No. 188: A Bill for an Act to compel Railroad corporations to fence their roads and make and maintain all necessary cattle guards, passes and farm crossings. Read a first and second time and referred to Committee on Railroads.

Mr. Knoll introduced House File No. 189: A Bill for an Act to

amend Section 2,495, of Article 7, of the Revision of 1860. Read a first and second time, and referred to the Committee on Judiciary.

Mr. Fairall moved to take House File No. 18: A Bill for an Act entitled an Act to amend an Act entitled an Act providing for auditing all accounts and disbursements arising under the call for volunteers from Iowa, and also for all men organized as the State Militia of Iowa, from the table and pass on file. The motion prevailed.

RESOLUTIONS.

Mr. Moser offered the following resolution:

Resolved by the House of Representatives, the Senate concurring, That no new matter be introduced into either House after Monday, the third day of March, without the unanimous consent of either House.

Mr. Frisbie moved to lay on the table; and upon this question the yeas and nays were demanded by Messrs. Moir and Moser, and were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Castor, Clark, Cleaves, Curtiss, Cutler, Denlinger, Dunlavy, Eaton, Eichorn, Fairall, Flint, Frisbie, Fuller of Harrison, Gibson, Gordon, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, McCall, McGlothlen, McQuinn, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Parker, Pendleton, Porter, Rothrock, Russell of Jones, Shipman, Speer, Stanton, Van Anda, Walker, Wasson, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth—55.

The nays were, Messrs. Bass, Calfee, Chase, Converse, Ferguson, Gault, Glanville, Guthrie, Jackson, Knoll, Meyer, Moir, Moser, Price, Rowles, Russell of Dallas, Sarver, Schramm, Smeltzer, Stevenson, Stewart, Thompson, Walton, Wetherall, West, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Wright and Mr. Speaker—31.

Absent or not voting—Messrs. Dorr, Kellogg, Maxwell, McLennan, Nelson, Quinn, Whittemore, Wilson of Chickasaw and Young—9.

The motion prevailed.

Mr. Eaton introduced the following resolution:

Resolved, That the Secretary of State be, and he is hereby authorized and instructed to furnish each member and Clerk of this House with a copy of the last two volumes of Supreme Court Reports.

Mr. Price moved to lay upon the table; and upon this question the yeas and nays were demanded by Messrs. Eaton and Sarver, and were as follows:

The yeas were, Messrs. Castor, Clark, Converse, Ferguson, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hood, Jackson, Knoll, Lorah, McCall, Moir, Moser, Price, Rothrock, Rowles, Russell of Jones, Sarver, Shipman, Smeltzer, Walton, West, Wilcox, Williams of Des Moines, Williams of Mahaska, and Woodworth—31.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Chase, Cleaves, Curtiss, Cutler, Denlinger, Dunlavy, Eaton, Eichorn, Fairall, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Hudnutt, Holyoke, Hollingsworth, Lake, Lakin, Lane, Loomis, Lowrie, Martin, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont Mitchell of Polk, Parker, Pendleton, Porter, Rowles, Russell of Dallas, Schramm, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Wasson, Wetherall, Wilson of Pottawattamie, Wright and Mr. Speaker—54.

Absent or not voting—Messrs. Dorr, Kellogg, Maxwell, McLennan, Nelson, Quinn, Whittemore, Wilson of Chickasaw, and Young—10.

The motion did not prevail.

Mr. Wilson, of Pottawattamie, moved to amend: "*Provided*, the same can be furnished without additional expense to the State."

Mr. Mitchell, of Fremont, moved to amend by adding "Dillon's Digest, and so many of the Iowa Reports as the State may have on hand."

Mr. Shipman moved to refer to a Select Committee of three. Carried.

The Chair appointed as such Committee, Messrs. Shipman, Mitchell of Fremont, and Wilson of Pottawattamie.

Mr. Hood offered the following resolution which was adopted:

Resolved, That the Committee on Judiciary be requested to inquire into the constitutionality and expediency of a law preventing the collection of any note, debt, claim or demand, by traitors and rebels, against loyal citizens of this State, and report at an early day, by Bill or otherwise.

Mr. Price offered the following resolution, which was adopted:

Resolved, That the Commissioners appointed to audit claims upon the War and Defense Fund, be requested to report to this House, at as early a day as possible, the amounts allowed the Adjutant General of this State as salary, for clerk hire, for rents, for livery hire, and for all other incidental expenses connected with that office since the Extra Session of the General Assembly.

Mr. Thompson introduced the following resolution which was adopted:

Resolved, That the use of this Hall be tendered Hon. James B. Mazanthe, of Arkansas, this evening for the purpose of delivering a Public Address. Subject: The cause of the rebellion in the

South — the corrupt politicians mislead the masses — the weapons they use to drive the people into disunion.

MESSAGES ON THE SPEAKER'S TABLE.

The following communication was received from the Treasurer of State :

STATE TREASURER'S OFFICE, }
Des Moines, Iowa, Feb. 5, 1862. }

HON. RUSH CLARK,

Speaker of the House of Representatives:

SIR : — In answer to the following Preamble and Resolution of your House, to-wit :

WHEREAS, In the State Treasurer's reply to the Resolution of the House of Representatives in relation to the re-imbursement, by the General Government to this State, for expenses incurred in raising Volunteers for service in the United States Army, etc., that of the Eighty Thousand Dollars received from the United States Government but Thirty-Five Thousand Dollars were paid in Demand Treasury Notes, and Forty-Five Thousand Dollars were paid by the Governor in Auditor's Warrants on the War and Defense Fund. Therefore, be it

Resolved, That the State Treasurer be requested to report to the House of Representatives, at the earliest possible period, what numbers embraced the first Eighty Thousand Dollars of Auditor's Warrants issued upon the War and Defense Fund, and to whom issued, what Warrants were redeemed with the Thirty-Five Thousand Dollars received in Demand Treasury Notes—giving the number of each Warrant redeemed and the person to whom issued and to whom paid, give also the number of each Warrant and the person to whom issued of the Forty-Five Thousand Dollars received from the Governor, and what amount of said Warrants received from the Governor would have come within the Eighty Thousand Dollars, if the whole amount of said Eighty Thousand Dollars had been paid in the redemption of Warrants in the order of their issuance as required by law ; whether the Forty-Five Thousand Dollars received from the Governor in War and Defense Fund Warrants instead of Demand Treasury Notes, were received by an arrangement between him and the Governor and receipted for as money, or whether the Governor withheld the Demand Treasury Notes received from the General Government to the amount of Forty-Five Thousand Dollars upon his own responsibility, applying said Forty-Five Thousand Dollars to the payment of War and Defense Warrants in the hands of Ezekiel Clark, President of the State Bank of Iowa, at Iowa City.

I have the honor to say that the following is a true and correct list of the number, date, payee and amount of the first Eighty-Three Thousand Dollars of Warrants drawn upon the War and Defense Fund, to-wit :

WAR AND DEFENSE FUND.

360

JOURNAL OF THE

DATE OF REDEMPTION.	NO. OF WAR.	DATE OF WARRANT.	PAYEE.	AMOUNT OF WARRANT.	INTEREST PAID.
.....	1	July 23, 1861,.....	Livingston, Fargo & Co.....	\$ 382 26	\$
.....	2	July 23, 1861,.....	United States Express Co.....	14 75	.....
.....	3	July 24, 1861,.....	J. W. McMillen (cash).....	9,769 82	.....
.....	4	July 24, 1861,.....	A. Bridgeman	2,286 32	.....
.....	5	July 24, 1861,.....	A. Bridgeman	101 05	.....
.....	6	July 23, 1861,.....	F. P. Marcy.....	84 00	.....
.....	7	July 25, 1861,.....	Jordon & Brothers.....	27 84	.....
.....	8	July 29, 1861,.....	W. R. Wells	10 25	.....
.....	9	July 29, 1861,.....	Burlington Branch State Bank...	4,914 65	.....
.....	10	July 29, 1861,.....	A. Brown.....	777 75	.....
.....	11	July 30, 1861,.....	M. M. Walden.....	10 00	.....
.....	12	July 30, 1861,.....	Samuel McFarland	3 10	.....
.....	13	July 30, 1861,.....	J. M. Powers.....	24 00	.....
.....	14	July 30, 1861,.....	do	6 00	.....
.....	15	July 30, 1861,.....	do	24 45	.....
.....	16	July 30, 1861,.....	do	30 00	.....
.....	17	July 30, 1861,.....	do	9 00	.....
.....	18	July 30, 1861,.....	do	14 50	.....
.....	19	July 30, 1861,.....	A. Kaiser & Co.....	335 18	.....
.....	20	July 30, 1861,.....	R. H. Leggett	18 50	.....
.....	21	July 30, 1861,.....	Daniel Young	4 25	.....
.....	22	July 30, 1861,.....	D. P. Stubbs	2 00	.....
.....	23	July 30, 1861,.....	Wilson & Stubbs.....	2 96	.....
.....	24	July 30, 1861,.....	J. S. Mount.....	30 65	.....
.....	25	July 30, 1861,.....	James Edmiston	45 83	.....

26	July 30, 1861,	Thomas D. Evans	4 95
27	do	William Long	2 60
28	do	John H. Wells	22 34
29	July 31, 1861,	Western Stage Co	246 84
30	do	S. Millinger & Co	490 77
31	Aug. 1, 1861,	J. Morton & Co	97 80
32	do	J. S. Kimball & Co	18 26
33	Aug. 2, 1861,	R. M. Green	8 50
34	do	do	4 00
35	do	do	57 75
36	do	E. D. Rand & Co	164 50
37	do	J. H. Gear & Co	4,189 40
38	do	Greenbaum & Schroder	8 67
39	do	M. M. Crozier	59 25
40	do	Cook & Baxter	55 00
41	do	R. E. Graves, (cash)	5,393 34
42	do	R. E. Graves, (cash)	126 00
43	Aug. 3, 1861,	Steamer Sucker State	273 00
44	do	Samuel Merrill	1,000 00
45	do	do	1,000 00
46	do	do	1,000 00
47	do	do	1,000 00
48	do	do	1,000 00
49	do	do	1,000 00
50	do	do	1,000 00
51	do	do	1,000 00
53	do do	do	1,000.00
54	do do	do	1,000.00
55	do do	do	1,000.00

WAR AND DEFENSE FUND—CONTINUED.

362

JOURNAL OF THE

Date of Redemption.	No. War.	Date of Warrant.	Payee.	Amount of Warrant.	Interest Paid.
.....	52	August 3, 1861.....	Samuel Merrill	\$ 1,000.00	.....
.....	56	do do	do	1,000.00	.....
.....	57	do do	do	1,000.00	.....
.....	58	do do	do	1,000.00	.....
.....	59	do do	do	1,000.00	.....
.....	60	do do	do	1,000.00	.....
.....	61	do do	do	1,000.00	.....
.....	63	do do	do	1,000.00	.....
.....	63	do do	do	1,000.00	.....
.....	64	do do	do	1,000.00	.....
.....	65	do do	do	1,000.00	.....
.....	66	do do	do	1,000.00	.....
.....	67	do do	do	1,000.00	.....
.....	68	do do	do	1,000.00	.....
.....	69	do do	do	1,000.00	.....
.....	70	do do	do	1,000.00	.....
.....	71	do do	do	1,000.00	.....
.....	72	do do	do	1,000.00	.....
.....	73	do do	do	1,000.00	.....
.....	74	do do	do	1,000.00	.....
.....	75	do do	do	1,000.00	.....
.....	76	do do	do	1,000.00	.....
.....	77	do do	do	901.66	.....
.....	78	do do	do	19,598.84	.....
Total, .....	.....	.....	.....	\$83,652 08	.....

I have given a list of Eighty-three Thousand Dollars instead of Eighty Thousand as called for by the Resolution, for the reason that the last warrant on said list was for over \$19,000, and could not be divided so as to make the exact amount of Eighty Thousand Dollars.

In answer to the second interrogatory, to-wit: What warrants were redeemed with the Thirty-five Thousand Dollars received in Demand Treasury Notes, giving the number of each warrant redeemed, and the person to whom issued and to whom paid," I would say that it is impossible to do so in full or in detail, owing to the fact that a portion of the warrants redeemed, have been paid in "Iowa Stocks," while others have been paid in money received on sale of said "Stocks," and the balance have been paid in the Demand Treasury Notes above referred to. I can, however, give from memory the larger portion of those thus paid, as follows, to-wit:

No. 3.	J. W. McMillen, Cashier,	\$9,769 82
No. 4.	A. Bridgeman,	2,286 32
No. 5.	A. Bridgeman,	101 05
No. 9.	Burlington Branch State Bank,	4,914 65
No. 19.	A. Kaiser & Co.,	335 18
No. 29.	Western Stage Co.,	246 84
No. 37.	John O. Gear & Co.,	4,189 40
No. 44.	Samuel Merrill,	1,000 00
No. 55.	do	1,000 00
No. 46.	do	1,000 00
No. 47.	do	1,000 00
No. 48.	do	1,000 00
No. 49.	do	1,000 00
No. 50.	do	1,000 00
No. 51.	do	1,000 00
No. 52.	do	1,000 00
No. 53.	do	1,000 00
No. 54.	do	1,000 00

These, with the interest paid on them, amount to the sum of \$33,281.95. The remainder of the \$35,090 was absorbed in the payment of other warrants, except the balance now on hand. The above summary of Warrants is given from memory alone, and may not be entirely correct, but it is believed to be approximately so. The following is a full and correct list of the warrants received from His Excellency, Governor Kirkwood, in part payment of the Eighty Thousand Dollars received by him from the General Government:

WAR AND DEFENSE FUND.

864

Date of Redemption.	No. Warrant.	Date of Warrant.	Payee.	Amount of Warrant.	Interest Paid.
October 12, 1861,	124	August 24, 1861	T. J. Cox, Cashier,	\$ 9,028 45	\$ 96 31
do do	125	August 24, 1861	T. J. Cox, Cashier,	600 00	6 40
do do	293	September 7, 1861	E. Clark,	1,311 75	10 50
do do	294	do do	do	951 65	7 61
do do	295	do do	do	1,019 25	8 18
do do	296	do do	do	1,214 73	9 71
do do	297	do do	do	1,058 76	8 47
do do	298	do do	do	1,000 65	8 00
do do	299	do do	do	988 75	7 91
do do	300	do do	do	1,032 45	8 25
do do	301	do do	do	1,303 65	10 42
do do	302	do do	do	1,498 40	11 98
do do	303	do do	do	1,666 13	13 33
do do	304	do do	do	940 51	7 52
do do	331	September 12, 1861	do	1,000 00	6 67
do do	332	do do	do	1,000 00	6 67
do do	333	do do	do	1,000 00	6 67
do do	334	do do	do	1,000 00	6 67
do do	335	do do	do	1,000 00	6 67
do do	336	do do	do	1,000 00	6 67
do do	337	do do	do	1,000 00	6 67
do do	338	do do	do	1,000 00	6 67
do do	339	do do	do	1,000 00	6 67
do do	340	do do	do	1,000 00	6 67
do do	341	do do	do	1,000 00	6 67

JOURNAL OF THE

October 12, 1861,	342	September 12, 1861	E. Clark,	1,000 00	6 67
do do	343	do do	do	1,000 00	6 67
do do	344	do do	do	1,000 00	6 67
do do	345	do do	do	1,000 00	6 67
do do	346	do do	do	1,000 00	6 67
do do	347	do do	do	1,000 00	6 67
do do	348	do do	do	1,000 00	6 67
do do	349	do do	do	1,000 00	6 67
do do	350	do do	do	1,000 00	6 67
do do	355	do do	do	858 53	5 72
do do	378	do do	do	140 00	86
				44,613 56	354 57
				354 57	
Total, Principal and Interest,				44,968 13	

[NOTE.—The amount of receipt filed with the Auditor, shows \$4.80 more than the above amount. This is accounted for in this way: When the warrants were received the Interest was hastily calculated, and upon a review of the calculation an error to the amount of \$4.80 was discovered and refunded.

In answer to the third interrogatory, to-wit: "What amount of said Warrants received from the Governor would have come within the Eighty Thousand Dollars if the whole amount had been paid in the redemption of Warrants in the order of their issuance as required by law," I would answer, only the first two upon the foregoing list. In this answer there will appear a seeming discrepancy as the list only embraces Warrants to No. 78, and which amounts to \$83,652.08, and that the two Warrants above named are Nos. 124 and 125. But it must be remembered that quite a large amount of the Warrants in said list had been previously redeemed with "Iowa State Stocks."

There was no "*arrangement*" between the Government and myself in relation to the payment of "War and Defense Fund" Warrants instead of money. On the contrary, the receipt which I gave the Governor for \$45,000, and which will be found on file in the Auditor's office, expressly states that the amount was received in Warrants upon the "War and Defense Fund." And I also stated to the Governor at the time that he must assume the responsibility of the transaction. It is therefore evident that the Governor withheld the Treasury Notes for the Forty-five Thousand Dollars, (provided he received them from the General Government,) and paid in the Warrants as above stated. Said Warrants, as it will be seen, were, with two exceptions, drawn in the name of E. Clark, Esq., and the two exceptions were issued to T. J. Cox, Cashier of Iowa City Branch of the State Bank of Iowa, and all were indorsed by said Clark.

All of which is respectfully submitted.

JOHN W. JONES,
State Treasurer.

The following communication was received from His Excellency the Governor:

EXECUTIVE OFFICE, IOWA, }
FEBRUARY 19, 1862. }

Gentlemen of the House of Representatives:

In compliance with your resolution inquiring "in what kind of funds the \$80,000 refunded by the United States to this State, were paid by the United States, whether the same funds were paid into the State Treasury, and if not, why not, and by what authority," I have the honor to inform you that the funds received by the State from the United States were in United States Demand Treasury Notes and only a portion of the same funds were paid into the State Treasury, the balance being paid in Warrants on the "War and Defense Fund" of this State—that this was done with my knowl-

edge and consent, and by my advice and by my authority, and for these reasons:

The law creating the "War and Defense Fund" does not require that warrants issued thereon shall be paid in the order of their issuance, and it is only by insisting that the General Assembly in enacting that law intended to do what they did not do, that such requirement can be made operative, unless it shall be contended that the provisions of the law regulating the issuing and paying of Warrants on the ordinary revenue shall apply to the War and Defense Fund.

When the call was made on this State for troops under the proclamation of the President asking for seventy-five thousand men, it became necessary for me to expend money, in raising such troops, without authority of law, if I could procure the money for that purpose. In the emergency our chartered banks and some individuals placed money at my disposal, which I used. During the Extra Session, I contracted with Samuel Merrill, of Clayton County, for uniforms for the 1st, 2d and 3d Iowa Regiments, agreeing to pay him therefor as soon as our State bonds should be sold. The General Assembly had required me to pay our 1st, 2d and 3d Regiments for the time between their being ordered into quarters and their being mustered into the United States service, and the men needed the money. Hiram Price, Esq., of Davenport, and Ezekiel Clark, Esq., of Iowa City, borrowed about \$25,000, individually, and placing this in their hands, with other funds I had procured, I sent them to Missouri to pay our troops. Hon. C. Baldwin, of Council Bluffs, had used his means and credit largely at that point for the State and was inconvenienced thereby. When I received from the United States the \$80,000, the State was largely indebted to Mr. Price and Mr. Clark for money advanced by them for the use of the State, and the moneys so advanced by them were among the first expenditures made by the State.

Mr. Merrill had furnished uniforms to our troops, our bonds would not sell, and he was likely to suffer heavily if not to be ruined by delay. I did not and do not believe the law required the Warrants on the War and Defense Fund to be paid in the order of their issuance, and I determined to apply this sum of \$80,000 to paying the persons named all or most of what was due them, because the moneys expended by them were among the first expended, and because the amounts were so large as to make delay seriously inconvenient.

The reason this intention was not carried out was this: The money never actually came into my hands. I appointed Mr. Clark agent to go to Washington and receive this money and pay it into the State Treasury. I had heard that the State Treasurer was of opinion that he was bound to pay Warrants on the War and Defense Fund in the order of their issuance, and when Mr. Clark started to Des Moines to pay the money into the Treasury, I agreed to meet

him there and endeavor to arrange the matter with the Treasurer. Mr. Clark reached Des Moines in the morning and I in the evening of the same day. When I met him he informed me he had seen the State Treasurer who said to him he would receive and receipt for whatever he (Clark) might pay over. On the next morning I went with Clark to the Treasurer's Office, and Clark then paid in his warrants and the balance of the money and left the city on the same morning on a trip East. I did not know until some time after on that day that the Treasurer would absolutely decline to pay out the money except on the warrants in their regular order. I endeavored to convince him he was in error as to the law and proposed to leave with him in writing my opinion, that he had authority to pay out the money according to his best judgment of what the interest of the State and justice to creditors required, and my advice to take that course. He was, however, fixed in his opinion and there the matter ended. Had it not been for this the balance of the \$80,000 would have been paid to Mr. Price and Mr. Merrill, as I learned that Judge Baldwin had used his warrants as best he could to relieve himself. I have said and I repeat that in my opinion the law does not require warrants on the War and Defense Fund to be paid in the order of their issuance and such mode of payment has worked great hardship and injustice to individuals. The order in which warrants are issued depends upon the action of the Auditing Committee, and it has not been the case that the debts first contracted by the State were first audited. This was not the fault of the Auditing Committee. They were necessarily compelled to commence at some point, and did commence at Keokuk. It thus happened that many of the debts first contracted by the State to individuals and to large amounts were not audited until long after others of more recent date, and yet under this construction of the law the first creditor of the State is postponed to the second or third. Besides, in practice, the warrants issued on the ordinary revenue fund are not in all cases paid in the order of their issuance. It has been the uniform practice to pay warrants for the salaries of officers and the per diem and mileage of members of the General Assembly without reference to their date of issuance. Under this practice a considerable sum of money is now retained in the Treasury to pay the expenses of the General Assembly, although there are warrants now outstanding more than sufficient to absorb the whole amount. If this be the practice under the law prescribing the order in which warrants shall be paid, it is difficult to understand why an equally liberal rule may not obtain in proper cases under a law which does not prescribe any order, and it may also be difficult to establish the assertion that the claims of persons who have advanced large amounts of money to the State during the present emergency are not as meritorious and as worthy of preference as the salaries of State Officers or members of the General Assembly.

Justice to Mr. Clark who has paid in his warrants requires that I

should state the fact that every dollar of the warrants paid in by him was for money advanced by him or the bank of which he is an officer, and it was in my judgment unreasonable a single citizen should be expected or required to carry such an amount under such circumstances.

I have but two subjects of regret in connection with this matter—one that the person by whom these warrants were paid in was not a stranger instead of a relative—the other that I did not retain the entire amount in my hands and apply the balance to paying Mr. Price and Mr. Merrill. This I certainly would have done had I known that after the money as once placed in the Treasury it could not be so applied.

SAMUEL J. KIRKWOOD.

Mr. Lowrie moved that 500 copies of the communications from Governor and State Treasurer be printed in one pamphlet for the use of the House. The motion to print was adopted.

The following communication from the Governor was then read :

EXECUTIVE OFFICE, IOWA, }
February 18th, 1862. }

Gentlemen of the House of Representatives:—

I transmit herewith a memorial from the Second Regiment Iowa Volunteer Infantry, in regard to the clothing furnished said Regiment by the State.

The clothing provided for the First Regiment under Joint Resolution of the two Houses at the Extra Session was not received until the Regiment was on the march to St. Louis after the battle at Wilson's Creek to be mustered out of service, and as I understand was not charged to the Regiment by the United States when the Regiment was paid off.

I have learned outside this memorial that the opinion prevails through the Second and Third Regiments that the clothing was intended by the State as a present, and that considerable dissatisfaction exists because pay for the same has been deducted by the United States Paymasters.

The matter is wholly within your control, and I submit it for such action as you may deem advisable.

SAMUEL J. KIRKWOOD.

The following letter was then laid before the House :

WASHINGTON, IOWA, February 17th, 1862.

HON. RUSH CLARK,

Speaker of the House of Representatives :

GENTLEMEN :—I ask farther indulgence on your time on account of my health. I have been confined to my room for the last ten

days, but hope to be able to attend to business. Hoping that you will excuse me, I remain,

Your humble servant,

J. W. QUINN.

Mr. Quinn was excused for such period as might be necessary.

Senate File No. 123 : A Bill for an Act for the maintenance of the widows and minor children of decedents, and to amend Section 2403 of the Revision of 1860, was read a first and second time.

Mr. Lane moved that the rule be suspended and the bill read a third time now. The motion prevailed.

The bill was read a third time and upon the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, VanAnda, Walker, Walton, Wasson, Wetherall, West, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, and Mr. Speaker—83.

The nays were, None.

Absent or not voting—Messrs. Calfee, Dorr, Ferguson, Gibson, Kellogg, Maxwell, McLennan, Nelson, Quinn, Whittemore, and Young.

The Bill passed and the title was agreed to.

Mr. Lake, by leave, presented a petition of R. Campbell and 56 others, citizens of Buchanan County, asking a Bill to legalize the acts of R. J. Thornton, a Notary Public. The petition was referred to the Judiciary Committee.

Mr. Lowrie introduced the following resolution :

Resolved, That the Judiciary Committee be requested to inquire into the constitutionality and expediency of preparing a Bill confiscating the property situated in this State, belonging to rebels, whether the same be real or personal property.

The resolution was adopted.

Mr. Gordon introduced the following Resolution, which was adopted.

Resolved, That Mr. Burris, the Deputy Postmaster and Mail Carrier, be allowed to draw forty dollars, the same as other officers of this House, as part pay for his services.

BILLS ON SECOND READING.

Senate File No. 70: A Bill for an Act providing for the recording of Officers' Bonds, was read a second time.

The Report of the Judiciary Committee recommending sundry amendments was concurred in.

The Bill was then ordered to be engrossed for third reading tomorrow.

Senate File No. 92: A Bill for an Act authorizing the County Treasurer of Webster County to apportion certain taxes assessed on certain lands and town lots, was read a second time.

Mr. Moir moved that the rule be suspended, and the Bill be read a third time now.

The motion prevailed.

The bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were:

The yeas were, Messrs Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, West, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright and Mr. Speaker—84.

The nays were, None.

Absent or not voting, Messrs. Dorr, Kellogg, Maxwell, McLennan, Nelson, Quinn, Wetherall, Whittemore and Young—9.

The Bill passed and the title was agreed to.

On motion of Mr. Fuller of Fayette, the House adjourned.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

House File No. 186: A Bill for an Act to prevent the importation, running at large, or sale of diseased sheep, was read a second time.

Mr. Bracewell moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bass, Bowdoin, Bracewell, Burton, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, McCall, McGlothlen, McQuinn, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth Wright and Mr. Speaker—80.

The nays were, None.

Absent or not voting—Messrs. Blackford, Dorr, Eaton, Gibson, Kellogg, Lake, Maxwell, McLennan, Mercer, Nelson, Pendleton, and Young—12.

The Bill passed and the title was agreed to.

Mr. Hardie, by leave, introduced the following Resolution :

WHEREAS, House File No. 185 : A Joint resolution requesting our Senators and Representatives in Congress to ask the appointment of N. B. Baker as Brigadier General of Iowa Volunteers, was passed by a large and respectable majority of this House, and has been mutilated and shorn of its fair proportions in the Senate, and finally laid upon the table, therefore,

Resolved, That the Senate is hereby respectfully requested to take said Resolution from the table, and return the same in its amended form to this House.

The Resolution was adopted.

House File No. 23: A Bill for an Act for laying out private roads, was taken up.

Mr. Van Anda moved to amend by adding to section three, the following :

"*Provided*, If the owner of the land shall, at the time set for the striking of a jury, make oath that he believes the Justice of the Peace is prejudiced against him, and he fears he cannot get justice done him, the said justice shall thereupon send the papers to the nearest Justice of the Peace, who shall proceed with the case the same as if the proceedings had been commenced before him, and there shall not be more than one change of venue allowed." The amendment prevailed.

Mr. Gault moved to strike out "six," in fourth line of section three, and insert "twelve." Lost.

Mr. Knoll moved to strike out "six" in fourth line of section three, and insert "eighteen." Lost.

Mr. Lakin moved to amend section six by adding thereto the following:

"*Provided*, That no road shall be laid out through any garden, orchard or ornamental grounds contiguous to a dwelling house or so as to cause the removal of any dwelling house, or other building without the consent of the owner."

Mr. Gordon moved to amend the amendment by inserting after "grounds," "or other inclosures." Lost.

The question recurring upon the amendment of Mr. Lakin, the same was adopted.

Mr. Holyoke moved to amend section six by adding: "Any such road laid out on a section line, be not less than four rods wide." Lost.

Mr. Gordon moved to strike out section seven. Lost.

Mr. Martin moved to amend section 7, by adding thereto: "*Provided*, That said jury shall not take into consideration in estimating such damages, any advantage that may result to said owner on account of the road for which said land is taken." Carried.

Mr. Williams of Mahaska moved to amend Section 7 by striking out the words: "Section or quarter Section line or in the" first and second lines. Carried.

Mr. Frisbie moved to strike out Section 8. Lost.

Mr. Cleaves moved to strike out Section 9. Lost.

Mr. Bowdoin moved to amend by adding the following new Section:

Sec. 12. Either party aggrieved by the determination of such jury in the assessment of damages, shall have the right of appeal to the District Court in the County in which the lands lie, for the purpose of having a rehearing and assessment of such damages, the proceedings as to notice, bond and transcript to be the same as in cases triable before Justices of the Peace in civil actions.

Mr. Castor moved to amend the amendment as follows: "Provided the party taking the appeal shall pay all costs occasioned by such appeal, in case the amount of damages does not exceed the amount awarded by the Commissioners." The amendment to the amendment did not prevail.

Mr. Fairall moved to amend the amendment by striking out the words "in the assessment of damages." Lost.

The question recurred upon the amendment of Mr. Bowdoin which was adopted.

Mr. Milburn moved to lay on the table and print.

Mr. Cutler moved to amend Section 8 as follows: "The person obtaining said private road shall keep up the fences, and when he fails so to do, the road shall be vacated." Lost.

Mr. Knoll moved to re-consider the vote by which Mr. Gault's motion to strike out "six" and insert "twelve" in fourth line of Section 3 was lost. The motion to re-consider did not prevail.

Mr. Chase moved to amend Section 3 by inserting the words,

"who are freeholders" after "electors" in fourth line. Carried.

The question recurring upon Mr. Milburn's motion to table and print, it was lost.

Mr. Bracewell moved that the bill be engrossed for a third reading to-morrow. The motion prevailed.

House File No. 178: A Bill for an Act to regulate the issuing of certificates of election in certain cases, was read a second time.

Mr. Curtiss moved to suspend the rule and read the Bill a third time now. Carried.

The bill was read a third time and upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, and Mr. Speaker—85.

The yeas were, None.

Absent or not voting—Messrs. Dorr, Kellogg, Maxwell, Nelson, Pendleton, Whittemore, Wilson of Chickasaw, and Young.

The bill passed and the title was agreed to.

House File No. 67, substitute for House Files Nos. 33 and 38: A Bill for an Act to specify the party plaintiff in suits brought for the collection of school funds, was read a second time, and on motion of Mr. Martin the rule was suspended and the bill read a third time, and upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Wilcox, Williams of

Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Wright, and Mr. Speaker—83.

The nays were, None.

Absent or not voting Messrs. Dorr, Kellogg, Maxwell, Nelson, Pendleton, Quinn, Whittemore, Wilson of Chickasaw, Woodworth, and Young.

The bill passed and the title was agreed to.

House File No. 139: A Bill for an Act to provide for the making of deeds for swamp and overflowed lands sold by order of the County Court or Boards of Supervisors, was read a second time.

Mr. Mitchell of Fremont moved to re-commit. Lost.

Mr. Martin moved to amend Section 1 by adding: "And provided further that the provisions of this Act shall in no manner affect or invalidate any deeds for such lands heretofore made. The amendment prevailed.

Mr. Williams of Mahaska moved to amend Section 1 as follows: After the word "executed" in fourth line insert "acknowledged and." Carried.

Mr. Williams of Des Moines moved to suspend rule and read a third time now. Carried.

The bill was read a third time, and upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hood, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Thompson, Van Anda, Walker, Walton, Wason, Wetherall, West, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, and Mr. Speaker—83.

The nays were, None.

Absent or not voting, Messrs. Dorr, Hollingsworth, Kellogg, Maxwell, Nelson, Quinn, Stewart, Whittemore, Wilson of Chickasaw, and Young.

The Bill passed and the title was agreed to.

House File No. 157: A Bill for an Act entitled an Act to amend Sections 4779 and 4780 of the Revision of 1860, respecting peremptory challenges in criminal cases, was read a second time.

On motion of Mr. Moir the rule was suspended and the Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Brace-

well, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Cutler, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Lake, Lakin, Lane, Loomis, Lowrie, Martin, McCall, McGlothlen, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Pendleton, Porter, Price, Rothrock, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright and Mr. Speaker—76.

The nays were, Messrs. Curtiss, Denlinger, Hardie, Knoll, Lorah, McLennan, Milburn, Parker, Rowles, and Speer—10.

Absent or not voting—Messrs. Dorr, Kellogg, Maxwell, Nelson, Quinn, Whittemore, and Young.

The Bill passed and the title was agreed to.

House File No. 170: A Bill for an Act in relation to the duties of Clerks and Justices, was read a second time.

On motion of Mr. Curtiss the rule was suspended and the Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, West, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright and Mr. Speaker—84.

The nays were, None.

Absent or not voting, Messrs. Dorr, Kellogg, Maxwell, Nelson, Quinn, Wetherall, Whittemore, Wilson of Chickasaw, and Young.

The bill passed and the title was agreed to.

Substitute for House Files No. 163 and 170: A Bill for an Act entitled an Act to amend Section 2475 of the Revision of 1860 and to legalize certain acts of County Judges; was read a second time and ordered to be engrossed for a third reading to-morrow.

Mr. Frisbie from Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:—The Joint Committee on Enrolled Bills have examined Joint Resolution authorizing the Governor to send three

persons to look after the Iowa soldiers wounded at Fort Donelson, and also Joint Resolution authorizing the Governor and Adjutant General to procure Flags for the Iowa Regiments with arms of Iowa, &c., inscribed thereon, and herewith present them for your signature.

D. G. FRISBIE, Chairman.

House File No. 169: A Bill for an Act for the relief of Willis Clemens and others, was read a second time. And on motion of Mr. Fairall the rule was suspended and the Bill read a third time, and upon the question "Shall the Bill pass," the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, McCall, McGlothlen, McLennan, McQuinn, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Parker, Pendleton, Pierce, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Young and Mr. Speaker—82.

The nays were, Mr. Moser—1.

Absent or not voting were, Messrs. Dorr, Hardie, Kellogg, Lane, Maxwell, Nelson, Porter, Quinn, Whittemore, Wilson of Chickasaw and Young.

The Bill passed and the title was agreed to.

House File No. 29: A Bill for an Act to amend Section 548 of 1860, defining the duties of Township Clerks in certain cases, was read a second time.

Mr. Curtiss moved to strike out so much as refers to putting notices in the Post Office.

Mr. Bracewell moved to indefinitely postpone. Lost.

Mr. Martin moved to recommit to a Select Committee of three, of which Mr. White shall be chairman. Carried.

The chair appointed as such Committee, Messrs. White, Martin and Burton.

Mr. McCall from Committee on Engrossed Bills submitted the following report:

The Committee on Engrossed Bills have examined Senate File No. 70: A Bill for an Act providing for the recording of Officers' Bonds, and find the same correctly Engrossed.

McCALL and SMELTZER.

Mr. Rothrock moved that when this House adjourn it be until 2 o'clock, P. M. to-morrow. Carried.

House File No. 92: A Bill for an Act creating a chairman for the Board of County Supervisors.

The Chair announced the question to be on concurring in the report of the Committee recommending the indefinite postponement of the Bill. The report was concurred in.

Leave of absence was granted to Mr. Walker.

House File No. 107: A Bill for an Act to amend Section 317 of Chapter 22 of the Revision of 1860, in relation to the Boards of Supervisors, was read a second time.

Mr. Frisbie moved to recommit. Lost.

Mr. Curtiss moved to adjourn. Lost.

The question recurred upon the amendment recommended by Committee to strike out "thirty" and insert "twenty." Lost.

Mr. Lane moved to amend Section 1, as follows: strike out "thirty" in last line but one and insert "twenty-five." Carried.

And on motion of Mr. Lane the rule was suspended, and the Bill read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Caffee, Oastor, Clark, Chase, Cleaves, Converse, Curtiss, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Gordon, Guthrie, Hudnutt, Helyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Stevenson, Stewart, Van Anda, Walton, Wasson, Wetherall, West, White, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright and Mr. Speaker—78.

The nays were, Messrs. Cutler, Gault, Moser, Speer, Thompson, West, Wilcox, Williams of Des Moines, Wilson of Chickasaw and Young—7.

Absent or not voting—Messrs. Dorr, Dunlavy, Hardie, Kellogg, Lakin, Maxwell, Nelson, Quinn, Stanton, Whittemore, Wilson of Chickasaw, and Young.

The Bill passed and the title was agreed to.

Mr. Mercer, by leave, offered the following Resolution, which was laid over under the rule:

Resolved, That the Register of the State Land Office be requested to inform this House, whether the President and Chief Engineer of the Keokuk, Fort Des Moines and Minnesota Railroad Company have certified to him the completion of any portion of their road above Bentonsport, and if so, how much, and also whether he has certified any lands to said company under the Act of the General Assembly, approved March 22d, 1858, and if so, what amount, and in what counties said lands lie.

On motion of Mr. Lake the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
SATURDAY, Feb. 22, 1862, 2 P. M. }

House met pursuant to adjournment.

Mr. Bowdoin moved that a Committee of two be appointed to wait on the Senate and inform them that the House was now ready to go into Joint Convention.

The Chair appointed Messrs. Bowdoin and Martin such Committee, who reported having discharged their duties.

The Sergeant-at-Arms announced the Honorable Senate, who entered the Hall preceded by their President and occupied the seats assigned them. Whereupon the President of the Senate announced that the Convention had met to hear the reading of Washington's Farewell Address.

The Convention was then opened with prayer by the Rev. Mr. Young.

The Farewell Address of George Washington was then read by Wm. F. Davis, Secretary of the Senate.

The Star Spangled Banner was then sung, the entire audience joining therein. When on motion of Mr. Bowen the Joint Convention dissolved.

On motion of Mr. Outler the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
MONDAY, February 24th, 1862. }

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Nash.

Journals of Friday and Saturday read and approved.

PETITIONS, &c.

Messrs. Baker and Gault presented the petitions of sundry citizens of Winnesheik and Appanoose counties, asking that criminal and civil jurisdiction be conferred on County Judges in certain cases. Referred to Committee on Judiciary.

Mr. McLennan presented the memorial of W. B. Allison and others, citizens of Dubuque, asking for the passage of an Act or resolution authorizing the Auditing Board to allow certain claims. Referred to Committee on Claims.

Messrs. Fuller of Harrison and Lorah presented petitions of sun-

dry citizens of their respective counties, in reference to the public printing. Referred to Committee on Printing.

Mr. Williams of Des Moines presented the petition of sundry citizens of Des Moines county, for a law protecting sheep from the ravages of dogs. Referred to Committee on Agriculture.

Mr. Sarver presented the petition of sundry citizens of Lucas county, praying for the abolition of the offices of the Secretary and Board of Directors of the Agricultural Farm and College. Referred to Committee on Agriculture.

Mr. Clark of Tama presented several remonstrances of sundry citizens of this State against the repeal of sections 6 and 7 of the Land Grant Act of 1860. Referred to Committee on Railroads.

Mr. Mitchell of Fremont presented the petition of sundry citizens of Fremont county, praying that the State pay certain bills in favor of Tootle & Wood of Fremont county, for provisions furnished the Fourth Regiment of Iowa Volunteers. Referred to Committee on Claims.

Mr. Fuller of Harrison presented the memorial of the Board of Supervisors of Monona county, asking that if an extension of time be granted to the Cedar Rapids and Missouri River Railroad Company, it may be upon condition that they relinquish all claim to lands known as swamp lands situated in different counties of this State. Referred to the Select Committee on Des Moines River Lands.

Mr. Cutler presented the petition of citizens of Webster county for a more stringent Prohibitory Liquor Law. Referred to Select Committee on that subject.

Mr. Williams of Mahaska presented the petition of Robert Blair and 150 others, citizens of Mahaska county, asking for the repeal of the present Liquor Laws. Referred to Select Committee on that subject.

Mr. Lowrie presented petitions of sundry citizens of Lee county in reference to Des Moines River Lands. Referred to Select Committee on that subject.

Mr. Fairall presented a remonstrance from the City Council of Iowa City against the repeal of City Charter. Referred to Committee on Incorporations.

Message from the Senate, by their Secretary, Mr. Davis :

MR. SPEAKER :—I am directed to inform your honorable Body, that the Senate has passed the following bills, in which the concurrence of the House is asked :

Senate File No. 125 : A bill for an Act granting certain powers to the District Court of Lee county, and relief thereby to Jonathan Jones.

Senate File No. 130 : A bill for an Act to provide for a full settlement of all claims, rights and liabilities between the State of Iowa and James A. Brown and Geo. C. Allender.

W. F. DAVIS, Sec'y Senate.

REPORTS OF COMMITTEES.

Mr. Milburn from Committee on Schools and State University, submitted the following report :

The Committee on Schools and State University, to whom was referred the communication of Abram McCleary, praying for the enactment of a law to compel parents to send their children to school ; also, for the abolition of all laws for the collection of debts not exceeding twenty dollars, have had the same under consideration, and have instructed me to make the following report, viz : That in the opinion of your Committee the first part is inexpedient, and should be indefinitely postponed, and that the second part be referred to the Committee on Judiciary.

MILBURN, of Linn.

Mr. Lake, from Committee on Judiciary, submitted the following reports :

The Judiciary Committee, to whom was referred the petition of sundry citizens of Buchanan County, asking a law legalizing the Acts of Charles A. Perry, under the assumed name of Richard J. Thornton, have prepared a Bill upon that subject and recommend that it be passed.

JED. LAKE, for Committee.

The Judiciary Committee, to whom was referred House File No. 182: A Bill for an Act to repeal Sections 3156, 3157, 3160 and 3163 of the Revision of 1860, have had the same under consideration and report the same back to the House, and recommend that it be indefinitely postponed.

JED LAKE, for Committee.

The Judiciary Committee, to whom was referred House File No. 153; a Bill for an Act to regulate the Taxation and collection of costs, have had the same under consideration and report the same back to the House, and recommend that it be not passed.

JED. LAKE, for Committee.

The Committee, by leave, introduced House File No. 190: A Bill for an Act legalizing the Acts of Charles A. Perry, as Notary Public, in Buchanan County, Iowa, under the assumed name of Richard J. Thornton, which was read a first and second time and passed upon the files.

Mr. Van Anda, from Judiciary Committee, submitted the following report :

The Judiciary Committee, to whom was referred House File No. 181: A Bill for an Act to amend 3952 sub. division three of the Revision of 1860, have had the same under consideration, and have instructed me to report the same back to this House, with the following amendment: Add after the last word in said Bill "and must be sworn to," and so amended recommend that the same be passed.

VAN ANDA, for the Committee.

Mr. Moir, from Committee on Judiciary, submitted the following report:

The Judiciary Committee, to whom was referred House File No. 179: A Bill for an Act to amend Section 3962 of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report a substitute therefore, and recommend its passage.

MOIR, for the Committee.

Mr. Mitchell, of Fremont, from Judiciary Committee, submitted the following report:

The Judiciary Committee, to whom was referred substitute for Senate File No. 18: A Bill for "an Act to legalize the Acts of Notaries Public," have had the same under consideration, and have instructed me to report the same back to the House, and recommend that it be indefinitely postponed.

MITCHELL, of Fremont.

Mr. Williams, of Mahaska, from Committee on Judiciary, submitted the following report:

The Judiciary Committee, to whom was referred Senate File No. 75: A Bill for an Act to amend Chapter 105 of Revision of 1860, concerning Guardians of the property of Minors, having examined the same, I am instructed to report the same back to the House, without amendment, and recommend its passage.

M. T. WILLIAMS, of Mahaska.

Mr. Fairall, from Committee on Judiciary, submitted the following report:

Judiciary Committee, to whom was referred House File No. 180: A Bill for an Act to amend Section 3006 of Revision of 1860, have had the same under consideration, and recommend me to report the same back to the House and that said Bill be indefinitely postponed.

FAIRALL, for Committee.

Mr. Converse, from Committee on Agriculture, submitted the following report:

The Committee on Agriculture, to whom was referred House File No. 70: An Act to protect sheep from the ravages of dogs, have had the same under consideration and have directed me to report the same back without recommendation.

A. CONVERSE, Chairman Com.

Mr. Lowrie, from select Committee, to whom was referred Senate File No. 63: A Bill for an Act more effectually to secure a part of the judgment in favor of the School Fund and against J. D. Eads and his sureties and for partial relief of said sureties, submitted the following majority report:

Your Committee to whom was referred Senate File No. 63: A Bill for an Act more effectually to secure a part of the judgment in favor of the School Fund, and against James D. Eads and his sureties, and for partial relief of said sureties, have had the same under consideration and make the following report:

On the 28th day of December, 1860, the State of Iowa, for the use of the School Fund of said State, recovered a judgment, in the District Court of Lee County, against James D. Eads and forty-nine others, sureties of the said Eads on his third official bond, amounting to twenty-nine thousand dollars. From the evidence before us (and which is hereto attached and made a part of this report) it appears that said sureties, with few exceptions, at the time they signed said bond, were men of small means, and had no property except such as the law then, as well as now, exempts from sale on execution. It also appears from said evidence, that the people of Lee County have suffered more from the financial crisis, which commenced in 1857, than any other County in the State, and that said sureties have not escaped the effects of the same. Some five or six of said sureties have died since the signing of said bond, leaving their estates insolvent. In addition to the evidence before the Senate Committee, and which is attached to their report, and on which evidence said Committee made a unanimous report, that said Senate Bill should pass, the following cumulative evidence was offered before your Committee: Hon. John W. Rankin, of the law firm of Rankin & Miller, and who has been a resident of Lee County for the last ten years, appeared before us and stated that he was well acquainted with said sureties and their financial condition, and that not one of said sureties had any property except such as the law exempts, and that some fifteen of them had no property of any kind. He also stated that some twenty of said sureties were the heads of families, having a homestead and nothing else, and that said number had stated to him, that they would execute a mortgage on their homesteads for a small amount, if by so doing they could be released from said judgment.

N. G. Hedges, the present Sheriff of Lee County, and who has resided in said Lee County for the last six years, also appeared before us, and stated the same facts as given by Judge Rankin, and that nothing could be made from said judgment on execution.

Hon. W. G. Woodward also appeared before us, and stated that he was one of the referees before whom said cause was tried, and that from all the evidence before the referees, it was apparent that said sureties were men of small means, mostly the heads of families, and that the State would realize more money from said judgment by passing the Senate Bill than by the machinery of law. Judge Woodward also stated that on the trial of said cause, said defendants had pleaded a set-off amounting to \$41,000, and which consisted of mortgages and securities the said Eads had taken for the School Fund loaned by him, and that said securities were in the possession of the State, and for the payment of damages that might arise from the defalcation of said Eads on said bond, but that said referees did not allow said set-off of \$41,000, or any part of it on the trial of said cause; but that the said securities were by the direction of said referees, directed to be placed in the hands

of a receiver, and the District Court of said County has appointed Joshua Tracy, the District Attorney of the First Judicial District, the receiver for the collection of the same, and the proceeds thereof to be applied in payment of said judgment. The affidavit to Charles Doerr, the Deputy Clerk of said County, signed in his official capacity, and the seal of his office attached, was also read by us, and which affidavit is hereto attached to this report, marked exhibit "A," and made a part of it; also, the affidavit of John A. Nunn, the Deputy Sheriff of said County, marked exhibit "B;" also, the affidavit of H. F. Stempel, the Deputy Recorder of said County, marked exhibit "C;" also, the affidavit of Hon. Edward Johnston, marked exhibit "E;" also, the affidavit of J. W. Albright, a merchant of Fort Madison, marked exhibit "F;" also, the affidavit of Hon. Rob't A. Russell, the County Judge of said County, signed in his official capacity, is hereto annexed and marked exhibit "G." The affidavit of Hon. F. Hesser, Senator from Lee County; the affidavits of Hons. Godfrey Eichorn and T. J. Stevenson, are annexed and marked respectively exhibits "H," "I," "J," and "K."

In view of all the evidence before us, coming from gentlemen occupying high positions, and who are acquainted with all the facts in the case; also, the affidavits of officers residing in said County, and signed in their official capacities; and the further facts that there was no evidence before us negating any of said facts, your Committee do recommend that the Senate Bill do pass with the following amendments:

Amend Sec. 1 by adding the following thereto: "Provided any one of the said sureties may mortgage his homestead, including the building used as such, by mortgage properly executed and acknowledged, for the security of his proportion of said judgment as herein provided, the same being appraised as in said chapter provided in relation to other property taken in security for loans of the School Fund.

Amend Sec. 3 by adding thereto the following: "Provided, however, that none of said sureties shall be released from said judgment until the sum of five thousand dollars is paid or secured to be paid to the State as hereinbefore provided.

C. W. LOWRIE, *Chairman*,
J. H. WHITE,
W. J. MOIR,
SAM. H. FAIRALL.

STATE OF IOWA, }
LEE COUNTY. } ss

I, Charles Doerr, on my oath, do say that I am the Deputy Clerk

of the District Court of said County, that I have resided in Fort Madison for about 6½ years, and that I am well acquainted with all or nearly all of the sureties: James D. Eads, George W. Elsroad, Joseph Schmelzle, John Henry Schwartz, Samuel Boyles, Lewis Jolly sen., William H. Davis, Benedict Hugel, Frederick Holsberger, Henry Winter, Joseph Ehart, Daniel Bates, Henry M. Salmon, Wm. H. Leech, C. J. McFarland, Louis V. Taft, Willough Tebbs, Wm. Frost, John Frost, Hiram S. Eddy, Jos. Van Valkenburg, Wm. Werner, David Wright, J. D. Peebler, John P. Peters, Nathaniel McCullough, F. Welge, J. A. Goodrich, Augustus Ehinger, A. Persinger, William Hamilton, D. H. LeSuer, John K. Schwartz, Wm. Kayser, Louis Pappe, Theodore Nabers, John D. Schafer, Henry Hein, Wm. Witte, Bernhard Rheapohl, John Abel, George Kiel, Philip Bonham, Robert McHenry, Joseph Sawyer, Patrick Gilligan, Samuel Densmore, Wm. G. Crawford, Jacob Peters, John Noffziger, upon the third bond of James D. Eads, as Superintendent of Public Instruction, upon which bond judgment has been rendered. That I have the means of knowing the financial condition of all of said sureties, through the discharge of my official duties, from personal acquaintance with them and from reputation. And I do say that in my opinion the amount of \$100 cannot be made from them by execution; that those who had property when the bond was executed have since failed or conveyed away their property, and I do believe and say that the State would make more money by receiving from such of said sureties as may pay the same the sum of \$200 each, and discharging them from further liability, than by attempting to collect the whole of said judgment by execution.

CHARLES DOERR.

{ SEAL. } Sworn and subscribed before me by Charles Doerr, this 17th day of February, 1862.

R. H. HEATH, Notary Public.

STATE OF IOWA, }
LEE COUNTY. } ss.

I, John A. Nunn, on my oath do say that I am Deputy Sheriff of Lee County, and am well acquainted with the securities of Jas. D. Eads, mentioned in the foregoing affidavit of Charles Doerr, that I have lived in Fort Madison for about 7 years, that I have read the foregoing affidavit of Charles Doerr, Deputy Clerk, and that I do believe and say the statements therein contained are true.

JOHN A. NUNN.

{ SEAL. } Sworn to and subscribed by John A. Nunn, before me this 17th day of February, 1862.

R. H. HEATH, Notary Public.

STATE OF IOWA, }
LEE COUNTY. } ss.

I, H. F. Stempel, on my oath, say that I am Deputy Recorder of Lee County, and have been for ten years; that I have lived in Fort Madison for sixteen years; that I am acquainted with the financial condition of the securities of James D. Eads, mentioned in the foregoing affidavit of Charles Doerr, that I have read the foregoing affidavit of said Doerr, Deputy Clerk, and that I do believe and say the statements therein contained are true.



H. F. STEMPEL.
Sworn to and subscribed by H. F. Stempel,
before me this 17th day of February, 1862.
R. H. HEATH, Notary Public.

STATE OF IOWA, }
LEE COUNTY. } ss

We, Edward Johnston, J. W. Albright, on our oaths do say that we are well acquainted with the financial condition of the securities on the third bond of James D. Eads, mentioned in the foregoing affidavit of Charles Doerr, and that the State will in our opinion realize more money by accepting \$200 from such securities as may pay that sum, and releasing them from further liability, than by attempting to collect the whole of the judgment against them by execution.

EDWARD JOHNSTON.

J. W. ALBRIGHT.

ROBERT A. RUSSELL,

County Judge.

Sworn and subscribed to by Edward Johnston, J. Albright, and Robert A. Russell, severally, before me this 18th day of February, 1862.



R. H. HEATH, Notary Public.

REPORT OF SENATE JUDICIARY COMMITTEE.

Report of the Judiciary Committee upon a Bill for an Act to secure part of the judgment against Jas. D. Eads and securities, and for partial relief to said securities.

They report a Substitute and recommend its passage.

Upon the subject of this bill, your Committee would add that they believe it prudent for the State sometimes to manage its affairs as private interest would dictate to an individual standing in a similar position, and that that mode of concluding an arrangement,

called a compromise, may be as advisable and as necessary on the part of the State as of a single person. Your committee are convinced that if this debt is pressed by execution levies and the machinery of the law, little or none of it will be realized. Although the bond upon which the judgment was rendered may have been originally, entirely available and although there is a large number of persons embraced in the judgment, yet we are persuaded that the \$29,000 in default cannot now be made from them.

Some years have passed since the bond was executed and in those years is that of 1857, and the disastrous financial sequences of that period, much of the property and means of the obligors and debtors consisted in real estate and much of this in unimproved lands the depreciation and impossibility of selling which, all are cognizant of. But further we are not to doubt that these men, like others, when they saw the storm-cloud of ruin coming upon them and their families may have made provision therefor. However we may blame this course, the result and the effect on the possibility of collecting a debt by law, remains the same, and whatever may in fact have been done in this respect, we find that probably not a man who signed the bond of Eads has anything besides the homestead, which the law allows and protects.

Although they cannot pay *thousands*, and though the State may not be able to *compel even hundreds*, yet in order to take away the impending weight of a threatening judgment, they will exert themselves and find the means to pay a few hundred.

Though there are above forty names upon the bond and in the judgment, yet we are informed upon good evidence that among them there is not one who is now solvent.

Exercising, therefore, that judgment which prudent men apply to their own similar affairs, and considering it better to obtain a part, even though it be a small part, the Committee concur in recommending the measures suggested in the Bill by which we hope to obtain about one third of the debt.

The Committee is sustained in these views by the representations and mature opinion of the Counsel who prosecuted this claim in behalf of the Government, and they also refer to affidavits annexed.

(Signed.)

W. G. WOODWARD,
L. L. AINSWORTH,
GEO. W. McCRARY,
M. L. McPHERSON,
M. V. BURDICK,
JOHN D. JENNINGS.

February 6th, 1862.

STATE OF IOWA, }
 POLK COUNTY. }

I, Thomas G. Stephenson, on oath say that I reside in Lee county, and have resided there over twenty years. I know personally a majority of the Eads' securities on the last bond which is named in the bill pending before the Senate for their partial relief, and I have reliable information as to them all, and from my information concerning their pecuniary condition I am satisfied that it is for the interest of the State to pass the bill referred to, providing that each of said sureties shall pay \$200 and be thereupon released. I have made no personal examination of the records but from my personal acquaintance with said sureties, and from their reputation for solvency, I have no hesitation in saying that I believe the State will realize more money by compromising on the terms proposed than by attempting to collect by execution.

[Signed,]

THOS. G. STEPHENSON.

Subscribed and sworn to by Thomas G. Stephenson, before me this 5th day of February, 1862.

LEWIS KINSEY,
 Clerk Sup. Court.

STATE OF IOWA, }
 POLK COUNTY. }

I, Godfrey Eichorn, being duly sworn, make the following statement under oath: I have resided in the County of Lee for some twenty-three years; I know personally a large number of the sureties of James D. Eads, on the last bond which is named in the Senate Bill, for their partial relief, &c.; and I know nearly all the balance by reputation. From my knowledge of these sureties and from information which I deem perfectly reliable, I am well satisfied that little or nothing can be made by execution, while many of them would, in my opinion, pay the \$200—as provided for by said Bill, in order to be released. I think the State will make more money by the compromise than by attempting to collect by execution.

[Signed,]

GODFREY EICHORN.

Subscribed and sworn to by Godfrey Eichorn, before me, this 5th day of February, 1862.

LEWIS KINSEY,
 Clerk Sup. Court.

STATE OF IOWA, }
POLK COUNTY. }

I, F. Hesser, being duly sworn, make the following statement: I am a citizen of Lee County, Iowa, and have resided there for some fifteen years. I am personally acquainted with nearly all of the securities on the third official bond of James D. Eads, against whom a judgment has been rendered. While very few of said securities own property, out of which any money could be made by execution, it is my opinion that most of them would pay, or secure, the sum of two hundred dollars, if they could be thereby released. It is my opinion from the knowledge of the parties, and their condition, that more money will be realized by the State, if the Bill now before the Senate were passed, and each of said securities comply with it, than if the attempt were made to collect by execution. I make this statement at the request of the Senate Committee on Judiciary.

[Signed,]

F. HESSER.

Subscribed and sworn to, by Frank Hesser, before me, this 5th day of February, 1862.

LEWIS KINSEY,
Clerk Sup. Court.

Mr. Lakin from same Committee submitted the following Minority Report :

The undersigned, from the Select Committee, to whom was referred Senate File No. 63, in relation to the release, in part, of the sureties of Eads, beg leave to submit the following Minority Report :

While the undersigned is well satisfied that the bill, with the amendments proposed by the Majority is preferable to the form in which it came from the Senate, he is not prepared, with the imperfect evidence presented to the Committee, to concur in the recommendation made by said Majority.

While the evidence furnished before the Committee, from many gentlemen of position and worth, is such as to demand consideration and respect, it is of a very general nature, such as the sureties themselves have seen fit to present, indicating that much better evidence on the subject matter remains behind which it would be in the power of the General Assembly to obtain. The whole force of the proof, so far as it goes, is directed to establish that many of those who are upon the bond have either become insolvent or have put their property out of their hands in view of this obligation. We are asked to believe this mainly on the representations of those who were acquainted with but a *part* of the sureties personally—the rest

being known to them only by reputation. We are left to conjecture that those whom these witnesses do not know are as insolvent and worthless as those whom they do know. These witnesses who know but a part of the obligors, may, perchance, all know the same individuals, and those whom they do not know may have property.

It is true that the Clerk of the Court of Lee County (where most of the sureties reside,) testified on the 8th day of February, 1862, that he knows all the sureties, and that one hundred dollars could not be recovered from them. But it was in proof before the Committee that one of the bondsmen was at that time, or had been until a very short period prior to that time, the owner of a steamboat. As to the evidence of title to real estate possessed by these sureties, the Committee have had nothing further than the affidavits of the Clerk and Recorder of said Lee County. These affidavits have been obtained at the suggestion of the sureties, and without any agent on the part of the State being notified or present to interrogate the affiants.

It is, therefore, not only secondary testimony at best, but very general and vague, and obtained without attending to those provisions of the laws which have ever been deemed essential to the attainment of truth and certainty. Is it too much to demand or expect that there are many who are praying a release from the pressure of so considerable a debt, on the ground of insolvency, should come forward and give a sworn statement as to the amount and kind of property now held by them; and, as in the "proceedings supplemental to execution," provided for in the Statute, answer questions touching the amount and value of property held by them at the time of the rendition of this said judgment against them, or shortly prior thereto? It seems to be conceded by those most friendly to the release of these sureties, that some of them have transferred property, in order to avoid meeting this debt. Under such a state of facts it not only appears to the undersigned bad policy on the part of the State, but of doubtful morality, and a premium in favor of frauds, to release these bondsmen without appealing to their convenience and their ability to pay in every manner provided by law. The smallest creditor in the State, as a last resort, in the recovery of his claim, may place his debtor on the witness stand and compel him to testify, not only in general terms, as to his pecuniary possessions, but specifically as to what disposition he has made of his property; when he disposed of it, and what consideration he has received for it.

The language of the Court in the case of *Green vs. Hicker*, 1 Barb. Chan. Rep. 316, 317, upon this point is as follows: "It is not sufficient that the defendant answer generally that he has no property; the plaintiff may prosecute his inquiries notwithstanding such answer. If the defendant is in possession of any property, the plaintiff may ask when, and where and how he obtained possession, and on what terms he now holds it. If the defendant is

not in the possession of any property, he may be asked whether he had any, or was interested in any a short time previous to the judgment, and what has become of it; and if he answers that he has sold it absolutely, he may be asked what was the consideration of the sale, and what has become of the proceeds, so as to ascertain whether any portion of them is in his hands or due to him." This would perhaps be quite as satisfactory and convincing as the general and ex-parte statements made by third parties in this case, that these securities have no property, especially when it is considered that these witnesses do not testify from their own personal knowledge of the sureties, but merely from reputation. It seems very clear to the undersigned, that these sureties are either in possession of means to pay their debts or they are not. If they have means they should be made to pay; if they are insolvent they should be forgiven. And in that case, it would appear to be a hardship to compel them to pay so much even as the bill reported by the majority requires. It is due to themselves, therefore, that they make a clear, unequivocal and specific statement of the property they may hold. But if, on the other hand, these bondsmen have attempted to cover up their property to avoid the searching requisitions of the law, it would seem best, just and wise, in the State of Iowa, to try the virtue of, at least, one execution in pursuit of the just claims of her people. While this judgment for over \$29,000 against 49 sureties, has been in existence since December, 1860, it has not been in evidence before your Committee that an execution has ever been taken out, or that any diligence whatever has been used in its collection. Has the State become so poor that in a case of so much moment, with so many obligors who have solemnly pledged themselves to answer for the defalcations of one best known to themselves, she cannot incur the expense of testing the efficiency of, at least, one execution? Is she not able to employ at least one agent, whose duty it shall be to examine the Records, and make other searching enquiry, that she may be informed of a legal certainty what the real pecuniary worth of these sureties is?

As the undersigned feels that he would not, as a business transaction, were the case his own, release these men on the evidence presented or on the terms of the Majority Report; he is willing to do no less for the State, and must, therefore, respectfully dissent from said Report.

W. B. LAKIN.

Mr. Price moved to lay the report on the table and print. Carried.

Mr. Shipman from Committee on County and Township Organization submitted the following report:

The Committee on County and Township Organization to whom was referred House File No. 137: A Bill for an Act to create the office of Township Collector, have had the same under consideration, and have instructed me to report the same back to the House,

arose from any late order from the Post Office Department at Washington, or whether said notice was given upon his own construction of the law.

Mr. Guthrie introduced the following Resolution, which was adopted.

Resolved, That the Committee on Military Affairs be requested to inquire into the expediency of passing an Act to provide for the thorough organization of the Militia of the State of Iowa, and for training and disciplining the same, and if in their judgment they should favor such organization and training, they are hereby requested to report and embody their views in a bill, and report to this House as soon as practicable.

Mr. Wetherall introduced the following resolution :

Resolved, That the General Assembly of the State of Iowa have the legal and Constitutional right to diminish the salaries, during their term of office, of all State and District officers, whose compensation is fixed by Act of the General Assembly, except Judges of the Supreme and District Courts, and that it is expedient to exercise the right in the reduction of all salaries exceeding eight hundred dollars.

Mr. Fairall moved to refer to Judiciary Committee.

Mr. Wetherall moved to amend by adding, "with instructions to report Monday morning. Carried. The motion as amended prevailed.

Mr. Gibson introduced the following concurrent resolution :

Resolved by the House of Representatives, the Senate concurring, That the General Assembly will adjourn *sine die*, on Tuesday, March 18th, at 3 o'clock P. M., and that no new business be introduced into either House after Monday the 10th of March, except such business as shall come from a Standing Committee, in all of which the concurrence of the Senate is also asked.

Mr. Curtiss moved to lay the resolution on the table, and upon this question the yeas and nays were demanded by Messrs. Gibson and Converse, and were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Clark, Chase, Courtiss, Cutler, Dunlavy, Eaton, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Hardie, Hudnutt, Holyoke, Lake, Lakin, Lane, Lorah, Lowrie, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Nelson, Parker, Pendleton, Porter, Russell of Dallas, Russell of Jones, Smeltzer, Speer, Van Anda, Walton, White, Whittemore, Wright and Young—45.

The nays were, Messrs. Castor, Cleaves, Converse, Dorr, Eichorn, Ferguson, Flint, Gault, Gibson, Glanville, Gordon, Guthrie, Hollingsworth, Hood, Jackson, Kellogg, Knoll, McGlothlen, McLennan, Mitchell of Fremont, Moir, Price, Rothrock, Rowles, Sarver, Schramm, Shipman, Stanton, Stevenson, Stewart, Thompson, Wasson, Wetherall, West, Wilcox, Williams of Des Moines, Williams

of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth and Mr. Speaker—41.

Absent or not voting—Messrs. Kellogg, Loomis, Martin, Maxwell, Moser, Quinn, Walker, and Wilson of Chickasaw.

The motion to lay on the table prevailed.

The following resolution reported back to the House by Committee on Printing, without recommendation, was taken up:

Resolved, That the Clerk of the House be directed to procure 25,000 copies of the Adjutant General's Report, with such corrections and additions as said Adjutant General may deem proper, and that 1,000 copies be left at the disposal of the Adjutant General and the remainder distributed to the members of this House.

Mr. Lake moved to refer to a select Committee of three, of which Mr. Lane shall be Chairman.

Mr. Frisbie moved to amend as follows: "with instructions to report a Bill providing for an annual report and a complete report at the end of the war." Carried.

The motion as amended prevailed.

The Chair appointed as such Committee, Messrs. Lane, Lake and Hudnutt.

Senate File No. 125: A Bill for an Act granting certain powers to the District Court of Lee County, and relief thereby to Jonathan Jones, was, on motion of Mr. Lowrie, taken up and read a first and second time.

Mr. Lowrie moved that it be referred to a select Committee of five and that he be excused from acting thereon.

The Chair appointed as such Committee, Messrs. Stephenson, Fairall, Gibson, McQuinn and Pendleton.

Senate File No. 129: A Bill for an Act to legalize the official acts of Edward S. Edgerton, a Notary Public of Lucas County, was read a first and second time and passed upon the files.

Senate File No. 130: A Bill for an Act to provide for a full settlement of all claims, rights, and liabilities between the State of Iowa and James A. Brown and George C. Allender, was taken up and read a first and second time, and referred to Committee on Des Moines River Improvement.

Mr. Bracewell offered the following Preamble and Resolution:

WHEREAS, In many parts of this State there is a great lack of timber; and,

WHEREAS, Much of that is wasted and otherwise destroyed by trespass; and,

WHEREAS, All laws are made for the protection of the innocent and punishment of the guilty; therefore, be it

Resolved, That the Committee on Judiciary be instructed to inquire into the expediency of a more efficient law for the protection of the same and report by Bill or otherwise.

Mr. Lake moved to amend the resolution by striking out "Judiciary" and inserting "Agriculture." Carried.

The resolution as amended was adopted.

Mr. Rothrock offered the following resolution which was laid over under the rule :

Resolved, That the Auditor of State be requested to make a report to this House, showing the amount of interest on the permanent School Fund collected, and the amount reported on hand for apportionment in March, 1862, together with the amount delinquent in each of the several Counties; also, whether any portion of said interest is used or appropriated for the payment of expenses or for the payment of officers managing or having control of said Fund.

Mr. Stewart offered the following resolution, which was laid over under the rule :

Resolved, That the Auditor of State be requested to report to the General Assembly :

FIRST—The items that compose the extraordinary expenses of executive department, amounting as per his report to \$8,770 63.

SECOND—The items that compose the Secretary of State's contingent fund, amounting as per his report to \$2,203 23.

THIRD—The items that compose the Auditor of State's contingent fund amounting as per his report to \$1,719 00.

FOURTH—The items that compose the Treasurer of State's contingent fund, amounting as per his report to \$1,200 00.

FIFTH—The items that compose the Register of State Land Office contingent fund, amounting as per his report to \$1,498 40.

SIXTH—The items that compose the Secretary of Agricultural Farm and College contingent fund, amounting as per his report to \$1,620 89.

STEWART.

Mr. Castor moved that substitute for House File No. 133: A Bill for an Act to protect Sheep from the ravages of Dogs, be made the special order for 9 o'clock to-morrow morning. Carried.

Mr. Hardie offered the following Resolution :

Resolved, That the Committee on the Prohibitory Liquor Law is hereby instructed to report at as early a day as practicable, a Bill repealing the present Prohibitory Liquor Law, and enacting a license law in lieu thereof.

Mr. Rothrock moved to lay the Resolution on the table, and upon this question the yeas and nays were demanded by Messrs. McLennan and Knoll, and were as follows :

The yeas were, Messrs. Baker, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Eaton, Ferguson, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Lake, Lakin, Lane, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nel-

son, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Speer, Stanton, Stevenson, Stewart, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—64.

The nays were, Messrs. Bass, Chase, Denlinger, Dunlavy, Eichorn, Fairall, Flint, Hardie, Hood, Jackson, Knoll, Lorah, Lowrie, Martin, McGlothlen, McLennan, Moser, Parker, Schramm, Smeltzer, Thompson, Van Anda—21.

Absent or not voting—Messrs. Dunlavy, Kellogg, Loomis, Maxwell, Quinn, Walker, and Wilson of Chickasaw.

The motion to lay on the table prevailed.

Mr. Fuller of Harrison moved that Mr. Eaton be added to the Committee on Senatorial and Representative Districts. The motion prevailed.

Leave of absence was granted to Mr. Bolton, paper folder, for 3 days, on account of sickness.

Mr. Moir offered the following Resolution :

Resolved, That as the time of the House is being wasted in frivolous and unimportant resolutions, it do now adjourn.

The motion prevailed.

HALL OF THE HOUSE OF REPRESENTATIVES, }
TUESDAY, February 25, 1862. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Bracewell.

Reading of the Journal of yesterday suspended.

The Chair announced that the hour for the consideration of the special order, being substitute for House File No. 133: A Bill for an Act to protect Sheep from the ravages of Dogs, had arrived.

The House resolved itself into Committee of the Whole, on the special order.

Mr. Bracewell in the Chair.

The Committee rose, reported progress, and asked leave to sit again to-morrow morning at 10 o'clock. The report was concurred in.

Mr. Eaton, by leave, presented a petition from sundry citizens of Clinton and other Counties, asking the legislature to resume the land granted to the Cedar Rapids and Missouri River Rail Road, and confer certain portions of the same upon Trustees to be used

in aid of the construction of the Road from Lyons *via* Maquoketa, Anamosa and Marion to Cedar Rapids. Referred to Committee on Rail Roads.

Mr. Bowdoin, from Committee on Ways and Means, by leave, submitted the following Report :

The Committee on Ways and Means, to whom was referred House File No. 155 : A Bill for an Act to Tax Incomes, have had the same under consideration, and a majority of said Committee have instructed me to report the same back to the House with the accompanying substitute therefor, and recommend the passage of the substitute.

E. G. BOWDOIN.

Mr. Bowdoin moved that the substitute be laid on the table, and the usual number of copies printed for the use of the House.

The motion prevailed.

On motion of Mr. Curtiss the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
WEDNESDAY, February 26, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Nash.

Journal of Monday and yesterday read and approved.

PETITIONS, &C.

Messrs. Converse, Parker and Curtiss, presented the petitions of sundry citizens of their respective Counties, asking that civil and criminal jurisdiction be conferred on County Judges. Referred to Committee on Judiciary.

Messrs. Rothrock, Shipman and Mitchell of Polk, presented petitions from citizens of their respective Counties, for a more stringent Prohibitory Liquor Law. Referred to Select Committee on that subject.

Mr. Calfee presented the petition of Solomon Thomas and 34 others, citizens of Clark County, praying for the repeal of the law creating the Board of County Supervisors and substituting a Board of County Commissioners. Referred to Committee on County and Township Organization.

Messrs. Clark of Tama, McQuinn and Martin, presented the petitions of sundry citizens of Tama, Benton and Iowa Counties, praying for the repeal of Sections 6 and 7 of the laws granting certain

lands to the Cedar Rapids and Missouri River Rail Road Company.

Referred to Committee on Rail Roads.

Mr. Lorah presented the petition of John A. Bass and others, citizens of Guthrie County, in relation to the Public Printing. Referred to Committee on Printing.

Mr. Cutler presented the petition of L. L. Pease and 114 others, in reference to legislation on Des Moines River Land Grant. Referred to Committee on Des Moines River Improvement.

Mr. Young presented a petition from citizens of Marion and Linn Counties, asking the Cedar Rapids and Missouri River Rail Road Company be held to a strict performance of their engagement with the State. Referred to Committee on Rail Roads.

REPORTS OF COMMITTEES.

Mr. Shipman from Committee on County and Township Organization submitted the following report :

The Committee on County and Township Organization, to whom was referred the memorial of the Board of Supervisors of Alameda County asking for a new County, would report the same back and ask that it be referred to the delegations from the Counties of Alameda, Clayton, Winneshiek and Fayette.

SHIPMAN, Chairman.

The report of the Committee was concurred in.

Mr. Chase from Committee on Schools and State University submitted the following report :

The Committee on Schools and State University to whom was referred House File No. 94, have had the same under consideration and have instructed me to report the same back to the House, and recommend its indefinite postponement.

D. W. CHASE, for Committee.

Mr. Meyer from Committee on Police Regulations, submitted the following report :

The Committee on Police Regulations, to whom was referred House File No. 122: A Bill for an Act to organize Fire Companies, have had the same under consideration and report the same back to the House with the recommendation that it be laid upon the table, and the usual number of copies be printed for the use of this House.

JOHN MEYER, Chairman of Com.

The Report was concurred in.

Mr. Holyoke from Committee on Charitable Institutions, submitted the following report :

The Committee on Charitable Institutions, to whom was referred House File No. 78: An Act to amend Section 5,192, of the Revision of 1860, have had the same under consideration, and instructed me to report the following substitute.

THOS. HOLYOKE,

Chairman Committee on Charitable Institutions.

The Committee introduced substitute for House File No. 78 : A Bill for an Act to amend Section 5,193, of the Revision of 1860, which was read a first and second time, and passed upon the files.

Mr. McCall from Committee on Engrossed Bills submitted the following report :

The Committee on Engrossed Bills have examined Substitute for House Files Nos. 163 and 173 : A Bill for an Act entitled an Act to amend Section 2475 of the Revision of 1860, and to legalize certain acts of County Judges, and find the same correctly engrossed.

McCALL and SMELTZER.

Mr. McCall, from the Committee on Engrossed Bills, submitted the following report :

The Committee on Engrossed Bills have examined Substitute for House File No. 23 : A bill for an Act for laying out private roads, and find the same correctly engrossed.

McCALL and SMELTZER.

Mr. Fairall, from Committee on Judiciary, submitted the following report :

Judiciary Committee, to whom was referred House File No. 196, have had the same under consideration and instructed me to report the same back to the House, and recommend its passage.

FAIRALL, for Committee.

Mr. Van Anda, from Select Committee, on House File No. 195, submitted the following report :

The Select Committee, to whom was referred House File No. 195 : An Act providing a uniform standard of weights and measures, creating the office of State Superintendent of weights and measures and providing the appointment of Sealers of weights and measures in the several counties, cities and incorporated towns of this State, have had the same under consideration, and have instructed me to report that in the opinion of your Committee, the bill is one of very great importance to this State, and that without such a law on our Statute books, in the opinion of your Committee it is impossible to punish any person for buying or selling under false weights and measures, and therefore recommend that the same be laid upon the table, and the usual number printed for the use of the members of the House and Senate.

S. G. VAN ANDA, Chairman.

The report of the Committee was concurred in.

Mr. Mitchell, of Fremont, from Select Committee to whom was referred the special message of His Excellency the Governor, in relation to the troubles in Fremont county, submitted the following report :

Your Committee to whom was referred the special message delivered to this House on Thursday, February 6th, 1862, by His Excellency, the Governor, have had the same under consideration and a majority of said Committee have instructed me to report the accompanying bill and recommend its passage.

MITCHELL, of Fremont.

The Committee introduced House File No. 197: A bill for an Act punishing persons for receiving the property of persons in arms against the Government, or their aiders or abettors, with intent to prevent its confiscation, which was read a first and second time, and passed upon the files.

RESOLUTIONS LAID OVER UNDER RULE.

The following resolution was taken up:

Resolved, That the Auditor of State be requested to report to the General Assembly:

1st. The items that compose the extraordinary expenses of the Executive Department, amounting as per his report to \$1,770 63.

2d. The items that comprise the Secretary of State's Contingent Fund, amounting as per his report, to \$2,203 23.

3d. The items that compose the Auditor of State's Contingent Fund amounting as per his report to \$1,719 00.

4th. The items that compose the Treasurer of State's Contingent Fund amounting as per his report to \$1,200 00.

5th. The items that compose the Contingent Fund of the Register of State Land Office, amounting as per his report to \$1,498 40.

6th. The items that compose the Secretary of Agricultural Farm and College Contingent Fund, amounting as per his report to \$1,020 89.

The resolution did not prevail.

The following resolution was taken up:

Resolved, That the Auditor of State be requested to make a report to this House, showing the amount of interest on the permanent School Fund collected, and the amount reported on hand for apportionment in March, 1862, together with the amount delinquent in each of the several Counties; also, whether any portion of said interest is used or appropriated for the payment of expenses, or for the payment of officers managing or having control of said Fund.

The resolution was adopted.

Mr. Shipman moved that House File No. 168, substitute for House Files Nos. 100 and 119: A Bill for an Act conferring certain powers upon Boards of Supervisors to change County boundaries, be made the special order for Friday morning at 10 o'clock. Carried.

INTRODUCTION OF BILLS.

Mr. West introduced House File No. 198: A Bill for an Act regulating the purchase of supplies for the use of Charitable Institutions belonging to the State, which was read a first and second time and referred to Committee on Charitable Institutions.

Mr. Mitchell, of Polk, introduced House File No. 199: A Bill

for an Act to amend Section 3,851 of the Revision of 1860 in relation to proceedings before Justices of the Peace. Read a first and second time and referred to Committee on Judiciary.

Mr. Fuller, of Fayette, introduced House File No. 200: A Bill for an Act for the relief of all persons heretofore divorced to whom the disability to marry again has been attached either by law under which the divorce was had, or by decree of the Court granting the same, which was read a first and second time and referred to the Committee on Judiciary.

Mr. Frisbie introduced House File No. 201: A Bill for an Act to amend Art. 4, Chapter 100 of the Revision of 1860, relating to Dower, which was read a first and second time and referred to Committee on Judiciary.

Mr. Moir introduced House File No. 202: A Bill for an Act entitled an Act to legalize the election and official acts of D. D. Chase of Hamilton County, State of Iowa, which was read a first and second time and referred to Committee on Judiciary.

Mr. Frisbie introduced House File No. 203: A Bill for an Act regulating additions to unincorporated towns, which was read a first and second time and referred to Committee on Incorporations.

Mr. Flint introduced House File No. 204: A Bill for an Act to make valid certain instrument in writing, purporting to convey real estate, which was read a first and second time and referred to Committee on Judiciary.

Mr. Van Anda introduced House File No. 205: A Bill for an Act to limit the number of Grand Jury terms in the several Counties in this State, which was read a first and second time and referred to Committee on Judiciary.

Mr. Meyer introduced House File No. 206: A Bill for an Act to dissolve incorporate towns or cities, which was read a first and second time and referred to select Committee on Incorporations.

On motion of Mr. Bracewell, leave of absence was granted to Mr. Walton.

Mr. Lake moved to take up House File No. 190: A Bill for an Act legalizing the acts of Charles A. Perry, as Notary Public in and for Buchanan County, Iowa, under the assumed name of Richard J. Thornton.

The motion prevailed.

On motion of Mr. Lake, the Bill was read a third time; and, upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Bracewell, Burton, Calfee, Castor, Clark, Chase, Converse, Cutler, Dorr, Eichorn, Fairall, Ferguson, Flint, Fuller of Fayette, Fuller of Harrison, Glanville, Gordon, Guthrie, Hudnutt, Hollingsworth, Hood, Lake, Lakin, Lane, Martin, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of

Jones, Sarver, Shipman, Speer, Stanton, Thompson, Van Anda, Wasson, West, White, Whittemore, Wilson of Pottawattamie, Woodworth, Young, and Mr. Speaker—60.

The nays were, Messrs. Bowdoin, Cleaves, Curtiss, Denlinger, Gault, Hardie, Holyoke, Jackson, Knoll, Lowrie, McLennan, Nelson, Schramm, Smeltzer, Stevenson, Stewart, Wilcox, Williams of Des Moines, Williams of Mahaska, and Wright—20.

Absent or not voting—Messrs. Blackford, Dunlavy, Eaton, Frisbie, Gibson, Kellogg, Loomis, Lorah, Maxwell, Pendleton, Quinn, Walker, Walton, Wetherall, and Wilson of Chickasaw.

The bill passed and the title was agreed to.

Mr. Wright, by leave, introduced the following resolution which was laid over under the rule :

Resolved, That the Attorney General be required to furnish the House at an early day, with a written opinion on the following questions :

FIRST—Has any of the Governors of this State had any lawful authority at any time since the swamp lands were patented to this State, to certify any of said lands to any of the Rail Roads of this State ?

SECOND—If they have had no such power—and they have without any lawful authority certified any of said lands to the Rail Road Companies, would—or would not—a law, resuming all lands (undisposed of by said Companies,) granted by Congress for Railroad purposes, together with all swamp lands, (whether the same be certified to, or undisposed of, or not,) make a final settlement in law, of the dispute between the Counties, (or State,) and the Rail Road Companies, over the swamp lands in this State: *Provided*, Said Companies have violated the conditions upon which they were to receive lands granted to the State by Congress for Rail Road purposes, as specified in Section 1305, Chapter 55 of the Revision of 1860.

Message from the Senate :

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has ordered printed 1,000 copies of the Report of Surgeon General Hughes ;

That the Senate has passed House File No. 184: Joint Resolution, instructing the Governor to request the release of Iowa troops from the 3d Missouri Volunteers, with following amendments, changing the title so as to read transfer instead of release. In Section 1 strike out "concurring" and insert the words "and after Representatives of the State of Iowa," after the word Senate ; in which the concurrence of the House is asked ;

Also, Senate File No. 151: A Joint Resolution for additional mail facilities.

W. F. DAVIS, Secretary of Senate.

On motion of Mr. Russell of Jones, House File No. 175: A Bill for an Act to confer jurisdiction on Township Trustees, and giving

them power to establish, change, or discontinue roads within the limits of their respective Townships, was taken from the files and referred to Committee on Roads and Highways.

Mr. Moir offered the following Resolution:

Resolved, That we hold evening sessions during the remainder of this week, except Saturday evening, commencing at 7 o'clock P. M.

Mr. Shipman moved to amend by striking out "7" and inserting "2." Pending the consideration of which the Chair announced that the hour had arrived for the further consideration of the special order in Committee of the Whole, being substitute for House File No. 133: A Bill for an Act to protect sheep from the ravages of dogs.

The Committee of the Whole resumed the consideration of the special order, Mr. Bracewell in the Chair.

The Committee rose and reported the bill back to the House with sundry amendments and recommended its passage.

Leave of absence was granted to Mr. Gibson.

On motion of Mr. Bracewell, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
THURSDAY, February 27, 1862. }

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Calfee.

Journal of yesterday read and approved.

PETITIONS.

Mr. McQuinn presented the petition of Henry Shaffer and 49 others, citizens of Benton County, praying for the repeal of Sections 6 and 7 of the Land Grant Law, approved March 26th, 1860. Referred to Committee on Rail Roads.

Mr. Curtiss presented the petition of sundry citizens of Blackhawk County for a more stringent Prohibitory Liquor Law. Referred to Select Committee on that subject.

REPORTS OF COMMITTEES.

Mr. Holyoke from Committee on Charitable Institutions, submitted the following report:

The Committee on Charitable Institutions, to whom was referred

so much of the Governor's Message as relates to the Penitentiary, have had the same under consideration, and instructed me to report the following bill defining the duties of the Penitentiary Physician and fixing his salary.

THOS. HOLYOKE,

Chairman Committee on Charitable Institutions.

The Committee introduced House File No. 207: A Bill for an Act defining the duties of the Physician to the Penitentiary, and fixing his salary. Read a first and second time and passed upon the files.

Mr. Young from Select Committee on Prohibitory Liquor Law, submitted the following majority report:

The Select Committee on the Liquor Law, to whom were referred numerous petitions and remonstrances relating to that subject, have had the same under consideration, and a majority of the Committee have instructed me to report the same back to the House and recommend the passage of an Act to render more efficient the present Prohibitory Liquor Law. They have further directed me to report a bill for that purpose; which bill has been prepared and is herewith presented to the House.

J. B. YOUNG, From Select Committee.

The Committee introduced House File No. 208: A Bill for an Act to amend an Act entitled an Act for the suppression of Intemperance, approved January 22d, 1855. Read a first and second time.

Mr. Pendleton moved to lay on the table and print. Carried.

Mr. Lowrie from Committee on Rail Roads, submitted the following report:

The Rail Road Committee, to whom was referred House File No. 25, by the gentlemen from Washington, Mr. Stanton, and House File No. 24, on the same subject, by the gentleman from Muscatine, Mr. Price, have had the same under consideration, and respectfully beg leave to report the following amended bill as a substitute and recommend its passage.

C. W. LOWRIE, Chairman.

The Committee introduced House File No. 209: Substitute for House Files Nos. 24 and 25: A Bill for an Act in relation to the duties of Railroad Companies. Read a first and second time and passed upon the files.

Message from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body, That the Senate has passed House File No. 73: A Bill for an Act relating to the incorporation of the Iowa Conference Seminary, now known as Cornell College, without amendment.

Also, Senate File 156: Joint Resolution asking additional mail facilities, being a Substitute for Senate Files Nos. 27, 28 and 35.

Substitute for Senate File No. 74: A Bill to amend Section 548 of the Revision of 1860, in relation to the giving notices of the elec-

tion of Township and Road District officers and their qualification and repealing Section 447 of the Revision of 1860.

W. F. DAVIS, Secretary.

Mr. Bass from Select Committee on Prohibitory Liquor Law, submitted the following minority report :

The minority of your Special Committee to whom were referred sundry petitions in reference to the sale of intoxicating liquors in this State, have had the same under consideration and instructed me to report the accompanying Bill and recommend its passage.

G. L. BASS,

J. H. FLINT,

C. W. LOWRIE.

The Minority of the Committee introduced House File No. 110 : A Bill for an Act to regulate the sale of malt, vinous and spirituous liquors. Read a first and second time.

Mr. Fairall moved to lay on the table and print. Carried.

Message from the Senate :

MR. SPEAKER :—I am directed to inform your Honorable Body, That the Senate has passed the following Resolutions : in which the concurrence of the House is asked.

WM. F. DAVIS, Secretary.

[No Resolution appears in the Journal—PRINTER.

Mr. Stephenson from Select Committee to whom was referred Senate File No. 125, submitted the following report :

Your Committee to whom was referred Senate File No. 125 : A Bill for an Act granting certain powers to the District Court of Lee county and relief thereby to Jonathan Jones, have had the same under consideration and beg leave to submit the following report :

The Bill under consideration gives to said Jones the right to apply to the District Court of Lee county, for a new trial in a certain cause therein tried at the December Term 1860, and in which judgment was rendered as one of the sureties of James D. Eads, late Superintendent of Public Instruction. Said judgment was rendered on the second bond of said Eads, on which there were but five sureties, and the amount for which judgment was rendered is \$25,000.

Your Committee find that Mr. Jones did in July 1856, make application to the Governor of the State of Iowa, under the provisions of law now embraced in Chapter 41 of the Revision of 1860, to be released from his liability as surety for said Eads. We find that his application was duly and regularly heard by the Governor, and that on the 15th day of July, 1856, the Governor ordered that said Eads should give new security, on or before the 1st day of August following. These facts are shown by the Executive Record in the office of the Secretary of State.

The law above referred to provides that "if the new bond is not given as required, the office of the principal *shall* be declared vacant.

No new bond was given by Eads, and the Governor failed to declare the office vacant as required by law.

The principal part of the defalcation of said Eads for which judgment has been rendered against Jones, accrued after the 1st of August 1856, the time when the law required the Governor to declare the office vacant.

Your Committee find that Mr. Jones made repeated efforts to procure the evidence showing the above facts but without success. He procured the examination of the Executive record, but was informed by the person making the examination that no record of his application for release had been made. He got his Attorneys to write to the Secretary of State sometime before Court, but was informed by them, that they could not obtain any evidence of his application to the Governor.

He also applied to the Governor in person, who had forgotten all the material facts and seemed to be of opinion that he had never made the order referred to. The fact that there is no index to the Executive record may serve to explain the failure to find this record sooner.

Mr. Jones coming to the conclusion that no record had been made of his application for release under the law, was compelled to submit to the rendition of judgment against him.

In the month of November last, Mr. Jones learned for the first time that the record contained the evidence of the facts upon which he relies for defense. It will be seen that these facts present two questions:

1. Has Mr. Jones a valid defense against so much of the claim against him as arose after the 1st of August, 1856, the time when the office should have been declared vacant?

2. Has he been so negligent as to deprive him of the right to a rehearing, so that he may be let in to make such defense?

In the opinion of your Committee these are both questions, proper to be decided by the Court having jurisdiction of the case. Mr. Jones, however, did not discover this evidence in time to make an application for a new trial. As the case now stands he is barred by lapse of time from making such application. The Bill under consideration, provides for the removal of the bar and to allow Mr. Jones to apply for a new trial at the next term of Court, leaving the Court to decide both upon the question of diligence, and as to the effect of the newly discovered evidence. As no injustice can be done to any party, by the full and fair hearing of petitioners application for new trial, your Committee report back the bill without amendment, and recommend its passage.

THOS. G. STEPHENSON,
JAMES McQUINN,
H. D. GIBSON,
SAM. H. FAIRALL,
ISAAC PENDLETON.

Mr. Williams, of Mahaska, from Committee on Judiciary, submitted the following report:

The Judiciary Committee to whom was referred House File No. 61: A Bill for the relief of Amity College, have had the same under consideration, and I am instructed to report a substitute therefor, which submitted is herewith submitted.

WILLIAMS, of Mahaska.

The following resolution offered by Mr. Wright, and laid over under the rule, was taken up and adopted:

Resolved, That the Attorney General be required to furnish the House at an early day, with a written opinion on the following questions:

1st. Has any of the Governors of this State had any lawful authority, at any time, since the Swamp Lands were patented to this State, to certify any of said lands to any of the Railroad Companies of this State?

2d. If they have had no such power, and they have, without any lawful authority, certified any of said lands to the Railroad Companies, would or would not a law resuming all lands (undisposed of by said Companies) granted by Congress for Railroad purposes, together with all Swamp Lands (whether the same be certified to or undisposed of or not) make a final settlement in law, of the dispute between the Counties (or State) and the Railroad Companies, over the Swamp Lands in this State, *Provided*, said Companies have violated the conditions upon which they were to receive lands granted to the State by Congress for Railroad purposes, as specified in Section 1,305, Chapter 55, of the Revision of 1860.

Mr. Mitchell, of Fremont, moved that House File No. 197: A Bill for an Act punishing persons for receiving the property of persons in arms against the Government, or their aiders or abettors with intent to prevent its confiscation, be taken from the files and printed. Carried.

INTRODUCTION OF BILLS.

Mr. Fairall introduced House File No. 211: A Bill for an Act to preserve the peace. Read a first and second time.

Mr. Fairall moved to lay on the table and print. Carried.

Mr. Stanton introduced House File No. 212: A Bill for an Act repealing part of Section 1583, Chapter 64, of the Revision of 1860. Read a first and second time and passed upon the files.

Mr. Curtiss introduced House File No. 213: A Bill for an Act to authorize the Boards of Supervisors to build and keep in repair certain bridges within their respective Counties. Read a first and second time and referred to the Committee on County and Township Organization.

Mr. Wilson, of Pottawattamie, introduced House File No. 214: A Bill for an Act to confer on Boards of Supervisors the power to

authorize the people of a County to organize a New County. Read a first and second time and referred to Committee on New Counties.

Mr. Lake introduced House File No. 215: A Bill for an Act to provide for the publication of the laws. Read a first and second time and referred to Committee on Printing.

Mr. Fairall introduced House File No. 216: A Bill for an Act regulating stay of execution. Read a first and second time and referred to Committee on Judiciary.

Mr. Fairall introduced House File No. 217: A Bill for an Act relating to the bringing of suits against counties. Read a first and second time and referred to the Committee on Judiciary.

Mr. Young introduced House File No. 218: A Bill for an Act to provide for auditing the claim of Mentzer, Twogood & Co., for clothing furnished Company A. of Sixth Regiment of Iowa Volunteers. Read a first and second time, and referred to Committee on Military Affairs.

RESOLUTIONS.

Mr. Lowrie offered the following concurrent resolution, which was adopted:

Resolved, that the House of Representatives, the Senate concurring, Will meet the Senate in Joint Convention in this Hall, on Monday March 10th, 1862, at 10 o'clock A. M., for the purpose of electing a Warden of the Penitentiary, for the two years ensuing thereafter, and three Bank Commissioners.

Mr. Moser offered the following resolution:

Resolved, That no new matter shall be introduced after Wednesday, March 5th, without the consent of two-thirds of the members present.

Mr. Fuller, of Harrison, moved to lay the resolution on the table. The motion prevailed.

Mr. Dorr, by leave, presented a communication in relation to power of Courts in bastardy cases. Referred to Committee on Judiciary.

Mr. Wilson, of Pottawattamie, offered the following resolution, which was adopted:

Resolved, That the Committee on Judiciary, be instructed to inquire and report to this House, as early as practicable, whether the true construction of the Land Grant Act of 1856, conveyed the lands to Railroad Companies for road that was built and operated at the time said Act was passed, or whether it was restricted to road to be built subsequently to that time; and also how far the Governor's certificate vests them with title to the land.

Messages and Communications on the table, taken up.

A Concurrent Resolution on the subject of preserving the papers presented to the Legislature for Claims:

Resolved, by the Senate, the House concurring, That the Secretary of the Senate and the Clerk of the House, be required to keep on file all reports and papers presented to the respective branches of the Legislature for Claims, and at the adjournment of the Legislature to place the same in the hands of the Secretary of State, who shall preserve the same for future use.

The Resolution was adopted.

Substitute for Senate File No. 74: A Bill for an Act to amend section 548 of the Revision of 1860, in relation to giving notice of the election of Township and Road District Officers and their qualification, and repealing section 447 of the Revision of 1860, was read a first and second time and referred to Select Committee on House File No. 29.

House File No. 184: Resolution instructing the Governor of Iowa to request the transfer of Iowa troops from the Third Missouri Volunteers.

The amendment of the Senate to title, striking out "release" and inserting "transfer," was agreed to. The Resolution as amended was adopted.

Senate File No. 151: A Joint Resolution asking for additional mail facilities, was read and referred to Committee on Federal Relations.

The following communication from the Register of the State Land Office, was read and referred to Committee on Public Lands.

STATE LAND OFFICE, IOWA, }
DES MOINES, February 25, 1862. }

Gentlemen of the House of Representatives :

In reply to your Resolution of the 24th inst., asking certain information in regard to the Keokuk, Fort Des Moines and Minnesota Rail Road Company, I have the honor to state that the President and Chief Engineer of said Rail Road Company have never certified to this office the completion of any part of their line of road above Bentonsport, as provided in section 3 of the Act of the General Assembly, approved March 22, 1858, and that there have been no lists of lands certified to said Company as enuring to them under the provisions of said Act.

I have the honor to remain, with great respect,

Your obedient servant,

A. B. MILLER, Register.

The following communication was read:

HON. RUSH CLARK,

Speaker of the House of Representatives:

DEAR SIR:—In compliance with House resolution requiring that the Commissioners appointed to Audit Claims on the War and

Defense Fund, be requested to report to the House at an early a day as possible, the amount allowed to the Adjutant General of this State as salary, the amount for Clerk hire, the amount for Rents, the amount for Livery hire, and all incidental expenses connected with that office, since the last Extra Session of the General Assembly, we have the honor to report the following amounts, viz:

For Telegraphing.....	\$1,240 70
For Clerk hire.....	2,338 75
For Blank Book Printing.....	
For Advertising and Stationery.....	2,220 10
For Salary.....	1,012 00
For Office Rent, Fuel and Lights.....	514 50
For Office Furniture.....	57 24
For Postage.....	64 46
For One copy Revised Statutes.....	3 00

Total.....7,450 75

No claims have been allowed by the Board for livery hire on account of services belonging to the Adjutant General's Department, but claims for livery hire to the amount of \$365.21 have been allowed on the sworn testimony of the Adjutant General that they were not chargeable to his department, but had been incurred on account of services rendered to and immediately connected with the Quarter-Master's Department.

In justice to the Adjutant General, we would state that in the item of telegraphing, a certain portion was for despatches to and from the Governor. We are at present unable to state the amount on account of the Executive Department, from the fact that the Telegraphic Company required the despatches to be returned to them after examination, and we kept no separate account of the same.

All of which is most respectfully submitted.

J. N. DEWEY,
F. R. WEST,
S. R. INGHAM.

Mr. Bowdoin moved to refer to Committee on Ways and Means and that the usual number of copies be printed for the use of the House.

Mr. Fairall moved to amend by referring to Committee on Military Affairs. Lost.

The question recurring upon the motion of Mr. Bowdoin the same prevailed.

BILLS ON SECOND READING.

House File No. 162 : A Bill for an Act to provide compensation to agents of this State for reclaiming fugitives from justice.

Mr. Williams of Mahaska moved that the rule be suspended and

the Bill read a third time now. The motion prevailed. The Bill was read a third time, and upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Hollingsworth, Hood, Jackson, Knoll, Lakin, Lane, Lorah, Lowrie, Martin, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Moir, Moser, Nelson, Parker, Pendleton, Pierce, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Van Anda, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Wright, Young, and Mr. Speaker—83.

The nays were, Mr. Thompson—1.

Absent or not voting, Messrs. Outler, Eaton, Gibson, Holyoke, Kellogg, Lake, Loomis, Maxwell, Mitchell of Polk, Quinn, Walker, Walton, Wilson of Chickasaw, and Woodworth—14.

The Bill passed and the title was agreed to.

Senate File No. 87: A Bill for an Act to authorize Boards of Supervisors to divide Townships into election precincts in certain cases.

Mr. Bracewell moved to suspend the rule, and read the Bill a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lakin, Lane, Lorah, Lowrie, Martin, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Pierce, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Wright, Young, and Mr. Speaker—86.

The nays were, None.

Absent or not voting—Messrs. Outler, Eaton, Gibson, Kellogg, Lake, Loomis, Maxwell, Quinn, Smeltzer, Walker, Wilson of Chickasaw, and Woodworth—12.

The Bill passed and the title was agreed to.

House File No. 18: A Bill for an Act entitled an Act to amend

an Act providing for auditing all accounts and disbursements arising under the call for volunteers from Iowa, and also for all men organized as the State Militia of Iowa.

Mr. Lane moved that the rule be suspended, and the Bill be read a third time now.

Mr. Pendleton moved to lay the bill on the table. The motion prevailed.

On motion of Mr. Lakin, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
FRIDAY, February 28th, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Shaffer.

Journal of yesterday read and approved.

Mr. Wilcox, by leave, introduced the following resolution :

Resolved, That for the remainder of this session, no member shall be permitted to speak more than ten minutes at one time, nor more than once on the same subject, and that this rule shall be strictly enforced.

Mr. Van Anda moved to lay the resolution on the table. Carried.

Mr. Frisbie from Joint Committee on Enrolled Bills submitted the following report :

MR. SPEAKER :—The Joint Committee on Enrolled Bills ask leave to report that they have examined Senate Files Nos. 92 and 123, and House Files 73 and 184, find them correctly enrolled, and herewith present them for your signature.

D. G. FRISBIE, Chairman

House Com. Enr. Bills.

Mr. Eaton moved that the Committee on Congressional Districts be authorized to telegraph to our delegation in Congress, for information as to the number of members of Congress Iowa is entitled to under the present apportionment, and that the expenses thereof be paid by the Secretary of State. Carried.

Mr. Stanton, by leave, presented a petition from citizens of Washington county, to tax dogs. Referred to Committee on Agriculture.

Mr. Price moved that the rule be suspended and Bills on their third reading taken up. The motion prevailed.

BILLS ON THIRD READING.

House File No. 103: A bill for an Act to amend Chapter 42 of the Revision of 1860, relating to vacancies and special elections was read a third time, and upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Thompson, Van Anda, Walker, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—81.

The nays were, None.

Absent or not voting, Messrs. Chase, Dunlavy, Gibson, Kellogg, Loomis, Maxwell, Pendleton, Quinn, Stewart, Walton, Williams of Des Moines, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

Substitute for House File No. 23: A bill for an Act for laying out private roads, was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Bracewell, Calfee, Castor, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Fuller of Fayette, Gault, Glanville, Guthrie, Hardie, Hood, Jackson, Lake, Lakin, Lowrie, McCall, McQuinn, Mitchell of Polk, Moir, Porter, Price, Rowles, Russell of Dallas, Sarver, Schramm, Shipman, Speer, Stevenson, Thompson, Van Anda, West, White, Wilcox, Williams of Des Moines, Woodworth, and Mr. Speaker—47.

The nays were, Messrs. Blackford, Bowdoin, Burton, Frisbie, Gault, Glanville, Hood, Jackson, Lake, Lakin, Lowrie, McCall, McQuinn, Mitchell of Polk, Moir, Pierce, Porter, Price, Rowles, Russell of Dallas, Schramm, Shipman, Speer, Stevenson, Thompson, Van Anda, West, White, Wilcox, Williams of Des Moines, Woodworth and Mr. Speaker—32.

Absent or not voting Messrs. Dunlavy, Gibson, Kellogg, Loomis, Maxwell, McLennan, McGlothlen, Meyer, Quinn, Rothrock, Walker, Walton, Williams of Mahaska, Wilson of Chickasaw.

The Bill did not pass.

Senate File No. 70: A Bill for an Act providing for the Record-

ing of officers' bonds, was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, McCall, McGlothlen, McQuinn, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Pierce, Porter, Price, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright, and Mr. Speaker—78.

The nays were, None.

Absent or not voting—Messrs. Dunlavy, Gault, Gibson, Kellogg, Loomis, Maxwell, McLennan, Meyer, Quinn, Rothrock, Smeltzer, Walker, Walton, Williams of Mahaska, Wilson of Chickasaw, and Young.

The Bill passed and the title was agreed to.

Senate File No. 125: A Bill for an Act granting certain powers to the District Court of Lee County, and relief thereby to Jonathan Jones.

Mr. Lake moved to commit the Bill to Judiciary Committee, pending which motion the Chair announced that the hour for the consideration of the special order had arrived, being House File No. 168, substitute for House Files Nos. 100 and 119: A Bill for an Act to confer power upon Board of Supervisors to change County boundaries.

Mr. Lake moved that the House resolve itself into Committee of the Whole on the special order, with Mr. Hardie in the Chair. The motion did not prevail.

Mr. Van Anda moved to amend Sec. 1 as follows: Strike out "persons" in 6th line and insert "credible witnesses." Carried.

Mr. Lake moved to strike out "proposed" in the 4th line and insert "said." Carried.

Mr. Clark, of Tama, moved to strike out "now" in the 4th line of Section 4. Carried.

Mr. Wilson, of Pottawattamie, moved to amend Section 6 as follows: after the word "attached," in the third line, insert "shall be filed in the office of the Treasurer and Recorder of the County to which the same is attached." Carried.

Mr. Lorah moved to amend Sec. 5, insert after words "cast in," in the 4th line, "each of." Carried.

Mr. Moir moved to add to Section 5 the following: "in each of the Counties interested, in the minute book mentioned in Sec. 318 of the Revision of 1860." Carried.

Mr. Dorr moved to add to Section 1, the following: "Provided no change shall be allowed in any County of less than 300 inhabitants." Lost.

Mr. Smeltzer moved to amend Sec. 7, as follows: add thereto the words "and in no other case." Carried.

Mr. Lake moved to add to Sec. 8, "and the said Township officers shall have the same jurisdiction as though the change had not been made." Carried.

Mr. Smeltzer moved to insert after the word "levied," in the first line of Section 9, "and unpaid," and after the word "held," in same line of same Section, "and all delinquent taxes." Carried.

Mr. Curtiss moved to amend Section 8, as follows: after "annexed," in third line, insert "and by him duly recorded." Lost.

Mr. Lakin moved to add a new Section as Section 10, and change Section 10 to 11, which new Section is as follows:

"SEC. 10. But it is hereby provided, that no change shall be made in the boundary of any County as heretofore provided, if such change shall increase the amount of the existing indebtedness of any County beyond a sum equal to five per centum of the taxable property, including the portion detached in said County." Carried.

Mr. Shipman moved to add to section two, the following:

"No petition for a change in county boundaries shall be entertained by any Board of Supervisors, if said change reduces any of the counties interested below the constitutional limits." Carried.

Mr. Converse moved to amend Section one, as follows:

Strike out "any portion," in second line; change "County" to "Counties"; strike out "to be set off and be attached to an adjoining county," in second and third line, and insert after the word "County," in second line, "of the State," and after "desire," in same line insert "an alteration of the boundaries of the same," and strike out "persons," in 6th line, and insert "credible witnesses."

Mr. Martin moved to refer the Bill and amendments to a Select Committee of five. Carried.

The Chair appointed as said Committee, Messrs. Martin, Shipman, Lake, Pendleton and Cutler.

The House resumed consideration of Bills on a third reading.

The Chair announced the question to be on the motion of Mr. Lake to commit Senate File 125 to the Committee on Judiciary.

The motion prevailed.

House File No. 15: A Bill for an Act to define the duties of Justices of the Peace and Special Constables in certain cases.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Dorr, Eaton, Fairall, Ferguson, Flint, Fuller of Fay-

ette, Fuller of Harrison, Gault, Glanville, Gordon, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Lake, Lakin, Lane, Lorah, Martin, McCall, McGlothlen, McQuinn, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Pendleton, Pierce, Porter, Price, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, West, White, Whittemore, Wilcox, Wilson of Pottawattamie, Woodworth, Wright Young and Mr. Speaker—70.

The nays were, Messrs. Denlinger, Frisbie, Guthrie, Hardie, Knoll, Moser, Parker, Rowles, and Schramm—9.

Absent or not voting—Messrs. Dunlavy, Gibson, Kellogg, Loomis, Lowrie, Maxwell, McLennan, Meyer, Quinn, Rothrock, Walton, Wasson, Wetherall, Williams of Des Moines, Williams of Mahaska, and Wilson of Chickasaw—16.

The Bill passed and the title was agreed to.

Substitute for House Files No's. 163 and 173: A Bill for an Act entitled an Act to amend section 2475 of the Revision of 1860, and to legalize certain Acts of County Judges.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, McCall, McGlothlen, McLennan, Meyer, Milburn, Mitchell of Fremont, Moir, Moser, Nelson, Parker, Pendleton, Pierce, Porter, Price, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Wasson, Wetherall, West, White, Whittemore, Wilcox, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—78.

The nays were, None.

Absent or not voting, Messrs. Dunlavy, Gibson, Kellogg, Loomis, Maxwell, McQuinn, Meyer, Mitchell of Polk, Quinn, Rothrock, Rowles, Walton, Williams of Des Moines, Williams of Mahaska, and Wilson of Chickasaw—15.

The Bill passed and the title was agreed to.

Mr. Bowdoin moved that substitute for House File No. 155: A Bill for an Act providing for the Taxing of Salaries and Incomes for State purposes, be made the special order for Monday morning, March 3, 10 o'clock A. M. Carried.

BALLS ON SECOND READING.

Senate File No. 56: A Bill for an Act to require Clerks of the District Court to keep an Appearance Docket.

Mr. Moir moved that the rule be suspended and the Bill read a third time now. Carried.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, McGlothlen, McLennan, McQuinn, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Pierce, Porter, Price, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Wasson, Wetherall, West, White, Whittemore, Wilcox, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—80.

The nays were, Mr. Sarver—1.

Absent or not voting, Messrs. Dunlavy, Gibson, Kellogg, Loomis, Maxwell, McCall, Meyer, Quinn, Rothrock, Walton, Williams of Des Moines, Williams of Mahaska, and Wilson of Chickasaw—13.

The Bill passed and the title was agreed to.

Leave of absence was granted to Mr. McCall.

Mr. Fairall moved that House File No. 209, substitute for House Files No's. 24 and 25: A Bill for an Act in relation to the duties of Rail Road Companies, be made the special order for Tuesday morning, March 4, 10 o'clock. Carried.

Mr. Shipman moved that House File No. 133: A Bill for an Act to protect Sheep from the ravages of Dogs, together with the amendments reported from Committee of the Whole be taken up and referred to a Select Committee of three. The motion prevailed.

The Chair appointed Messrs. Shipman, Lake, and Castor such Committee.

House File No. 115: A Bill for an Act amending Section 840 of the Revision of 1860, laws of Iowa.

Mr. Price moved to lay the Bill on the table. Carried.

Mr. Gordon moved that the House adjourn. Lost.

House File No. 105: A Bill for an Act entitled an Act to amend chapter 199 of the Revision of 1860, with respect to an indictment, its form and requisites,

Mr. Moir moved to lay the Bill on the table. Carried.

Substitute for House File No. 48: A Bill for an Act to incorporate Civil Townships. The substitute was adopted.

Mr. Curtiss moved that the rule be suspended and the Bill read a third time now. Carried.

The Bill was read a third time and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lakin, Lane, Lorah, Lowrie, Martin, McCall, McGlothlen, McLennan, McQuinn, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Pierce, Porter, Price, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Wasson, Wetherall, West, White, Whittemore, Wilcox, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—81.

The nays were, None.

Absent or not voting—Messrs. Dunlavy, Gibson, Kellogg, Lake, Loomis, Maxwell, Meyer, Quinn, Rothrock, Walton, Williams of Des Moines, Williams of Mahaska, and Wilson of Chickasaw—13.

The Bill passed and the title was agreed to.

On motion of Mr. Shipman the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
SATURDAY, March 1st, 1862. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Shaffer.

Journal of yesterday read and approved.

PETITIONS, &c.

Messrs. Dunlavy and Lorah presented sundry petitions from citizens of their respective counties, asking that the price of State printing be reduced thirty-three and one-third per cent, or that the office of State Printer be abolished; to take effect immediately, and the printing be let to the lowest responsible bidder. Referred to Committee on Printing.

Mr. Hardie presented the petition of sundry citizens of Dubuque praying for the repeal of the Prohibitory Liquor Law.

Also, the remonstrance of E. A. Gilbert and 95 others, citizens of Dubuque, against any Legislative interference with the constitutional rights of citizens to the secure enjoyment of their own private opinions with regard to what is successful and scientific medi-

cal practice, and their right to the choice of their own medical attendants. Referred to select Committee on that subject.

Mr. Mitchell of Polk, presented the petition of Israel Jenkins and others in relation to perfecting titles to *bona fide* purchasers under Des Moines River Land Grant. Referred to select Committee on that Subject.

Messrs. Parker and Walton presented petitions from citizens of their respective counties in reference to land grant to Cedar Rapids and Missouri River Railroad Company. Referred to Committee on Railroads.

Mr. Van Anda presented the petitions of citizens of Delaware county, asking the passage of a law conferring additional jurisdiction on county Judges. Referred to Committee on Judiciary.

Mr. Fairall presented the petition of A. C. Herman and 250 others, citizens of Johnson county, praying the enactment of a law to protect sheep from the ravages of dogs. Referred to the Committee on Agriculture.

Mr. Eaton presented the petition of sundry citizens of Maquoketa and vicinity, asking for share of land grant. Referred to Committee on Railroads.

REPORTS OF COMMITTEES.

Mr. Shipman from Committee on County and Township Organization, submitted the following reports :

The Committee on County and Township Organization to whom was referred House File No. 191 : A Bill for an Act to amend Section 313 of the Revision of 1860, in relation to the publication of the proceedings of the Board of Supervisors, have had the same under consideration, and directed me to report the same back to the House and recommend its passage.

SHIPMAN, Chairman.

The Committee on County and Township Organization to whom was referred House File No. 187 : A Bill for an Act fixing the salary of Sheriffs, have had the same under consideration and have directed me to report the same back to the House and recommend that it do not pass.

SHIPMAN, Chairman.

The Committee on County and Township Organization to whom was referred House File No. 86 : A Bill for an Act to fine and remove county Treasurers from office in certain cases, have had the same under consideration, and have directed me to report the same back and recommend that the bill do not pass.

SHIPMAN, Chairman.

The Committee on County and Township Organization to whom was referred House File No. 79 : An Act to amend an Act to provide for the making and repairing highways and prescribing the duties of county officers, have had the same under consideration,

and have directed me to report the same back to the House and recommend its passage.

SHIPMAN, Chairman.

Mr. Rothrock from Committee on Schools and State University submitted the following report:

The Committee on Schools and State University to whom was referred Senate File No. 57: An Act to authorize Boards of Supervisors to remit School-house taxes in certain cases, have had the same under consideration, and have instructed me to report the same back to this House and recommend that it do not pass.

ROTHROCK, Chairman.

Mr. Young from Committee on Judiciary, submitted the following report:

The Judiciary Committee to whom was referred a Resolution requesting them to examine into and report upon the constitutionality of an Act reducing the salaries of all State officers, except Judges of the Supreme and District Courts, have had the same under consideration, and have instructed me to report that, in the opinion of the Committee, such a law would in no way conflict with any of the provisions of the Constitution. So much of said Resolution as refers to the expediency of passing such an Act, your Committee ask may be referred to a select Committee on that subject.

YOUNG, Chairman.

The Chair announced the question to be on concurring in report of Committee.

Mr. Moir moved to lay the whole subject on the table. Carried.

Message from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body, That the Senate has passed the following Bills, in which the concurrence of the House is asked:

Substitute for Senate File No. 150: A Bill for an Act to change the names of towns and villages.

Senate File No. 157: Resolution asking the construction of one Federal Judicial Circuit from certain States.

Also, That in the absence of the Lieutenant Governor, the Senate has elected Hon. T. W. Woolson, President *pro tem*.

WM. F. DAVIS, Secretary.

Mr. Van Anda from Committee on Judiciary, submitted the following reports:

The Committee on Judiciary to whom was referred House File No. 202: An Act to legalize the election and official acts of D. D. Chase of Hamilton county, State of Iowa, have had the same under consideration, and have instructed me to report the same back and recommend that the same do pass.

VAN ANDA, for the Committee.

The Committee on Judiciary to whom was referred House File No. 98: An Act to amend Section 843 of the Revision of 1860

have had the same under consideration, and have instructed me to report the same back with a recommendation that it do pass.

VAN ANDA, for the Committee.

The Judiciary Committee, to whom was referred House File No. 189: A Bill to amend Section 2496 of Article 7 of the Revision of 1860, have had the same under consideration and instructed me to report the same back with the recommendation that it do not pass.

VAN ANDA, Chairman.

The Committee on Judiciary, to whom was referred House File No. 216: A Bill for an Act regulating stay of execution, have had the same under consideration, and have instructed me to report the same back with the recommendation that it do pass.

VAN ANDA, For the Committee.

The Judiciary Committee, to whom was referred House File No. 181: A Bill for an Act to amend Section 3952, sub-division 3, of the Revision of 1860, have had the same under consideration, and have instructed me to report the same back to this House with the following amendment: Add after the last word in said bill, "and must be sworn to;" and so amended recommend that the same be passed.

VAN ANDA, For the Committee.

Mr. Moir, from Committee on Judiciary, submitted the following report:

The Committee on Judiciary, to whom was referred House File No. 217: A Bill for an Act relating to the bringing of suits against Counties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House and recommend its passage.

MOIR, member of said Committee.

Mr. Mitchell of Fremont, from Committee on Judiciary, submitted the following report:

The Judiciary Committee, to whom was referred House File No. 204: A Bill for an Act to make valid certain instruments in writing purporting to convey real estate, have had the same under consideration, and have instructed me to report the same back to the House and recommend that it be laid upon the table.

J. L. MITCHELL, of Fremont.

Mr. Converse from Committee on Agriculture, submitted the following report:

The Committee on Agriculture, to whom was referred House File No. 171: A Bill for an Act providing for the election of a Secretary of the Board of Trustees of the Agricultural College and Farm, and repealing certain Sections of Article 3, Chapter 67, of the Revision of 1860, have had the same under consideration, and directed me to report the same back to the House with the recommendation that it be indefinitely postponed.

A. CONVERSE, Chairman.

Mr. Van Anda from Committee on Incorporations, submitted the following reports :

The Committee on Incorporations, to whom was referred House File No. 209: A Bill for an Act regulating additions to unincorporated towns, have had the same under consideration, and have instructed me to report the same back with the recommendation that it do pass.

VAN ANDA, Chairman.

The Committee on Incorporations, to whom was referred House File No. 164: An Act to regulate Mutual Insurance Companies, have had the same under consideration, and have instructed me to report the same back with amendments: Inserting section 4 and adding section 7, which are herewith submitted, and recommend that it do pass.

VAN ANDA, Chairman.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following Report :

MR. SPEAKER: The Joint Committee on Enrolled Bills ask leave to report that they have examined Senate File 156, find it correct, and present it herewith for your signature.

D. G. FRISBIE,

Chairman House Committee Enrolled Bills.

Mr. Young, from Select Committee, to whom was referred a certain petition for the relief of the sureties of Lewis S. Frederick, of Tama County, late School Fund Commissioner, submitted the following report :

The Select Committee, to whom was referred the petition of the County Board of Supervisors, and the several County Officers of Tama County, asking for the passage of an Act providing for the relief of the sureties on the official bond of Lewis S. Frederick, late School Fund Commissioner of said County, have had the same under consideration, are satisfied that the interests of the State will be advanced by a conditional release of a portion of the liability of said sureties which is now in the form of a judgment at law.

The Committee have directed me to prepare a Bill providing for such conditional release, which Bill has been prepared, and is herewith presented to the House, entitled "A Bill for an Act to provide for the relief of the sureties of Lewis S. Frederick, late School Fund Commissioner for Tama County," and the passage thereof recommended.

YOUNG, Chairman.

The Committee introduced House File No. 219: A Bill for an Act to provide for the relief of the sureties of Lewis S. Frederick, late School Fund Commissioner of Tama County, which was read a first and second time.

Mr. Rothrock moved that the Bill be indefinitely postponed. Carried.

Mr. Hardie moved to reconsider the vote by which substitute for

House File No. 23 : A Bill for an Act for laying out private roads, was lost.

Mr. Denlinger moved to lay the motion on the table. Lost.

The question recurring upon the motion of Mr. Hardie it prevailed, and the Bill was passed back to its place upon the files.

INTRODUCTION OF BILLS.

Mr. Rothrock introduced House File No. 220 : A Bill for an Act to regulate the carrying of freight and passengers over connecting Railroads. Read a first and second time and referred to the Committee on Railroads.

Mr. Smeltzer introduced House File No. 221 : A Bill for an Act to regulate tolls and prevent the mixing of flour. Read a first and second time and referred to Committee on Agriculture.

Also, House File No. 222 : A Bill for an Act to prevent obstructions on Railroads. Read a first and second time and referred to Committee on Railroads.

Mr. Hardie introduced the following preamble and resolution :
WHEREAS, It has been the practice for a series of years, not only in this State but in many other States of this Union, for members of the General Assembly, on sending newspapers and other printed documents to their constituents, to endorse their names upon the wrappers of the same, in order that citizens might know from whom such papers or documents were received, and,
WHEREAS, The members of this General Assembly have recently through the action of the Postmaster of this City, at the instigation, as he says, of the Special Agent of the Post Office Department in this State, been deprived of this time-honored privilege, therefore,

Resolved by the House of Representatives, the Senate concurring, That our Senators in Congress are hereby instructed, and our Representatives requested to represent to the Postmaster General that this General Assembly solemnly protests against the decision of the Special Mail Agent of this State in the case above cited, as an unjust interference with a privilege that custom and ancient usage has placed almost above written law, and to use their influence with said Postmaster General to have said order rescinded, or failing to accomplish this, to have the Post Office law so amended as to grant to members of State Legislatures a continuance of said privilege.

Mr. Lake moved to amend as follows:

Resolved by the General Assembly of the State of Iowa, That our Senators in Congress be instructed, and our Representatives requested, to so change the law that members of the General Assembly of the various States may put their names on the wrappers of papers sent to their constituents during the time such Assembly is in session. The amendment did not prevail.

The question recurring upon the resolution of Mr. Hardie, the same was adopted.

Mr. Knoll introduced House File No. 223: A Joint resolution in regard to the appointment of General Franz Seigel to the rank of Major General. The resolution was adopted.

Mr. Lowrie introduced House File No. 224: A Joint Resolution instructing our delegation in Congress to use their influence for the passage of an Act confirming the title of the uncertified lands granted for the improvement of the Des Moines River to the Navigation and Railroad Company, above the Raccoon Forks on to the Northern boundary line of the State. Referred to Judiciary Committee and Select Committee on Des Moines River Improvement.

Mr. Lane introduced House File No. 225: A Bill for an Act to amend Section 492, of Chapter 32, of the Revision of 1860, in relation to the qualifications of electors. Read a first and second time and referred to the Committee on Railroads.

COMMUNICATIONS AND MESSAGES ON THE TABLE.

The following communication from the Auditing Board of the War and Defense Fund was taken up and read.

DES MOINES, Feb. 27th, 1862.

HON. RUSH CLARK,

Speaker of the House of Representatives:

DEAR SIR:—In compliance with a resolution of the House of Representatives, adopted on the 4th inst., we herewith enclose you a "tabular statement of all claims presented to us as against the State, showing the names of the claimants for what the claim was made, the date and amount of allowance, together with the amount not allowed; also, a statement of all expenses to the State, arising out of or connected with the auditing of said claims, &c."

We have the honor to be

Yours, Very Respectfully,

JNO. N. DEWEY,
S. R. INGHAM,
F. R. WEST.

Mr. Bowdoin moved to print two thousand copies of the report.

Mr. Bracewell moved to amend "provided the same can be printed within two weeks." Carried.

The motion as amended prevailed.

Substitute for Senate File No. 150: A Bill for an Act to change the names of towns and villages, was read a first and second time and referred to Committee on Judiciary.

Senate File No. 157: A Joint Resolution asking for the construction of one Federal Judicial Circuit from certain States was passed.

BILLS ON A SECOND READING.

House File No. 94: A Bill for an Act to amend Section 2,045 of Revision of 1860.

The question was upon concurring in the report of the Committee recommending the indefinite postponement of the Bill. The report was concurred in.

Substitute for House File No. 78: A Bill for an Act to amend Sec. 3192 of the Revision of 1860, was, on motion of Mr. McQuinn, referred to Committee on Charitable Institutions.

Hous File No. 127: A Bill for an Act entitled an Act to amend Sec. 1, Chap. 98 of Laws of the Sixth General Assembly and to legalize the records of certain deeds and conveyances in the Recorder's office at Fort Madison in Lee County, and making the same evidence in legal proceedings.

Mr. Lowrie moved to suspend the rule and read the Bill a third time now.

The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Castor, Chase, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Hardie, Hudnutt, Holyoke, Hood, Jackson, Knoll, Lakin, Lane, Lorah, Lowrie, Martin, McGlothlen, McLennan, McQuinn, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Pierce, Price, Rowles, Russell of Dallas, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—74.

The nays were, None.

Absent or not voting, Messrs. Calfee, Clark, Cutler, Eaton, Gibson, Guthrie, Hollingsworth, Kellogg, Lake, Loomis, Maxwell, McCall, Meyer, Moser, Porter, Quinn, Rothrock, Russell of Jones, Sarver, Williams of Mahaska, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

House File No. 196: A Bill for an Act in relation to stay of execution and exemption law.

Mr. Curtiss moved to strike out the enacting clause.

Mr. Pendleton moved to pass back on the files.

The motion prevailed.

House File No. 147: A Bill for an Act to amend an Act entitled an Act to adapt the law for canvassing votes to the Supervisor System, was ordered to be engrossed for a third reading on Monday.

Substitute for House File No. 179: A Bill for an Act to amend Section 3962 of the Revision of 1860.

Mr. Lowrie moved that the rule be suspended and the Bill read a third time now.

The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lakin, Lane, Lorah, Lowrie, Martin, McGlothlen, McLennan, McQuinn, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Pierce, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Wright, Young, and Mr. Speaker—79.

The nays were, Mr. West.

Absent or not voting—Messrs. Cutler, Fairall, Kellogg, Lake, Loomis, Maxwell, McCall, Meyer, Quinn, Smeltzer, Wetherall, Williams of Mahaska, Wilson of Chickasaw, and Woodworth.

The Bill passed and the title was agreed to.

Mr. Eaton, by leave, offered the following resolution:

Resolved, That the Committee on Congressional Districts be instructed to divide the State of Iowa into six Congressional Districts, and report to this House.

The resolution was adopted.

On motion of Mr. Blackford the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
MONDAY, March 3, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Young.

Journal of Saturday read and approved.

The Chair announced that the hour for the consideration of the special order, being substitute for House File No. 155: A Bill for an Act providing for the taxing of salaries and incomes for State purposes, had arrived.

Mr. Moir moved to postpone the special order for five minutes. Carried.

Mr. Wilcox, by leave, introduced the following resolution :

Resolved, That for the remainder of the session, no member of this House shall be permitted to speak more than fifteen minutes at one time.

Mr. Moir moved the previous question, which was seconded, and upon the question "Shall the main question be now put," the yeas and nays were demanded by Messrs. Lake and West, and were as follows :

The yeas were, Messrs. Baker, Bass, Castor, Chase, Cleaves, Cutler, Denlinger, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Gordon, Hardie, Hudnutt, Hoke, Hollingsworth, Hood, Jackson, Lane, Lorah, Lowrie, Martin, McCall, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—64.

The nays were, Messrs. Blackford, Bowdoin, Bracewell, Burton, Curtiss, Dunlavy, Eaton, Eichorn, Fairall, Knoll, Lake, Lakin, Nelson, Parker, Van Anda—15.

Absent or not voting—Messrs. Calfee, Clark, Converse, Dorr, Gault, Guthrie, Kellogg, Loomis, Maxwell, McCall, Meyer, Milburn, Quinn, Williams of Mahaska, Wilson of Chickasaw.

The same prevailed.

The time during which the special order was suspended having expired, Mr. Wilcox moved the further postponement of the special order for five minutes. The motion prevailed.

The question being upon the resolution offered by Mr. Wilcox, it was adopted.

Mr. Gordon moved that the various bills upon the liquor question be made the special order for Wednesday, two o'clock P. M. Carried.

Mr. Hardie, by leave, introduced the following resolution, which was adopted :

Resolved, That the Treasurer of the State Agricultural Society is hereby requested to report to this House the facts as to the financial management of said Society from the time of its organization up to the present time, said report to embrace the amounts of money received into the Treasury and disbursed ; also, from what source the funds of the Society have been received, and for what purposes paid out.

Mr. Mitchell of Polk offered the following resolution, which was laid over under the rule.

Resolved by the House of Representatives, That the Register of

the State Land Office be respectfully requested to inform this House whether any of the lands certified by the General Government to this State as belonging to the Des Moines River Grant, have subsequently been certified to the State as Rail Road Lands, under the Act of Congress, approved May 15th, 1856, entitled: An Act granting certain lands to the State of Iowa to aid in the construction of certain Rail Roads therein named.

Mr. Moser introduced the following resolution which was laid over under the rule.

Resolved, That this House will hold two sessions each day during the present week, meeting at nine o'clock A. M., and two o'clock P. M.

The time having expired during which the special order was further suspended, the House entered upon the consideration thereof.

Mr. Wetherall moved the indefinite postponement of the Bill.

Mr. Gibson moved to lay the bill upon the table. Lost.

The question recurring upon the indefinite postponement of the Bill, the yeas and nays were demanded by Messrs. Wetherall and Fairall and were as follows:

The yeas were, Messrs. Glanville, McLennan, Stewart, Wetherall—4.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Castor, Clark, Chase, Cleaves, Conversæ, Curtiss, Cutler, Denlinger, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Guthrie, Gordon, Hardie, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lowrie, Martin, McGlothlen, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Pierce, Porter, Price, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Thompson, Van Anda, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—76.

Absent or not voting, Messrs. Calfee, Dorr, Gault, Guthrie, Kellogg, Lorah, Maxwell, McCall, Meyer, Milburn, Quinn, Rothrock, Williams of Mahaska, and Wilson of Chickasaw.

The motion did not prevail.

Mr. Bracewell moved to amend Section 1 as follows: Strike out "five" in sixth line and insert "ten."

Mr. Young moved to amend the amendment by striking out "ten" and inserting "three." Lost.

The question recurring upon the amendment of Mr. Bracewell it was lost.

Mr. Curtiss offered the following amendment to Section 1: Strike out all after "income" to "is" in seventh line. Strike out "such" in eighth line and insert "its;" and in ninth line after "income" to "is" and strike out "such" in tenth line and insert "its."

Mr Schramm moved to amend the amendment as follows : Strike out "and is not more than ten hundred dollars," and after "five hundred dollars," in sixth line, all to the end of tenthline. Lost.

Mr. McLennan moved to amend the amendment as follows : Strike out all after "dollars" in 5th line, except the 11th line and insert "each additional one hundred dollars shall be taxed per cent.

On motion of Mr. Frisbie, the House adjourned.

TWO O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Hardie moved a call of the House, pending which Mr. Bracewell moved that further proceedings under the call be suspended. Carried.

Leave of absence was granted to Mr. Milburn.

The Chair announced that the question pending at the adjournment was upon the amendment of Mr. McLennan to the amendment of Mr. Curtiss.

The amendment to the amendment was lost.

Mr. Gibson offered the following amendment to the amendment.

Strike out all of lines 5, 6, 7, 8, 9 and 10, in section one, and insert in lieu thereof, "one per cent. on the first one hundred dollars, two per cent. on the second hundred dollars, and three per cent. on the third hundred dollars, and so on, adding one per cent. on each one hundred dollars till it amounts to two thousand dollars, and 20 per cent. on all sums over that amount." Lost.

Mr. Frisbie moved to amend the amendment as follows : Strike out all after the word "persons" in the the third line of said section and all in the fourth line except the words, "derived from a salary." Lost.

Mr. Lane moved to amend the amendment by striking out all after the 4th line of said section down to the 11th line, and after the word "the" in the 3d line, insert "excess over five hundred dollars of the," also to insert after the word "whatever," at the end of 4th line, "on all such excess on incomes not exceeding one thousand dollars—per centum ; and on all such excess on incomes over one thousand dollars, an additional one per centum for each one hundred dollars over one thousand dollars." Lost.

Mr. Young moved to amend the amendment by inserting after the word "whatever" in 4th line of said section, a tax of — per centum on the amount of such income," and strike out 5th, 6th, 7th, 8th, 9th, and 10th lines of said section. Lost.

Mr. West moved to amend the amendment as follows : Strike

out all after "sum of" in 5th line, and insert, "four hundred dollars and less than five hundred dollars, a tax of two per centum; on five hundred dollars and less than six hundred dollars a tax of three per centum; on six hundred dollars and less than seven hundred dollars, a tax of four per centum, and for each additional hundred dollars, and not exceeding two thousand dollars, an addition of one per centum in like proportions as above." Lost.

The question then recurring upon the amendment of Mr. Curtiss, it was lost.

Mr. Frisbie moved to strike out the enacting clause, and upon this question the yeas and nays were demanded by Messrs. Frisbie and Fairall, and were as follows:

The yeas were, Messrs. Converse, Fairall, Frisbie, Glanville, Hardie, Hudnutt, McGlothlen, McLennan, Mercer, Mitchell of Fremont, Moser, Porter, Sarver, Smeltzer, Stewart, Van Anda, Wetherall and Young—18.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Chase, Clark, Cleaves, Curtiss, Cutler, Eichorn, Ferguson, Flint, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Hudnutt, Holyoke, Hood, Jackson, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, McGlothlen, Mercer, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Schramm, Shipman, Stanton, Stevenson, Thompson, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Woodworth, Wright and Mr. Speaker—60.

Absent or not voting—Messrs. Denlinger, Dorr, Dunlavy, Eaton, Guthrie, Kellogg, Loomis, Maxwell, McCall, Meyer, Milburn, Quinn, Speer, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie.

The motion did not prevail.

Mr. Denlinger moved to amend section 1 as follows: "Strike out all after 4th line to 11th and insert, "a tax as follows: for 600 hundred dollars, 1 per cent.; for 700 dollars, 2 per cent.; and for each additional 100 dollars thereafter, 1 per cent; Provided, That in no case shall a salary or income be taxed over 15 per cent. in any one year." Carried.

Mr. Bracewell moved a call of the House, pending which Mr. McQuinn moved that further proceedings under the call be suspended. Carried.

Leave of absence was granted to J. E. Guild, Fireman of this House.

Mr. Moir moved that the 2d line be amended by striking out the word "in" and inserting "at," and inserting "in the same," between "and" and "manner" in the 3d line. Carried.

Mr. Martin moved to amend as follows: after the word "taxed" in the eleventh line of section 1, insert "under the provisions of this Act which is already subject to taxation under the laws of this

State, or which is derived from property now subject to taxation." Carried.

Mr. Stewart moved to amend section 1, as follows: "*Provided* the provisions of this Act shall not apply to State or County Officers." Lost.

Mr. Fairall moved to amend as follows: insert after the word "employment" in fourth line of 1st section, the words "under the Federal or State Laws." Carried.

Mr. Lakin moved to add to section 1, the following: "unless said income shall amount to one thousand dollars; in that case there shall be paid three per centum on said income." Lost.

Mr. Young moved to amend section 1, as follows: "except incomes derived from interest on the War and Defense Bonds issued by the State." Lost.

Mr. Russell of Jones moved to amend by inserting the following as section 2, and change section 2 to 3:

§ 2. The State, District and County officers, having salaries fixed by law, exceeding one thousand dollars annually, are hereby required to pay in addition to the taxes levied by the first section of this Act, an additional tax of five per centum on all salaries over one thousand dollars and not exceeding fifteen hundred dollars, and ten per cent. additional on all salaries of said officers exceeding fifteen hundred dollars. Lost.

Mr. Fairall offered the following as a new section, to be numbered 3:

§ 3. When the salary or income is receivable from the State, the officer who shall pay or audit such claim for salary or income, shall deduct the tax due on such salary or income from the amount due the claimant before paying or issuing his Warrant for the payment of the same, and the officer who shall deduct said income or salary tax shall pay the same to the State Treasurer, who shall issue a receipt thereupon to the party paying such tax; and when the salary or income is receivable from the County, the officer allowing or auditing the same shall deduct the amount of the salary or income tax from the amount due the claimant. Before paying or issuing his Warrant for the payment of the same, said officer shall immediately pay to the County Treasurer the tax so deducted, and the Treasurer shall thereupon issue to the party paying such tax a receipt for the same. Carried.

Mr. Lane moved to reconsider the vote by which Mr. Denlinger's amendment to section 1 was carried. The motion prevailed.

Mr. Lane offered the following amendment to amendment of Mr. Denlinger, which was adopted:

Strike out all after the fifth to the eleventh line and insert in the third line after "the," "excess over five hundred dollars of the," and after "whatever" at the end of the fourth line "on all such excess on incomes not exceeding one thousand dollars, per centum, and on all such excess on incomes over one thousand dol-

lars an additional one per centum for each one hundred dollars over one thousand dollars. *Provided*, that no tax on incomes shall exceed twenty per centum."

The amendment as amended was adopted.

Mr. McLennan moved to amend section 1, as follows: instead of "per centum" insert "one dollar upon each one hundred dollars." Lost.

Mr. Moir moved to fill the blank with "five." Carried.

Mr. Frisbie moved to amend Section 1, by striking out the word "State," in the second line and insert "all;" also, by striking out the word "State," in the third line. Lost.

Mr. Wetherall moved to refer the Bill and amendments to the Judiciary Committee. Lost.

Mr. Russell of Dallas, moved to add the following additional Section:

"SEC. 5. All Acts and parts of Acts in conflict with this Act are hereby repealed." Lost.

Mr. Fuller of Fayette, moved that the Bill be engrossed for a third reading to-morrow. Carried.

Mr. Smeltzer, from Committee on Engrossed Bills, submitted the following report:

The Committed on Engrossed Bills have examined House File No. 147: A Bill for an Act to amend an Act entitled an Act to adapt the law for canvassing votes to the Supervisor System, and find the same correctly engrossed.

SMELTZER, of Clay.

Mr. Price moved that when this House adjourn, it be till nine o'clock to-morrow morning. Lost.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Joint Committee have examined Senate Files Nos. 60 and 87, find the same correctly enrolled, and present them herewith for your signature.

D. G. FRISBIE, Chairman
House Com. Enr. Bills.

On motion of Mr. Stanton, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
TUESDAY, March 4th, 1862. }

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Young.

Journal of yesterday read and approved.

Mr. Mitchell, of Polk, moved that the following resolution laid over under the rule be taken up:

Resolved by the House of Representatives, That the Register of the State Land Office be respectfully requested to inform this House whether any of the lands certified by the General Government to this State, as belonging to the Des Moines River Grant, have subsequently been certified to the State as Railroad Lands under the Act of Congress approved May 15th, 1856, entitled an Act granting certain lands to the State of Iowa to aid in the construction of certain Railroads therein named.

The motion prevailed, and the resolution was adopted.

The Chair announced that the hour for the consideration of the special order, being House File No. 209, substitute for House Files Nos. 24 and 25: A Bill for an Act in relation to the duties of Railroad Companies, had arrived.

On motion of Mr. Gordon, the House resolved itself into Committee of the Whole on the special order, with Mr. Lane in the Chair.

The Committee rose, reported progress and asked leave to sit again at 2 o'clock p. m.

The report of the Committee was concurred in.

Leave of absence was granted to Mr. West.

On motion of Mr. Pendleton, the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

The hour having arrived for the further consideration of the special order, the House resolved itself into Committee of the Whole. Mr. Lane in the Chair.

The Committee rose and reported the Bill back to the House with sundry amendments, and recommended its passage.

The amendments reported by the Committee were adopted by the House.

Mr. Cutler moved to amend Section 1, as follows: Strike out "be residents of," in 8th and 9th lines and insert "reside in." Carried.

Mr. Rothrock moved to amend Section 11, insert between first and second line, "into or." Carried.

Mr. Cutler moved to amend Section 1, as follows: insert before "General Superintendent," in the 8th line, the words "in all cases the." Carried.

Mr. Pendleton moved to amend Section 4: Strike out "31st," in 2d line and insert "20th," and in the 3d line strike out "January," and insert "February following." Carried.

Mr. McQuinn moved to strike out all of Section 14, after period in line seven. Carried.

Mr. Moir moved to strike out Section 16. Carried.

Mr. Fairall moved that the Bill be engrossed for a third reading to-morrow.

The motion prevailed.

Message from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body, That the Senate has passed the following Bills, in which the concurrence of the House is asked:

Senate File No. 96: A Bill for an Act to amend the law in relation to the sale of intoxicating liquors.

Senate File No. 143: A Bill for an Act regulating the purchase of supplies for the use of Charitable Institutions belonging to the State.

WM. F. DAVIS,
Sec'y of Senate.

PETITIONS, &c.

Mr. Clark, of Tama, presented the remonstrance of James R. Graham and forty-three others, residents of Tama County, against the repeal of Sections 6 and 7, of the Land Grant Act of 1860, to the Cedar Rapids and Missouri River Railroad Company. Referred to Committee on Railroads.

Messrs. Gault and Denlinger presented petitions from citizens of their respective Counties, relative to reduction in price of Printing. Referred to Committee on Printing.

Messrs. Hollingsworth and Dorr presented petitions of citizens of their respective Counties for a more stringent liquor law.

Mr. Dunlavy presented the petition of sundry citizens of Davis County to give additional jurisdiction to County Judges. Referred to Committee on Judiciary.

Mr. Maxwell presented the remonstrances of sundry citizens of Clinton County, against the repeal of the law providing for the construction of a Railroad from Clinton City to Lyons City in said County; also, from Cedar Rapids to Marion in Linn County. Referred to Committee on Railroads.

REPORTS OF COMMITTEES.

Mr. Moir, from Committee on Judiciary, submitted the following report:

The Judiciary Committee to whom was referred House File No. 200: A Bill for an Act for the relief of persons heretofore divorced to whom disability to marry again has been attached, beg leave to report that they have had the same under consideration, and a ma-

majority of said Committee have instructed me to report the same back to the House and recommend its passage.

MOIR, from Committee.

Mr. Smeltzer from Committee on Engrossed Bills submitted the following report:

The Committee on Engrossed Bills beg leave to report that they have examined House File No. 155: A Bill for an Act for the taxing of salaries and incomes for State purposes and find the same correctly engrossed.

SMELTZER, of Clay.

Mr. Converse from Committee on Agriculture, submitted the following report:

The Committee on Agriculture to whom was referred House File No. 221: A Bill for an Act to regulate tolls and prevent the mixing of flour, have had the same under consideration, and have directed me to report the same back to the House without recommendation.

CONVERSE, Chairman.

Mr. Mercer from Committee on Claims, submitted the following report:

Your Committee on Claims, to whom was referred the petition of Conrad B. Vangent, claiming compensation for services as Clerk and Commissary of the Penitentiary, from July 6, 1854, to March 15, 1855, a period of eight months and eight days at \$30 per month, have had the same under consideration, and beg leave to report that said petition, though it claims compensation from the time of appointment, viz: July 6, 1854, to March 15, 1855, the time of resignation, by said petitioner, being eight months and eight days; yet it admits that he only served some part of that time. The expression of the petition being "After I had served *some time* the Warden shut up my office, and refused to give up the books and papers," from which your Committee infer that the petitioner was removed from office by the Warden, whether justly or not, we cannot tell, and have not the means of knowing. The petition states that this matter was referred to the Inspectors, who could not induce the Warden to give up the books and papers of the office to the petitioner; and that the Inspectors referred the matter to Governor Hempstead, who ordered an investigation; that said investigation was not made. The petition further states that this subject was referred to the Legislature of 1855 and 1856, and reported upon favorably by the Senate Committee on Claims, but refused by the House Committee, and was presented to the Legislature of 1858, and reported favorably on by the House Committee on Claims, but refused by the Senate Committee.

Your Committee, from all the information they have received on this matter, cannot recommend the payment of said claim for the following reasons, viz:

The claim is indefinite, viz: in claiming for eight months and

eight days, when it admits that only some part of said time was occupied in the duties of the office. It does not state what portion of said time was so employed.

Your Committee, not knowing the circumstances, are unable to tell whether the shutting up of the office and seizure of the books and papers by the Warden (as set forth in the petition) was a legal removal from office of the petitioner, under Section 3,122 of the Code of 1851, and if they were satisfied that the claim was just in character, they could not state whether it should be allowed for the eight months and eight days, or only for the time spent in services, until the above question of the justice or injustice of removal was settled.

The claim of the petitioner is not sworn to, or proven in any manner.

For the above-mentioned indefiniteness, and also that this claim has been passed upon by two Legislatures, your Committee recommend that it be not allowed.

Respectfully submitted,

THOS. MERCER,
Chairman Committee on Claims.

Your Committee on Claims, to whom was referred the bill of Wm. Lee, claiming the sum of \$4,05, for stationery furnished the Adjutant General's Office, accompanied by a resolution of instruction from this House, have had the same under consideration, and beg leave to report that they find it a claim arising under the laws of the late Extra Session, and payable out of the War and Defense Fund, and from a statement presented with the claim it is admitted that said claim was not presented to the Auditing Board until after three months from the accruing of the same, and when presented it was refused by said Board because barred by section 3, chapter 10, of the Laws of the extra session.

The resolution above referred to, passed by this House, is as follows :

Resolved, That the Committee on claims be authorized to examine and report on the claim of Wm. Lee, for stationery furnished the Adjutant General's Office, and if proper, to authorize that it be allowed by the Auditing Board.

Your Committee are of opinion that this account is of the same class of a large number of claims refused by said Auditing Board, and for the same reason that they have refused this claim, viz : that they are barred by section 3, of chapter 10, of the laws of the Extra Session, 1861 ; and that it would be highly improper, and manifestly unjust to allow or recommend the allowance of one of such rejected claims while all the rest of the same class remain rejected, and the holders remediless. Your Committee are of opinion that section 3, of chapter 10, above referred to, should be so modified by some act of this General Assembly, as to allow the pay-

ment of this and all other just claims, now barred by virtue of said Act.

Your Committee believe that this claim is just, and they find it properly certified to by N. B. Baker, Adjutant General; but can recommend no relief except by a modification of the aforesaid law.

Respectfully submitted,

THOS. MERCER,
Chairman Committee on Claims.

Your Committee on Claims, to whom was referred (by Hon. J. W. Cattell, State Auditor) the bill of Beals, Green & Co., claiming of the State of Iowa, six dollars and fifty cents, have had the same under consideration, and beg leave to report, that they find said Bill was for papers of the General Assembly in 1858, viz:

Jan. 25, '58, Hon. W. D. Lancy for three copies Daily Boston Post, delivered during the session, @ \$2 00...	\$6 00
Jan. 27, '58, four copies weeklies for Senate:	
One to G. S. Bailey.....	\$0 50
Three to J. W. Warner.....	1 50 2 00
Jan 27, '58, one Daily to D. F. Brigham....	2 00
	<hr/>
	\$10 00
April 24, By cash	3 50
	<hr/>
Balance claimed.....	6 50

Your Committee are of opinion, from all the information in their possession, that the \$3 50 paid by the State covered the expense of all papers ordered by the State, and the balance claimed (\$6 50) must have been for papers ordered by the above-mentioned members on their own account and perhaps at the same time, but not at the expense of the State.

Your Committee, therefore, recommend that no appropriation be made for the payment of the same.

Respectfully submitted,

THOS. MERCER,
Chairman Committee on Claims.

Your Committee on Claims, to whom was referred the petition of Daniel Webster, claiming of the State the sum of \$12 27, and interest, for services rendered as Special Clerk, in copying the report of the Inspectors of the Penitentiary for 1858 and 1859, have had the same under consideration, and beg leave to report that in their opinion, the Inspectors had no authority to appoint a Special Clerk, the regular Clerk of the Penitentiary being also the Inspector's Clerk. The petition says that the regular Clerk was at the same time engaged and could not serve the Inspectors. Of this, the petition gives no proof, and your Committee are unable to learn that this was the case.

The petition also states that this same claim was presented to Hon. Jesse Bowen, a Commissioner for settling claims against the Penitentiary, and was by him rejected.

For the reason first-mentioned, that the Inspectors had no authority to hire a Special Clerk; and secondly that this matter has been passed upon by a Commissioner having the facts before him more fully than your Committee can have, and has been rejected, your Committee are of opinion that this claim should not be allowed by the State.

Respectfully submitted,

THOS. MERCER,
Chairman Committee on Claims.

Your Committee on Claims, to whom was handed bill of Henry Hospers, claiming the sum of twenty-five dollars for translating the Governor's Message into the Holland language, have had the same under consideration, and beg leave to report that they are of opinion that this bill is in accordance with a resolution passed by this House at the present session, which provided that a sum not to exceed \$25 be allowed for said translation. Your Committee have in their possession a copy of the Pella Post, a paper published in the Holland language, containing the translation. Your Committee are of opinion that the translation is a very good one, and the compensation claimed [\$25] is but reasonable, and offer the following resolution:

Resolved, That the Committee on Ways and Means are hereby instructed to place in their General Appropriation Bill the item of \$25 for the aforesaid translation.

Respectfully submitted,

THOS. MERCER, Chairman.

The Chair announced the question to be on the resolution reported by the Committee. The resolution was adopted.

House File No. 155: A Bill for an Act providing for the taxing of salaries and incomes for State purposes, was taken up, and on motion of Mr. Shipman was recommitted to Committee on Ways and Means.

Mr. Hardie from Committee on Agriculture, submitted the following report:

The Committee on Agriculture have had under consideration the subject of exempting grounds leased by Agricultural Societies and devoted solely to the appropriate objects of said societies from taxation during the term of said lease, finding the present law to be ambiguous and indefinite, have instructed me to report the following bill, and recommend its passage.

THOS. HARDIE, Chairman.

The Committee introduced House File No. 226: A Bill for an Act to amend Chapter 45 of the Revision of 1860, so as to exempt grounds leased by Agricultural Societies from taxation during the

term of such leases. Read a first and second time and passed upon the files.

Mr. Gibson, from Committee on Des Moines River Improvement, submitted the following report :

To the House of Representatives of the State of Iowa:

Your Committee on Improvement of the Des Moines River, to whom was referred Senate File No. 130: A Bill for an Act to provide for a full settlement of all claims, rights liabilities, and advantages, between the State of Iowa and James A. Brown and Geo. C. Allender, have had the same under consideration, and beg leave to submit the following report :

That at the time of the final settlement between the State of Iowa and the Des Moines Navigation and Rail Road Company, the State assumed to take the contract for improving the said river at Bentonsport and other places named, with all liabilities growing out of the same. This will be seen by reference to Joint Resolutions passed by the General Assembly March 22d, 1858, Revision of 1860, Page 907, and particularly the following portion of said Resolutions: "And the State shall take the existing contracts, but no other liabilities of any name or nature except as herein provided for constructing or repairing the works on said Improvement at Keosauqua, Bentonsport, Plymouth and Croton, and no other or different, with all liabilities or advantages arising upon said contracts and percentage thereon, excepting that the Company shall pay all estimates for work done or materials prepared up to this date," &c.

Your Committee find that the claim of Brown and Allender is for Improvement made since the passage of the foregoing Joint Resolution, in building the dam at Bentonsport.

Your Committee find that by the Act passed March 28th, 1858, disposing of the Des Moines River Grant, the State set apart 50,000 acres of said Grant above the Raccoon Forks, for the payment of Claims against said Improvement, and also provided that the Keokuk, Fort Des Moines and Minnesota Rail Road Company should pay said claims, and should receive 10,000 acres of lands for every \$30,000 of said claims paid by said Rail Road Company. (See Revision of 1860, pages 908, 909.) The State having failed to procure any of the lands set apart for the payment of these claims, and the Des Moines River Grant having been held by the Supreme Court of the United States not to extend above the Raccoon Forks, the said Rail Road Company have of course failed and refused to pay Messrs. Brown and Allender their claim. In 1860 the Legislature appointed three Commissioners to audit claims against the State, growing out of the improvement of the said river at Bentonsport and other places. The report of these Commissioners, now on file in the office of the Register of the State Land Office, shows that there is due Messrs. Brown and Allender the exact amount appropriated by this bill.

Your Committee further find that in the prosecution of the improvement of the river at Bentonsport by the State, it became necessary to remove the dams and thus destroy the mills which they had erected at that point, by which the State became liable in damages in a large sum, in payment of which damages, the State bound itself to said Brown and Allender, by leases, to guarantee to them the use of the water power at that place, and to furnish them with a certain quantity of water power for a period of years, extending to the year 1890, in one case, and 1898 in the other.

For a more particular history of the Claim, your Committee refer to the accompanying Report of the Senate Committee upon this subject.

From all the facts in the case your Committee have come to the following conclusions :

FIRST—The State is liable for the whole sum appropriated by this bill.

SECOND—The claimants are not bound to look to the Keokuk, Fort Des Moines and Minnesota Rail Road Company for payment, because that Company has received no land from the State out of which to make payment, and even if the State should hereafter procure the Des Moines River Lands, so called above the Forks, it would be unjust and ruinous to claimants to compel them to await the termination of a tedious and doubtful litigation before receiving what is due them.

THIRD—The bill provides that said Brown and Allender shall release the State from all liability on account of the lock and dam at Bentonsport, and to keep the same in repair, by which the State is undoubtedly relieved of a liability which will amount to much more than the sum now proposed to be paid. Before the termination of the leases by which the State is now bound to keep said improvement in repair, the State would necessarily have to pay large sums as damages and for repairs, and would almost certainly be compelled to build a new lock and dam entire, at a cost of from \$40,000 to \$60,000.

FOURTH—The lock and gates are at this time out of repair, and a considerable expenditure will be necessary to be made at once for repairing, if the settlement proposed by this bill is not agreed to.

FIFTH—If the bill be not passed, the property of Brown and Allender, consisting of mills, &c., now under mortgage to secure this indebtedness, will be sold, and the purchaser will take it together with this claim against the State.

SIXTH—If the State should hereafter procure the land above the Raccoon Forks, set apart for the payment of these claims, it can, under the 10th section of this Act, reimburse its Treasury.

Your Committee report the bill back without amendment and recommend its passage.

H. D. GIBSON, Chairman.

Mr. Frisbie from Joint Committee on Enrolled Bills, submitted the following Report :

MR. SPEAKER:—The Joint Committee on Enrolled Bills ask leave to report that they have examined Senate Files No's. 56, 70 and 83, find them correctly enrolled and present them for your signature.

D. G. FRISBIE,

Chairman House Committee Enrolled Bills.

Mr. Wright from Committee on Roads and Highways, submitted the following Report :

Your Committee on Roads and Highways, to whom was referred House File No. 175 : An Act to confer jurisdiction on Township Trustees, and giving them power to locate, change or discontinue Roads within the limits of their respective Townships, have had the same under consideration, and have directed me to report the same back to the House and recommend that it do not pass.

WRIGHT.

Mr. Holyoke, from Committee on Charitable Institutions, submitted the following Report :

The Committee on Charitable Institutions, to whom was referred substitute for House File No. 78 : An Act to amend section 5192 of the Revision of 1860, in relation to the monthly wages of guards in the Penitentiary, have had the same under consideration and instructed me to report the accompanying substitute and recommend its passage.

THOS. HOLYOKE, Chairman.

Mr. Shipman, from Committee on County and Township Organization, submitted the following Report :

The Select Committee to whom was referred House File No. 133 : A Bill for an Act providing for the Registry of Dogs, and defining the duties of Township Officers in certain cases, have had the same under consideration, and have instructed me to report the same back to the House with sundry amendments and recommend its passage.

SHIPMAN, Chairman.

Mr. Lake, from Joint Committee on mileage of members, submitted the following Report :

The undersigned, of the Select Joint Committee to ascertain the mileage due the members of this General Assembly, according to Section 25, of Article 3 of the Constitution, have had the same under consideration and make the following Report :

That the Constitution only fixes the per diem and mileage of the members of the First General Assembly ;

That Section 18 of the Revision of 1860, fixes the mileage at the sum of "three dollars for every twenty miles traveled in going and returning from the place where the session is held, by the nearest traveled route ;"

That this language is uncertain, but your Committee adopted as a basis the nearest route by a public conveyance.

They find that the members of this House are entitled to the following mileage:

MILEAGE OF MEMBERS.

NAME.	COUNTY.	MILES.	AMOUNT.
W. H. Baker	Winneshiek	660	99 00
G. L. Bass	Clayton	600	90 00
J. E. Blackford	Kossuth	280	42 00
E. G. Bowdoin	Floyd	470	70 50
H. Bracewell	Wayne	260	39 00
J. Burton	Alamakee	700	105 00
W. L. Calfee	Clarke	200	30 00
S. G. Castor	Mahaska	160	24 00
Rush Clark	Johnson	260	39 00
L. Clark	Tama	220	33 00
D. W. Chase	Clayton	480	72 00
J. Cleaves	Louisa	300	45 00
A. Converse	Butler	380	57 00
W. H. Curtiss	Blackhawk	370	55 50
L. H. Cutler	Wright	280	42 00
C. Denlinger	Dubuque	480	72 00
E. Dorr	Jackson	440	66 00
H. Dunlavy	Davis	280	42 00
J. P. Eaton	Jackson	440	66 00
G. Eichorn	Lee	380	57 00
S. H. Fairall	Johnson	260	39 00
D. Ferguson	Davis	280	42 00
J. H. Flint	Wapello	240	36 00
D. G. Frisbie	Mitchell	520	78 00
Levi Fuller	Fayette	550	82 50
W. W. Fuller	Harrison	400	60 00
E. J. Gault	Appanoose	300	45 00
H. D. Gibson	Marion	80	12 00
J. Glanville	Van Buren	300	45 00
G. A. Gordon	Montgomery	360	54 00
N. Guthrie	Warren	40	6 00
T. Hardie	Dubuque	480	72 00
J. O. Hudnutt	Bremer	560	84 00
T. Holyoke	Poweshiek	120	18 00
L. Hollingsworth	Keokuk	200	30 00
A. Hood	Madison	70	10 50
C. J. Jackson	Des Moines	330	49 50
R. D. Kellogg	Decatur	200	30 00
F. M. Knoll	Dubuque	480	72 00

MILEAGE OF MEMBERS—Continued.

NAME.	COUNTY.	MILES.	AMOUNT.
Jed Lake	Buchanan	460	69 00
W. B. Lakin	Fayette	530	79 50
J. T. Lane	Scott	380	57 00
H. C. Loomis	Cedar	340	51 00
S. L. Lorah	Cass	200	30 00
C. W. Lowrie	Lee	350	52 50
H. M. Martin	Iowa	200	30 00
J. S. Maxwell	Clinton	420	63 00
T. C. McCall	Story	70	10 50
Wm. McLennan	Dubuque	480	72 00
T. D. McGlothlen	Wapello	180	27 00
J. McQuinn	Benton	300	45 00
T. Mercer	Marshall	120	18 00
J. Meyer	Jasper	70	10 50
J. Milburn	Linn	260	39 00
J. L. Mitchell	Fremont	400	60 00
J. Mitchell	Polk	20	3 00
W. J. Moir	Hardin	160	24 00
R. A. Moser	Taylor	400	60 00
O. Nelson	Winnesheik	700	105 00
G. W. Parker	Clinton	400	60 00
I. Pendleton	Woodbury	520	78 00
A. R. Pierce	Jefferson	270	40 50
J. R. Porter	Scott	400	60 00
M. Price	Muscataine	340	51 00
J. W. Quinn	Washington	260	39 00
J. H. Rothrock	Cedar	340	51 00
O. P. Rowles	Monroe	190	28 50
J. T. Russell	Dallas	50	7 50
J. Russell	Jones	360	54 00
J. D. Sarver	Lucas	180	24 00
G. Schramm	Van Buren	290	43 50
G. C. Shipman	Muscataine	340	51 00
C. C. Smeltzer	Clay	600	90 00
A. L. Speer	Boone	80	12 00
T. H. Stanton	Washington	260	39 00
T. J. Stevenson	Lee	380	57 00
G. B. Stewart	Appanoose	290	43 50
M. Thompson	Lee	380	57 00
S. G. Van Anda	Delaware	460	69 00
P. Walker	Jefferson	240	36 00
G. S. Walton	Greene	120	18 00
J. Wasson	Keokuk	240	36 00

MILEAGE OF MEMBERS—Continued.

NAME.	COUNTY.	MILES.	AMOUNT.
W. E. Wetherall,.....	Marion	100	15 00
J. P. West,.....	Henry,	300	45 00
J. H. White,	Scott,	400	60 00
O. Whittemore,.....	Jones,	380	57 00
F. Wilcox,.....	Des Moines,	340	51 00
J. W. Williams,.....	Des Moines,	370	55 50
M. T. Williams,.....	Mahaska	160	24 00
J. F. Wilson,	Chickasaw,	500	75 00
W. W. Wilson,	Pottawattamie,.....	300	45 00
W. C. Woodworth,	Henry,	320	48 00
A. R. Wright,	Mills,	350	52 50
J. B. Young,.....	Linn,	260	39 00

JED. LAKE,
WM. McLENNAN, } Com. on Mileage.
R. A. MOSER.

Mr. Young moved to recommit the report.

Mr. Lowrie moved to amend by referring to a Select Committee of three.

Mr. Sarver offered the following amendment :

That the Committee be instructed to report upon the nearest travelled route without regard to whether there is a public conveyance on said route or not.

Mr. Denlinger moved that the House adjourn. Lost.

Mr. Rothrock moved that the whole subject be laid upon the table. Lost.

The question recurring upon the amendment of Mr. Sarver, the yeas and nays were demanded by Messrs. Sarver and Wetherall and were as follows :

The yeas were, Messrs. Calfee, Castor, Clark, Cleaves, Converse, Fairall, Ferguson, Flint, Gibson, Glanville, Gordon, Guthrie, Hol-yoke, Hood, Jackson, Knoll, Lake, Lorah, Lowrie, Martin, Maxwell, Moir, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Speer, Stanton, Walton, Wasson, Wetherall, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—42.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Chase, Curtiss, Cutler, Denlinger, Dorr, Eichorn, Frisbie, Fuller of Harrison, Gault, Hardie, Hudnutt, Hollingsworth, Lakin, Lane, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moser, Nelson, Parker, Pendleton,

Pierce, Porter, Shipman, Smeltzer, Stevenson, Thompson, Van Anda, White and Wilcox—38.

Absent or not voting—Messrs. Dunlavy, Eaton, Fuller of Fayette, Kellogg, Loomis, McCall, Meyer, Milburn, Quinn, Stewart, Walker, West, Williams of Mahaska and Wilson of Chickasaw.

The amendment was adopted.

Mr. McQuinn moved to strike out "Select Committee" and insert Committee on Ways and Means. The motion was adopted.

Mr. Fairall moved to reconsider the vote by which Mr. Sarver's amendment was adopted. Carried.

Mr. Pendleton moved to strike out all of Mr. Sarver's amendment after the word "route." Carried.

Mr. Hardie moved to lay the whole subject on the table, which motion prevailed.

On motion of Mr. Denlinger the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
WEDNESDAY, March 5th, 1862. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Young.

Journal of yesterday read and approved.

Mr. Smeltzer presented the petition of sundry citizens of Dickinson county, to change the boundaries of Dickinson county so as to embrace the county of Osceola. Referred to Committee on New Counties.

Mr. Parker presented sundry petitions of citizens of Clinton and Lyons counties, praying that the Cedar Rapids and Missouri River Railroad Company be held to a strict performance of their obligations under land grant law. Referred to Committee on Railroads.

REPORTS OF COMMITTEES.

Mr. Bowdoin from Committee on Ways and Means, submitted the following report:

The Committee on Ways and Means have instructed me to report the accompanying Bill, embracing several amendments to the existing revenue laws, and recommend that the same be printed.

E. G. BOWDOIN, Chairman.

The Committee introduced House File No. 227: A Bill for an Act to amend Chapter 45 of the Revision of 1860, being an Act in relation to Revenue. The Bill was read a first and second time.

Mr. Bowdoin moved to lay the Bill on the table and print. The motion prevailed.

Mr. White from Select Committee on House File No. 29 and Senate File No. 74, submitted the following report :

The select Committee to whom was referred House File No. 29, and Senate File No. 74 : An Act to amend Sec. 548 of the Revision of 1860, defining the duties and pay of Township Clerks in certain cases, have had the same under consideration, and directed me to report a Substitute, and recommend its passage.

WHITE,
MARTIN,
BURTON.

RESOLUTIONS LAID OVER UNDER RULE.

Resolved, That this House will hold two sessions each day during the present week, meeting at 9 o'clock, A. M., and 2 o'clock P. M.

Mr. Moser offered the following amendment :

Resolved, That this House will meet during the remainder of the Session at 9 o'clock, A. M., and 2 o'clock, P. M. The amendment prevailed.

The Resolution as amended was adopted.

INTRODUCTION OF BILLS.

Mr. McQuinn introduced House File No. 228 : A Bill for an Act to require the Land Grant Railroad Companies to release certain Swamp, School and River lands on the lines of the several roads and providing for the compensation therefor, by an extension of the time of building said roads, and the issuing of State warrants. Read a first and second time.

Mr. McQuinn moved that the Bill be laid on the table and the usual number of copies printed for the use of the House, and that a copy of the Bill be referred to Committee on Railroads. The motion prevailed.

Mr. Moir introduced House File No. 229 : A Bill for an Act to regulate the taxation and collection of costs in certain cases. Read a first and second time, and referred to Committee on New Counties.

Mr. Wilson of Pottawattamie introduced House File No. 230 : A Bill for an Act regulating proceedings in actions on bonds, coupons, bills, notes and other evidences of indebtedness. Read a first and second time, and referred to Committee on Judiciary.

Mr. Knoll introduced House File No. 231 : A Bill for an Act to amend Section 885 of the Revision of 1860. Read a first and second time, and referred to Committee on Charitable Institutions.

Mr. Young introduced House File No. 232 : A Bill for an Act to amend an Act entitled an Act regulating the compensation of

County Judges. Read a first and second time, and referred to Committee on Judiciary.

RESOLUTIONS.

Mr. Bracewell offered the following Resolution:

Resolved, That the Committee on County and Township Organization be directed to inquire into the expediency of separating the office of County Recorder of Deeds, from that of Treasurer, and give the Recording to the County Judge, and if deemed expedient to report by Bill. The resolution was adopted.

Mr. Mercer introduced the following Resolution, which was adopted.

WHEREAS, At the — General Assembly, two Acts were passed providing for the manner of serving original notices by publication; one of which by its terms, provided, generally, that the Clerk of the District Court should order the publication, and the other provided, that in certain enumerated cases the County Judge should make such order; and,

WHEREAS, In many cases throughout the State, the latter law was overlooked, and publication ordered by the Clerk in cases required by law to be ordered by the County Judge, as recently decided by the Supreme Court; and,

WHEREAS, Much inconvenience is likely to arise out of matters, through such errors; therefore,

Resolved, That the Judiciary Committee be and they are hereby instructed to inquire whether the General Assembly has power to grant relief in the premises, either by legalizing the erroneous Acts or limiting by lapse of time, or otherwise, the right of parties to take advantage of such error, and that said Committee report by Bill or otherwise.

MESSAGES AND COMMUNICATIONS ON THE TABLE.

The following communication from the Attorney General was read:

OFFICE OF ATTORNEY GENERAL, }
DES MOINES, March 4th, 1862. }

To the House of Representatives of the State of Iowa:

I have the honor to acknowledge the receipt of your resolutions of the 27th ult., requesting my opinion in writing upon the following questions:

1st. Have any of the Governors of this State had any lawful authority at any time since the Swamp Lands were patented to this State, to certify any of said lands to the Railroad Companies of this State?

In reply to this, I would say that if any Governor of the State had made any such certificate, it would have been wholly unauthorized and void, and could not have affected the title to said land.

I am satisfied, however, from investigation that none of the Swamp Lands for which patents have been issued to the State have ever been certified by the Governor to any of the Railroad Companies of the State. The only certificates of lands yet made by the Governor of this State to any Railroad Company, are certain lists of land in favor of the Burlington and Missouri River Railroad Company, certified by the Department at Washington, and now on file in the Office of the Register of the State Land Office. It is believed that these lists do not embrace any lands heretofore selected by the agents of this State, under the Act of 1850 as Swamp Lands. The conflict between the Railroad Companies and the Swamp Land selections, relate to lands not yet patented to this State by the General Government. For the particulars in regard to this conflict, I would refer you to the message of Ex-Governor Lowe to the Eighth General Assembly. See title Swamp Lands.

Since the date of that message, the General Government has not patented or certified to this State any swamp land selections upon the odd sections embraced within the limits of the Railroad Grants.

In order to answer your inquiries fully, I submit the following statement in regard to these grants and the decisions and opinions of the Department of the Interior in relation thereto.

The swamp and overflowed lands within this State were granted to the State by Act of the Congress of the United States, approved Sept. 28th, 1850.

This Act was a present grant, and of itself "proprio vigore" vested in the State of Iowa, an absolute title to all the swamp and overflowed lands within the State at that date. [See opinions of Attorney General Black, June 7th, 1857, and November 10th, 1858.]

Under this grant of 1850, lands were selected as swamp and overflowed lands by the agents of some of the States embraced in the Act, the swampy character of which was called in question.

In order to settle the rights of the States to all the lands selected as aforesaid, the Congress of the United States by an Act approved March 3d, 1857, confirmed and granted to the States all lands which had been selected and returned as swamp and overflowed lands by the agents of the States at that date, provided the same remained vacant and unappropriated, and not interfered with by actual settlement under the laws of the United States.

The grant of Congress to this State for Railroad purposes, was approved May 15th, 1856.

This grant did not, like the swamp land grant, by virtue of its own provisions, vest a title to any specific tract or parcel of land,

but makes a present grant in the nature of a "float," which can take effect only when the lines of the Railroads have become fixed and located; and the plats are recorded as provided in the Act of 1856. [See opinion of Attorney General Cushing, December 9th, 1856.]

By an examination of the plats filed in the office of the Secretary of State of the State of Iowa, under and by virtue of the provisions of Section 6 of the Act of this General Assembly, approved July 14th, 1856, I find that the Mississippi and Missouri River Railroad Company did not file a plat of the location of their Road until March 19th, 1857, and the Burlington and Missouri Railroad Company definitely located their Road upon a plat filed March 27th, 1857.

Under the decision, therefore, of the Department of the Interior, neither of these Railroad Companies can contest the character of the lands selected as swamp and overflowed lands by the agents of the State prior to the Act of Congress of March 3d, 1857, which confirms the title of the State to all such selections within the limits of their grant.

The plat locating the Air Line Railroad was filed in the office of the Secretary of State of the State of Iowa, Sept. 13th, 1856.

The rights and privileges conferred upon this Company by the Act of 1856, have been resumed by the State, and granted to the Cedar Rapids Railroad Company. This latter Company has located another line of Railroad, but no plat of the same is on file in the office of the Secretary of State.

The grant to the Cedar Rapids Railroad Company having been made by the State since the Act of Congress of March 3d, 1857, and the location of their road having also been made since that date, I cannot believe that any claim, upon the part of that Company, can interfere with the swamp land selections confirmed to the State under said Act. I am not advised, however, of the view taken by the Department of the Interior on this question, or that any opinion has been given upon it.

Where there is no contest, the Department of the Interior will, at once, certify the swamp land selections made prior to March 3d, 1857, without any inquiry as to the character of the land so selected and returned.

Where there is a contest in behalf of a Railroad Company whose rights were vested, and whose road was located definitely and certified prior to March 3d, 1857, the Commissioner of the General Land Office will inquire into the true character of the lands selected and returned by the swamp land agents, and will only certify to the State such lands as are shown to have been, in fact, swamp and overflowed lands at the date of the grant.

The plat of the location of the Dubuque & Pacific Railroad was filed in the office of the Secretary of State, September 30th, 1856, and as at present advised, I believe this is the only road whose loca-

tion presents any obstacle to the receipt by the State of all the lands heretofore selected as swamp and overflowed lands under the Act of 1850.

Your second question to me is, what would be the legal effect upon the rights of the State to swamp land selections if an Act of the General Assembly of the State was passed resuming the Railroad grants?

To this question, it is impossible for me to give you any definite answer. The legality of such resumption must depend upon a state of facts of which I have no official information.

In what light such an Act would be regarded by the Department of the Interior, and what action it might take in the premises, it is impossible for me to conjecture. Of the policy of such a law, the Legislative Department of the State must be the exclusive judge.

Very respectfully submitted.

O. C. NOURSE.

Mr. Mitchell of Polk moved to lay the Communication on the table and print. Carried.

The following Communication from the Auditor of State was read:

AUDITOR'S OFFICE, IOWA, }
Des Moines, February 28, 1862. }

To the Honorable,

The House of Representatives

Of the State of Iowa:

In response to the Resolution of your Honorable body, passed February 25, 1862, in words as follows:

Resolved, That the Auditor of State be requested to make a Report to this House, showing the amount of interest on the Permanent School Fund collected, and the amount reported on hand for apportionment in March, 1862, together with the amount delinquent in each of the several counties; also, whether any portion of said interest is used or appropriated for the payment of expenses or for the payment of officers managing or having control of said Fund."

I herewith submit a statement containing the information asked, and also, some suggestions in regard to the laws relating thereto, more particularly those under which the Fund appears to have been diverted to other purposes than the support of Common Schools.

J. W. CATTELL, Auditor.

STATEMENT

Showing the amount of Interest collected on the Permanent School Fund, from February, 1861, to February, 1862, and also the amount reported on hand for apportionment in the several counties; also the amount of said Interest due and delinquent February 3, 1862.

COUNTIES.	Amount report'd delinquent.	Amount report'd collected.	Amount report'd on hand for apportionment.	Am't. otherwise disposed of.
Adair.....	\$ 931 44	\$ 195 82	\$ 195 82	\$
Adams.....	365 66	405 66	405 66	
Alamakee...(1)....	19,466 83	7,761 19	6,777 18	984 01
Appanoose.....	3,278 40	1,166 78	1,166 78	
Audubon.....	1,084 02	324 83	324 83	
Benton.....(2)....	8,500 00	2,879 02	2,879 02	
Blackhawk.....	4,226 15	2,246 45	2,246 45	
Boone.....	2,622 06	842 37	842 37	
Bremer.....(3)....	6,387 05	2,630 00	436 06	2,193 94
Buchanan.....	1,173 98	1,605 82	1,605 82	
Butler.....	3,501 49	488 39	488 39	
Calhoun.....	None.	21 73	21 73	
Carroll.....	No report.			
Cass.....	186 26	55 13	55 13	
Cedar.....	5,251 43	3,560 86	3,560 86	
Cerro Gordo.....	2,281 07	166 30	166 30	
Cherokee.....	8 00	7 12	7 12	
Chickasaw.....	4,747 29	809 94	809 94	
Clarke.....	3,788 84	1,675 64	1,675 64	
Clayton.....	8,102 48	3,693 04	3,693 04	
Clinton.....	5,178 66	4,625 87	4,625 87	
Crawford.....	1,552 17	235 95	235 95	
Dallas.....	2,580 32	3,549 55	3,549 55	
Davis.....	2,474 85	2,334 97	2,334 97	
Decatur.....	12,229 20	2,672 05	2,672 05	
Delaware.....	3,259 97	3,094 60	3,094 60	
Des Moines.....	3,341 62	3,065 35	3,065 35	
Dubuque.....	8,590 90	3,442 12	3,442 12	
Fayette.....	10,526 96	6,243 10	6,243 10	
Floyd.....	7,759 53	841 44	841 44	
Franklin.....	720 49	430 65	430 65	
Fremont.....	555 35	542 08	542 08	
Greene.....	955 86	340 18	340 18	
Grundy.....	103 32	57 06	57 06	
Guthrie.....	898 96	636 32	636 32	
Hamilton.....	6,280 63	188 72	188 72	
Hardin.....(4)....	885 16	1,141 44	1,141 44	

STATEMENT—Continued.

COUNTIES.	Amount report'd delinquent.	Amount report'd collected.	Amount report'd on hand for ap- portionment.	Am't. other- wise dis- posed of.
Harrison	2,559 63	427 23	427 23	
Henry	7,459 96	1,143 56	1,143 56	
Howard	5,148 06	695 40	695 40	
Humboldt... (5)....	1,324 84	253 37	102 33	151 04
Iowa	7,551 39	5,416 75	5,416 75	
Jackson	2,477 49	3,822 18	3,822 18	
Jasper	2,510 92	1,807 02	1,807 02	
Jefferson	1,341 11	2,666 78	2,666 78	
Johnson (6)....	4,991 81	2,889 08	2,730 67	158 41
Jones	7,687 12	5,425 41	5,425 41	
Keokuk	1,303 82	1,017 08	1,017 08	
Kossuth	2,122 85	81 20	81 20	
Lee	7,091 11	3,147 94	3,147 94	
Linn	4,864 75	3,411 07	3,411 07	
Louisa	3,346 58	1,165 51	1,165 51	
Lucas	4,665 82	1,116 96	1,116 96	
Madison	2,673 02	1,534 60	1,534 60	
Mahaska	2,856 21	3,001 14	3,001 14	
Marion	2,528 88	2,580 44	2,580 44	
Marshall	2,180 11	1,603 19	1,603 19	
Mills	1,112 06	969 65	969 65	
Mitchell	3,239 85	570 04	570 04	
Monona	56 46	149 02	149 02	
Monroe	2,249 66	1,101 52	1,101 52	
Montgomery	1,814 98	360 52	360 52	
Muscatine	3,166 08	1,741 76	1,741 76	
Page	3,120 42	611 13	611 13	
Polk	5,546 06	1,519 35	1,519 35	
Pottawattamie	262 74	114 44	114 44	
Poweshiek	14,115 01	2,776 19	2,776 19	
Ringgold ... (7)....	3,402 23	1,895 46	1,794 84	100 62
Sac	88 72	40 97	40 97	
Scott	2,058 58	3,571 74	3,571 74	
Shelby	Report not yet received.			
Story	5,015 02	973 42	973 42	
Tama	6,469 58	2,529 30	2,529 30	
Taylor	321 55	334 89	334 89	
Union	2,893 28	1,489 14	1,489 14	
Van Buren	3,075 71	2,314 52	2,314 52	
Wapello	2,259 53	2,189 11	2,189 11	
Warren	2,608 62	1,374 85	1,374 85	
Washington	4,841 60	2,608 58	2,608 58	
Wayne	4,152 58	1,619 48	1,619 48	

STATEMENT—Continued.

COUNTIES.	Amount report'd delinquent.	Amount report'd collected.	Amount report'd on hand for ap- portionment.	Am't. other- wise dis- posed of.
Webster ....(8)....	5,631 17	667 43	575 77	91 66
Winneshek	6,099 25	3,974 65	3,974 65	
Woodbury	905 70	92 15	92 15	
Wright	1,152 62	278 73	278 73	
County totals....	306,240 84	142,551 49	138,871 81	3,679 68
Am't. on Eads' loans	70,821 32	254 79	254 79	
Am't. Med. Col. loan	5,400 00			
Am't. on State loans		12,029 09	12,029 09	
Total amounts ...	382,462 16	154,835 37	151,155 69	3,679 68

(1)—ALAMAKEE COUNTY.

The report from this County shows amount collected,.....		\$7,761 19
From which is deducted cash paid Clerk per order of the Board of Supervisors....	\$800 00	
Cash refunded (previously paid).....	12 06	
Cash paid Sheriff by order of District Atty and Supervisors.....	215 25	1,027 31
Leaving amount on hand.....		6,733 88
To which is added Sheriff's fees collected.		43 30
Making am't reported for apportionment..		\$6,777 18

(2)—BENTON COUNTY.

The report from this County does not give the amount delinquent February 3d, 1862. The Clerk in his report says: "I cannot give the amount of unpaid interest due, as there has never been a settlement with the former commissioners for a starting point; and the records of interest collected prior to 1858 have been destroyed while in charge of the investigating committee last summer."

The amount inserted as delinquent is estimated, by adding to the amount delinquent last year, the year's interest on the amount of fund in the County, and deducting therefrom the amount collected.

(3)—BREMER COUNTY.

The report from this county shows amount collected,.....		\$2,630 00
Deduct amount stolen from County Treasury, January 2, 1862,.....	\$2,091 56	
Deduct amount paid in prosecuting foreclosures by order of B'd of Supervisors,.	102 38	2,193 94
Leaving amount on hand, Feb. 3, 1862,.		<u>\$436 06</u>

The Clerk says, "The Treasury having been robbed of some \$6,000, January 3, at night, leaves a balance of only \$436 06 on hand as per report. I suppose, however, (he says) the whole State bears this loss and at present Bremer county only loses her proportion of this loss."

(4)—HARDIN COUNTY.

In report from this county the Clerk says: "There is standing on the books in addition to the \$885 16, I have reported uncollected, the sum of \$327 90 in cases where the mortgages have been foreclosed, and contracts forfeited, which I presume you do not want reported as "due and uncollected."

(5)—HUMBOLDT COUNTY.

The difference between the amount collected and the amount on hand in this county is caused by the payment of Ex-School Fund Commissioner's salary under chapter 165, Special Acts of 1860, and the correction of an error that occurred last year in making their report, and hence the interest has all been applied as required by law.

(6)—JOHNSON COUNTY.

This report shows \$158 41 of the amount collected, appropriated by the Board of Supervisors in payment of costs in suits commenced against delinquents, and which amount, when collected, is to be credited to the interest fund. This diversion, the Clerk writes, was made under section 432 (3) page 72 of Revision.

(7)—RINGGOLD COUNTY.

This is of the same character as (5).

E

(8)—WEBSTER COUNTY.

The \$91 66 disposed of in this County, was allowed to the Ex-School Fund Commissioner as salary, under the provisions of Chapter 165, Special Acts of 1860. Sec. 4 of this Chapter should be repealed, as the settlement sheets filed in this office and referred to in said section, are not sufficiently reliable to justify the payment of such balances without further and more satisfactory examination of the accounts of said officers with said fund.

Permit me in this connection to call attention to a portion of Chapter 29, Section 430 of the Revision of 1860, under which it is likely the allowance was made to the Clerk of Alamakee county. This law provides that the Clerk shall receive "for all services rendered as Clerk of the Board of Supervisors, such reasonable sum as said Board shall consider a fair compensation," and "for the services rendered to be paid out of such fund as shall be properly chargeable therewith."

County officers should not be authorized to appropriate this fund to any purpose other than the support of schools. Sec. 3 of the 2d part of Article 9 of the State Constitution, appears to prohibit any other application of such interest fund, by providing that it "shall be inviolably appropriated to the support of Common Schools throughout the State."

If the law allows, or is made to authorize the diversion of the interest to payment of service, it will lead, within a few years, to the expenditure of a large part thereof for such purposes, as the several counties will each appropriate liberally from such general fund. This was shown to be the case, by the yearly increase of the salaries paid School Fund Commissioners. It is worthy of consideration whether county officers should be authorized to appropriate any fund other than the County Fund proper except as determined by law both as to manner and amount.

The fees of officers and expenses other than pay of Clerk, appear to have been allowed and paid out of this fund under Section 432 of the Revision. This section does not directly authorize the fund to be so used, but is construed to do so by indirection or implication. The report shows that for the amounts so expended, it is the purpose to reimburse the fund by placing the fees to its credit when they shall be collected. If the law should authorize any fees or expenses to be paid from this fund (which is of doubtful propriety), it should be only such as it is necessary to pay in advance to secure

the performance of the service, such as publication of notice, and the law therefor should be thoroughly guarded, to prevent loss to the fund, and provide for its reimbursement.

It has been the practice in making the apportionment to include the full amount reported collected and thus to make the several amounts used by counties in payment of expenses, come out of the several portions of the general fund, or amount of interest apportioned each year, but as the law heretofore referred to may be more easily construed to authorize such diversion than any previously existing law could, I desire some expression as to the proper course to pursue at this time, and that the law be so amended as to leave no doubt upon the subject hereafter. It is also worthy of consideration whether, when funds are lost in any county, by robbery or otherwise, justice and equity would not require the people of the county, who elect the officers, or the officer who had charge of the fund, to be the losers, rather than the people of the entire State, at least until, by judicial examination, it shall be shown that the loss did not arise from the carelessness or negligence of the officer or officers.

Very respectfully submitted,

J. W. CATTELL, Auditor of State.

Mr. Curtiss moved to lay on the table and print. The motion prevailed.

The following communication from the Secretary of State was read :

STATE OF IOWA, OFFICE OF STATE, }
DES MOINES, March 1st, 1861. }

To the Speaker of the House of Representatives:

In concurrence with a Joint Resolution of the General Assembly of the State of Iowa, requiring the Secretary of State to furnish stamps to the members of said body, and report once every two weeks relative to the same, I herewith submit the following :

Amount of stamps purchased for the two weeks commencing with February 17th, 1862.....	\$462 72
Amount delivered to General Assembly.....	460 28
Amount distributed to the Senate.....	137 20
Amount distributed to the House of Representatives..	323 08
Amount uncalled for and now on hand.....	4 44
The stamps on hand are due to members as follows :	
To Mr. Foote of the Senate.....	\$2 80
To Mr. Kellogg of the House of Representatives.....	1 64

Respectfully submitted,

ELIJAH SELLS, Secretary of State.

House Files Nos. 58 and 135, were taken from the table and passed upon the files.

Mr. Lowrie moved that Senate File No. 63: A Bill for an Act to more effectually secure a portion of the School Fund, and for partial relief of the securities of James D. Eads, be made the special order for Friday morning, ten o'clock. Carried.

Mr. Mitchell of Polk, by leave, introduced House File No. 233: A Bill for an Act further defining the duties of Register of the State Land Office, which was read a first and second time and passed upon the files.

Message from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body, That the Senate has passed the following Bills, in which the concurrence of the House is asked:

Senate File No. 46: A Bill for an Act to enable the State or any County to acquire real estate under certain circumstances, and to hold, control, and dispose of the same.

Senate File No. 77: A Bill for an Act to remove an escheat.

Senate File No. 84: A Bill for an Act to amend Chapter 83, of the Revision of 1860, relating to Dower.

Senate File No. 118: Joint Resolution in relation to the claim of John Hornby.

Senate File No. 101: A Bill for an Act to prevent Fraud in warehousemen and others.

Senate File No. 129: A Bill for an Act to legalize the laying out of the town of Grove City, in Cass County, Iowa.

Senate File No. 132: A Bill for an Act to define the duties of County Supervisors and their Clerks.

Senate File No. 162: A Bill for an Act in relation to County Court Records.

Substitute for House File No. 2: A Bill for an Act relating to proof of written instruments in actions, and repealing Section 2967 of the Revision of 1860.

Senate File No. 137: A Bill for an Act providing for giving notice of Sheriff's and Constable's sales.

WM. F. DAVIS, Sec'y of Senate.

BILLS ON A SECOND READING.

House File No. 202: A Bill for an Act to legalize the election and official acts of D. D. Chase of Hamilton County, Iowa.

Mr. Cutler moved that the rule be suspended and the bill put upon its passage now. The motion prevailed.

The bill was read a third time and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Ferguson, Flint,

Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—81.

The nays were, None.

Absent or not voting, Messrs. Dunlavy, Fairall, Kellogg, Loomis, McCall, McGlothlen, Meyer, Milburn, Quinn, Stewart, Williams of Mahaska, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

Leave of absence was granted to Mr. Fairall.

House File No. 164: A Bill for an Act to regulate Mutual Insurance Companies.

The Chair announced the question to be on the adoption of the amendments reported by Committee. The amendments were adopted.

On motion of Mr. Curtiss the bill was ordered to be engrossed for a third reading to-morrow.

House File No. 207: A Bill for an Act defining the duties of Physician to the Penitentiary, and fixing his salary.

Mr. Holyoke moved that the rule be suspended and the bill put upon its passage now. The motion prevailed.

The Bill was read a third time and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Cleaves, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Lake, Lane, Lowrie, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Pendleton, Price, Rothrock, Rowles, Russell of Dallas, Sarver, Schramm, Shipman, Van Anda, Walker, Wasson, White, Wilcox, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—60.

The nays were, Messrs. Bracewell, Converse, Guthrie, Hardie, Knoll, Lorah, Martin, Parker, Russell of Jones, Smeltzer, Speer, Stanton, Thompson, Walton, Wetherall, Whittemore, Williams of Des Moines—17.

Absent or not voting Messrs. Fairall, Kellogg, Lakin, Loomis, McCall, Meyer, Milburn, Porter, Quinn, Stevenson, Stewart, West, Williams of Mahaska, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

Senate File No. 163, Substitute for House File No. 2: A Bill for

an Act relating to the proof of written instruments in actions, an repealing Section 2967 of the Revision of 1860, was taken up on motion of Mr. Lake and read a first and second time and passed upon the files.

House File No. 156: A Bill for an Act for the relief of Reuben H. Webster and other.

Mr. Mercer moved that the rule be suspended, and the Bill read a third time now. Carried.

The Bill was read a third time and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Oalfee, Castor, Clark, Chase, Cleaves, Converse, Cutler, Denlinger, Dorr, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright, and Mr. Speaker—77.

In the negative, Mr. Curtiss.

Absent or not voting—Messrs. Dunlavy, Eaton, Fairall, Gault, Kellogg, Knoll, Loomis, McCall, Meyer, Milburn, Quinn, Stewart, Williams of Mahaska, Wilson of Chickasaw.

The Bill passed and the title was agreed to.

Substitute for House File No. 61: A Bill for an Act for the relief of Amity College.

Mr. Gordon moved that the rule be suspended and the Bill read a third time now. Carried.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bowdoin, Bracewell, Burton, Cleaves, Converse, Curtiss, Cutler, Dorr, Eichorn, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Guthrie, Holyoke, Lake, Lakin, Lane, Lowrie, Martin, Maxwell, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Van Anda, West, White, Whittemore, Williams of Des Moines, Wilson of Pottawattamie, Wright, Young, and Mr. Speaker—53.

The nays were, Messrs. Bass, Blackford, Oalfee, Castor, Chase, Denlinger, Dunlavy, Ferguson, Flint, Gault, Gibson, Glanville, Hardie, Hudnutt, Hollingsworth, Hood, Jackson, Knoll, Lorah, McGlothlen, McLennan, Pierce, Porter, Smeltzer, Thompson, Walton, Wasson, Wetherall, Wilcox, and Woodworth—29.

Absent or not voting—Messrs. Eaton, Fairall, Kellogg, Loomis, McCall, Meyer, Milburn, Quinn, Stewart, Williams of Mahaska and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

Senate File No. 75: A Bill for an Act to amend Chapter 105 of Revision of 1860, concerning guardians of the property of minors. Mr. Lowrie moved that the rule be suspended and the Bill read a third time now. Carried.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Tremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—80.

The nays were, None.

Absent or not voting—Messrs. Calfee, Cutler, Fairall, Kellogg, Loomis, McCall, Meyer, Milburn, Quinn, Russell of Dallas, Stanton, Williams of Mahaska, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

Mr. Wright moved that House File No. 64: A Bill for an Act authorizing the people of the several counties in this State to cancel their indebtedness to the Swamp Land Fund of their respective counties, be made the special order for Saturday morning, 10 o'clock. Carried.

Senate File No. 163, Substitute for House File No. 2: A bill for an Act relating to the proof of written instruments in actions, and repealing Section 2967 of the Revision of 1860.

Mr. Lake offered the following amendment to Section 1: add "Provided that the person sought to be charged with such written instrument, shall on demand, be entitled to examine the original instrument before he is required to file his affidavit. The amendment prevailed.

On motion of Mr. Lake the rule was suspended and the Bill read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville,

Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Ho Jackson, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Mc well, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of F mont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendlet Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, & venson, Stewart, Thompson, Van Anda, Walker, Walton, Wass West, White, Whittemore, Wilcox, Williams of Des Moir Wilson of Pottawattamie, Woodworth, Wright, Young, and J Speaker—82.

The nays were,—None.

Absent or not voting—Messrs. Bowdoin, Converse, Fairall, F logg, Loomis, McCall, Meyer, Milburn, Quinn, Wetherall, Willia of Mahaska, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

Mr. Moser offered the following Resolution :

WHEREAS, It is known that base and unprincipled persons have gaged in what is generally called jayhawking in some of the border counties of this State, and serious difficulties have already arisen from the unlawful conduct of such persons, the difficulty arising from persons going from our State into Missouri for purpose of stealing and carrying off property, and persons coming from that State into Iowa and committing like acts, and if same is not stopped it will doubtless result in a border war, serious trouble to peaceable citizens living on the Southern border of our State, therefore be it

Resolved, That the Committee on Judiciary be instructed to report a Bill at an early day providing for the punishment of persons engaged in such unlawful raids.

The resolution did not prevail.

Mr. Stanton offered the following resolution :

Resolved by the House of Representatives, the Senate concurring That the Secretary of State be requested to furnish each member of the General Assembly with one copy of the report of the Secretary of the State Agricultural Society now printed, &c., in his session.

Mr. Pendleton moved to include all the officers and Reporters in this House. Carried.

The resolution as amended was adopted.

Mr. Stanton, from Committee on Printing, submitted the following report :

The Committee on Printing, to whom was referred House No 176 : A Bill or an Act to provide for a report from the Assistant General of Iowa, and the distribution of the same beg leave to report that they have had the same under consideration, and

structed me to report the following Bill as a substitute therefor, and recommend that it be passed.

STANTON, for Committee.

On motion of Mr. Glanville, the House adjourned.

TWO O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Stanton moved to reconsider the vote by which his resolution in reference to furnishing members and officers of the House with the report of the Secretary of State Agricultural Society's Report was passed. The motion prevailed.

Mr. Stanton introduced the following substitute, which was adopted:

Resolved, That the Secretary of State be requested to furnish each member, officer and reporter of this House with a copy of the Report of the Secretary of the State Agricultural Society for 1860.

The Chair announced that the hour had arrived for the consideration of the special order being the various House Bills upon the Liquor question.

Mr. Van Anda moved that the special order be postponed till Tuesday, at 2 o'clock P. M.

Mr. Rothrock moved to amend by postponing the consideration of House File 210: A Bill for an Act to regulate the sale of malt, spirituous and vinous liquors," till Tuesday at 2 o'clock P. M., and consider the other Bills included in the special order now. The amendment was lost.

The question recurring upon the motion of Mr. Van Anda, it was adopted.

Mr. Smeltzer, from Committee on Engrossed Bills, submitted the following report:

The Committee on Engrossed Bills beg leave to report that they have examined House File 209: A Bill for an Act in relation to the duties of Railroad Companies, and find the same correctly engrossed.

SMELTZER, Chairman.

Mr. Mitchell, of Polk, from Committee on Public Lands, submitted the following reports:

Your Committee on Public Lands, to whom was referred House File No. 136: "A Bill for an Act to authorize the Governor to appoint Agents in regard to Swamp Lands belonging to the State of Iowa, and defining their duties," have had the same under consid-

eration, and a majority of said Committee have instructed me to report the same back to this House and recommend its passage.

JOHN MITCHELL, Chairman.

The Committee on Public Lands have also instructed me to report the accompanying Bill to this House and recommend its passage, to wit: A Bill for an Act to further define the duties of the Register of the State Land Office.

JOHN MITCHELL, Chairman.

The House resumed the consideration of Bills on second reading.

House File No. 150: A Bill for an Act in relation to the estate of decedents.

Mr. Young moved that the rule be suspended and the Bill put upon its passage now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Calfee, Castor, Clark, Chase, Cleaves, Converse, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—79.

The nays were, Mr. Gordon—1.

Absent or not voting, Messrs. Burton, Curtiss, Fairall, Kellogg, Loomis, McCall, Meyer, Milburn, Pendleton, Quinn, Schramm, Williams of Mahaska and Wilson of Chickasaw—13.

The bill passed and the title was agreed to.

House File No. 203: A Bill for an Act regulating additions to unincorporated towns:

Mr. Frisbie moved that the rule be suspended and the Bill read third time now. Carried.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter,

Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—83.

The nays were, None.

Absent or not voting, Messrs. Burton, Eaton, Fairall, Kellogg, Loomis, McCall, Meyer, Milburn, Quinn, Williams of Mahaska, and Wilson of Chickasaw—11.

The Bill passed and the title was agreed to.

Mr. Stanton moved to take up House File No. 209, substitute for House Files Nos. 24 and 25: A Bill for an Act in relation to the duties and liabilities of Railroad Companies. The motion prevailed.

On motion of Mr. Cleaves, by common consent, the following portion of the Bill was stricken out:

Sec. 14. The Railroad Companies of this State as aforesaid, shall on or before the first Monday in February of each year, furnish to the Clerk of the Board of Supervisors in each County through which their respective roads may run, a written certified statement of the length of line in such County; also, a written schedule of the number and description of all the rolling machinery of every kind, depots, machine and car shops, and other buildings used by it, in doing the business of such road, and the value of the same, in which shall be apportioned to each mile the value of said rolling machinery; said statement to be verified by the Superintendent or manager of such road.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Butler, Denlinger, Dunlavy, Eaton, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Hannville, Guthrie, Hardie, Hudnutt, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—78.

The nays were, Messrs. Dorr, Gordon, and Moser—3.

Absent or not voting, Messrs. Burton, Fairall, Holyoke, Kellogg, Loomis, McCall, Meyer, Milburn, Quinn, Wetherall, Williams of Mahaska, and Wilson of Chickasaw.

The Bill passed.

Mr. Frisbie moved to amend the title by inserting after "duties," "and liabilities." Carried.

The title as amended was agreed to.

House File No. 98: A Bill for an Act to amend Section 843 of the Revision of 1860.

Mr. Moir moved to suspend the rule and read the Bill a third time now. Carried.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Bowdoin, Bracewell, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hooker, Jackson, Knoll, Lake, Lakin, Lane, Lorah, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarve, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—81.

The nays were, Messrs. Blackford and Moser—2.

Absent or not voting—Messrs. Burton, Fairall, Kellogg, Loomis, McCall, Meyer, Milburn, Quinn, Williams of Mahaska, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

House File No. 181: A Bill for an Act to amend Section 395 sub-division 3 of the Revision of 1860, in relation to pleadings cases of forcible entry and detainer.

Mr. Lowrie moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time; and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hooker, Jackson, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Shipman, Smeltzer, Speer, Stanton, Stevenson, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—76.

The nays were, Messrs. Moser, Russell of Jones, Schramm, Stewart, and Williams of Des Moines—5.

Absent or not voting—Messrs. Burton, Fairall, Glanville, Kellogg, Loomis, McCall, Meyer, Milburn, Quinn, Thompson, Williams of Mahaska, and Wilson of Chickasaw.

The Bill passed.

Mr. Lowrie moved to amend the title as follows: add "in relation to pleadings in cases of forcible entry and detainer."

The amendment prevailed.

The title as amended was agreed to.

House File No. 226: A Bill for an Act to amend Chapter 45 of the Revision of 1860, so as to exempt grounds leased by Agricultural Societies from taxation during the term of such lease.

On motion, of Mr. Converse, the rule was suspended and the Bill read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—83.

The nays were, Mr. Dunlavy—1.

Absent or not voting, Messrs. Burton, Fairall, Kellogg, Loomis, McCall, Meyer, Milburn, Quinn, Williams of Mahaska, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

House File No. 97: A Bill for an Act to prevent the unlawful driving away of cattle by drovers and others.

Mr. Fuller, of Fayette, moved that the rule be suspended and the Bill be read a third time now.

The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Max-

well, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—82.

The yeas were, None.

Absent or not voting—Messrs. Burton, Eaton, Fairall, Gault, Kellogg, Loomis, McCall, Meyer, Milburn, Quinn, Williams of Mahaska, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

Substitute for House File No. 78: A Bill for an Act to amend Section 5192 of the revision of 1860. The Substitute was adopted.

On motion of Mr. McQuinn the rule was suspended and the bill read a third time, and upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Price, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—80.

The nays were, Mr. Guthrie—1.

Absent or not voting—Messrs. Burton, Eaton, Fairall, Kellogg, Loomis, Meyer, Milburn, Quinn, Schramm, Shipman, Smeltzer, Williams of Mahaska and Wilson of Chickasaw.

The Bill passed and the title agreed to.

Mr. Smeltzer from Committee on Engrossed Bills submitted the following report:

The Committee on Engrossed Bills, to whom was referred House File No. 164: A Bill for an Act to regulate Mutual Insurance Companies, find the same correctly engrossed.

SMELTZER.

On motion of Mr. Lake, the rule was suspended and the Bill read third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eichorn, Ferguson, Flint, Frisbie,

Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—78.

The nays were, None.

Absent or not voting, Messrs. Burton, Eaton, Fairall, Hardie, McCall, Loomis, Meyer, Milburn, Quinn, Walton, Wasson, Williams of Mahaska, and Wilson of Chickasaw—13.

The Bill passed and the title was agreed to.

On motion of Mr. Martin, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
THURSDAY, March 6th, 1862. }

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Bird.

Journal of yesterday read and approved.

PETITIONS, &C.

Mr. Converse presented the petition of sundry citizens of Franklin County, asking that civil and criminal jurisdiction be conferred on County Judges. Referred to Committee on Judiciary.

REPORTS OF COMMITTEES.

Mr. Fairall, from Committee on Judiciary, submitted the following report:

The Judiciary Committee, to whom was referred House File No. 192, respectfully report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do not pass.

FAIRALL, for Committee.

Mr. Outler from Committee on New Counties, submitted the following reports:

The Committee on New Counties, to whom was referred a peti-

tion from David Parmer and others asking for a change of County boundaries of Dickinson County, have taken the same under consideration and would recommend the same to lie on the table.

L. H. CUTLER, Chairman.

Your Committee to whom was referred a Bill for an Act entitled an Act to regulate the taxation and collection of costs in certain cases, have taken the same under consideration, and have instructed me to report the same back and recommend that it do pass.

L. H. CUTLER, Chairman.

INTRODUCTION OF BILLS.

Mr. Lake introduced House File No. 234: A Bill for an Act to amend Chapter fifty-eight of the Revision of 1860, in regard to illegitimate children. Read a first and second time and referred to Committee on Judiciary.

Mr. Van Anda introduced House File No. 235: A Bill for an Act to amend Chapter 146, of the Revision of 1860. Read a first and second time, and referred to Committee on Judiciary.

Mr. Dorr introduced House File No. 236: A Bill for an Act to amend chapter 58 of the Revision of 1860, relating to illegitimate children. Read a first and second time and referred to Committee on Judiciary.

RESOLUTIONS.

Mr. Denlinger offered the following Resolution which was laid over under the rule:

Resolved, That the Auditor of State be requested to furnish the House with the following information concerning the 24 delinquent Ex-Treasurers named in his late report, viz:

FIRST—Whether said Ex-Treasurers and their sureties are responsible to the State or to their respective Counties, for the amounts of said delinquency.

SECOND—Whether he is absolutely certain that all of said Ex-Treasurers are delinquent (without exception) for all or any part of the several amounts set opposite their respective names.

THIRD—If not certain of their delinquency, why he has set them down as such.

FOURTH—If only responsible to their respective Counties, why have their names been registered in his report?

Message from the Senate.

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed the following bills in which the concurrence of the House is asked:

Senate File No. 97: A Bill for an Act to amend the Charter of the Town of Fort Madison.

Senate File No. 108, Substitute for House File No. 121: A Bill

for an Act to repeal Section 906 of the Revision of 1860, and to encourage hedging.

Senate File No. 111: A Bill for an Act in relation to levying executions.

Senate File No. 138: A Bill for an Act further defining the duties of County Treasurers and fixing their compensation therefor.

Senate File No. 141: A Bill for an Act to authorize the Governor to settle the excess over 500,000 acres selected by the State of Iowa under the Act of Congress of September 4th, 1841, &c.

Senate File No. 152: A Bill for an Act to permanently locate the Asylum for the Education of Deaf and Dumb.

W. F. DAVIS, Secretary of Senate.

Mr. Lake introduced the following Resolution, which was adopted: WHEREAS, It is important that the number of miles each member of this House is entitled to draw pay for, should be settled at an early day; Therefore,

Resolved, That the Clerk of this House be ordered to read the names and number of miles each member is allowed by the Select Committee on mileage, and each member as his name is read shall rise in his seat and state whether the same is correct, and if not, make such corrections in the amount allowed by the Committee as he deems just, which amount so stated by each member shall be allowed.

Mr. Schramm moved to re consider the vote by which the Resolution of Mr. Lake was adopted. The motion did not prevail.

The Clerk proceeded to call the roll from the Report of the Select Committee on mileage.

The Report was amended.

The following is a copy of the Report as amended:

Mr. Lake, from Joint Committee on mileage of members, submitted the following Report:

The undersigned, of the Select Joint Committee to ascertain the mileage due the members of this General Assembly, according to Section 25, of Article 3 of the Constitution, have had the same under consideration and make the following Report:

That the Constitution only fixes the per diem and mileage of the members of the First General Assembly;

That Section 18 of the Revision of 1860, fixes the mileage at the sum of "three dollars for every twenty miles traveled in going to and returning from the place where the session is held, by the nearest traveled route;"

That this language is uncertain, but your Committee adopted as a basis the nearest route by a public conveyance.

They find that the members of this House are entitled to the following mileage:

MILEAGE OF MEMBERS.

NAME.	COUNTY.	MILES	AMOUNT.
W. H. Baker	Winneshiek	660	99 00
G. L. Bass	Clayton	600	90 00
J. E. Blackford	Kossuth	280	42 00
E. G. Bowdoin	Floyd	500	75 00
H. Bracewell	Wayne	260	39 00
J. Burton	Alamakee	700	105 00
W. L. Calfee	Clarke	200	30 00
S. G. Castor	Mahaska	160	24 00
Rush Clark	Johnson	260	39 00
L. Clark	Tama	220	33 00
D. W. Chase	Clayton	480	72 00
J. Cleaves	Louisa	300	45 00
A. Converse	Butler	380	57 00
W. H. Curtiss	Blackhawk	370	55 50
L. H. Cutler	Wright	300	45 00
C. Denlinger	Dubuque	480	72 00
E. Dorr	Jackson	480	72 00
H. Dunlavy	Davis	280	42 00
J. P. Eaton	Jackson	480	72 00
G. Eichorn	Lee	380	57 00
S. H. Fairall	Johnson	260	39 00
D. Ferguson	Davis	280	42 00
J. H. Flint	Wapello	240	36 00
D. G. Frisbie	Mitchell	550	82 50
Levi Fuller	Fayette	600	90 00
W. W. Fuller	Harrison	400	60 00
E. J. Gault	Appanoose	300	45 00
H. D. Gibson	Marion	80	12 00
J. Glanville	Van Buren	260	39 00
G. A. Gordon	Montgomery	360	54 00
N. Guthrie	Warren	36	4 40
T. Hardie	Dubuque	480	72 00
J. O. Hudnutt	Bremer	560	84 00
T. Holyoke	Poweshiek	120	18 00
L. Hollingsworth	Keokuk	200	30 00
A. Hood	Madison	70	10 50
O. J. Jackson	Des Moines	330	49 50
R. D. Kellogg	Decatur	200	30 00
F. M. Knoll	Dubuque	480	72 00
Jed Lake	Buchanan	460	69 00
W. B. Lakin	Fayette	560	84 00
J. T. Lane	Scott	380	57 00
H. C. Loomis	Cedar	340	51 00

MILEAGE OF MEMBERS—Continued.

NAME.	COUNTY.	MILES.	AMOUNT.
S. L. Lorah	Cass	200	30 00
C. W. Lowrie	Lee	350	52 00
H. M. Martin	Iowa	200	30 00
J. S. Maxwell	Clinton	400	60 00
T. C. McCall	Story	70	10 50
Wm. McLennan	Dubuque	480	72 00
T. D. McGlothlen	Wapello	180	27 00
J. McQuinn	Benton	300	45 00
T. Mercer	Marshall	130	19 50
J. Meyer	Jasper	70	10 50
J. Milburn	Linn	280	42 00
J. L. Mitchell	Fremont,	400	60 00
J. Mitchell	Polk,		
W. J. Moir	Hardin,	160	24 00
R. A. Moser,	Taylor,	400	60 00
O. Nelson,	Winnesheik,	700	105 00
G. W. Parker,	Clinton,	400	60 00
I. Pendleton	Woodbury,	520	78 00
A. R. Pierce,	Jefferson,	270	40 50
J. R. Porter,	Scott,	400	60 00
M. Price,	Muscatine,	340	51 00
J. W. Quinn,	Washington,	260	39 00
J. H. Rothrock,	Cedar,	340	51 00
O. P. Rowles,	Monroe,	190	28 50
J. T. Russell,	Dallas,	50	7 50
J. Russell,	Jones,	360	54 00
J. D. Sarver,	Lucas,	100	15 00
G. Schramm	Van Buren,	290	43 50
G. C. Shipman	Muscatine,	340	51 00
C. C. Smeltzer	Clay,	600	90 00
A. L. Speer,	Boone,	80	12 00
T. H. Stanton	Washington,	260	39 00
T. J. Stevenson,	Lee,	380	57 00
G. B. Stewart,	Appanoose,	290	43 50
M. Thompson,	Lee,	380	57 00
S. G. Van Anda,	Delaware,	500	75 00
P. Walker,	Jefferson,	240	36 00
G. S. Walton,	Greene,	120	18 00
J. Wasson,	Keokuk,	240	36 00
W. E. Wetherall,	Marion	100	15 00
J. P. West,	Henry,	300	45 00
J. H. White,	Scott,	420	63 00
O. Whittemore,	Jones,	360	54 00

MILEAGE OF MEMBERS—Continued.

NAME.	COUNTY.	MILES.	AMOUNT.
F. Wilcox,.....	Des Moines,.....	340	51 00
J. W. Williams,.....	Des Moines,.....	370	55 00
M. T. Williams,.....	Mahaska.....	160	24 00
J. F. Wilson,.....	Chickasaw,.....	500	75 00
W. W. Wilson,.....	Pottawattamie,.....	300	45 00
W. C. Woodworth,.....	Henry,.....	320	48 00
A. R. Wright,.....	Mills,.....	350	52 50
J. B. Young,.....	Linn,.....	280	42 00
Chas. Aldrich, (Chief Clerk,)....	.....	160	24 00

JED. LAKE,
WM. McLENNAN, } Com. on Mileage.
R. A. MOSER.

The report as amended was adopted.

Mr. McLennan introduced the following Preamble and Resolution:

WHEREAS, The custom has heretofore prevailed to allow the Chief Clerk of this House, mileage,
Resolved, That Chas. Aldrich, Chief Clerk of this House, be allowed to draw mileage for eighty miles each way.
The Resolution was adopted.

MESSAGES AND COMMUNICATIONS ON THE TABLE.

Senate File No. 137: A bill for an Act providing for giving notice of Sheriffs' and Constables' Sales, was read a first and second time, and referred to Committee on Judiciary.

Senate File No. 84: A Bill for an Act to amend Section 83 of the Revision of 1860, relating to dower, was read a first and second time, and referred to Committee on Judiciary.

Senate File No. 132: A Bill for an Act to define further the duties of County Supervisors and their Clerks. Read a first and second time, and referred to Committee on County and Township Organization.

Senate File No. 162: A bill for an Act in relation to County Court Records. Read a first and second time and referred to Committee on County and Township Organization.

Senate File No. 96: A bill for an Act to amend the law in reference to the sale of intoxicating liquors. Read a first and second time, and referred to Select Committee on the Prohibitory Liquor Law.

Substitute for Senate File No. 143: A bill for an Act regulating

the purchase of supplies for the use of Charitable Institutions belonging to the State. Read a first and second time and referred to Committee on Charitable Institutions.

Senate File No. 168: A bill for an Act to legalize the laying out of the town of Grove City, in Cass county, Iowa. Read a first and second time, and passed upon the files.

Senate File No. 74: A bill for an Act for the removal of an escheat. Read a first and second time, and referred to Committee on Judiciary.

Senate File No. 118: A Joint Resolution in relation to the claim of John Hornby. Read a first and second time, and referred to Committee on Claims.

Senate File No. 46: A bill for an Act to enable the State or any county to acquire real estate under certain circumstances, and to hold, control and dispose of the same. Read a first and second time and referred to Committee on Judiciary.

Substitute for Senate File No. 101: A bill for an Act to prevent fraud in warehousemen and others. Read a first and second time, and referred to Committee on Police Regulations.

Senate File No. 111: A bill for an Act in relation to levying executions. Read a first and second time, and referred to Judiciary Committee.

Substitute for Senate File No. 138: A bill for an Act further defining the duties of County Treasurers, and fixing their compensation therefor. Read a first and second time, and referred to Committee on County and Township Organization.

Senate File No. 152: A Bill for an Act to permanently locate the Asylum or Institution for the Education of the Deaf and Dumb. Read a first and second time, and referred to Committee on Charitable Institutions.

Substitute for Senate File No. 141: A bill for an Act to authorize the Governor to settle the excess over 500,000 acres selected by the State of Iowa under Act of Congress of Sept. 4th, 1841, &c. Read a first and second time and referred to Committee on Public Lands.

Senate File No. 108, Substitute for House File No. 121: A Bill for an Act to repeal Section 906 of the Revision of 1860, and to encourage hedging. Read a first and second time, and referred to Committee on Agriculture.

Senate File No. 97: A Bill for an Act to amend the Charter of the Town of Fort Madison. Read a first and second time, and referred to Committee on Incorporations.

The following communication from the Register of the State Land Office, was read:

STATE LAND OFFICE, IOWA, }
 DES MOINES, IOWA, March 5th 1862. }

Gentlemen of the House of Representatives:—

In reply to your Resolution of the 4th inst, making inquiry in regard to certain lands, I have the honor to state, that the last approval of lands under the Des Moines River Grant, was made to the State by Mr. Secretary McClelland, under date of December 17th, 1853, long prior to the passage of the Act, granting lands to the State for Railroad purposes, and upon a careful comparison of the lists now on file in this office belonging to these grants, I find that no lands have been certified to the State as Railroad lands, which were previously approved as Des Moines River Lands.

I have the honor to remain,

with much respect, your obedient servant,

A. B. MILLER, Register.

Mr. Stanton, by leave, introduced the following resolution :

Resolved, That James H. Knox of Warren County, be allowed sixty dollars as balance due him for four weeks' services as Sergeant at arms during the session of the Seventh General Assembly of the State of Iowa. The Resolution was referred to Committee on Claims.

BILLS ON SECOND READING.

Senate File No. 930 : A Bill for an Act to provide for a full settlement of all claims, rights and liabilities between the State of Iowa and James A. Brown and George C. Allender.

Mr. Curtiss moved to strike out the enacting clause.

On motion of Mr. Bass the House adjourned.

TWO O'CLOCK P. M.

House met pursuant to adjournment.

The Chair announced that the hour for the consideration of the special order being House File No. 197 : A Bill for an Act in relation to the punishment of persons receiving property of Rebels, and House File No. 211 : A Bill for an Act to preserve the peace, had arrived.

The House resolved itself into Committee of the Whole on the special order. Mr. Rothrock in the Chair.

The Committee rose and reported House File No. 197: A Bill for an Act punishing persons receiving the property of persons in

arms against the Government, or their aiders and abettors with intent to prevent its confiscation, back to the House with sundry amendments, without recommendation.

The House adopted the several amendments reported by Committee of the Whole.

Mr. Mitchell of Fremont, moved that the Bill be engrossed for a third reading to-morrow, and upon this question the yeas and nays were demanded by Messrs. Fairall and Lakin and were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Holyoke, Hollingsworth, Hood, Jackson, Lake, Lakin, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright and Mr. Speaker—82.

The nays were, Messrs. Hudnutt, Knoll, Lane, Parker, Van Anda and Young—6.

Absent or not voting, Messrs. Eaton, Kellogg, Loomis, Lorah, Mercer, Meyer, Quinn, Williams of Mahaska and Wilson of Chickasaw.

The motion prevailed.

On motion of Mr. Woodworth, leave of absence was granted to Mr. West for the rest of the session.

On motion of Mr. Shipman, leave of absence was granted to Mr. Price for a few days.

Mr. Lane from Committee on Military Affairs, by leave, submitted the following Report :

The Committee on Military Affairs, to whom was referred so much of the message of the Governor as relates to the Militia Law of this State, have had the same under consideration, and have instructed me to report to the House the accompanying bill for "An Act for the Enrollment, Organization, Discipline and Government of the Militia of the State," and on account of its length and importance, the Committee recommend that it lie on the table, and the usual number of copies be printed.

Respectfully submitted,

JAMES T. LANE, Chairman.

The Committee introduced House File No. 237: A bill for an Act for the enrollment, organization, discipline and government of the Militia of the State, which was read a first and second time. The report of the Committee to lay on the table and print was concurred in.

Mr. Stanton introduced the following resolution :

Resolved, That the Speaker and Clerk of this House be authorized to issue a certificate on the Auditor for the per diem and mileage up to this date due to Mr. West, member from Henry county.

The resolution was adopted.

On motion of Mr. Wilcox, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
FRIDAY, March 7, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Bird.

Journal of yesterday read and approved.

Mr. Wright, by leave, introduced the following Resolution, which was adopted :

WHEREAS, The Hon. J. P. West has left his place as a member of this House, for the purpose of resuming his position as a non-commissioned officer in the 14th Regiment Iowa Volunteers, thus relinquishing a position of comparative ease for the perils and privations of the camp and field ; therefore,

Resolved, (as an expression of our appreciation of his high sense of duty,) his per diem be and is hereby continued until the end of the present session, and that the Speaker and Chief Clerk are hereby instructed to issue a certificate for the amount of the same, as soon as the day of adjournment shall be definitely fixed, and send the money to his family.

Mr. Frisbie from Committee on Judicial Districts, submitted the following report :

The Committee on Judicial Districts, to whom was referred Senate File No. 1 : A Bill for attaching Cass County to the Fifth Judicial District, and Pottawattamie County to the Fourth Judicial District, have had the same under consideration and we hereby report the same back to the House without recommendation.

D. G. FRISBIE,
C. W. LOWRIE,
W. H. CURTISS,
A. R. WRIGHT,
L. HOLLINGSWORTH,
WILLIAM McLENNAN.

Mr. Van Anda, from Select Committee on House File No. 20, by leave, submitted the following Report :

The Select Committee to whom was referred House File No.

206: An Act authorizing Incorporated Towns and Cities to dissolve their Incorporations, and to whom were referred sundry petitions from the citizens of Iowa City and the town of Newton upon the same subject, have had the same under consideration and have instructed me to report the following Bill and recommend its passage.

VAN ANDA.

The Committee introduced House File No. 237: A Bill for an Act authorizing Incorporated Cities and Towns to abolish their acts of Incorporation. Read a first and second time.

Mr. White moved to lay the Bill on the table and print the usual number of copies for the use of the House. The motion prevailed.

Mr. Chase from Select Committee, to whom were referred certain petitions on empiricism, submitted the following Report:

The Select Committee, to whom was referred the petition of W. H. Francis and others, praying for legislation to prevent Empiricism, have directed me to report that in the opinion of said Committee no legislation on this subject will effect the object desired by the petitioners; and they have further directed me to report that in regard to a remonstrance of E. A. Gilbert and others, against any legislative interference in the Constitutional rights of Citizens to the secure enjoyment of their own private opinions, with regard to what is successful and scientific medical practice, and their right of the choice of their own medical attendants, have examined the Statutes and find no such legislative interference.

D. W. CHASE, Chairman,
L. H. CUTLER,
THOS. HOLYOKE.

Mr. Hardie moved that the Report be recommitted, with instructions to strike out so much of said Report as refers to the Remonstrance, as said Remonstrance refers to prospective legislation. The motion prevailed.

Mr. Holyoke, from Committee on Charitable Institutions, submitted the following report:

The Committee on Charitable Institutions, to whom was referred so much of the Governor's Message as referred to the Penitentiary have had the same under consideration, and instructed me to report the accompanying Bill making appropriations for Guard's Salaries, Locks, Library, Cistern, Contingent Fund, Shop and Past Indebtedness of Penitentiary.

THOS. HOLYOKE, Chairman.

The Committee introduced House File No. 238: A Bill for an Act making appropriations for Guard's Salaries, Library, Locks Cisterns, Ash House, Vault for Clerk's Office, Contingent Fund, Shop and Past Indebtedness of the Penitentiary, which was read a first and second time and passed upon the files.

Mr. Lakin, by leave, introduced House File No. 239: A Bill for

an Act to substitute an affidavit for the oath now administered at elections in case of challenge. Read a first and second time and referred to the Committee on Elections.

Mr. Lake moved to suspend the regular order of business, and take up bills on their second reading. The motion prevailed.

House File No. 133: A Bill for an Act to protect sheep from the ravages of dogs.

The Chair announced the question to be upon the several amendments to the Bill reported by the Committee.

The amendments reported by the Committee were adopted.

Mr. Curtiss offered the following substitute for the Bill. A Bill for an Act to tax Dogs:

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That in addition to the Personal Property now taxed, all the male dogs in this State shall be taxed fifty cents per head, and the female dogs one dollar and fifty cents per head, which tax is to be levied annually, and collected in connection with the other State and County taxes and in the same manner.

SEC. 2. The moneys so collected in each township by the first section of this Act, shall be paid over to such township, and be used for school purposes therein, except in case any portion of such tax is levied and collected in any city, incorporated town or village, then the amount so collected therein, shall be paid over to and used by such city or incorporated town or village, for school purposes within their respective corporate limits.

SEC. 3. This Act being deemed of immediate importance it shall take effect from and after its publication in the Daily Iowa State Register and Daily Des Moines Times.

Mr. Curtiss moved the adoption of the substitute, and upon this question the yeas and nays were demanded by Messrs. Bowdoin and Curtiss, and were as follows:

The yeas were, Messrs. Blackford, Curtiss, Dunlavy, Eichorn, Ferguson, Flint, Fuller of Fayette, Glanville, Guthrie, Hudnutt, Holyoke, Hollingsworth, Kellogg, Lorah, McCall, McGlothlen, Mitchell of Fremont, Moser, Pendleton, Sarver, Schramm, Stewart, Speer, Walker, Wasson, Wetherall, Williams of Des Moines and Williams of Mahaska—28.

The nays were, Messrs. Baker, Bass, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Cutler, Denlinger, Dorr, Fairall, Frisbie, Fuller of Harrison, Gault, Gibson, Gordon, Hardie, Jackson, Knoll, Lake, Lane, Lowrie, Martin, Maxwell, McLennan, McQuinn, Mercer, Meyer, Mitchell of Polk, Moir, Nelson, Parker, Pierce, Porter, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Shipman, Stanton, Stevenson, Van Anda, Walton, White, Whittemore, Wilcox, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—55.

Absent or not voting—Messrs. Converse, Eaton, Lakin, Loomis,

Milburn, Price, Quinn, Smeltzer, West, Wilson of Chickasaw—10

The motion did not prevail.

Mr. Shipman moved that the Bill be engrossed for a third reading to-morrow. Carried.

The Chair announced that the hour for the consideration of the special order, being Senate File No. 63: A Bill for an Act more effectually to secure a part of the judgment in favor of the School Fund and against J. D. Eads and his sureties, and for partial relief of said sureties, had arrived.

Mr. Lakin moved that the enacting clause of the Bill, be stricken out.

On motion of Mr. Frisbie, the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Castor, by leave, introduced the following preamble and resolution :

WHEREAS, The Governor has returned from a visit to the wounded and sick soldiers of the Iowa Regiments, at Fort Donelson and Cairo; therefore,

Resolved, That he be requested to communicate to this House the condition of the wounded and sick soldiers of the Iowa Regiments that he had an opportunity of visiting and such other information as he may deem to be of interest, &c.

The resolution was passed unanimously.

The House resumed the consideration of the question pending on its adjournment, which was the motion of Mr. Lakin, that the enacting clause of the Bill be stricken out.

And upon this question, the yeas and nays were demanded by Messrs. Wilcox and Lakin, and were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Cleaves, Curtiss, Cutler, Dorr, Frisbie, Fuller of Fayette, Fuller of Harrison, Glanville, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Lake, Lakin, Lane, Lorah, Martin, Maxwell, McCall, Mercer, Meyer, Mitchell of Fremont, Nelson, Parker, Pendleton, Porter, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Van Anda, Walton, Whittemore, Wilcox, Williams of Mahaska, Wilson of Chickasaw, Wright, and Mr. Speaker—49.

The nays were, Messrs. Bracewell, Denlinger, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Gibson, Hardie, Holyoke, Jackson, Kellogg, Knoll, Lowrie, Martin, McGlothlen, McLennan, McQuinn, Mitchell of Polk, Moir, Moser, Schramm, Shipman, Smelt-

zer, Speer, Stanton, Stevenson, Stewart, Thompson, Walker, Wasson, Wetherall, White, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, and Young—37.

Absent or not voting, Messrs. Converse, Gault, Holyoke, Loomis, Milburn, Price, Quinn, and West.

The motion prevailed.

Message from the Senate by Wm. F. Davis, their Secretary:

MR. SPEAKER:—I am directed to inform your Honorable Body, that the Senate has concurred in the House Resolution, providing for a Joint Convention of the two Houses on Monday, March 10th, 1862, at 10 o'clock, A. M., for the purpose of electing a Warden of the Penitentiary and three Bank Commissioners, for the ensuing two years.

WM. F. DAVIS, Sec'y of Senate.

Mr. McCall, from Committee on Engrossed Bills, submitted the following report:

The Committee on Engrossed Bills have examined House File No. 197: A Bill for an Act punishing persons receiving the property of persons in arms against the Government, or their aiders and abettors, with intent to prevent its confiscation, and find the same correctly engrossed.

McCALL and SMELTZER.

Mr. Mitchell of Fremont moved that bills on third reading be taken up. Carried.

BILLS ON THIRD READING.

House File No. 147: A Bill for an Act to amend an Act entitled an Act to adapt the law for canvassing votes to the Supervisor system.

The Bill was read a third time and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Gordon, Guthrie Hardie, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Pierce, Porter, Rothrock, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Walker, Walton, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—83.

The nays were Messrs. Rowles and Thompson—2.

Absent or not voting—Messrs. Converse, Gault, Hudnutt, Loomis, Milburn, Price, Quinn, Van Anda, Wasson, Wetherall, West.

The Bill passed and the title was agreed to.

House File No. 197: A bill for an Act punishing persons receiving the property of persons in arms against the Government, or their aiders or abettors, with intent to prevent its confiscation.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Knoll, Lake, Lakin, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Pendleton, Pierce, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—78.

The nays were, Messrs. Curtiss, Ferguson, Jackson, Lane, Labin, Parker, Porter, Thompson—8.

Absent or not voting, Messrs. Converse, Gault, Loomis, Lowrie, Milburn, Price, Quinn, West.

The Bill passed and the title was agreed to.

Mr. Bowdoin moved that House File No. 227: A bill for an Act to amend Chapter 45 of the Revision of 1860, being an Act in relation to Revenue, be made the special order for Monday next, at 2 o'clock P. M. The motion prevailed.

On motion of Mr. Young, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
SATURDAY, March 8th, 1862. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Bird.

Journal of yesterday read and approved.

Message from the Senate by Wm. F. Davis, their Secretary:

MR. SPEAKER:—I am directed to inform your Honorable Body,

that the Senate has passed the following Bills, in which the concurrence of the House is asked :

Senate File No. 79: A Bill for an Act to regulate the fees of Sheriffs for taking convicts to the Penitentiary.

Senate File No. 127: A Bill for an Act to amend the Acts to protect Game.

Senate File No. 169: A bill for an Act to prevent the farther issuing or sale of State Bonds on account of the War and Defense Fund of the State.

Also, House File No. 12: Joint Resolution asking for a tri-weekly mail from Des Moines to Council Bluffs.

House File No. 127: A Bill for an Act to amend Section 1, Chapter 98 of the laws of 6th General Assembly, and to legalize records of certain deeds and conveyances in the Recorder's office at Fort Madison, in Lee County, and revoking the evidence in legal proceedings.

House File No. 170: A Bill for an Act in relation to the duties of Clerks and Justices.

House File No. 190: A Bill for an Act legalizing the acts of Charles A. Perry, as Notary Public in Buchanan County.

House File No. 226: A Bill for an Act to amend Chapter 45 of the Revision of 1860, so as to exempt grounds leased by Agricultural Societies from taxation during time of lease, without amendment.

Also, House File No. 97: A Bill for an Act to prevent the unlawful driving away of cattle and other stock by drovers and others with the following amendments :

In fourth line of first Section, after the word "sheep," insert the words, "or any other stock." The same amendment in the twelfth line after the word "sheep."

Also the following as an additional Section : *

SECTION 5. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

In which concurrence of the House is asked.

WM. F. DAVIS, Secretary of Senate.

REPORTS OF COMMITTEES.

Mr. Hudnutt from Committee on Schools and State University submitted the following Report :

Your Committee on Schools and State University, to whom was referred a Resolution asking for investigation and inquiry into the expediency of reducing the Professorships in the State University also what number of students were in attendance from the State at large, and what number from Johnson County, have had the subject under consideration, and instructed me to make the following report :

Your Committee find upon examination that the whole number

of students in attendance at the University as per catalogue during the year 1860-1, was 172.

Of these the Normal Department reports.....	120
Department of Mental and Normal Philosophy	3
Department of Languages.....	4
Department of Mathematics and Astronomy.....	16
Department of Chemistry and Natural Philosophy.....	9
Preparatory Department.....	31

Of those who are in the Collegiate Department proper, several are catalogued in each of the Departments, and by separating these, we find that the total number of students reported in the Higher Departments of the College is 21.

Recurring again to the total number of pupils in attendance, your Committee find that out of 172, Johnson County sends 101; leaving from the State at large, 71.

It is provided by law that each organized County in the State is entitled to send four students free of charge for tuition; two in the Normal and two in the Collegiate Departments of the Institution. Taking the number of Counties at 90, would give a representation of the State at large at 360. We find upon reference to the catalogue only 30 Counties represented and of these 11 only have the full number allowed by the law. The Counties sending more than their number are Cedar, Muscatine and Johnson.

The Preparatory Department is made self-sustaining by collecting tuition fees of \$12 per year for those pupils of that Department. Other students of the different departments pay tuition as near as we can ascertain as follows:

Normal Department, 75 students pay \$10 per year, amount	\$750
Other Departments, 20 pupils at \$14,.....	280

Making a total of.....\$1030

The revenue arising from these term bills, says the Secretary of the Board of Education, is distributed equally among the Professors.

The number of Professors employed by the Trustees as appears from the same Report is as follows:

One President with salary of.....	\$1500
Five Professors with salary of \$1,000 each,.....	5000
One Female Assistant,.....	500

Again, the Board of Trustees at their last meeting recommend the establishment of a Military Department and ask an appropriation from this Body of \$2,500 for that purpose, the first year, and \$1,500 annually thereafter, from the State Treasury for that object.

In the same Report we have these facts concerning the receipts and expenditures of the interest fund, the only fund available for the current expenses of the Institution.

Expenditures.....\$14,543 45

Income.....	13,496 87
Showing a deficiency of	\$ 1,046,58 *

Nor is this embarrassing financial fact relieved by the further showing of a total delinquent interest due the University of the sum of \$20,257 41.

With the munificent endowment fund of \$216,024 22 the University is compelled to ask appropriations from the State Treasury not only to establish a new professorship, but to enable it to keep its present status free from embarrassment.

And your Committee agree with the Secretary in his concluding remark; "How long this State of things is to continue, and how long the University can continue in operation under it, time must determine."

With these facts patent in the management of the University, without wishing to censure any one, your Committee would suggest the propriety of reducing the corps of professors, and that the income, arising from the tuition of those not exempt by law from paying such tuition fees, be made a part of the interest fund.

In suggesting these items of retrenchment, we disclaim all intention of wishing to curtail the usefulness of the University or cast aspersions upon its mission. Far be it from us, to aid in crippling the right arm of the educational interest of our young State.

We know that many of our Western States have built noble monuments of this character as land-marks of their progress. And that foremost among them, Michigan has established at Ann Arbor, a University, under State patronage that outrivals in the perfection of its arrangements and character of instruction, those institutions venerable by their age, built by our fathers beneath the classic shades of Dartmouth, Yale and Cambridge. But we find in the early history of the Michigan University the permanent fund was husbanded with great care, until such fund had accumulated in sufficient amount to justify the opening the doors of the University.

In sad contrast to this able financial management we see that the Governor of Wisconsin in his Message of January 8th, 1862, holds the following language:

"The University is finding the inevitable result of borrowing to build and pledging income for interest—the means for current expenses are wanting. Candor compels me to acknowledge, continues the Message, that the several Institutions under the care of religious denominations, have with very limited means, accomplished more for Education in this State than the State University with its originally munificent endowment, as managed by State authority."

In order to accomplish the retrenchments named in their report, your Committee submit the following Bill and recommend its pas-

sage. All of which is respectfully submitted, together with the following Bill:

J. O. HUDNUTT,
Sub. Com. Schools and University.

The Committee introduced House File No. 240: A Bill for an Act to amend Section 11 of an Act entitled an Act for the Government and regulation of the State University of Iowa, which was read a first and second time.

Mr. Fairall moved that the Bill and report be laid on the table and the usual number of copies ordered to be printed for the use of the House. The motion prevailed.

Mr. McCall, from Committee on Engrossed Bills, submitted the following report:

The Committee on Bills Engrossed have examined House File No. 133: A Bill for an Act for the Registry of dogs, and defining the duties of Township Officers in certain cases, and find the same correctly engrossed.

McCALL and SMELTZER.

Mr. Mitchell of Polk from Committee on Public Lands submitted the following report:

Your Committee on Public Lands to whom was referred Senate File No. 141: A Bill for an Act to authorize the Governor to settle the excess over 500,000 acres selected by the State of Iowa, under Act of Congress of Sept. 4th, 1841, &c., have had the same under consideration, and directed me to report the same back to this House and recommend its passage.

JOHN MITCHELL, Chairman.

Mr. Moir from Committee on Judiciary, submitted the following reports:

The Committee on Judiciary, to whom was referred Senate File No. 111: A Bill for an Act in relation to levying executions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House and recommend that it be indefinitely postponed.

MOIR, for Judiciary Com.

The Committee on Judiciary, to whom was referred the Resolution relating to the two Acts purporting to be passed by the Sixth General Assembly in regard to the ordering of publication of original notices, beg leave to report that they have had the same under consideration and have instructed me to report that in their opinion all the Legislation that is necessary, or that can be of any avail in the premises, may be found in an Act passed at the Regular Session of the Eighth General Assembly approved April 2d, 1860, and that any further legislation is not expedient; they, therefore, recommend that said resolution be indefinitely postponed.

MOIR, for Judicial Com.

Mr. Van Anda, from Committee on Judiciary, submitted the following report:

The Committee on Judiciary, to whom was referred Senate File No. 38: An Act to remove an escheat, have had the same under consideration and have instructed me to report the same back without recommendation, there being no evidence before your Committee from which they could come to any conclusion.

VAN ANDA, for the Committee.

Mr. Young, from Committee on Judiciary, submitted the following report:

The Judiciary Committee, to whom was referred Senate File No. 46: A Bill for an Act to enable the State or any County to acquire real estate under certain circumstances and to hold, control, and dispose of the same, have had the same under consideration and have instructed me to report the same back to the House and recommend its passage.

YOUNG, Chairman.

Mr. Williams, of Mahaska, from Committee on Judiciary, submitted the following report:

The Committee on the Judiciary, to whom was referred House File No. 75: A Bill for an Act authorizing the Clerks of the District and Judges of Probate Court to issue for costs, having examined the same have instructed me to report the same back to the House with a recommendation that it do not pass.

WILLIAMS of Mahaska.

Mr. Williams of Mahaska, from Committee on Elections submitted the following Reports:

The Committee on Elections, to whom was referred House File No. 239: A Bill for an Act to substitute an affidavit for the Oath now administered at Elections in case of Challenge, having had the same under consideration have instructed me to report the same back to the House without amendment and recommend its passage.

WILLIAMS of Mahaska, Chairman.

The Committee on Elections, to whom was referred Senate File No. 73: A Bill for an Act to define the manner of Canvassing votes cast at Special Elections, have had the same under advisement, and have instructed me to report a substitute therefor, which is herewith submitted, with a recommendation that it pass.

WILLIAMS of Mahaska, Chairman.

Mr. Rothrock, from the Committee on Judiciary, submitted the following Report:

The Judiciary Committee, to whom was referred House File No. 183: A Bill for an Act in relation to Plank Roads, and conferring certain powers upon Boards of County Supervisors, have had the same under consideration, and have instructed me to report the same back to this House and recommend its passage.

JAS. H. ROTHROCK, from Committee.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following Report :

MR. SPEAKER:—The Joint Committee on Enrolled Bills ask leave to report that we have examined Senate Files No's. 75, 157 and 163, find the same correctly enrolled and present the same herewith for your signature.

D. G. FRISBIE,

Chairman of House Committee on Enrolled Bills.

Mr. Martin, from Select Committee on House File No. 168, submitted the following Report :

Your Select Committee to whom was referred House File No. 168 : being a substitute for House Files No. 100 and 119, an Act providing for the changing of County Boundaries in certain cases, have had the same under consideration, and instructed me to report a substitute therefor, and recommend its passage.

MARTIN, Chairman.

The Committee introduced House File No. 242: A bill for an Act defining the manner in which the boundaries of counties may be changed in certain cases, and providing for the disposition of existing liabilities. Read a first and second time.

Mr. Shipman moved that the Bill be laid on the table, and the usual number of copies printed for the use of the House. The motion prevailed.

Mr. McLennan from Committee on Military Affairs, submitted the following report :

Your Committee to whom was referred the memorial of sundry citizens of Dubuque county, praying that the Board of Auditing Commissioners be instructed and empowered to audit and allow certain claims therein set forth, have had the same under consideration, and have directed me to report the accompanying preamble and joint resolution, recommending its passage.

McLENNAN, Dubuque Co.

The Committee introduced House File No. 241: A Joint Resolution authorizing Board of Auditing Commissioners to audit and allow certain claims of citizens of Dubuque county.

Mr. McLennan moved that the resolution be adopted.

Mr. Frisbie moved to commit to Committee on Claims.

Mr. McLennan moved that the special order for this hour be postponed ten minutes. Lost.

The House proceeded to the consideration of the special order, being House File No. 64: A bill for an Act authorizing the people of the several counties in this State to cancel their indebtedness to the swamp land fund of their respective counties.

Mr. Fairall moved that the enacting clause of the bill be stricken out, and upon this question the yeas and nays were demanded by Messrs. Fairall and Cutler, and were as follows :

The yeas were, Messrs. Bass, Bracewell, Calfee, Clark, Chase, Converse, Curtiss, Untler, Dorr, Eichorn, Fairall, Ferguson, Flint,

Gault, Glanville, Guthrie, Hardie, Holyoke, Jackson, Lane, McCall, McGlothlen, Porter, Russell of Jones, Sarver, Schramm, Speer, Stevenson, Stewart, Thompson, Van Anda, Wasson, Wilcox, Williams of Des Moines, Williams of Mahaska, and Wilson of Chickasaw—36.

The nays were, Messrs. Baker, Blackford, Bowdoin, Burton, Cleaves, Denlinger, Dunlavy, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Hudnutt, Hollingsworth, Knoll, Lakin, Lorah, Maxwell, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Rothrock, Rowles, Russell of Dallas, Sarver, Schramm, Speer, Stanton, Walker, Walton, Wetherall, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—50.

Absent or not voting—Messrs. Castor, Clark, Denlinger, Gibson, Holyoke, Kellogg, Lane, Loomis, Lowrie, Martin, Milburn, Moser, Price, Quinn, Russell of Dallas, West, White, Whittemore.

The motion did not prevail.

Mr. Wright moved to amend by inserting the following new section as section 6, and change section 6 to 7:

"Section 6. Nothing in this Act shall be so construed as to authorize the canceling of any debt to said fund, created after the taking effect of this Act." The amendment prevailed.

Mr. Cutler moved that the bill be referred to Committee on Public Lands. The motion prevailed.

The Chair announced that the question pending when the House entered upon the consideration of the special order, was the motion of Mr. Frisbie to commit the resolution to Committee on Claims.

Mr. Mercer moved to refer to Committee on Military Affairs. Lost.

The question recurring upon the motion of Mr. Frisbie to commit to Committee on Claims, it prevailed.

Mr. Rothrock moved to reconsider the vote by which House File No. 240: A bill for an Act to amend section 11 of an Act entitled an Act for the government and regulation of the State University of Iowa, and the accompanying report were ordered to be printed. The motion prevailed.

The question recurring upon the motion of Mr. Fairall to lay on the table and print the report and bill, it was lost.

Mr. Shipman moved that when this House adjourn, it be till 9 o'clock Monday morning, and upon this motion the yeas and nays were demanded by Messrs. Ferguson and Moir, and were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Chase, Cleaves, Curtiss, Cutler, Denlinger, Dunlavy, Eaton, Eichorn, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Glanville, Gordon, Hardie, Hudnutt, Holyoke, Hood, Knoll, Lakin, Lorah, Martin, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Polk, Nelson, Parker, Pendleton, Porter, Rothrock,

Rowles, Schramm, Shipman Smeltzer, Speer, Stewart, Thompson, Wilson of Chickasaw, Woodworth—47.

The nays were Messrs. Calfee, Castor, Clark, Converse, Dorr, Ferguson, Gault, Gibson, Guthrie, Jackson, Lane, Maxwell, McCall, Mitchell of Fremont, Moir, Moser, Russell of Jones, Sarver, Stevenson, Van Anda, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Wright, Young, and Mr. Speaker—33.

Absent or not voting, Messrs. Fairall, Hollingsworth, Kellogg, Lake, Loomis, Lorah, Milburn, Price, Quinn, Russell of Dallas, Stanton, and Walker.

The motion prevailed.

Mr. Dorr, by leave, offered the following resolution :

Resolved, That the Railroad Committee be instructed to report to this House on Monday next, on House File No. 161.

Mr. Bowdoin moved to lay the resolution on the table. The motion prevailed.

Mr. Shipman moved that the regular order be suspended and House File No. 133 : A Bill providing for an Act for the registry of dogs, and defining the duties of township officers in certain cases, be taken up.

Mr. Sarver moved to lay the motion on the table. Lost.

The question recurring upon the motion of Mr. Shipman, it prevailed.

The bill was read a third time and upon the question, " Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bass, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Hardie, Hudnutt, Hollingsworth, Hood, Jackson, Knoll, Lakin, Lane, Maxwell, McLennan, McQuinn, Mercer, Meyer, Mitchell of Polk, Nelson, Parker, Porter, Rothrock, Rowles, Russell of Jones, Shipman, Stevenson, Van Anda, White, Whittemore, Wilcox, Williams of Des Moines, Woodworth, Wright and Mr. Speaker—51.

The nays were, Messrs. Blackford, Bracewell, Curtiss, Dunlavy, Ferguson, Flint, Glanville, Gordon, Guthrie, Hudnutt, Lorah, Lowrie, Martin, McCall, McGlothlen, Mitchell of Fremont, Moir, Moser, Pendleton, Sarver, Schramm, Smeltzer, Speer, Stewart, Thompson, Walton, Wasson, Wetherall, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie and Young—32.

Absent or not voting—Messrs. Eaton, Kellogg, Lake, Loomis, Lowrie, Price, Quinn, Russell of Dallas, Stanton, West—10.

The Bill passed and the title was agreed to.

Mr. Cleaves from Select Committee, to whom were referred certain petitions of citizens of Muscatine Island, submitted the following report :

The Select Committee to whom was referred the petition of per-

sons residing on Muscatine Island, in the counties of Muscatine and Louisa, asking a repeal of the existing law relating to and governing the Muscatine Island Levee, have had the same under consideration, and have instructed me to report the accompanying Bill and recommend its passage.

JOHN CLEAVES,
GEO. C. SHIPMAN.

The Committee introduced House File No. 2: A Bill for an Act to repeal Chapter 68, of the laws of the 7th General Assembly, which was read a first and second time, and on motion of Mr. Cleaves, the rule was suspended and the Bill read a third time.

And upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lakin, Lane, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Rothrock, Rowles, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—86.

The nays were, None.

Absent or not voting, Messrs. Castor, Clark, Kellogg, Lake, Loomis, Lowrie, Milburn, Price, Quinn, Russell of Dallas, Stanton, Stevenson and West—13.

The bill passed and the title was agreed to.

On motion of Mr. Moser, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
MONDAY, March 10th, 1862. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Eaton.

Journal of Saturday read and approved.

Message from the Senate, by W. F. Davis, their Secretary:

MR. SPEAKER: I am directed to inform your honorable body

that the Senate has passed the following Bills without amendment:

House File No. 169: A Bill for an Act for the relief of Willis Clement, and others.

House File No. 203: A Bill for an Act regulating additions to incorporated towns.

W. F. DAVIS, Secretary.

Mr. Bowdoin, by leave, introduced the following Joint Resolution:

Resolved by the House of Representatives, the Senate concurring, That the Joint Convention to convene at ten o'clock this day for the purpose of electing three Bank Commissioners, and a Warden of the Penitentiary, shall immediately after said election, proceed to elect three Directors of the State Bank of Iowa.

The Resolution was adopted.

Mr. Gordon, by leave, introduced the following Joint Resolution:

Resolved by the House of Representatives, the Senate concurring, That the General Assembly will adjourn *sine die*, on Wednesday, the second day of April, 1862.

Mr. Wilcox moved to amend by striking out "Wednesday the 2d day of April," and inserting "25th of March."

Mr. Van Anda moved to lay the whole subject on the table. Carried.

Mr. Stanton offered the following resolution:

Resolved, That the State Binder is hereby authorized to have the reports and documents which have been printed for this Assembly, and of which he has copies now on hand, bound and a copy of such bound documents presented to each member, officer, and reporter of this House.

The resolution was adopted.

Mr. Maxwell offered the following resolution:

Resolved, That the Judiciary Committee are hereby instructed to inquire into the expediency of reporting a Bill providing that in the sale of Swamp Lands, the purchaser shall waive all claims that might vest in said purchaser by reason of his title to said land, for the reclaiming of said land.

Mr. Lakin moved to lay the resolution on the table. Lost.

Mr. Moir moved to refer to a select Committee of three, of which Mr. Maxwell shall be Chairman.

The Chairman announced that the question was first upon referring to Committee on Judiciary, which was lost.

The question then recurred upon the motion of Mr. Moir to refer to a select Committee.

The motion prevailed.

The Chair appointed as such Committee Messrs. Maxwell, Martin and Lake.

Message from them Senate by Wm. F. Davis, their Secretary:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed the following House Resolution:

Resolved by the House of Representatives (the Senate concurring) That the Joint Convention to convene at 10 o'clock this day, for the purpose of electing three Bank Commissioners and a Warden of the Penitentiary, shall immediately after said election proceed to elect three Directors of the State Bank of Iowa.

WM. F. DAVIS, Sec'y of Senate.

Mr. Wright introduced House File No. 244: Preamble and Joint Resolution requesting our Senators and Representatives in Congress to use all honorable means to procure the passage of a law confirming the Swamp Land Grant and the issuance of patents to this State for the same; which was read and referred to Committee on Public Lands.

Mr. Eaton offered the following resolution:

Resolved, That the Cedar Rapids and Missouri River Railroad Company be required to furnish and file with the Clerk of this House within three days, a true map of the route or line on which their said Railroad is built from the Mississippi River to Marshall in the County of Marshall, showing the townships, sections and divisions through which it passes and is made; and that the same be verified by the affidavit of the Engineer or President of said Company.

Mr. McQuinn moved to strike out "three days" and insert "one week." Carried.

Mr. Shipman moved to strike out "Engineer and President" and insert "Secretary of State." Lost.

The resolution as amended was adopted.

PETITIONS, &C.

Mr. Walker presented the petition of sundry citizens of Jefferson County, asking further jurisdiction for County Judges. Referred to Committee on Judiciary.

Mr. Rothrock presented sundry petitions from citizens of Cedar County, for change of County Supervisor system. Passed upon the files.

Williams of Des Moines presented the petition of sundry citizens of Des Moines County, for more stringent Prohibitory law. Referred to Select Committee on that subject.

Mr. McQuinn presented the petition of sundry citizens of Benton County for a law to protect Sheep from the ravages of Dogs. Referred to Committee on Agriculture.

Messrs. Hollingsworth and Knoll presented petition from citizens of their respective Counties to reduce the price of Printing. Referred to Committee on Printing.

Mr. Russell of Jones presented the petition of seven hundred citizens of Jones County, in favor of the resumption by the State

of all rights and privileges granted to the Cedar Rapids Company by the Act of 1860, and in favor of securing to the people living east of Cedar Rapids their interest in the Land Grant. Referred to Committee on Rail Roads.

REPORTS OF COMMITTEES.

Mr. Bowdoin, from Committee on ways and Means, submitted the following Reports :

The Committee on Ways and Means, to whom was referred House File No. 142 : A Bill for an Act to amend chapter 45 of the Revision of 1860, have instructed me to report that in their opinion it is not expedient to make the amendments therein proposed.

E. G. BOWDOIN.

The Committee on Ways and Means, to whom was referred House File No. 113 : An Act entitled an Act to abolish a law requiring delinquent tax lists to be published in newspapers, have instructed me to report that in their opinion it is better to permit the present law to remain unchanged in that respect, and therefore recommend that the Bill do not pass.

E. G. BOWDOIN.

The Committee of Ways and Means, to whom was referred House File No. 16 : A Bill for an Act to amend the Revised Code of 1860, and regulate the publishing of tax sale notice, have instructed me to report that in their opinion it is better to make no change in the present law in that respect, and therefore recommend that it do not pass.

E. G. BOWDOIN.

The Committee on Ways and Means, to whom was referred House File No. 124 : A Bill for an Act authorizing Counties to become purchasers of lands for delinquent taxes in cases where there is no other purchaser, have instructed me to report that in their opinion the passage of such an Act is not expedient.

E. G. BOWDOIN.

The Committee of Ways and Means, to whom was referred House File No. 154 : A Bill for an Act to amend an Act entitled : An Act in relation to revenue, have instructed me to report that in their opinion the Bill should not pass.

E. G. BOWDOIN.

The Committee of Ways and Means, to whom was referred House File No. 31 : A Bill for an Act to amend the Revenue Law, have had the same under consideration, and have instructed me to report that in their opinion it is not expedient to make any of the changes therein proposed.

E. G. BOWDOIN.

The Committee of Ways and Means, to whom was referred House File No. 144 : A Bill for an Act to change the time for the listing and assessing of personal property, from the first day of January

to the first day of February, have had the same under consideration, and have instructed me to report that it is better to make no change in the law in this respect, but let it remain as it now is.

E. G. BOWDOIN.

The Committee of Ways and Means, to whom was referred a Resolution instructing them to inquire into the expediency of authorizing the Chairmen of the Boards of Supervisors of the several Counties to bid off the lands which may be offered for sale for delinquent taxes, have instructed me to report that in their opinion a change in the law is not expedient.

E. G. BOWDOIN.

The Committee on Ways and Means, to whom was referred the memorial of the Board of Supervisors of Wayne County, asking "that the law relative to the advertising of delinquent tax lists may be so changed as to avoid all expenses to the County advertising such lists," have instructed me to report that, in their opinion, the change asked for is not expedient.

E. G. BOWDOIN.

The Committee of Ways and Means, who were requested by a Resolution to report in their amendments to the revenue law, a form of tax receipts, therein given, and that the County Treasurers be compelled to use the same, have instructed me to report that they have deemed it preferable to require the State Auditor from time to time to prescribe the forms for all such receipts, and have accordingly made such a provision in their proposed amendments to the revenue law.

E. G. BOWDOIN, Chairman.

The Committee on Ways and Means, to whom was referred a Resolution requiring them "to examine and report to this House on the expediency of abolishing the present laws requiring notice of Delinquent Taxes, to be published in the newspapers, and establishing a law in lieu thereof, requiring the County Treasurer to give notice of the same by posting up a general notice of the Delinquent Taxes on the door of the Court House in the County where the same may be delinquent," have instructed me to report that, in their opinion such a change in the law is not expedient.

E. G. BOWDOIN.

The Committee of Ways and Means, who were requested to inquire into the expediency of requiring the several County Treasurers to annex to their tax receipts the valuation of all property, have instructed me to report that they have incorporated into their prepared amendments to the Revenue law a provision requiring the State Auditor from time to time to prescribe the form for such receipts and what they shall contain; and that your Committee deem such a course preferable to the one proposed.

E. G. BOWDOIN, Chairman.

The Committee of Ways and Means who were instructed to inquire into the expediency of amending the Revenue laws in such a

manner, that the tax-payer when listing his property may deduct the amount of his indebtedness from the amount of his personal property, have had the same under consideration and have instructed me to report that in their opinion such a provision would not be expedient.

E. G. BOWDOIN, Chairman.

The Committee of Ways and Means, who were directed to take into consideration the propriety of such a change in the Revenue law as will make it the duty of each Township Assessor to note opposite of each parcel of property by him assessed, in a column in his assessment book prepared for that purpose, the number of sub-district in which such property is situated, and to report by bill or otherwise, have instructed me to report that they have incorporated the provision in their prepared amendments to the Revenue law and recommend its adoption.

E. G. BOWDOIN, Chairman.

Mr. Williams of Mahaska, from Committee on Judiciary, submitted the following Report:

The Committee on Judiciary, to whom was referred Substitute for Senate File No. 84: A Bill for an Act to amend Chapter 83 of the Revision of 1860, relative to Dower, have examined the same, and I am instructed to report the same back to the House and recommend its passage with the following amendment, viz: Insert immediately after the word "interest" in the tenth line of the first Section, the following words: "Which has not been sold on execution or other judicial sale."

Respectfully submitted,

WILLIAMS, Of Mahaska.

Mr. Holyoke from Committee on Charitable Institutions, submitted the following Reports:

The Committee on Charitable Institutions, to whom was referred House File No. 197, relating to the purchasing of supplies for the use of Charitable Institutions, have considered the same and instructed me to report as a substitute for said Bill Senate File No. 143, which was also referred to the above Committee and they recommend its passage.

THOS. HOLYOKE, Chairman.

The Committee on Charitable Institutions to whom was referred House File No. 231: In reference to exempting Ministers of the Gospel from working on roads and highways, have had the same under consideration and instructed me to report, that in their view Ministers of the Gospel are not Charitable Institutions and generally do not come within the range of the Deaf, Dumb, Blind, Crazy or convict persons. We therefore beg to be excused from further consideration of the subject, and ask that the Bill be referred to the Committee on Roads and Highways.

THOS. HOLYOKE, Chairman.

Mr Shipman from Committee on County and Township Organization submitted the following reports:

The Committee on County and Township Organization to whom was referred Senate File No. 162: A Bill for an Act in relation to County Court records, have had the same under consideration, and have directed me to report the same back to the House and recommend its passage.

SHIPMAN, Chairman.

The Committee on County and Township Organization to whom was referred Substitute for Senate File No. 138: An Act further defining the duties of County Treasurers and fixing their compensation, have had the same under consideration, and have directed me to report the same back to the House without recommendation.

SHIPMAN, Chairman.

The Committee on County and Township Organization to whom was referred Senate File No. 132: A Bill for an Act further defining the duties of County Supervisors and their Clerks, have had the same under consideration, and have directed me to report the same back to the House and recommend its passage.

SHIPMAN, Chairman.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following Report:

MR. SPEAKER: The Joint Committee on Enrolled Bills ask leave to report that they have handed the Governor for his approval, the following bills, to-wit:

Senate Files Nos. 56, 60, 70, 75, 83, 87, 92, 123, 156, 157, and 163;

House Files Nos. 73 and 184, and also Joint Resolution authorizing the Governor and Adjutant General to procure Regimental Flags, bearing State Arms, &c., and Joint Resolution authorizing the Governor to send not more than three persons to look after and care for the wounded Iowa soldiers at Fort Donelson.

D. G. FRISBIE,

Chairman House Committee Enrolled Bills.

Mr. Gordon, from Select Committee on House Files Nos. 90 and 105, submitted the following reports:

The Select Committee to whom was referred House File No. 90: A Bill for an Act to amend an Act supplementary to an Act entitled an Act for the suppression of Intemperance, have had the same under consideration and have instructed me to report the same back, and recommend that it be indefinitely postponed.

G. A. GORDON,

Chairman Com. on Pro. Liq. Law.

The Select Committee to whom was referred House File No. 108: A Bill for an Act amendatory of the law for the suppression of Intemperance, have had the same under consideration, and have in

structed me to report the same back, and recommend that it be indefinitely postponed.

G. A. GORDON, Chairman
Com. on Pro. Liq. Law.

Mr. Meyer, by leave, introduced House File No. 245: A Bill for an Act to establish roads in certain cases. Read a first and second time and referred to Committee on Roads and Highways.

Mr. Gault, by leave, introduced House File No. 246: A Bill for an Act to authorize the Recorder of Appanoose county to re-index the Records of Real Estate Mortgages in said county. Read a first and second time, and referred to Committee on Judiciary.

Mr. Lakin, by leave, introduced House File No. 247: A Bill for an Act to permanently locate the Deaf and Dumb Asylum. Read a first and second time and referred to Committee on Charitable Institutions.

Message from the Senate, by Wm. F. Davis, their Secretary:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed the following bill, without amendment: House File No. 158: A bill for an Act for a Court in McGregor in this State.

WM. F. DAVIS, Sec'y. Senate.

Leave of absence was granted to Mr. Eaton till to-morrow morning.

Leave of absence was granted to Mr. Schramm.

Mr. Williams of Mahaska, moved that a Committee of two be appointed to wait upon the Senate and inform that Honorable Body, that the House of Representatives are ready to meet them in Joint Convention, for the purpose of electing a Warden of the State Penitentiary, three Bank Commissioners under the General Banking Law and three Directors of the State Bank of Iowa. Carried.

The Chair appointed Messrs. Williams of Mahaska, and Wilson of Pottawattamie said Committee.

The Chair appointed Mr. Mercer as Teller upon the part of the House.

The Committee appointed by the Chair to wait upon the Senate, reported that they had discharged the duty assigned them.

The Sergeant-at-Arms announced the Honorable Senate, who entered the Hall preceded by the President and took the seats assigned them.

Mr. Jennings was appointed Teller upon the part of the Senate.

The President of the Senate announced that the Joint Convention would now proceed to the election of a Warden of the Iowa Penitentiary and that nominations were now in order.

Mr. McCrary of Lee, nominated Edward A. Layton of Lee county.

Mr. Ainsworth nominated John P. Kriebs of Clayton county.

The Joint Convention proceeded to vote with the following result :

Whole number of votes cast	109
Necessary to a choice.....	55
Of which Edward A. Layton received.....	87
John P. Kriebs.....	13
Fuller	4
Blank	5

Edward A. Layton having received a majority of all the votes cast, was declared elected Warden of the State Penitentiary for the term of two years from this date, and until his successor is elected and qualified.

Those gentlemen voting for Mr. Layton were, Messrs. Baker, Bass, Blackford, Bowen, Bowdoin, Bracewell, Brown, Burdick, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Dixon, Dungan, Dysart, Eichorn, Ferguson, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hagans, Hammer, Hatch, Hastings, Hesser, Hollingsworth, Hol-yoke, Hudnutt, Hurley, Jackson, Kent, Lake, Lakin, Lane, Leake, Lewis, Lowrie, Maxwell, McCall, McCrary of Lee, McCrary of Van Buren, McPherson, McQuinn, Mercer, Meyer, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pattison, Pendleton, Redfield, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shaffer, Shipman, Stanton, Teter, Thompson, Trumbull, Van Anda, Walker, Walton, Wasson, Watson, White, Whittemore, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodward, Woodworth and Mr. Speaker—87.

Those gentlemen voting for John P. Kriebs were, Messrs. Ainsworth, Dorr, Dunlavy, Esteb, Gray, Hardie, Jennings, Knoll, McLennan, Neal, Potter, Smeltzer, Williams of Mahaska—13.

Scattering—7.

Absent or not voting, Messrs. Angle, Boardman, Duncombe, Eaton, Fairall, Flint, Foote, Glanville, Gue, Holmes, Kellogg, Loomis, McGlothlen, Milburn, Mitchell of Fremont, Porter, Powers, Price, Quinn, Schramm, Smith, Stevenson, Stewart, Taylor, Udell, West, Wilcox, Woolson, Wright and Young—30.

The following certificate was then read and signed by the President of the Senate and the Speaker of the House of Representatives, and attested by the Tellers of the Joint Convention :

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, March 10th, 1862. }

This will certify, that at an election by the Senate and House of Representatives of the State of Iowa, in Joint Convention assembled at the Capitol on Monday, March 10th, A. D. 1862, for the purpose of electing a Warden of the Iowa Penitentiary, Edward

A. Layton, having received a majority of all the votes cast for said office, was declared duly elected Warden of the Penitentiary of the State of Iowa for the term of two years from and after the expiration of the term of his predecessor, and until his successor is elected and qualified.

Signed in the presence of the Joint Convention, the day and year first above written.

JNO. R. NEEDHAM,
President of the Joint Convention.

RUSH CLARK,
Speaker of the House of Representatives.

Attest, JOHN D. JENNINGS,
Teller on the part of the Senate.

Attest, THOMAS MERCER,
Teller on the part of the House of Representatives.

The President announced that the Joint Convention would now proceed to the election of three Bank Commissioners, under the General Banking Law of the State of Iowa, and that nominations were in order.

Mr. Bowdoin nominated John W. Ellis, William Bickford and Thomas A. Graham.

The Convention then proceeded to ballot with the following result :

Whole number of votes cast.....	108
Necessary to a choice.....	55
Of which William Bickford received.....	74
Thomas A. Graham	76
John W. Ellis	62
Patrick A. Day.....	2
Anderson	2
H. P. Scholte.....	2
Woodbury	8
Decatur.....	1
Stewart	1
Randall.....	1
Nelson	1
Blank	7
Bass.....	4
Schramm	2
Clark.....	3
Van Anda	8
Hardie	2
Emerson	1
Parker	2
Calfee	7
Walker	2
Burdick.....	1
Mahoney	3

Dunlavy	4
Teter	2
Russell	1
Curtiss	2
Meyer	1
McLennan	2
Kent	1
Pendleton	1
M. B. Bennett	1
Rothrock	1
Watson	1
Bowdoin	1
Clark	1
Young	1
E Clark	1
Dean	2

Messrs. Wm. Bickford, Thomas A. Graham and John W. Ellis were declared duly elected Bank Commissioners, under the General Banking Law of the State of Iowa, for the term of two years from and after the expiration of the term of their predecessor, and until their successors are elected and qualified.

Those gentlemen voting for Messrs. Bickford, Graham and Ellis were, Messrs. Ainsworth, Bass, Bowen, Bowdoin, Bracewell, Burdick, Burton, Calfee, Chase, Cleaves, Duncombe, Dungan, Dunlavy, Eichorn, Esteb, Fairall, Flint, Fuller of Fayette, Gault, Gibson, Glanville, Gray, Green, Hagans, Hammer, Hatch, Hudnutt, Jackson, Jennings, Knoll, Lakin, Lane, Leake, Martin, Maxwell, McCall, McCrary of Lee, McCrary of Van Buren, McLennan, McGlothlen, Mitchell of Fremont, Moser, Pendleton, Potter, Sarver, Speer, Teter, Trumbull, Walker, Watson, White, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Woodward and Mr. Speaker—58.

Those gentlemen voting for Messrs. Noble, Edgington and Woodbury, were Messrs. Baker, Brown, Castor, Clark, Curtiss, Dysart, Frisbie, Fuller of Harrison, Gordon, Guthrie, Hastings, Hollingsworth, Kent, Lake, Lewis, Lowrie, McPherson, McQuinn, Mercer, Mitchell of Polk, Moir, Nelson, Parker, Redfield, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Shaffer, Shipman, Stanton, Van Anda, Walton, Whittemore, Woodworth, and Wright—36.

Those gentlemen voting for Messrs. Noble, Woodworth and Bronson, were Messrs. Cutler, Denlinger, Dixon and Dorr—4.

Scattering—7.

Absent or not voting, Messrs. Angle, Boardman, Eaton, Foote, Gue, Holmes, Hurley, Kellogg, Loomis, Milburn, Pierce, Pollard, Porter, Powers, Price, Quinn, Schramm, Smith, Stevenson, Stewart, Thompson, Udell, Wasson, West, Wilcox, Woolson and Young.

The following certificates were then signed by the President of the Senate and the Speaker of the House of Representatives, and attested by the tellers of the Joint Convention.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, March 10th, 1862. }

This will certify, that at an election by the Senate and House of Representatives of the State of Iowa, in Joint Convention assembled, at the Capitol, on Monday, March 10th, A. D., 1862, for the purpose of electing three Bank Commissioners, under the law authorizing general Banking in the State of Iowa, William Bickford having received a majority of all votes cast for said office, was declared duly elected one of said Commissioners for the term of two years from and after the expiration of the terms of his predecessors, and until his successor is elected and qualified.

Signed in the presence of the Joint Convention, the day and year first above written.

JOHN R. NEEDHAM,
President of the Senate.

RUSH CLARK,
Speaker of the House of Representatives.

Attest: JOHN D. JENNINGS, Teller on part of Senate.

THOS. MERCER, Teller on part of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, March 10th, 1862, }

This will certify, that at an election by the Senate and House of Representatives of the State of Iowa, in Joint Convention, assembled at the Capitol on Monday, March 10th, A. D., 1862, for the purpose of electing three Bank Commissioners under the law authorizing general Banking in the State of Iowa, Thos. A. Graham, having received a majority of all the votes cast for said office, was declared duly elected one of said Commissioners for the term of two years from and after the expiration of the term of his predecessor, and until his successor is elected and qualified.

Signed in the presence of the Joint Convention, the day and year first above written.

JOHN R. NEEDHAM,
President of the Senate.

RUSH CLARK,
Speaker of House of Representatives.

JOHN D. JENNINGS, Teller for the Senate.

THOMAS MERCER, Teller for the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Des Moines, March 10th, 1862. }

This will certify, that at an election by the Senate and House of Representatives of the State of Iowa in Joint Convention assembled at the Capitol on Monday, March 10th, A. D., 1862, for the purpose of electing three Bank Commissioners, under the law authorizing general Banking in the State of Iowa, John W. Ellis, having received a majority of all the votes cast for said office, was declared duly elected one of said Commissioners for the term of two years from and after the expiration of the term of his predecessor and until his successor is elected and qualified.

Signed in the presence of the Joint Convention, the day and year first above written.

JOHN R. NEEDHAM,
President of the Senate.

RUSH CLARK,
Speaker of the House of Representatives.

JOHN D. JENNINGS, Teller for the Senate.

THOMAS MEROER, Teller for the House.

The President announced that the Joint Convention would now proceed to the election of three Bank Directors for the State Bank of Iowa, and that nominations were now in order.

Mr. Chase nominated Messrs. E. S. Edgington, Reuben Noble and R. Bonson.

Mr. McPherson nominated G. M. Woodbury of Marshall County.

The Joint Convention then proceeded to vote, with the following result:

Whole number of votes cast,.....	108
Necessary to a choice,.....	55
Of which E. S. Edgington received,.....	96
Reuben Noble received,.....	101
R. Bonson received,.....	69
G. M. Woodbury received,.....	42
Scattering received,.....	18

Messrs. E. S. Edgington, Reuben Noble and R. Bonson, having received a majority of all the votes cast were declared duly elected Directors of the State Bank of Iowa for the term of two years from and after the expiration of the terms of their predecessors in office and until their successors are elected and qualified. Those gentlemen voting for Messrs. Edgington, Noble and Bonson were.

Messrs. Baker, Bass, Blackford, Bowen, Bowdoin, Bracewell-Brown, Burdick, Burton, Calfee, Castor, Clark, Cleaves, Converse, Cutler, Dungan, Dysart, Eichorn, Frisbie, Fuller of Fay-

ette, Fuller of Harrison, Gibson, Green, Hagans, Guthrie, Gray, Green, Hatch, Hastings, Holyoke, Hudnutt, Jackson, Jennings, Lakin, Lane, McCrary of Lee, McCrary of Van Buren, McQuinn, Mercer, Mitchell of Polk, Pendleton, Rowles, Shaffer, Stanton, Teter, Trumbull, Walton, Wasson, Watson, White, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodward, and Mr. Speaker.

Those gentlemen voting for Messrs. Graham, Bickford and Woodbury, were as follows :

Messrs. Chase, Dorr, McCall, and Redfield.

Those gentlemen absent or not voting, were as follows :

Messrs. Angle, Boardman, Duncombe, Eaton, Fairall, Flint, Foote, Gue, Hammer, Hesser, Holmes, Hurley, Kellogg, Leake, Loomis, McGlothlen, Milburn, Pierce, Pollard, Porter, Price, Quinn, Sarver, Schramm, Scott, Smith, Stevenson, Stewart, Taylor, Udell, West, Wilcox, Woolson, and Young.

The following certificates were then signed by the President of the Senate, and the Speaker of the House of Representatives, and attested by the Tellers of the Joint Convention.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, March 10, 1862. }

This will certify, that at an election of the Senate and House of Representatives, in Joint Convention assembled, at the Capitol, on Monday, March 10th, 1862, for the purpose of electing three Directors of the State Bank of Iowa, E. T. Edgington, having received a majority of all the votes cast for said office, was declared duly elected Director of the State Bank of Iowa, for the term of two years from and after the expiration of the term of his predecessor and until his successor is elected and qualified.

Signed in the presence of the Joint Convention, the day and year first above written.

JOHN R. NEEDHAM,
President of the Joint Convention.

RUSH CLARK,
Speaker of the House of Representatives.

Attest: JOHN D. JENNINGS, Teller on part of the Senate.

THOMAS MERCEER, Teller on part of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, March 10th, 1862. }

This will certify, that at an election by the Senate and House of

Representatives of the State of Iowa, in Joint Convention assembled, at the Capitol, on Monday, March 10th, 1862, for the purpose of electing three Directors of the State Bank of Iowa, Reuben Noble having received a majority of all the votes cast for said office, was declared duly elected Director of the State Bank of Iowa, for the term of two years, from and after the expiration of the term of his predecessor and until his successor is elected and qualified.

Signed in the presence of the Joint Convention, the day and year first above written.

JOHN R. NEEDHAM,
President of Joint Convention.

RUSH CLARK,

Speaker of the House of Representatives.

Attest: JOHN D. JENNINGS, Teller on part of the Senate.

THOMAS MERCEER, Teller on part of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, March 10, 1862. }

This will certify, that at an election by the Senate and House of Representatives of the State of Iowa, in Joint Convention assembled, at the Capitol, on Monday, March 10th, 1862, for the purpose of electing three Directors of the State Bank of Iowa, R. Bonson having received a majority of all the votes cast, was declared duly elected Director of the State Bank of Iowa, for the term of two years, from and after the expiration of the term of his predecessor and until his successor is elected and qualified.

Signed in the presence of the Joint Convention, the day and year first above written.

JOHN R. NEEDHAM,
President of Joint Convention.

RUSH CLARK,

Speaker of House of Representatives.

Attest: JOHN D. JENNINGS, Teller on part of Senate.

THOMAS MERCEER, Teller on part of the House of Representatives.

The President announced that the object for which the Joint Convention had met had now been accomplished, when, upon motion of Mr. Watson, the Convention was dissolved.

The Senate having retired, the House was called to order.

Leave of absence was granted to Mr. Hood.

Mr. Lake, by leave, introduced House File No. 248: A Bill for an Act to legalize the acts of E. A. Alexander, Notary Public in and for Buchanan County.

Read a first and second time and on motion of Mr. Lake the rule was suspended, the Bill was read a third time, and upon the ques-

tion "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Bracewell, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eichorn, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Holyoke, Hollingsworth, Hood, Jackson, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, and Mr. Speaker—75.

The nays were, Messrs. Dunlavy, Ferguson, Hardie, Knoll, McGlothlen, McLennan, Smeltzer, and Thompson—8.

Absent or not voting—Messrs. Calfee, Eaton, Fichorn, Fairall, Hudnutt, Kellogg, Loomis, McCall, Meyer, Milburn, Porter, Price, Quinn, Schramm, Shipman, Stevenson, Speer, Stanton, Stewart, West, Wilcox, and Young.

The Bill passed and the title was agreed to.

The following communication was taken up and read:

DES MOINES, MARCH 10TH, 1862.

HON. RUSH CLARK,

Speaker of the House of Representatives:

DEAR SIR:—The Funeral Services of N. W. Doty and T. G. Weeks, (two brave boys of Company D, 2d Iowa Regiment, who sacrificed their lives for their Country at the storming of Fort Donelson,) will take place to-morrow, (Tuesday,) at 12 o'clock, M.

Please announce this to your Branch of the General Assembly. As a token of respect to the memory of these brave men, the Legislature is hereby respectfully invited to attend and take part in the ceremonies on the occasion. An appropriate position has been assigned the Legislature in the procession, by the Committee of Arrangements.

I have the honor to be,

Respectfully yours,

IRA COOK, Mayor.

On motion of Mr. Ferguson, the House adjourned.

TWO O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Lake moved that House File No. 120 (and the substitute for the same): A bill for an Act to allow Organized Counties to fund their outstanding Warrants, be made the special order for Thursday next, at 10 o'clock, A. M. The motion prevailed.

Mr. Bass moved that the Senate Bills upon the table be read a first and second time and referred to the appropriate Committees. The motion prevailed.

Senate File No. 158: A bill for an act to establish a Court at McGregor, was read a first and second time and referred to Committee on Judiciary.

Senate File No. 169: A bill for an Act to prevent the further issuing or sale of State Bonds, on account of the War and Defense Fund of the State, was read a first and second time and referred to the Committee on Ways and Means.

Senate File No. 27: A bill for an Act to amend the Acts protecting game, was read a first and second time, and was referred to the Committee on Agriculture.

Senate File No. 79: A Bill for an Act to regulate the fees of Sheriffs for taking convicts to the Penitentiary, was read a first and second time and referred to the Committee on the Judiciary.

The Chair announced that the hour for the consideration of the special order had arrived, being House File No. 227: A Bill for an Act to amend chapter forty-five of the Revision of 1860, being an Act in relation to Revenue.

Mr. Martin moved that the words, "for State and County officers" be inserted after the word "election" in the 3d line of Section 2. The amendment was adopted.

Mr. Cleaves moved that Section two be stricken out. The motion to strike out was lost.

Mr. Wright moved that the following words be added to section 3: "in cash or county orders equivalent to said amount at their cash value." The amendment was lost.

Mr. Knoll moved that Section 3 be stricken out. This motion did not prevail.

Mr. Clark moved that the word "twentieth" in the 6th line of section 4 be stricken out, and the word "fifteenth" be inserted. The motion prevailed.

Mr. Moir moved that section 4 be amended by inserting the word "if" after the word "each" in the 6th line, and changing "assessor" to "assessors" in the same line. The motion did not prevail.

Mr. Meyer moved that section 5 be stricken out. The motion was lost.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Joint Committee on Enrolled Bills ask leave to report that they have examined House File No. 169, find the same correctly enrolled, and present it for your signature.

D. G. FRISBIE, Chairman
House Com. Enr. Bills.

Mr. McCall moved that the word "ten" in the 6th and 9th lines of section 13 be stricken out, and the word "twenty" inserted in lieu thereof. The motion did not prevail.

Mr. Bracewell moved that the word "thirty" in the 5th line, be stricken out, and the word "fifty" inserted, and upon this question, the yeas and nays were demanded by Messrs. Fairall and Maxwell and were as follows:

The yeas were, Messrs. Clark, Curtiss, Fuller of Harrison, Hudnutt, Lane, McCall, McQuinn, Meyer, Mitchell of Fremont, Moir, Porter, Rothrock, Russell of Jones, Sarver, Shipman, Smeltzer, Stanton, White, Woodworth, Wright, Young—21.

The nays were, Messrs. Baker, Bass, Bowdoin, Burton, Calfee, Castor, Chase, Cleaves, Converse, Cutler, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Holyoke, Hollingsworth, Jackson, Knoll, Lake, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, Mercer, Mitchell of Polk, Moser, Nelson, Parker, Pendleton, Rowles, Russell of Dallas, Speer, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, Whittemore, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, and Mr. Speaker—59.

Absent or not voting—Messrs. Blackford, Eaton, Hood, Kellogg, Lakin, Loomis, Milburn, Price, Quinn, Schramm, Stevenson, West, and Wilcox.

The motion did not prevail.

Mr. Clark of Tama, moved to amend Section 13 by striking out "thirty" in 5th line, and inserting "forty." And upon this question the yeas and nays were demanded by Mr. Fairall and Maxwell and were as follows:

The yeas were, Messrs. Bracewell, Clark, Curtiss, Cutler, Frisbie, Fuller of Fayette, Fuller of Harrison, McCall, McQuinn, Mercer, Meyer, Mitchell of Fremont, Moir, Nelson, Porter, Rothrock, Sarver, Shipman, Smeltzer, Stanton, Walton, White, Wright and Young—26.

The nays were, Messrs. Baker, Bass, Bowdoin, Burton, Calfee, Castor, Chase, Cleaves, Converse, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Holyoke, Hollingsworth, Jackson, Knoll, Lake, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, Moser, Parker, Pendleton, Rowles, Russell of Dallas, Speer, Stewart, Thompson, Van Anda, Walker, Wasson, Whittemore, Williams

of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, and Mr. Speaker—51.

Absent or not voting, Messrs. Blackford, Eaton, Hood, Kellogg, Lakin, Loomis, Lorah, Milburn, Mitchell of Polk, Price, Quinn, Russell of Jones, Schramm, Stevenson, Wetherall, West, and Wilcox.

The motion did not prevail.

Mr. Meyer moved to amend Section 13, in 5th Line after the words "per centum" insert "annually." The amendment did not prevail.

Mr. Fairall moved to amend Section 13, by striking out all after "payment" in 10th line to "and" in 11th line and inserting "and in no case shall any Treasurer receive from any person, other than the purchaser at the tax sale, or her assignee any tax becoming due for any year subsequent to such sale until full redemption shall have been made or until the land is offered again for sale for such taxes," and upon this question the yeas and nays were demanded by Messrs. Bowdoin and Curtiss and were as follows:

The yeas were, Messrs. Bracewell, Clark, Cutler, Fairall, Frisbie, Lake, Lane, McCall, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Pendleton, Porter, Rothrock, Russell of Dallas, Sarver, Walker, White, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Wilson of Pottawattamie, Wright, Young and Mr. Speaker—31.

The nays were, Messrs. Baker, Bass, Bowdoin, Burton, Calfee, Castor, Chase, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eichorn, Ferguson, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Jackson, Knoll, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, Parker, Rowles, Russell of Jones, Smeltzer, Speer, Stanton, Van Anda, Wasson, Wetherall, Whittemore, Williams of Mahaska and Woodworth—48.

Absent or not voting—Messrs. Blackford, Eaton, Flint, Hood, Kellogg, Lakin, Loomis, Milburn, Moser, Price, Quinn, Schramm, Stevenson, Stewart, Thompson, and West.

The amendment did not prevail.

Mr. Mitchell of Fremont, moved to strike out "ten" in 6th and 9th lines of Section 13, and insert "fifteen," and upon this question the yeas and nays were demanded by Messrs. Fairall and Maxwell, and were as follows:

The yeas were, Messrs. Bracewell, Cutler, Frisbie, Fuller of Harrison, Gordon, Hudnutt, Hollingsworth, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Moir, Nelson, Pendleton, Rothrock, Sarver, Smeltzer, Stanton, Walker, Wilson of Pottawattamie, Wright and Young—23.

The nays were, Messrs. Baker, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Fuller of Fayette, Gault,

Gibson, Glanville, Guthrie, Hardie, Holyoke, Jackson, Knoll, Lake, Lane, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, Mitchell of Polk, Parker, Porter, Rowles, Russell of Dallas, Russell of Jones, Shipman, Speer, Stewart, Thompson, Van Anda, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Woodworth and Mr. Speaker—56.

Absent or not voting, Messrs. Bass, Blackford, Eaton, Hood, Kellogg, Lakin, Loomis, Meyer, Milburn, Moser, Price, Quinn, Schramm, Stevenson and West.

The motion did not prevail.

Mr. Smeltzer moved to amend Section 13 by striking out all after the word "receipt" in 11th line. Lost.

Mr. Guthrie moved to amend Section 13 as follows: After the word "sale" in 7th line, insert "and if the owner of the land fails to redeem the land so sold within one year from the date of said sale, then the owner of said land shall pay the purchaser of the land sold for taxes at the rate of twenty-five per cent per annum for every subsequent year till said amount shall have been paid." The amendment was lost.

Mr. Gibson moved to amend by striking out "married woman" in 1st line of Section 14. The amendment prevailed.

Mr. Martin moved to strike out section 15. The motion prevailed.

Mr. Williams of Mahaska, moved to amend Section 16 as follows: insert "road and" after "of" in 3d line. The amendment prevailed.

Mr. Fairall moved to strike out Section 16 and substitute the following in lieu thereof:

Sec. 16. All Railroads, including their improvements at stations, and their rolling stock, shall be taxed through the shares of the stockholders, and where any such stockholders are non-residents, their interest shall be taxed in the county in which is situated their principal business office within this State, and to that end, the Assessor shall require the Secretary, Clerk, or whatever officer of corresponding duties there may be, to render under oath a list of the names and residences of such non-resident stockholders, with the number of shares of each, and both the par value and cash value of such stock. But if such officer do not reside in this State, or if such officer refuses, the shares of non-residents shall be assessed to the Company or corporation, and may be ascertained in the best manner within the power of the Assessor, and in all cases where non-resident stockholders fail to pay their taxes levied upon their stock, and taxes are delinquent, the same shall be collected from the Company in the same manner as if the taxes were levied upon the Company, and in all such cases in which the Company has to pay the tax on stock of non-resident stockholders, the Company shall have a lien for the amount of taxes thus paid upon the stock for which

it is paid. In the cases specified in the preceding section, the county receiving the tax upon the stock of non-resident stockholders, as therein specified, shall distribute and pay over to the several counties in which any part of such improvement shall be situated, in February in each year, their share of said tax, dividing the same in proportion to the portion of such improvements situated in the several counties.

On motion of Mr. Frisbie, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
TUESDAY, March 11th, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Eaton.

Journal of yesterday read and approved.

Mr. Mitchell of Polk introduced the following Resolution:

Resolved by the House of Representatives, That as a mark of respect this House will adjourn to attend the Funeral of Sergeant N. W. Doty, and Theodore G. Weeks, members of Company "D," Second Iowa Regiment of Volunteers, who fell at Fort Donelson while nobly defending the Flag of their Country, in the gallant charge of the Iowa Second.

The Resolution passed unanimously.

Mr. Mitchell of Fremont moved that a Committee of two be appointed upon the part of the House, to act in conjunction with a similar Committee upon the part of the Senate, in making the necessary arrangements to attend the Funeral. The motion prevailed.

The Chair appointed as such Committee, Messrs. Mitchell of Polk, and Dunlavy.

Mr. Mitchell of Polk moved that when this House adjourn it be till 9 o'clock to-morrow morning. The motion prevailed.

Mr. Williams of Mahaska, by leave, introduced House File No. 249: A Bill for an Act relative to the Public Square in the town of Indianapolis, in Mahaska County. Read a first and second time and referred to Committee on Judiciary.

Mr. Wilson of Pottawattamie introduced the following Concurrent Resolution:

Resolved, by the House of Representatives, the Senate concurring, That the General Assembly will adjourn *sine die* on Thursday, April 3, 1862.

Mr. Blackford moved to lay the Resolution on the table, and up-

on this question the yeas and nays were demanded by Messrs. Wilson of Pottawattamie, and Wetherall and were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Curtiss, Eaton, Frisbie, Hardie, Holyoke, Lakin, Martin, Maxwell, McLennan, Mercer, Pendleton, Porter, Price, Speer, and Van Anda—22.

The nays were, Messrs. Castor, Clark, Chase, Cleaves, Converse, Cutler, Denlinger, Dorr, Eichorn, Ferguson, Flint, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hudnutt, Hollingsworth, Jackson, Knoll, Lane, Lorah, McCall, McGlothlen, McQuinn, Meyer, Mitchell of Fremont, Moir, Moser, Nelson, Pendleton, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—58.

Absent or not voting—Messrs. Dunlavy, Fairall, Holyoke, Kellogg, Loomis, Lowrie, Milburn, Mitchell of Polk, Price, Quinn, Schramm, and West—12.

The motion did not prevail.

Mr. Rothrock moved to strike out "April 3," and insert "March 25," and upon this question the yeas and nays were demanded by Messrs. Curtiss and Gault, and were as follows :

The yeas were, Messrs. Frisbie, Fuller of Fayette, Hardie, Hollingsworth, Lakin, Lane, Martin, McLennan, Meyer, Mitchell of Fremont, Moir, Nelson, Porter, Rothrock, Rowles, White, Williams of Mahaska, Wilson of Pottawattamie, Young, and Mr. Speaker—22.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Chase, Cleaves, Converse, Curtiss, Cutler, Dorr, Eaton, Eichorn, Ferguson, Flint, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hudnutt, Holyoke, Knoll, Lake, Lorah, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Mitchell of Polk, Moser, Nelson, Pendleton, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Woodworth, and Wright—61.

Absent or not voting—Messrs. Clark, Dunlavy, Fairall, Hood, Kellogg, Loomis, Lowrie, Milburn, Price, Quinn, Schramm, and West—12.

The motion was lost.

Mr. Frisbie moved to strike out "3d" and insert "7th," and upon this question the yeas and nays were demanded by Messrs. Gordon and Gault, and were as follows :

The yeas were, Messrs. Bowdoin, Curtiss, Denlinger, Eaton,

Frisbie, Fuller of Harrison, Hadnutt, Lakin, McQuinn, Pendleton, and Russell of Jones—11.

The nays were, Messrs. Baker, Bass, Blackford, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Cutler, Dorr, Eichorn, Ferguson, Flint, Fuller of Fayette, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Holyoke, Hollingsworth, Jackson, Knoll, Lake, Lane, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, Mercer, Meyer, Mitchell of Fremont, Moir, Moser, Nelson, Parker, Porter, Rothrock, Rowles, Russell of Dallas, Sarver, Shipman, Smeltzer, Speer, Stanton, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—69.

Absent or not voting, Messrs. Dunlavy, Fairall, Hood, Kellogg, Loomis, Lowrie, Milburn, Mitchell of Polk, Price, Quinn, Schramm, Stevenson, West, and Young—14.

The motion did not prevail.

Mr. Mitchell, of Fremont, moved to strike out "third" and insert "first." The motion prevailed.

The resolution as amended was adopted.

Mr. Knoll, by leave, introduced House File No. 250: A Bill for an Act to provide for the publication of the laws of a general nature of the Ninth General Assembly in certain German newspapers and for the translation thereof. Read a first and second time and referred to Committee on Printing.

PETITIONS, &C.

Mr. Wilson, of Pottawattamie, presented the remonstrance of Wm. H. M. Perry and 80 others against the division of Pottawattamie County. Referred to Committee on New Counties.

Messrs. Martin and Lorah presented the petition of citizens of their respective Counties for the reduction of the price of public printing. Referred to Committee on Printing.

Mr. Lane presented the petition of citizens of Davenport asking that Railroad Companies of this State be required to keep their offices in this State. Referred to Committee on Railroads.

Also, the petition of sundry citizens of Scott County, praying for the repeal of all laws for the appraisement of property under execution. Referred to Committee on Judiciary.

REPORTS OF COMMITTEES.

Mr. Bowdoin, from the Committee on Ways and Means, submitted the following report:

The Committee of Ways and Means, to whom was re-committed the substitute for House File No. 155: A Bill for an Act providing

for the taxing of salaries and incomes for State purposes, have had the same under consideration, and have instructed me to report the Bill back to the House with the following amendments, which they recommend to be made to the Bill.

1st. In Section 1, line 7, after the word "taxes" insert the words "a tax."

2d. In same Section, line 11, after the word "laws" insert the words "or otherwise."

3d. In the same Section, line 23, strike out all the remainder of the Section, after the semi-colon, following the word "centum," and insert the following: "and provided further, that no income shall be taxed under the provisions of this Act, when the source or property from which said income is derived, is already subject to taxation, under the laws of this State."

4th. Strike out all of Section 3.

In accordance with the foregoing recommendations, I have re-drafted the Bill embodying the amendments proposed, and herewith submit the original Bill and the Bill as amended.

E. G. BOWDOIN, Chairman.

The amendments were concurred in as recommended by the Committee.

Mr. Lane moved that "five per centum," in the first Section, be stricken out and "three per centum" inserted.

And upon this question, Messrs. Smeltzer and Guthrie demanded the yeas and nays, which were as follows:

The yeas were, Messrs. Frisbie, Fuller of Fayette, Hollingsworth, Lakin, Nelson, Porter, White, Williams of Mahaska, and Young—9.

The nays were Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Chase, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Ferguson, Flint, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Jackson, Knoll, Lake, Lane, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Moir, Moser, Parker, Pendleton, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, and Mr. Speaker—70.

Absent or not voting—Messrs. Clark, Cutler, Fairall, Gibson, Hood, Kellogg, Loomis, Lowrie, McQuinn, Milburn, Mitchell of Polk, Price, Quinn, Schramm, and West.

The motion did not prevail.

Mr. Williams, of Mahaska, moved that "twenty per centum," be stricken out of Section 1, and "ten per centum" inserted.

And upon this question, Messrs. Bracewell and Gordon demanded the yeas and nays, which were as follows:

The yeas were, Messrs. Frisbie, Fuller of Fayette, Hollingsworth, Lakin, Nelson, Porter, White, Williams of Mahaska, and Young—9.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Chase, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Ferguson, Flint, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Jackson, Knoll, Lake, Lane, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Moir, Moser, Parker, Pendleton, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, and Mr. Speaker—70.

Absent or not voting, Messrs. Clark, Cutler, Fairall, Gibson, Hood, Kellogg, Loomis, Lowrie, McQuinn, Milburn, Mitchell of Polk, Price, Quinn, Schramm, and West.

The motion did not prevail.

Mr. Bowdoin moved that the rule be suspended and the Bill read a third time now.

The motion prevailed and the Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Chase, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Ferguson, Flint, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Jackson, Knoll, Lake, Lane, Lorah, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Meyer, Mitchell of Fremont, Moir, Moser, Nelson, Parker, Pendleton, Porter, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Speer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, and Mr. Speaker—73.

The nays were, Messrs. Frisbie, Gibson, Hardie, Lakin, McLennan, Smeltzer, Van Anda, and Young—8.

Absent or not voting, Messrs. Clark, Cutler, Fairall, Hood, Kellogg, Loomis, Lowrie, Milburn, Mitchell of Polk, Price, Quinn, Schramm, and West.

The Bill passed and the title was agreed to.

Mr. Mitchell of Polk submitted the following report:

The Committee on the part of the House to confer with the Committee on the part of the Senate in reference to attending the obsequies of N. W. Doty and Theodore G. Weeks, beg leave to make the following report:

That the Chief Marshal will be in attendance at the Capitol at 11½ o'clock to escort the Governor and Staff, State Officers and General Assembly to the hall of ceremonies. The procession will be formed in the following order:

Governor and Staff, State Officers, Lieutenant Governor and Speaker of the House, Senate, Officers of Senate, House, Officers of House.

An appropriate place will be assigned the procession in the Hall.

JOHN MITCHELL.

H. DUNLAVY.

Mr. McQuinn moved that the special order for this P. M., being the consideration of the various bills upon the subject of Temperance, be made the special order for 7 P. M. to-morrow.

Mr. Lane moved that the bills be made the special order for the 4th day of July.

Mr. Mitchell of Fremont, moved that the House do now adjourn. Lost.

Mr. Frisbie, from Committee on Enrolled Bills, submitted the following Report:

MR. SPEAKER: The Joint Committee on Enrolled Bills ask leave to report that they have examined House File No. 203, find the same correct and present it herewith for your signature.

D. G. FRISBIE,

Chairman House Committee Enrolled Bills.

Mr. Calfee moved that the temperance bills be made the special order for Friday at 2 P. M. The motion did not prevail.

Upon the motion of Mr. Lane, Messrs. McQuinn and McLennan demanded the yeas and nays which were as follows:

The yeas were, Messrs. Bowdoin, Chase, Eichorn, Ferguson, Gault, Hudnutt, Jackson, Lakin, Lane, Mitchell of Fremont, Moir, Moser, Parker, Pendleton, Rowles, Sarver, Smeltzer, Stewart, Van Anda, Wasson, White, Wilcox, Williams of Des Moines, Wright and Mr. Speaker—24.

The nays were, Messrs. Baker, Bass, Blackford, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Gordon, Guthrie, Hardie, Holyoke, Hollingsworth, Knoll, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Polk, Nelson, Porter, Rothrock, Russell of Dallas, Russell of Jones, Shipman, Speer, Stanton, Stevenson, Thompson, Walker, Walton, Wetherall, Whittemore, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, and Young—63.

Absent or not voting, Messrs. Fairall, Hood, Kellogg, Lake, Loomis, Lowrie, Milburn, Moir, Price, Quinn, Schramm, and West.

The motion did not prevail.

The motion to make the bills the special order for to morrow evening at 7 o'clock, was then adopted.

Mr. Bowdoin moved that the report of the Committee on mileage be referred to the Committee on Ways and Means, with instructions to report a Bill providing for the payment of the same. The motion prevailed.

On motion of Mr. Frisbie the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, {
WEDNESDAY, March 12th, 1862. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Eaton.

Journal of yesterday read and approved.

PETITIONS, &C.

Mr. Lorah presented the petition of 48 citizens of Audubon county asking that the Northern tier of Townships of Cass county be attached to Audubon county. Referred to Committee on New Counties.

REPORTS OF COMMITTEES.

Mr. Stanton from Committee on Printing, submitted the following report :

The Committee on Printing to whom was referred House File No. 215 : A Bill for an Act to provide for the publication of the laws, have had the same under consideration, and after amending the same slightly, have instructed me to report the same back to the House and recommend its passage.

They have also considered House File No. 250 : in reference to printing laws in certain German newspapers in this State, and recommend that it be passed.

STANTON, for Committee.

Mr. Shipman, from Committee on County and Township Organization, submitted the following report :

The Committee on County and Township Organization to whom was referred House File No. 87 : A Bill for an Act to allow Boards of Supervisors to elect their own Clerk, have had the same under

consideration, and have directed me to report the same back to the House, and recommend that it do not pass.

SHIPMAN, Chairman.

Mr. Curtiss from Committee on Constitutional Amendments, submitted the following Majority report:

The Committee on Constitutional Amendments to whom was referred the proposition to so amend Article 2d, Section 1st of the Constitution of this State, that every male white citizens of the United States of the age of 21 years, who shall have been a resident of the State six months next preceding an election, and of the county in which he claims to vote, 20 days, and every white male of foreign birth of the age of 21 years who shall have resided in the State one year next preceding an election, and twenty days in the county in which he claims his vote, and shall have properly filed his intention of becoming a citizen of the United States, the same shall be entitled to vote at all elections authorized by law, have duly considered the same, and have instructed me to report that, in view of the fact that the Constitution is the fundamental law of the State, and that it provides that, in 1870 and in each tenth year thereafter, the question "Shall there be a Convention to revise the Constitution and amend the same," shall be submitted to a vote of the people; in their opinion it ought not to be changed or modified unless an absolute necessity demands it, and they do not think that the change proposed is of such necessity. Frequent changes in that instrument have a tendency to weaken the confidence and destroy the reverence which the people have for it. The right of suffrage, as now defined in the Constitution and guaranteed to the citizen, is just and liberal. Under these circumstances, therefore, they recommend the indefinite postponement of the proposition.

W. H. CURTISS, Chairman.

G. A. GORDON,
JNO. RUSSELL.

Mr. Bracewell from same Committee submitted the following Minority report:

The undersigned Minority of the Committee on Constitutional Amendments, dissenting as to the conclusions come to, and recommendations made in the above report, recommend the adoption of the resolution.

HARTLY BRACEWELL.

THOMAS HARDIE.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following Report:

MR. SPEAKER:—The Joint Committee on Enrolled Bills have examined House File Nos. 12, 170, 190, and 226, and find them correctly Enrolled, and herewith present the same for your signature.

D. G. FRISBIE,

Chairman of House Committee on Enrolled Bills.

Mr. Holyoke from Committee on Charitable Institutions, submitted the following report :

The Committee on Charitable Institutions to whom was referred a resolution instructing said Committee to inquire into the expediency of reducing the number of Trustees of the Hospital for the Insane, have considered the subject and instructed me to report the accompanying Bill amending sections 1471 and 1472, chapter 59, of the Revision of 1860.

THOS. HOLYOKE, Chairman.

The Committee introduced House File No. 251 : A Bill for an Act to amend section 1,471 and 1,472 of the Revision of 1860, reducing the number of Trustees of the Hospital for the Insane. Read a first and second time and passed upon the files.

Mr. Lowrie, from Committee on Railroads, submitted the following Majority Report :

It is proper in arriving at a just conclusion of the powers and duties of the Legislature in reference to the Land Grant Railroads, that we rightly understand the grants from Congress to the State, and from the State to the several Companies.

The Act of Congress of May 15, 1856, is that there is "granted to the State of Iowa for the purpose of aiding in the construction of railroads, from Burlington * * * * * from Davenport, * * * * * from Lyons City north-westerly to a point of intersection with the main line of the Iowa Central Air Line Railroad, near Maquoketa; thence on said main line running as near as practicable to the 42d parallel, across the State, of Iowa to the Missouri River," also from the City of Dubuque to a point on the Missouri River near Sioux City, with a branch from the mouth of the Tete des Morts to the nearest point on said road, "every alternate section of land designated by odd numbers for six sections in width on each side of said roads."

This is the grant.

But when the lines are definitely fixed, if it shall appear, that the United States have sold or granted, or the right of pre-emption has attached, to any of said sections, &c., then it shall be lawful for any agent appointed by the Governor, to select, subject to the approval of the Secretary of the Interior, from the lands of the United States, nearest the tiers of sections above specified, so much land in alternate sections, as shall be equal to the lands thus sold, &c., provided the lands "to be so located," shall in no case be more than fifteen miles from the line of said road.

Provided further, that the lands granted shall be exclusively applied in the construction of that road on account of which such lands are granted, and shall be disposed of only "as the work progresses," and shall be applied to no other purpose.

Then comes a reservation evidently intended to cover the River Lands, in these words, "all lands heretofore reserved to the United States by any Act of Congress, or in any other manner by compe-

tent authority, for the purpose of aiding in any objects of internal improvement, or for any other purpose whatsoever," are reserved.

Then, that the lands remaining to the United States within the six miles, shall not be sold for less than double the minimum price.

Then comes the 4th and important section, prescribing when and how, and to how much land each road shall be entitled "as the work progresses," and that the State shall dispose of them only in such manner.

That is to say, a quantity of land not exceeding one hundred and twenty sections, included within a continuous length of twenty miles of said road may be sold, and when the Governor shall certify to the Secretary of the Interior, that any twenty continuous miles of said road is completed, then another quantity of land not to exceed one hundred and twenty sections for such road having 20 continuous miles completed as aforesaid, and included within a continuous length of twenty miles of such (completed) road, may be sold, and so from time to time until such road is completed.

It is proper to state here, that the grant as such, is only of lands within the six miles, and it is only within six miles that the minimum price of sale to \$2,50 is confined. Beyond that, "this land to be so located," is subject entirely to the approval of the Secretary of the Interior, to be governed by circumstances or volition.

The State can dispose of these lands "only in manner" as prescribed in the grant; that is, "a quantity of land not exceeding 120 sections, and included in a continuous length of twenty miles of the road, may be sold. The land within what twenty miles may be first sold? Clearly, by all legal construction, the first 20 miles from the starting point of the grant. It is there the road must begin, and it must be within twenty miles of the road; and if the land taken is not confined to that 20 miles, it might be located at the west end, on the Missouri River where the sections were full, and the 20 miles of road built on the Mississippi, in an old settled country, thus robbing the people on the Missouri, to which the road may never reach, and thus preventing, for all time, perhaps, the building of a road there. This would be such great injustice that the idea cannot be tolerated.

Besides, by taking the proper measures, the first 120 sections, (if there be so much within 20 miles) may be absolutely conveyed, the title becomes perfect, and no rod of the road may ever be built.

The next 120 sections, if there be so much within 20 continuous miles, can only be obtained when the Governor shall certify to the Secretary of the Interior that 20 continuous miles of said road is completed. Then another quantity of land not to exceed 120 sections for said road having 20 continuous miles of road completed as aforesaid, and included within a continuous length of twenty miles of such road, may be sold, and so from time to time until said road is completed.

Thus it will be seen, that in no possible event, can any of these roads be entitled to any lands more than 20 miles beyond the road completed, and all conveyances, or interferences, with any of said land beyond the twenty miles of such completed road is illegal and entirely null and void, excepting so far as authorized by sections 1335 and 1336 of the Revision of 1860.

The State has no security for the continued prosecution of a single mile of any of these roads, only as it retains the lands applicable to the building of each 20 miles of the road to be applied as each 20 miles is completed.

Any of these roads may stop at any moment, or at any point it pleases it forfeits nothing. Only it will not acquire the lands beyond 20 miles of its completed road.

A law, or a construction of a law, that would give to companies building roads from the Mississippi to the Des Moines River, the lands from the Des Moines River to the Missouri River, without building that portion of the line of roads, would be such a monstrous fraud as would almost be cause of much difficulty.

Have any of these roads as yet acquired title to any of these lands?

Certain lists of lands "being vacant and unappropriated lands in the alternate sections designated by odd numbers, for six sections in width on each side of the Railroads," from.....to..... as shown by the map, definitely fixing the line, have been duly certified by the Secretary of the Interior to the State of Iowa. Whether under the Act of Congress of the 3d of August, 1854, these lists carried the title to the State, or not, is not very material to the present inquiry. But it would be a very singular condition for a title to be in, if it were to carry it.

For it cannot be transmitted, as we have shown above, only when "the Governor shall certify to the Secretary of the Interior, that twenty continuous miles of a road is completed, and then only what land there is (unsold) in the odd sections in the next twenty continuous miles, and if the road is not completed within a given time the whole reverts.

But has any Rail Road Company got a legal title to any particular section so that it can convey it? If so, the State must have conveyed it to such Company. The general words of the Rail Road Grant, Act of May 15th, 1856, clearly did not convey it, because it was then a matter entirely in the future, dependent upon a variety of acts to be performed; and when all are performed, no particular sections or lines of sections, or fractions of sections, are specially designated as passing. Some act is to be done, to designate what particular pieces of lands from time to time, "as the work progresses," the contractor is entitled to for that work. Who is to do that act? Clearly the State, by its acceptance of the work and specifically conveying the land by special description of the sections or pieces of sections to be given for that particular piece of work.

No stronger illustration can by possibility be presented of the fallacy of the claim, that the contractor for himself determines what lands have passed, than is found in the fact that a Company calling itself the Dubuque and Sioux City Road, and claiming to be the successor of the Dubuque and Pacific Rail Road Company, has attempted to convey the lands in the Des Moines Valley, more than 100 miles from any portion of its completed road, and lands not contained in the lists furnished by the General Government to the State, of lands applicable to the work, and the lands conveyed by the State by deed in *fee simple to bona fide* purchasers from the State.

Again, take the Cedar Rapids and Missouri River Railroad Company, built entirely off from the line to which the land is granted, and in places from 10 to 15 miles from the line "definitely fixed and located" by the maps filed in the office of the Secretary of State as required by the 6th Section of the Act of the General Assembly of the 14th of July, 1856, in reference to which the Commissioner of the General Land Office at Washington, in his letter to the Secretary of the State of Iowa, on file in the Secretary's office, says among other things: "It is observed that the 6th section of the law, (the act of July 14th, 1856,) directs that it shall be the duty of the Governor after affixing his official signature, to file such map in the department having control of the public lands in Washington, such location being considered final only so far as to fix the limits and boundary within which lands may be selected. The part which I have italicised appears to me to conflict directly with the Act of Congress, which contemplates that the route shall be "definitely fixed," and it is proper that I should through you, in this early stage of the business, call the attention of the State Executive and the Companies to the matter, and announce the opinion of this office, so as to prevent unnecessary delay. A route merely for fixing the limits of the Grant will not be acted upon here; it must be something real and fixed. The Grant cannot be in one place and the actual route in another; although slight variations on the line, such as are unavoidable in the progress of the construction of such work, would be admissible. Any material changes of route would be considered as acting in bad faith with the United States, and cannot be tolerated; for such would be a clear violation of the law, which proposes an indemnity to the United States for the lands granted away, by the enhanced value of the alternate sections remaining to the Government, near the route of the road. The route must therefore be first "definitely fixed," as required by the law of Congress, or no title vests."

The foregoing is not only the fixed and settled course of action of the Land Department in Washington, but was to the Secretary of this State as a positive direction for the action of the State.

Yet in the face of all this, the Cedar Rapids and Missouri River Railroad is built entirely off the line so "definitely fixed," and in

some places entirely off from the lands certified to the route. Thus, unless the State shall cause a road to be built on the true line, the entire grant will be forfeited to the General Government. Can such a gross outrage be permitted? Are such persons to select lands?

The lists of lands, marked by the General Government to the State of the several lines, can be seen at the State Land Office. The State has not in any way transferred one acre of them to any Road.

We give an exact transcript of what has been done by the State with the Dubuque and Pacific Rail Road Company, and they are all similar except the Cedar Rapids and Missouri River Rail Road Company, which has no Certificate made by the Governor:

"OFFICE OF THE DUBUQUE AND PACIFIC RAIL ROAD Co., }
DUBUQUE, IOWA, April 6, 1858. }

We hereby certify that the construction of that portion of the Dubuque and Pacific Rail Road in Iowa, exhibited in the annexed map, being the first forty miles West from the City of Dubuque, has been completed according to law

J. P. FARLEY,
President of the Dubuque & Pacific R. R. Co.
R. P. PROVOST,
Chief Engineer of the Dubuque & Pacific R. R. Co."

EXECUTIVE OFFICE, IOWA, }
DES MOINES CITY, April 1858. }

STATE OF IOWA, ss.

"In pursuance of the 4th Section of the Act of Congress, approved May 15th, 1860, 'entitled an Act making a grant of land to the State of Iowa, in alternate sections, to aid in the construction of certain Railroads in said State,' I, Ralph P. Lowe, Governor of the State of Iowa, do hereby certify that the construction of the particular forty miles of the Dubuque and Pacific Rail Road West from the City of Dubuque, exhibited on the annexed map, has been completed according to law, and that the said Rail Road Company is, therefore, to that extent entitled to all the benefits, privileges and immunities conferred by said Act of Congress and the laws of Iowa.

In testimony whereof, &c.,

RALPH P. LOWE, Governor."

And all other Certificates that have been given are nearly in the same language, as will be seen by reference to them on file in the office of the Secretary of State.

Does this convey any land? What land does it convey? The idea is preposterous.

It is only the Certificate required by the 4th Section of the act of Congress of May, 1856, from the Governor to the Secretary of the Interior, upon which "another quantity of land hereby granted not to exceed 120 sections and included within a continuous length of 20 miles of such road may be sold."

May be sold by whom? By the State, when the Secretary designated particularly what lands belong to *that* twenty miles.

Can anything make it clearer, that, as yet, no single acre has been designated and the title conveyed to any of these companies?

They may be entitled to some lands, but what lands, have not been specially designated.

It will be seen by the foregoing that the Cedar Rapide and Mo. R. R. Co. are not entitled legally, or equitably, to any lands, nor to any favorable consideration of this General Assembly.

What is the condition of the Dubuque and Pacific Railroad Company? It appears from a deed bearing date the 21st August, 1860, and recorded in Webster county, signed Hermann Gelpcke, Pres't, James M. McKinley, Secretary. Hermann Gelpcke, Platt Smith, Morris R. Jessup, and W. W. Hamilton, (as trustees), reciting that whereas the Dubuque and Pacific Railroad Company on the 14th day of March 1857, made a certain mortgage and deed of trust, to Abraham J. Hewett, Thomas E. Walker, Frederick Shackhart and Curtis B. Raymond, of the Dubuque and Pacific Railroad, together with all the locomotives, cars, buildings, machinery, tools or implements, belonging to or appertaining to said road, and all the franchises, rights, or privileges belonging to said Company; also the lands granted by Congress to the State of Iowa, and by the State to said Company to aid in building said Road and the branch to *Tete des Morts*, which said mortgage was to secure the payment of twelve millions of dollars of Construction Bonds, with the privilege of issuing three million dollars more; and whereas a large amount of bonds were issued under said mortgage and default was made in the payment of the interest coupons of the same; and whereas M. R. Jessup, Platt Smith, W. W. Hamilton and Hermann Gelpcke became and are now the successors of said Hewitt, Walker, Shackhart and Raymond, as Trustees of said Company; and whereas said Jessup, Smith, Hamilton, and Gelpcke, Trustees, successors of the first trustees as aforesaid, commenced an action of foreclosure in the District Court of Dubuque County, Iowa, at the August Term, 1860, against said Company because of the default aforesaid; and whereas a decree of foreclosure was entered at said term, by which, among other things, it was ordered, adjudged and decreed that the said Trustees have and recover of the Dubuque and Pacific Railroad Company the sum of \$1,722,510, and that unless the same should be paid within ten days from the date of said decree, the equity of redemption of said Company in said Railroad, their fran-

chises and other property aforesaid should be forever barred and foreclosed; and whereas the said ten days have elapsed, and the said sum has not been paid, nor the said property in any manner redeemed; and whereas, in contemplation of said foreclosure a large number of parties interested in said Railroad Company as the holders of bonds, stocks and evidences of indebtedness of said Company, formed a new Company, under the name of the Dubuque and Sioux City Railroad Company, to become the successors of the Dubuque and Pacific Railroad Company, with the intention of acquiring all the rights, franchises, privileges, land grant and other properties aforesaid, for the purpose of completing said road; and whereas, it was further ordered, adjudged and decreed in the said foreclosure that in case of default as aforesaid, the said Trustees and the Dubuque and Pacific Railroad Company should join in a conveyance of said properties to the Dubuque and Sioux City Railroad Company: Now, therefore, in consideration of the premises, the said Trustees, Morris R. Jessup, Platt Smith, Wm. W. Hamilton, and Hermann Gelpeke and the Dubuque and Pacific Railroad Company hereby remise, release, sell and convey to the Dubuque and Sioux City Railroad Company the said Railroad, its franchises, appurtenances and other properties aforesaid. Also the said lands granted by Congress so far as the same remains undisposed of at the time of the said foreclosure, to have and to hold the same upon the same terms and conditions, rights and privileges as they were heretofore held by the Dubuque and P. R. R. Company. Witness, &c. Signed as above, &c.

From the foregoing Deed it will be perceived that the Dubuque and Pacific Company became absolutely and hopelessly insolvent, were foreclosed, and in August 1860, were entirely sold out, and went out of existence, excepting as to their creditors. Has it done anything since 1860, except to divide and convey among its own members, all the lands granted for the whole line to the Missouri River? When in no possible event could the Company be entitled to any lands beyond twenty miles of its completed road.

It also appears from the same records that this Dubuque and Sioux City Company, by deeds bearing date October 27, 1860, and June 20, 1861, conveyed all the River lands in townships 88, 27, and 88, 28, and 88, 29, and 88, 30, and 89, 27, and 89, 28, and 90, 28, and 90, 29, and a part of 1, 89, 29, to John Kennedy in trust for Cooper, Hewitt & Company to secure the payment of \$200,639 74; the terms of which deed of trust, have entirely passed, and the deed so far has become absolute. And excepting that some 15,360 acres of the same lands are conveyed by said Dubuque and Sioux City Company to Edward Stimson, the present President of said Company, by Warranty Deed bearing date Feb. 11, 1861. This Deed in the Company's Report recently made, is said to be *in trust*, but what trust is not stated.

The lands included in the above deed are situated in the Des

Moines Valley more than one hundred miles from any portion of their completed road, and more than half of them are lands conveyed by the State of Iowa as river lands, and the balance are lands reserved by the State to meet liabilities which the State may incur by assuming the contracts at Keosauqua, Bentonsport, Plymouth, and Croton, &c.

The report of the Company, also, shows that the Trustees of the Dubuque and Pacific Co., have sold 349,376 56 100 acres of land and that the Dubuque and Sioux City Co., have sold and pledged 84,363 83 100 acres of land making together 433,740 39 100 acres of these lands not one-third of which can be applicable to the completed road, and to *none* of which have either of said Companies acquired a particle of title.

The President in the very few brief sentences of his report says, "Provisions should at once be made for the indebtedness incurred for the iron in the construction of the last twenty miles as well as for engines and cars, secured by liens upon the same, also, for other indebtedness of a pressing nature," what or how much this other indebtedness of a pressing nature is, he does not say. But he does say that "the iron on the last twenty miles of the road," as well as the engines and cars are holden by the seller's lien and of course liable to be taken possession of by him.

These Companies as yet having derived no title to any of the lands and the Dubuque and Pacific Company from its omission to build its road as required by its act of contract with the State, and its utter insolvency, and the foreclosure and sale of all its rights, and the Dubuque & Sioux City Railroad Company, its pretended successor having omitted to build the road as required by the act of contract with the Dubuque & Pacific Company, and having conveyed or attempted to convey several hundred thousand acres of land to which it has no title, and more than half of which does not belong to any portion of its completed route, and a large portion of which is outside of, and does not belong to its line of road, but has been conveyed and set apart by the State to other parties. And while it is insolvent as shown by its own report, and delinquent to the State, has set itself up in hostility to great interests of the State and its citizens, without any reasonable prospect that it can further prosecute any further portion of its road, thus jeopardizing to the people of the State the grant of land by Congress to aid in the building a line of road from Dubuque to Sioux City. Therefore, it seems to be imperatively the duty of the State to resume the grant heretofore made by the State to aid in the building of that road with its franchises, rights, privileges and appurtenances, and to regrant the same as may best protect the interest of the State. And the Cedar Rapids and Missouri River Railroad Company having omitted to build any portion of the road on the line from Lyons City northwesterly to a point of intersection with the main line of the Iowa Central Air Line Railroad near Maquoketa; thence on said

main line running as near as practicable to the Forty-Second parallel across the State of Iowa to the Missouri River; to aid which, the grant of land by Congress is applied and which by the Act of the Legislature, approved March 26, 1860, it was required and it agreed to build; and having omitted to build a road from Pearl Street in Lyons City to a point of intersection with the Chicago, Iowa and Nebraska Railroad, within the corporate limits of Clinton City, and also from Marion to the city of Cedar Rapids, and is refusing to build the same and seeking to be discharged therefrom, in violation of its plighted faith with the State and the citizens along said line, upon which faith the said Act approved March 26, 1860, was passed. But having built its road on a line entirely outside of, and in opposition to the line to which the said lands were granted and as required by the said Act of March 26, 1860, in violation of its faith to the State and of its duty; and thus jeopardizing to the people of Iowa, the said grant of land, it therefore becomes the duty of the State to resume the grant with its rights and privileges made to the said Cedar Rapids and Missouri River Railroad Company by the said Act of March 26th, 1860, and re-grant the same to some persons or Company, who will faithfully build the said road as required by the said Act of Congress, and by the Act of the Legislature of Iowa.

In conclusion, the Committee have to say that no friends of these Rail Roads have a stronger desire than they have that these munificent grants of Land from the General Government shall be preserved to the State and the People, and they submit to them the candid examination of the points presented.

The Dubuque and Pacific Rail Road is out of existence, and cannot transfer their contracts with the State, and unless some provision is made by law under a new contract, the balance of the land beyond the twenty miles of the completed road is lost to the State. Whether the General Assembly choose to contract with a new company directly, or leave it to the Census Board to contract, is immaterial; but until a new contract is made, in which the State has a voice, none can exist. And the Governor cannot certify to any Company but the one holding under the State until a new contract is made. And the Cedar Rapids & Missouri River Rail Road Co. cannot receive by law any certificates or rights until they have complied with the conditions of their contract with the State; and in 1865 all the lands set apart for this central grant will revert to the General Government and the State be remediless. While if the grant be resumed by the State and power conferred on the Census Board by a frank and full explanation to the General Land Office at Washington, it is quite probable that conflicting interests may be reconciled, and the forty miles of Road built by the Cedar Rapids Company be made part of the continuous line, although not on the line definitely fixed; but it seems to us that nothing but an Act of Congress can remedy the difficulty. And it would seem to be for

the benefit of all interested in that route to apply themselves at once to secure in the only manner practicable the grant conferred by the State, and that Company will find themselves benefited by an act of resumption.

The General Assembly have never passed any law authorizing the conveyance from the State to the several Rail Road Companies of the lands to which they may be entitled. And it is absolutely necessary that a law should be passed before they have any legal title, and until that time these lands will escape taxation. Quite a large amount of land to the different Railroads could at once be approved by the General Government to the State, and taxation commence.

Your Committee therefore recommend the resumption by the State of the Grants made to the Dubuque and Pacific Railroad and to the Cedar Rapids and Missouri River Railroad, and herewith report back House File No. 161, a Bill for the resumption of the latter, and recommend its passage, there being, as your Committee is informed, a Bill about to be introduced into the Senate for the resumption of the Grant to the Dubuque and Pacific Railroad.

CHAS. W. LOWRIE, Chairman.

T. H. STANTON,

SAM. H. FAIRALL.

J. O. HUDNUTT.

W. EDWIN WETHERALL.

Mr. McQuinn from same Committee, submitted the following minority report :

The undersigned, members of the Committee on Railroads, dissenting from the conclusions arrived at by the majority of the Committee on the question of resuming the land heretofore granted to Railroad Companies by the State, beg leave to submit the following Minority Report :

1. We deem it to be a very unwise measure, at a time like the present, when the whole commercial and financial world is depressed, and the political condition of the country is very unfavorable to the investment of capital in Railroad enterprises, to throw any embarrassments in the way of such investments, such as the resumption of the lands of the Companies, whether such resumption is based upon legal right, or the contrary.

2. There is no hope of any further progress being made by any of the Railroad Companies, without the most friendly legislative co-operation of the State ; and a resumption would be unjust to the several companies that have already made the most extraordinary exertions, and invested millions of money under a continued succession of financial difficulties, unparalleled in the history of this country ; and the attempt now to resume the Grants would impair public confidence, and destroy the faith and credit of the State to such extent as to cut off all hope of inducing capital to seek invest-

ment in any public enterprise where legislative action could impair the value of such investment.

3. If the Legislature resumes the Grant, we are unable to see what line of policy can be adopted that promises any good to the State. It cannot be expected that the same companies will jeopard their capital again, if the State resumes. Now, when the pressure is all they can bear, and fair and favorable legislation alone can enable them to sustain themselves, the stunning effects of the legislation recommended by the majority of the Committee, would, if it did not paralyze the companies, at least so discourage the capitalists, on whom they must depend for the money to go forward with their roads, that they could not be induced to again accept the grant on any terms whatever, that could ever be interfered with by future legislation.

4. As the Railroad Companies have already large investments which can be protected and enhanced only by the further extension of their respective roads into the interior, and this is the only inducement which can be relied upon by the people for such extension, the policy of resumption is not only unwise, but, as we think, wicked and unjust towards the people of the interior, for it must be apparent that no other responsible parties can be induced to take the grants and go on with the roads. And we are assured by several of the companies that they would gladly assent to any disposition of the lands by which other responsible parties would take them and extend their roads.

5. The Cedar Rapids and Missouri River Railroad have not failed to comply with any condition of their grant, on account of which the State reserved the right to resume, but on the contrary, it has completed forty miles of road as required by the Act, and that, too, when in view of the political turbulence of the country, and the depression of the money market, a failure to have complied with that condition might well have been excused by the State. And if the State should resume, aside from the invalidity of the Act, no sane man could hope for even tolerable legislation respecting his investments, and no man who is capable of accumulating capital to invest in a railroad would risk his money in such an enterprise in Iowa, after such unfair legislation.

6. Besides opening the door to protracted litigation, a resumption would endanger the whole grant not legally disposed of, as the time to secure their lands by the completion of the several roads is rapidly drawing to a close, and the delay necessarily occasioned by resumption, would very likely result in a reversion of the grants to the General Government.

7. The proposition to resume is not only not asked for by the people on the lines of roads who are most interested in having the grants applied to their legitimate object, but they unanimously protest against such resumption, and we find that the project is organized and promoted, only by those who from local or other reasons,

are interested in opposition to the progress and completion of the roads whose grants the majority of the Committee propose to resume.

8. The proposed resumption is grossly unjust to the people of Iowa, who along the lines have invested from their small but hard earned means, thousands of dollars to aid in the construction of that part of the roads already completed.

9. We are reliably informed that the Dubuque and Sioux City Railroad have just concluded a contract for the extension of their road from the Cedar River to the valley of the Iowa at Iowa Falls, which contract must necessarily be rescinded if the State resumes their land. And the Cedar Rapids and Missouri River Railroad have also contracts for the extension of their road, part of which has been graded by the people themselves, and resumption would result in delay in the consummation of such contracts, and possibly in the abandonment of them by the capitalists, without whose money the iron cannot be procured to lay the track, thirty miles of the road-bed for which is already prepared.

10. The majority of the Committee make unjust and invidious distinctions by proposing to resume the grants of those roads which have made the greatest and most successful efforts to comply with the conditions imposed upon them, and which are least in default, while other roads, more in default, and from whom less may be expected in the future, are permitted to hold their grants.

11. So far as relates to the questions of conflict between claims under the grants for the Des Moines River Improvement and for Railroad purposes, they are said to be now pending in the Courts by which they can alone be determined; such questions requiring judicial and not Legislative action.

For the foregoing reasons we respectfully dissent from the action of the majority of the Committee, and in order to quiet the titles to those tracts which the State sold prior to June, 1854, and at the same time, to afford relief by extending their time, which is asked for by the Roads, we beg to report the following Bill, and recommend its passage.

JAMES McQUINN,
SAM'L. L. LORAH.

Mr. Fairall moved that the Majority and Minority Reports, together with the Bill reported back by the majority, be laid on the table, and the usual number of copies ordered to be printed for the use of the House. The motion prevailed.

Mr. Loomis, from Committee on Judicial Districts, submitted the following report :

The Committee on Judicial Districts to whom were referred sundry resolutions instructing them to inquire into the expediency of increasing and reducing the number of Districts, have had the same under consideration and instructed me to report that in the opinion

of your Committee, it would be inexpedient to make any such changes at this time.

LOOMIS, of Cedar.

RESOLUTIONS LAID OVER UNDER RULE.

The following resolution was taken up :

Resolved, That the Auditor of State be requested to furnish the House with the following information concerning the 24 delinquent Ex-Treasurers named in his late report :

1st—Whether said Ex-Treasurers and their sureties are responsible to the State or to their respective counties, for the amounts of said delinquency.

2d—Whether he is absolutely certain that all of said Ex-Treasurers are delinquent (without exception) for all or any part of the several amounts set opposite their respective names.

3d—If not certain of their delinquency, why he has set them down as such.

4th—If only responsible to their respective counties, why have their names been registered in his report ?

Mr. Lake moved to lay the resolution on the table, and upon this question the yeas and nays were demanded by Messrs. Denlinger and Hardie and were as follows :

The yeas were, Messrs. Baker, Blackford, Bowdoin, Burton, Castor, Clark, Chase, Cleaves, Curtiss, Cutler, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Jackson, Lake, Lakin, Lane, Loomis, Lowrie, McCall, McQuinn, Mercer, Meyer, Mitchell of Polk, Mitchell of Fremont, Moir, Moser, Nelson, Parker, Pendleton, Porter, Rothrock, Russell of Dallas, Russell of Jones, Sarver, Shipman, Stanton, Stevenson, Van Anda, Wasson, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Woodworth, Wright, Young and Mr. Speaker—54.

The nays were, Messrs. Bass, Bracewell, Converse, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Gault, Gibson, Glanville, Hardie, Lorah, Martin, Maxwell, McLennan, Smeltzer, Speer, Stewart, Thompson, Walker, Wetherall, Wilson of Pottawattamie—27.

Absent or not voting, Messrs. Calfee, Hood, Kellogg, McGlothlen, Price, Quinn, Rowles, Schramm, Walton, West and Whittemore.

The motion to lay on the table prevailed.

INTRODUCTION OF BILLS.

Mr. Fuller, of Harrison, introduced House File No. 252: A Bill for an Act for the relief of Omer Lytle. Read a first and second time, and referred to the Committee on Claims.

Mr. Curtiss introduced House File No. 253: A Bill for an Act

to secure to mortgagors all crops grown on land at the time of its sale on execution, and at the time of the expiration of the right of redemption. Read a first and second time and referred to Committee on Judiciary.

Mr. Nelson introduced House File No. 254: A Bill for an Act to amend an Act entitled an Act providing for auditing all accounts and disbursements arising under the call for Volunteers from Iowa, and also, for all men organized as the State Militia of Iowa. Read a first and second time and referred to the Committee on Military Affairs.

Mr. Hudnutt introduced House File No. 255: A Bill for an Act relating to the bonds of State Officers and County Treasurers. Read a first and second time and referred to the Committee on the Judiciary.

Mr. Bowdoin introduced House File No. 256: A Bill for an Act providing for Assistant Collectors, and for the better collection of taxes. Read a first and second time, and on motion of Mr. Bowdoin, was made the special order for Friday at 10 o'clock A. M.

Mr. Nelson introduced House File No. 257: A Bill for an Act legalizing the establishment of roads by Boards of Supervisors in certain cases. Read a first and second time and referred to the Committee on Roads and Highways.

The following Message was received from the Senate, by Wm. F. Davis, their Secretary:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed the following Bills without amendment:

Senate File No. 203, being substitute for House File No. 156: A Bill for an Act for the relief of R. H. Webster and others, and relating to the plat of the town of Marshall, and the original herewith returned.

Also; House File No. 178: A Bill for an Act to regulate the issuing of certificates of election in certain cases, with the following amendment: In first section strike out "County," and insert "signed by the President, and attested by the Clerk of the Board of Canvassers, with the Seal of the District Court."

Substitute for House File No. 78: A Bill for an Act to amend section 5,192, of the Revision of 1860, with the following amendment to section 2, add after "publication" "in the Daily State Register and Des Moines Times, papers published in Des Moines, Iowa."

House File No. 186: A Bill for an Act to prevent the importation and running at large of diseased sheep, with an additional section:

Sec. 5. This Act being deemed of immediate importance by the General Assembly, shall take effect from and after its publication in the Daily State Register and Daily Des Moines Times.

House File No. 8: A Bill for an Act in relation to Life Insurance Companies, with an additional section:

Sec. 4. The foregoing provisions of this Act shall not apply to Mutual Life Insurance Companies, but it is hereby enacted, that no Mutual Life Insurance Company incorporated under the laws of any other State than the State of Iowa, shall be allowed to transact business within this State, until such Company shall have first filed with the Auditor of this State a copy of their Articles of Incorporation, or of the Act of Incorporation, when incorporated by statute, under seal of said Company, signed by the President and Secretary thereof; and shall also have filed with said Auditor a written instrument signed by the President and Secretary thereof, duly sworn to and certifying that said Company is well worth in unincumbered assets, over and above all its liabilities and exemptions, the sum of one hundred thousand dollars, and upon complying with the provisions of this section, such Companies shall be entitled to receive a certificate from the Auditor, with authority to transact business in this State."

Also; That the Senate has indefinitely postponed House File No. 82: A Bill for an Act to amend section 4,607, chapter 195, of the Revision, of 1860, relating to preliminary examinations before magistrates.

And has rejected House File No. 117: A Bill for an Act to exempt Bees from execution."

And the same are herewith returned.

WM. F. DAVIS, Secretary.

MESSAGES ON THE SPEAKER'S TABLE.

House File No. 97: A Bill for an Act to prevent the unlawful driving away of cattle by drovers and others. The House concurred in the Senate amendments.

On motion of Mr. Mercer, the rule was suspended and the bill read a third time, and upon the question, Shall the Bill pass? "the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glauville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lorab, Lowrie, Martin, Maxwell, McCall, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Wilcox, Williams of Des Moines, Williams of

Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—83.

The nays were, None.

Absent or not voting—Messrs. Calfee, Hood, Kellogg, McGlothlen, Milburn, Price, Quinn, Schramm, West and Whittemore—10.

The Bill passed and the title was agreed to.

Senate File No. 203, substitute for House File No. 156: A Bill for for an Act for the relief of Reuben H. Webster and others, and relating to the plat of the town of Marshall. The substitute was adopted.

Mr. Mercer moved that the rule be suspended, and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The nays were Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Jackson, Knoll, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—77.

The nays were, None.

Absent or not voting, Messrs. Castor, Eaton, Hood, Kellogg, Lake, Lane, McGlothlen, Price, Quinn, Schramm, Shipman, Smeltzer, West, Whittemore and Williams of Mahaska—15.

The Bill passed and the title was agreed to.

House File No. 8: A Bill for an Act in relation to Life Insurance Companies. Senate amendment concurred in.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Jackson, Knoll, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Smeltzer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, White, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw,

Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—78.

The nays were, None.

Absent or not voting—Messrs. Eaton, Hood, Kellogg, Lake, McGlothlen, Milburn, Price, Quinn, Schramm, Shipman, Speer, Wetherall, West, Whittemore, and Wilcox—15.

The Bill passed and the title was agreed to.

House File No. 186: A Bill for an Act to prevent the importation, running at large, or sale of Diseased Sheep. Senate amendment concurred in.

The Bill was read a third time and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Jackson, Knoll, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Speer, Stanton, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Wilcox, Williams of Des Moines, Williams of Mahaaka, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, Mr. Speaker—76.

The nays were, Messrs. Dunlavy, Blackford, and Hollingsworth—3.

Absent or not voting—Messrs. Eaton, Hood, Kellogg, Lake, McGlothlen, Meyer, Milburn, Price, Quinn, Schramm, Stevenson, West, and Whittemore—13.

The Bill passed and the title was agreed to.

Substitute for House File No. 78: A Bill for an Act to amend section 5192, of the Revision of 1860. Senate amendment was concurred in.

The bill was read a third time and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Jackson, Knoll, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Porter, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Van Anda, Walker, Walton, Wasson, Weth-

erall, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—81.

The nays were, Mr. Thompson—1.

Absent or not voting, Messrs. Hood, Kellogg, Lake, McGlothlen, Milburn, Moser, Price, Quinn, Schramm, West, and Whittemore—11.

The Bill passed and the title was agreed to.

House File No. 178: A Bill for an Act to regulate the issuing of Certificates of Election in certain cases. Senate amendment concurred in.

The Bill was read a third time; and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Jackson, Knoll, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Van Anda, Walker, Walton, Wasson, Wetherall, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—81.

The nays were, None.

Absent or not voting, Messrs. Eaton, Hood, Kellogg, Lake, McGlothlen, Milburn, Price, Quinn, Schramm, Thompson, West, and Whittemore—12.

The Bill passed and the title was agreed to.

BILLS ON READING.

Senate substitute for Senate File No. 1: A Bill for an Act to alter the boundaries of the 3d, 4th, and 5th Judicial Districts of Iowa.

Mr. Pendleton moved to strike out section 2.

Mr. Calfee moved to re-commit to Committee on Judicial Districts. The motion did not prevail.

The question recurring upon the motion of Mr. Pendleton to strike out section 2, it was lost.

Mr. Pendleton moved to amend section 2, as follows: strike out "Pottawattamie" and insert "Clark," and strike out "4th" and insert "5th," and upon this question the yeas and nays were demanded by Messrs. Bowdoin and McLennan, and were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Burton,

Converse, Curtiss, Frisbie, Fuller of Fayette, Fuller of Harrison, Lakin, Lane, Loomis, Maxwell, McCall, McLennan, McQuinn, Mercer, Meyer, Nelson, Rothrock, Rowles, Shipman, Smeltzer, Van Anda, White, and Williams of Mahaska—26.

The nays were, Messrs. Bass, Bracewell, Calfee, Castor, Clark, Chase, Cleaves, Cutler, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Jackson, Knoll, Lorah, Lowrie, Martin, Mitchell of Fremont, Moir, Moser, Parker, Pendleton, Porter, Russell of Dallas, Russell of Jones, Sarver, Speer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, Wilcox, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—54.

Absent or not voting—Messrs. Eaton, Hood, Kellogg, Lake, McGlothlen, Milburn, Mitchell of Polk, Price, Quinn, Schramm, West, Whittemore, Williams of Des Moines—13.

The motion did not prevail.

Mr. Moser moved that the rule be suspended and the Bill read a third time now.

On motion of Mr. Blackford the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

The Chair announced that the question pending on the adjournment was the motion of Mr. Moser to suspend the rule and read the bill a third time now.

Mr. Frisbie moved to lay the bill on the table. The motion did not prevail.

Mr. Nelson moved to indefinitely postpone. Lost.

Mr. Pendleton moved to recommit. The motion was lost.

Mr. Russell of Dallas moved to reconsider the vote by which Mr. Pendleton's amendment to Section 2 was lost.

Mr. Moser moved to lay this motion to reconsider on the table, and upon this question the yeas and nays were demanded by Messrs. Pendleton and Bowdoin, and were as follows:

The yeas were, Messrs. Bass, Cleaves, Denlinger, Dunlavy, Eichorn, Ferguson, Flint, Gault, Gibson, Glanville, Hardie, Knoll, Lake, Maxwell, McGlothlen, McLennan, Mitchell of Fremont, Moir, Moser, Parker, Russell of Jones, Speer, Stevenson, Stewart, Thompson, Whittemore, Wilson of Pottawattamie, Wright, Mr. Speaker—29.

The nays were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Converse, Curtiss, Cutler, Dorr, Fris-

bie, Fuller of Fayette, Fuller of Harrison, Gordon, Guthrie, Hollingsworth, Jackson, Lane, Loomis, Lorah, Martin, McCall, McQuinn, Mercer, Mitchell of Polk, Nelson, Pendleton, Rothrock, Rowles, Russell of Dallas, Shipman, Smeltzer, Stanton, Van Anda, Walton, Wasson, Wetherall, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Woodworth, and Young—46.

Absent or not voting—Messrs. Chase, Fairall, Holyoke, Hood, Hudnutt, Kellogg, Lakin, Lane, Lowrie, Meyer, Milburn, Porter, Price, Quinn, Sarver, Schramm, Walker, West, White, and Williams of Mahaska.

The motion did not prevail.

The question recurring upon the motion of Mr. Russell of Dallas, to reconsider the vote by which Mr. Pendleton's amendment to Section 2 was lost; it did not prevail.

Mr. Pendleton moved to recommit. The motion was lost.

Mr. Van Anda moved to refer to a select Committee of Five. The motion did not prevail.

Mr. Converse moved to refer to the delegation interested. This motion was lost.

Mr. Bowdoin moved to strike out all after Des Moines Times in Section 4. Carried.

On motion of Mr. Wilson of Pottawattamie, the Bill was ordered for a third reading to-morrow.

House File No. 55, Substitute: A Bill for an Act to amend Section 1534 of the Revision of 1860 of the Laws of Iowa in relation to partition fences.

The Bill was read a third time, and upon the question "Shall the Bill pass," the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Clark, Cleaves, Converse, Curtiss, Dorr, Dunlavy, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Hudnutt, Holyoke, Jackson, Lake, Lakin, Lowrie, Maxwell, McCall, McQuinn, Mercer, Meyer, Mitchell of Polk, Moir, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Stanton, Van Anda, Whittemore, Wilson of Chickasaw, Woodworth, Young, and Mr. Speaker—43.

The nays were, Messrs. Castor, Cutler, Denlinger, Eichorn, Ferguson, Flint, Gordon, Guthrie, Hardie, Hollingsworth, Knoll, Lorah, McGlothlen, Mitchell of Fremont, Moser, Nelson, Parker, Rowles, Speer, Stevenson, Stewart, Thompson, Walton, Wasson, Wetherall, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, and Wright—31.

Absent or not voting—Messrs. Chase, Eaton, Hood, Kellogg, Lane, Loomis, McLennan, Milburn, Pendleton, Porter, Price, Quinn, Rothrock, Schramm, Walker, and West.

The Bill was rejected.

Mr. Bracewell moved to reconsider the vote by which House File No. 55, Substitute: A Bill for an Act to amend Section 1534 of the

Revision of 1860 of the laws of Iowa in relation to partition fences, was rejected. The motion to reconsider prevailed.

Mr. Bracewell moved to reconsider the vote by which the Bill was ordered to a third reading. The motion prevailed.

Mr. Moir moved to refer the Bill to a select Committee of Five of which Mr. Bracewell shall be Chairman. This motion prevailed.

The Chair appointed as such Committee, Messrs. Bracewell, Lake, Moir, Converse and Shipman.

House File No. 138: A Bill for an Act making further appropriations for the completion of the Blind Asylum at Vinton.

Mr. McQuinn moved to amend Section 2 by adding thereto the following: "Provided that warrants shall only be issued monthly as the work progresses, and in sums not to exceed two thousand dollars." The amendment was adopted.

Mr. McQuinn moved to suspend the rule and read the bill a third time now.

Mr. Moir moved to striko out "ten" and insert "five" in 5th line of Section 1.

Mr. Russell of Jones moved to amend the amendment by striking out all after the word "sum" in 4th line and insert "two thousand dollars to preserve the Blind Asylum at Vinton." The amendment to the amendment did not prevail.

The question recurring upon the amendment of Mr. Moir, it was lost.

The question recurring upon the motion of Mr. McQuinn that the Bill be read a third time now; it prevailed.

The Bill was read a third time, and upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Cleaves, Curtiss, Cutler, Dunlavy, Eichorn, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Hudnutt, Holyoke, Hollingsworth, Jackson, Lake, Lakin, Lane, Lowrie, Martin, McCall, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moser, Nelson, Parker, Pendleton, Rowles, Russell of Dallas, Sarver, Shipman, Smeltzer, Stanton, Stevenson, Thompson, Van Anda, Walton, White, Whittemore, Williams of Mahaska, Wilson of Chickasaw, Woodworth, Wright, Young and Mr. Speaker—53.

The nays were, Messrs. Bracewell, Converse, Denlinger, Dorr, Ferguson, Flint, Gault, Gordon, Guthrie, Hardie, Knoll, Lorah, Maxwell, McGlothlen, McLennan, Moir, Porter, Rothrock, Russell of Jones, Speer, Stewart, Wasson, Wetherall, Wilcox, Williams of Des Moines, Wilson of Pottawattamie—26.

Absent or not voting—Messrs. Chase, Eaton, Hood, Kellogg, Loomis, Milburn, Price, Quinn, Schramm, Walker, and West.

The Bill passed and the title was agreed to.

House File No. 136: A Bill for an Act to authorize the Governor

to appoint agents in regard to swamp land belonging to the State of Iowa, and defining their duties.

Mr. Russell, of Jones, moved to amend by adding to Section 11, the following:

"Provided, That no County shall be required to pay any quota of the expenses incurred by the appointment of said agent, when said Counties have, through agents of their own selection, secured a full settlement of their swamp land claims with the General Government."

Mr. Cutler moved the indefinite postponement of the Bill.

Mr. Mitchell, of Fremont, moved to lay on the table.

The motion did not prevail.

The question recurring on the motion of Mr. Cutler to indefinitely postpone, the motion was lost.

Mr. Lowrie moved to make the Bill the special order for Friday at 2 o'clock, P. M.

The motion prevailed.

Mr. Lane read the following communication from the Adjutant General:

ADJUTANT GENERAL'S OFFICE, }
DES MOINES, March 12th, 1862. }

HON. JAS. T. LANE,

Chairman Military Committee:

DEAR SIR:—I am instructed by His Excellency, the Governor, to call your attention to the situation of our Iowa soldiers who may be sick in hospital and who may desire to return home on furlough. I am reliably informed that many of this class being out of money, and in many cases away from their Regiment and friends and unable to get passes home as furlough soldiers, apply for discharges which are readily granted, and thereby many experienced and disciplined soldiers, only slightly wounded, are lost to the service contrary to their own wishes. To meet this case, I would recommend that a Joint Resolution be passed, by the Legislature, memorializing the President of the United States to order the proper Department to issue passes to furloughed soldiers in such cases to be charged them at rates of fare actually paid by the United States, and taken from their pay at next muster for payment. Will you oblige me by giving your attention to this matter at your earliest convenience?

N. B. BAKER,
Adjutant General of Iowa.

The communication was referred to Committee on Military Affairs.

House File No. 191: A Bill for an Act to amend Section 313 of

the Revision of 1860, in relation to the publication of the proceedings of the Board of Supervisors.

Mr. Cutler moved to refer to Committee on Printing. The motion was lost.

Mr. Bracewell moved to suspend the rule and read the Bill a third time now.

Mr. Curtiss moved to strike out the last line in Section 1, and add the following, "for 45 cents per square."

The amendment was lost.

Mr. McLennan moved that the Bill be indefinitely postponed; and upon this question, the yeas and nays were demanded by Messrs. Sarver and Parker, and were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Burton, Calfee, Castor, Converse, Curtiss, Cutler, Denlinger, Dorr, Eichorn, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Gordon, Hardie, Hudnutt, Holyoke, Hollingsworth, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, McCall, McLennan, McQuinn, Mercer, Meyer, Mitchell of Polk, Moir, Moser, Pendleton, Porter, Rothrock, Russell of Dallas, Stanton, Stewart, Thompson, Van Anda, Walton, White, Whitemore, Wilcox, Williams of Mahaaka, Wilson of Pottawattamie, and Young—51.

The nays were, Messrs. Bass, Bracewell, Clark, Dunlavy, Eaton, Ferguson, Flint, Frisbie, Gault, Guthrie, Jackson, Maxwell, McLennan, Mitchell of Fremont, Nelson, Parker, Rowles, Sarver, Shipman, Speer, Stevenson, Walker, Wasson, Wetherall, Williams of Des Moines, Wilson of Chickasaw, Woodworth, Wright, and Mr. Speaker—29.

Absent or not voting, Messrs. Chase, Hood, Kellogg, Loomis, Milburn, Price, Quinn, Russell of Jones, Schramm, and West.

The motion prevailed.

The following communication from Mr. Kellogg was read:

DES MOINES, IOWA, March 12th, 1862.

HON. RUSH CLARK,

Speaker of the House of Representatives:

DEAR SIR:—The Flag of the Second Regiment of Iowa Infantry having been donated to the State and placed in my hands for presentation, I desire to be advised of the time at which it will be the pleasure of the Honorable Body, over which you preside, to receive it.

Respectfully,

Your Obedient Servant,

R. D. KELLOGG.

Mr. Van Anda, by leave, offered the following resolution:

Resolved, That a Committee of three, with the gentleman from Scott (Mr. Lane) as Chairman, be appointed to make arrangements

for presenting the Flag of the Second Iowa Regiment to this House at 4 o'clock, P. M., to-morrow.

The resolution was adopted.

The Chair appointed as such Committee Messrs. Lane, Van Anda and McLennan.

Mr. Lane moved to make the Bill, amending the Revenue Law, the special order to-morrow at 2 o'clock P. M.

The motion did not prevail.

Mr. Bracewell moved that when this House adjourn, it be till 7 o'clock P. M.

The motion prevailed.

On motion of Mr. Curtiss, the House adjourned.

SEVEN O'CLOCK P. M.

The House met pursuant to adjournment.

The Chair announced that the hour for the consideration of the special order had arrived, being House File No. 208: A bill for an Act to amend an Act entitled an Act for the suppression of Intemperance, approved January 22d, 1855; House File No. 210: A Bill for an Act to regulate the sale of malt, spirituous or vinous liquors; and House File No. 212: A Bill for an Act repealing part of Section 1583, Chapter 64, of the Revision of 1860.

Mr. Lakin moved that House File No. 108: A Bill for an Act amendatory of the laws for suppressing Intemperance, be made part of the Special order for this hour. The motion prevailed.

The Chair announced that the various bills would be considered in their order.

Mr. Van Anda moved that the House resolve itself into Committee of the Whole on the Special Order, with Mr. Young in the Chair. This motion did not prevail.

The House proceeded to the consideration of House File No. 208: A Bill for an Act to amend an Act entitled an Act for the suppression of Intemperance, approved January 22d, 1855.

Mr. Hardie moved to lay the Bill on the table, and upon this question the yeas and nays were demanded by Messrs. Hardie and McLennan, and were as follows:

The yeas were, Messrs. Bass, Denlinger, Eichorn, Fairall, Flint, Hardie, Knoll, Martin, McGlothlen, McLennan, Parker, Stanton, Thompson, Van Anda, Wetherall—15.

The nays were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Cleaves, Converse, Curtiss, Dorr, Dunlavy, Ferguson, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Holyoke, Hollingsworth, La-

kin, Maxwell, McQuinn, Mercer, Meyer, Mitchell of Fremont, Moir, Moser, Nelson, Pendleton, Porter, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Stewart, Walker, Wasson, Whittemore, Williams of Des Moines, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—50.

Absent or not voting, Messrs. Clark, Chase, Cutler, Eaton, Hood, Hudnutt, Jackson, Kellogg, Lane, Loomis, Lorah, Lowrie, McCall, Milburn, Mitchell of Polk, Price, Quinn, Rothrock, Schramm, Smeltzer, Speer, Stevenson, Walton, West, White, Wilcox, and Williams of Mahaska.

The motion did not prevail.

Mr. McLennan moved to amend Section 1 as follows: Strike out "intoxicating liquors" and insert "malt, spirituous or vinous liquors."

Mr. Russell of Dallas offered the following amendment, which was accepted by Mr. McLennan: Insert the following new Section as Section 2, and change Section 2 to 3, 3 to 4, and so on to the end of the Bill:

SECTION 2. The words "intoxicating liquors" as occurring in this Act, and the Act to which this is amendatory, shall be so construed as to mean not only distilled spirits but also malt and vinous liquors, except cider made from apples, wine from grapes, currants and other fruits raised in this State, and small or table beer.

Mr. Sarver moved to amend the amendment by striking out all after the word "mean" in said Section, and add the following: "Not only distilled spirits, but also native wine and cider."

Mr. Lakin moved that the House do now adjourn. The motion was lost.

Mr. Walker moved to postpone the further consideration of the Special Order till to-morrow at 7 o'clock, P. M. The motion did not prevail.

Mr. Porter moved its postponement to Friday next, 7 o'clock P. M. This motion prevailed.

On motion of Mr. Curtiss, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
THURSDAY, March 13th, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Remsburg.

Journal of yesterday read and approved.

Mr. Shipman moved that the regular order of business be suspended and Bills on a second reading be taken up. The motion prevailed.

Mr. Russell of Dallas, by leave, introduced House File No. 258: A Bill for an Act for the protection of Fruit. Read a first and second time, and on motion of Mr. Russell of Dallas, was referred to a Select Committee of three.

The Chair appointed as such Committee, Messrs. Russell of Dallas, Hardie and Burton.

Mr. Eaton, by leave, introduced House File No. 259: A Bill for An Act to provide for the management of the School Fund invested in the several counties. Read a first and second time and referred to Committee on Schools and State University.

Mr. McLennan, from Military Committee, by leave, submitted the following report:

Military Committee, to whom was referred "substitute for Senate File No. 55": A Bill for an Act authorizing the Governor to appoint an additional assistant Surgeon to each Regiment of Iowa Volunteers," &c., placed the same in my hands to draft a Bill incorporating certain amendments. I have had the same under consideration, and would have reported at an early day, had it not been that I awaited the return of the Medical Commission, under the supervision of the Governor, and to gather from their experience on the actual scene of conflict, ideas which would guide me in framing said Bill so as to best relieve the sufferings and wants of our brave volunteers.

Having been urged repeatedly and persistently to report, I now report back "Senate File No. 55," and recommend that it do not pass, not being allowed time to draft a bill in accordance with my views on the subject.

McLENNAN, Dubuque.

Mr. Bowdoin moved to recommit the Bill reported back by the Committee. The motion prevailed.

Mr. McQuinn, from Committee on Charitable Institutions, by leave, submitted the following report:

Your Committee on Charitable Institutions, to whom was referred so much of the Governor's Message as relates to the Hospital for the Insane, have had the same under consideration and have instructed me to submit the following Bill as part of their report.

McQUINN for Committee.

The Committee introduced House File No. 260: A Bill for An Act fixing the salaries of the Superintendent and Assistant Physician of the Hospital for the Insane. Read a first and second time and passed upon the files.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following report:

Mr. SPEAKER:—The Joint Committee on Enrolled Bills ask

leave to report that they have examined House File No. 127, find the same correct, and hereunto present it for your signature.

D. G. FRISBIE, Chairman.

Message from the Senate, by Wm. F. Davis, their Secretary:

MR. SPEAKER:—I am directed to inform your Honorable Body, that the Senate has passed the following Bills, in which the concurrence of the House is asked:

Senate File No. 153: A Bill for an Act in relation to the organization of Townships and the number of Supervisors in any County.

Senate File No. 206: A Bill for an Act to amend section 662, of the Revision of 1860.

WM. F. DAVIS, Secretary.

Mr. Mercer, from Committee on Claims, by leave, submitted the following report:

Your Committee on Claims, to whom was referred the claim of F. W. Palmer, for publishing Laws of the Extra Session of the 8th General Assembly in the State Register; also, claim of J. B. Bausman, for publishing the same in the Commonwealth, and also claim of G. M. Todd, for publishing the same in the Iowa State Journal, have had the same under consideration, and beg leave to report that they find said parties published the Laws of said Session in their respective papers, under direction of the Secretary of State, as directed by a Joint Resolution, found on page 92 of the House Journal of that Session; that each of said parties sent to each member of the General Assembly three copies of his paper; that it required four successive issues to contain all the Laws, or 12 of each of the above papers to each member, and there being 129 members, makes 1,548 papers furnished by each of the above parties to members of the Legislature, which at 5 cents each amounts to \$77,40, being the amount claimed by each of the above parties for the aforesaid publication.

We find that no appropriation was made for paying for the above publication; that the State Auditor admits that the claims are just, and would have been paid had not the appropriation for that purpose been overlooked.

Your Committee are satisfied that the following sums should be paid for the aforesaid services, viz:

To F. W. Palmer	\$77 40
To J. B. Bausman	77 40
To G. M. Todd	77 40

Your Committee have also investigated the claim of James H. Knox for sixty dollars claimed as balance due him for four weeks service as Sergeant-At-Arms, during the Seventh General Assembly, and find that said Knox was employed nearly five weeks on said service (but claims for only four) during the absence of Mr. Reno the regular Sergeant-At-Arms, that in making out the accounts of the officers of that session the Chief Clerk of the House

by mistake allowed him for only eight days instead of 28. That in consequence of this mistake he has received but \$24 instead of \$84 as was due. We also find that his claim was presented to the last session of the Legislature, but came so late in the session that it could not be acted on.

Your Committee is satisfied that said claim of James H. Knox for sixty dollars is just and should be paid.

Your Committee have also had under consideration the bill of C. & L. Harbach, claiming the sum of \$25 for one Revolving Easy Chair for the House of Representatives.

Your Committee are unanimously of opinion that fifteen dollars is sufficient compensation for said Chair, and that that amount should be paid for the same.

Your Committee offer the following Resolution :

Resolved, That the Committee on Ways and Means are hereby instructed in making out the Appropriation Bill to place in it the following items, viz :

For F. W. Palmer for publishing laws of the Extra Session,	\$77 40
" J. B. Bausman	" " " " " 77 40
" G. M. Todd	" " " " " 77 40
" James H. Knox, balance of salary for Sergeant-At-Arms,	60 00
" C. & L. Harbach, for Speaker's Chair.....	15 00

All of which is respectfully submitted.

THOMAS MERCER,

Chairman of Committee on Claims.

The Chair announced that the question was upon the adoption of the Resolution reported by the Committee. The Resolution was adopted.

BILLS ON A SECOND READING.

Senate File No. 46 : A Bill for an Act to enable the State or any County to acquire real estate under certain circumstances, and to hold, control and dispose of the same.

Mr. Woodworth moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, " Shall the Bill pass ? " the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Eichorn, Ferguson, Flint, Frisbie, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Jackson, Lake, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Speer, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, White, White-

more, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Woodworth, Wright, Young, and Mr. Speaker—73.

The nays were, Messrs. Denlinger, Hardie, Knoll, and Wilson of Pottawattamie—4.

Absent or not voting, Messrs. Chase, Dunlavy, Eaton, Fairall, Fuller of Fayette, Gibson, Hood, Kellogg, Lakin, Lane, Milburn, Pendleton, Schramm, Stevenson, Van Anda, Wetherall, and West,—17.

The Bill passed and the title was agreed to.

House File No. 233 : A Bill for an Act further defining the duties of Register of the State Land Office.

Mr. Mitchell of Polk moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time and upon the question "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Jackson, Knoll, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Smeltzer, Speer, Stanton, Stewart, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Woodworth, Wright, Young, and Mr. Speaker—75.

The nays were, None.

Absent or not voting, Messrs. Chase, Eaton, Fairall, Gibson, Hood, Lake, Lakin, Lane, McLennan, McGlothlen, Milburn, Schramm, Shipman, Stevenson, Thompson, West, and Wilson of Pottawattamie—16.

The Bill passed and the title was agreed to.

House File No. 148 : A Bill for an Act to amend chapter 36 of the Revision of 1860, relating to qualifications for office.

Mr. Price moved to refer the Bill to Committee on County and Township Organization.

Leave of absence was granted to Messrs. Lane, Van Anda, and McLennan till 2 o'clock P. M.

The Chair announced that the hour for the consideration of the special order had arrived, being substitute for House File No. 120: A Bill for an Act to allow Counties to fund their outstanding Warrants.

Mr. Frisbie moved to strike out the enacting clause of this Bill.

Mr. Frisbie moved the previous question which was seconded by

a majority of the whole House. And upon the question "Shall the main question be now put?" it prevailed.

The question recurring upon the motion of Mr. Frisbie that the enacting clause of the Bill be stricken out, the yeas and nays were demanded by Messrs. Curtiss and Frisbie, and were as follows :

The yeas were, Messrs. Baker, Bass, Bowdoin, Burton, Castor, Clark, Cleaves, Converse, Curtiss, Ferguson, Frisbie, Fuller of Fayette, Gibson, Glanville, Gordon, Hardie, Hudnutt, Hollingsworth, Knoll, Loomis, Lorah, Martin, Maxwell, Nelson, Parker, Porter, Quinn, Rothrock, Speer, Stewart, Wasson, Wetherall, White, Wilcox, Williams of Des Moines, Williams of Mahaska, and Wilson of Chickasaw—37.

The nays were, Messrs. Blackford, Bracewell, Calfee, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Flint, Fuller of Harrison, Gault, Guthrie, Holyoke, Jackson, Lake, Lowrie, McCall, McGlothlen, McQuinn, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Pendleton, Price, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Stanton, Stevenson, Thompson, Walker, Walton, Whittemore, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—45.

Absent or not voting, Messrs. Chase, Hood, Kellogg, Lakin, Lane, McLennan, Mercer, Milburn, Schramm, Van Anda and West—11.

The motion did not prevail.

Mr. Hudnutt moved the indefinite postponement of the Bill, and upon this question the yeas and nays were demanded by Messrs. Hudnutt and Curtiss, and were as follows :

The yeas were, Messrs. Baker, Bass, Bowdoin, Burton, Clark, Cleaves, Converse, Curtiss, Ferguson, Frisbie, Hudnutt, Loomis, Lorah, Maxwell, Parker, Porter, Speer, Stanton, Stewart, Wetherall, White, Williams of Mahaska, and Wilson of Chickasaw—25.

The nays were, Messrs. Blackford, Bracewell, Calfee, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Flint, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hardie, Holyoke, Hollingsworth, Jackson, Lake, Lakin, Lowrie, Martin, McCall, McGlothlen, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Pendleton, Price, Rowles, Russell of Dallas, Sarver, Shipman, Smeltzer, Stevenson, Thompson, Walker, Walton, Wasson, Whittemore, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—53.

Absent or not voting, Messrs. Castor, Chase, Cutler, Gibson, Hood, Kellogg, Knoll, Lane, McLennan, Milburn, Rothrock, Russell of Jones, Schramm, Van Anda, West, and Wilcox—15.

The motion did not prevail.

Mr. Martin moved to amend Section 1 by adding the following: "Provided that the provisions of this Act shall not apply to any indebtedness hereafter incurred. The amendment was adopted.

Mr. Mitchell of Polk moved to amend Section 1 by inserting between the 11th and 12th lines the following: "submitting to the voters of the county at the ensuing general election the question whether said county will fund the county indebtedness, and if a majority of all the votes cast shall be in favor of funding said indebtedness, then the said Board shall make an order." The amendment prevailed.

Mr. Martin moved that the Bill be recommitted to the Committee on County and Township Organization. The motion prevailed.

The House resumed the consideration of House File No. 148: A Bill for an Act to amend Chapter 36 of the Revision of 1860 relating to qualification for office.

The chair announced that the question pending when the special order was reached, was the motion of Mr. Price to recommit the Bill to the Committee on County and Township Organization.

Mr. Bowdoin moved that the further consideration of the Bill be postponed till the 4th day of July. The motion prevailed.

House File No. 215: A Bill for an Act to provide for the publication of the laws. The amendment reported by the Committee was concurred in.

Mr. Stanton offered the following amendment to Section 1, after "in" in 5th line insert "June, 1862, and at their regular meeting in," and after "year" in 6th line insert "thereafter." The amendment prevailed.

Mr. Sarver moved to amend Section 1 in 4th line, strike out "Shall" and insert "may if they see proper."

On motion of Mr. Curtiss the House adjourned.

TWO O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Wilson of Pottawattamie, by leave, offered the following concurrent resolution:

Resolved by the General Assembly, That the Governor be authorized to send a Commission of three persons who shall be physicians and not selected from members of the General Assembly, to look after the Iowa troops wounded at the battle of Sugar Creek in the State of Arkansas, and that the expenses thereof be paid out of the contingent fund. The Resolution passed unanimously.

Mr. Moir introduced the following resolution:

Resolved, That a Committee of two be appointed by the chair to invite the members of the Senate to be present at the Flag presentation this afternoon. The resolution was adopted.

The Chair appointed Messrs. Moir and Shipman such Committee, who reported having discharged their duties.

The House resumed the consideration of House File No. 215 : A Bill for an Act to provide for the publication of the laws.

The Chair announced the question to be upon the amendment of Mr. Sarver to strike out "shall" in 4th line of Section 1, and insert "may if they see proper," and upon this question the yeas and nays were demanded by Messrs. Sarver and Ferguson, and were as follows :

The yeas were, Messrs. Baker, Bracewell, Burton, Calfee, Castor, Denlinger, Dorr, Eichorn, Ferguson, Glanville, Guthrie, Hardie, Jackson, Lakin, Lorah, McCall, McLennan, Meyer, Moir, Moser, Price, Quinn, Sarver, Speer, Thompson, Walton, Wetherall, Wilson of Chickasaw, Woodworth, Wright and Mr. Speaker—30.

The nays were, Messrs. Bass, Blackford, Bowdoin, Clark, Converse, Curtiss, Cutler, Eaton, Fairall, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Hudnutt, Holyoke, Hollingsworth, Knoll, Lake, Loomis, Lowrie, Martin, Maxwell, McGlothlen, McQuinn, Mercer, Mitchell of Polk, Parker, Porter, Russell of Dallas, Russell of Jones, Shipman, Smeltzer, Stanton, Stevenson, Van Anda, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Young and Mr. Speaker—46.

Absent or not voting, Messrs. Chase, Cleaves, Dunlavy, Hood, Kellogg, Lane, Milburn, Mitchell of Fremont, Nelson, Pendleton, Rothrock, Rowles, Schramm, Stewart, Walker, West and Williams of Mahaska.

The amendment was not adopted.

Mr. Lowrie moved to amend Section 1 by adding, "Providing that there be two or more papers published in the county, the laws shall be published in that paper that has the largest circulation in such county." The amendment prevailed.

Mr. Gibson moved to amend by authorizing publishing in Holland papers. Lost.

Mr. Gordon moved to amend by publishing in French papers. Lost.

Mr. Bowdoin moved that the rule be suspended and the Bill be read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Bass, Blackford, Bowdoin, Burton, Converse, Curtiss, Cutler, Denlinger, Door, Eaton, Eichorn, Fairall, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Hudnutt, Holyoke, Hollingsworth, Knoll, Lake, Lane, Loomis, Lowrie, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Mitchell of Polk, Nelson, Parker, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Shipman, Smeltzer, Speer, Stanton, Stevenson, Thompson, Van Anda, Wasson, White, Whittemore,

Wilcox, Wilson of Pottawattamie, Young and Mr. Speaker—56.

The nays were, Messrs. Baker, Bracewell, Calfee, Castor, Clark, Cleaves, Glanville, Guthrie, Hardie, Jackson, Lakin, Lorah, McLennan Meyer, Mitchell of Fremont, Moir, Moser, Porter, Price, Quinn, Sarver, Stewart, Walker, Walton, Wetherall, Williams of Des Moines, Wilson of Chickasaw, Woodworth and Wright—29.

Absent or not voting, Messrs. Chase, Dunlavy, Eaton, Ferguson, Hood, Kellogg, Milburn, Pendleton, Schramm, West and Williams of Mahaska.

The Bill passed and the title was agreed to.

Mr. Eaton, by leave, offered the following Resolution:

Resolved, That a Committee of two be appointed to invite the State and United States Officers and the Soldiers of the Iowa Second and all other Iowa Regiments now in this City, to be present at the Flag presentation, at 4 o'clock this afternoon.

The Resolution passed unanimously.

The Chair appointed as such Committee, Messrs. Eaton and Ferguson. The Committee, after a brief absence, reported having discharged their duties.

Message from the Senate, by Wm. F. Davis, their Secretary:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following Resolution:

Resolved, by the General Assembly, That the Governor be authorized to send a commission of three persons, who shall be Physicians and not selected from members of the General Assembly, to look after the Iowa troops wounded at the battle of Sugar Creek, in the State of Arkansas, and that the expenses be paid out of the contingent fund.

WM. F. DAVIS, Secretary of Senate.

Mr. Smeltzer, from Committee on Engrossed Bills, submitted the following Report:

The Committee on Engrossed Bills, to whom was referred Substitute for Senate File No. 1: A Bill for An Act to alter the boundaries of the 3d, 4th and 5th Judicial Districts of Iowa, beg leave to report that they have examined the same and find it correctly engrossed.

CHAS. SMELTZER.

Mr. Lowrie moved to reconsider the vote by which House File No. 148: A Bill for An Act to amend Chapter 36 of the Revision of 1860, in relation to qualifications for office, was postponed till 4th day of July. The motion was lost.

Mr. Lane, from Select Committee on Flag presentation, submitted the following Report:

REPORT OF COMMITTEE OF ARRANGEMENTS.

The Committee of Arrangements on reception of the Flag of the Second Iowa Regiment, beg leave to report that they have made

the following arrangements: The State and United States officers and the Honorable Senate will be invited to seats on the floor of the House. At 4 o'clock the Governor and his Staff and the Commission who visited Fort Donelson with him, will enter the Hall, bearing the honored Flag, and at the Speaker's desk, the Governor will present the Flag to the Speaker of the House, who, after receiving the same, will place it over his Chair.

Your Committee, believing that every member of the House regards the Flag as sacred, beg leave to add, that it was delivered by Col. Tuttle to the Hon. R. D. Kellogg, a member of this House, with the injunction that it should be delivered to the House and placed over the Speaker's Chair, until the close of the session, and then should be placed in the archives of the State Historical Society; and your Committee recommend that the whole House rise when the Flag enters the Hall, and stand during the presentation ceremonies.

All of which is respectfully submitted.

JAMES T. LANE,	} Committee of Arrangements.
S. G. VAN ANDA,	
WILLIAM McLENNAN.	

Mr. Kellogg moved that the Report be accepted and the Committee discharged. The motion prevailed.

Mr. Van Anda moved that the House take a recess till ten minutes of 4 o'clock. The motion prevailed.

TEN MINUTES TO FOUR O'CLOCK.

The Chair called the House to order.

Mr. Shipman moved that a Committee of two be appointed to inform the Senate that the House is ready to receive them for the purpose of witnessing the presentation of the Flag of the "Iowa Second." The Chair appointed as such Committee, Messrs. Shipman and Hardie. The Committee, after a brief absence, returned and reported that they had discharged the duties assigned them.

Thereupon the Honorable Senate was announced by the Sergeant-at-Arms, and preceded by their presiding officer, entered the Hall and took the places assigned them.

The Sergeant-at-Arms announced his Excellency the Governor, and his Staff, who entered the Hall, bearing the Flag.

His Excellency proceeded to the Speaker's desk, and thereupon presented the Flag to the Speaker, with the following remarks:

Mr. SPEAKER:—The Second Iowa Regiment have sent by the commission that visited Fort Donelson to look after our wounded soldiers there, the Flag borne by them on that bloody but glorious

day, when our troops first entered that stronghold of Rebellion; with the request that it hang over your chair until the adjournment and then be deposited in the State Historical Society; and I have been selected to perform the very pleasant duty of presenting the Flag to you in accordance with their request.

I have been on the ground over which our brave men bore this Flag on that trying day. I have traced their steps over that battle field, and it will always be to me a marvel that human hearts and human hands could have borne it was borne, proudly and defiantly amid the terrible difficulties and the storm of battle it there breast-ed and overcame. But the men who bore it were the men of Iowa—they had strong hands and brave hearts—they knew that the hopes and fears, the prayers and tears of fair women and brave men went with them—they knew they fought for God and their country—and they conquered—and the Flag I now present, first among all borne by loyal hands waved in the triumph over the intrenchments of Ft. Donelson. This is not the Flag of a Regiment merely, nor does it bear the arms of our State, it is the Flag of our country—it bears upon its folds the Stars and Stripes—all the Stars and all the Stripes—the same old Flag bequeathed to us by our forefathers—very dear to us because both of those from whom it came and of what it has given us, and which we intend, God willing, to transmit to our children with never a star or stripe the less. It symbolizes to us not only the ardent patriotism, the patient endurance and the fiery valor of those who bore it first of all others over the intrenchments of Fort Donelson, but more and better it symbolizes to us the virtues of those who formed it; the blessings it has secured to us and the dearest hopes for liberty throughout the world.

I now commit it to your hands. But by this pageant we have not discharged our trust and duty. We owe it to the Flag and to the brave men who have borne it and died for it that we devote all we have, hearts, hands, minds and means to the good cause until it shall again wave over one country and one people.

The Speaker received the Flag, suspended it over his chair and responded as follows:

Hail to the Flag of our Country! Emblem of our Nation's glory—the honored escutcheon of a free people! Let our Flag wave evermore with all the Stars and all the Stripes! What tongue can now add to its renown? what mere words tell of the achievements written upon its ample folds? Who of men so high as to refuse our Flag his reverence? What nation so proud or powerful as to dare its insult?

Hail to the Flag of the IOWA SECOND, thrice honorable!—so gallantly upheld—so nobly defended! Who would blush to be its future custodians?

Sir, to say in behalf of the members of this House that we are flattered by this lofty mark of the confidence of Iowa Soldiers—

they, too, "the bravest of the brave,"—would but meanly convey to you and them, the depth of intense pride which this token brings us. We are proud that the State, which we represent, has such a Regiment as that which followed and defended this Flag. We are proud that the people who sent us here, have also sent to the field such sons and brothers as answer to the muster rolls of the Iowa Second. We are proud that they, too, are a portion of the constituency we serve. Permit us, Sir, through you to say to the gallant officers and soldiers of the Iowa Second, that we accept this earnest of their regard, as a thing priceless as our honor.

We have been taught from our infancy to regard this symbol of our nationality with the respect due from loyal and patriotic men. We have looked upon it in boyhood and in manhood as the token of our liberties. We have read upon it the consecrated history of a revolutionary struggle for freedom, blood-stained and full of woe to our suffering forefathers. We have learned how the tri-colored banner was first flung to a winter's breeze, under the shadow of Bunker Hill, and we followed it in history through many mighty struggles, and we never found it trailed in the dust of dishonor. It remained for the volunteer soldiery of our gallant State to add to the familiar list we read upon its folds those other names of "Wilson's Creek," "Blue Mills," "Belmont," and last but most significant—"Donelson."

The valorous deeds of the Iowa Second are already a part of our national history, and make up one of its most brilliant pages. It would be vain to rehearse them now. The unfaltering onset of those gallant men, is written in the sleepless memory of a million freemen. Nothing can be abated, none of their achievements forgotten.

This standard is no idle curiosity—no mere relic of the past. Its folds riddled by the murderous lead of rifles, of an enemy poisoned by the hate that only a fratricidal foe can feel, tell of scenes of carnage that have few parallels, and of dauntless unflinching bravery that challenges the history of the world. We only know that the unwavering advance of the Iowa Second at Donelson, was as resistless as the sweep of the tornado.

These glorious colors were borne forward amidst the leaden rain, no man faltering—no man fearing—but still pressing forward in the face of a stubborn and desperate foe, till the brave work was done and the splendid charge rewarded, with a prize significant of the highest vindication of our country and our cause.

Here the human heart bids us pause, to speak of those who have followed the flag of their country for the last time. Who would not die as they? A grateful country has given them a hallowed and undying memory; and a generous State mourns for them in public silence. They are enshrined in the great heart of a free people.

Sir, we will see that these colors are handed down to the freeman

who will come after us, as a precious part of our State's proud history. Let these colors be to them, as sacred as "the last bequest of a sainted mother!" Let the gallant volunteer in all coming time draw from the memory that clings to these colors, the spirit of the heroic men who followed them, to find a soldier's grave before the entrenchments of the enemies of their country's liberties. May the gray-haired old man pause uncovered at the niche where this flag may be pointed out, and let him there relate to the youth beside him the events which rendered these colors immortal. Let that youth be told of the generous love a loyal State bears to its gallant soldiery; and let him there be taught "to defend the flag and obey the Constitution of his Country."

On motion of Mr. Curtiss, the exercises were concluded by the singing of the "Star Spangled Banner."

On motion of Mr. Frisbie, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
FRIDAY, March 14, 1862. }

House met pursuant to adjournment.

Prayer by Elder Kimmons.

Journal of yesterday read and approved.

PETITIONS, MEMORIALS, &C.

Mr. Fairall presented the petition of sundry citizens of Johnson county, praying for the repeal of Chapter 41 of Acts of Fifth General Assembly. Referred to Committee on Agriculture.

Also the petition of sundry citizens of same county, asking for the repeal of appraisement laws. Referred to Committee on Judiciary.

Also, the petition of Chas. C. Townsend, asking certain property be exempt from taxation.

Messrs. Lorah and Gault presented sundry petitions from citizens of their respective counties for a reduction in the price of public printing. Referred to Committee on Printing.

Mr. Lane presented the petition of sundry citizens of Scott county against the repeal of the law on usury. Passed upon the files.

Mr. Mercer presented the Memorial of Board of Supervisors of Marshall county, to change the system of conducting county affairs

to township system similar to that of New York, &c. Referred to Committee on County and Township Organization.

Also a Memorial from said Board of Supervisors, for the enactment of a law requiring security for costs to be given in criminal cases. Referred to Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. Mitchell of Polk, from Committee on Public Lands, submitted the following report:

Your Committee on Public Lands, to whom was referred House File No. 64: A Bill for an Act authorizing the people of the several counties in this State to cancel their indebtedness to the Swamp Land Fund of their respective counties, have had the same under consideration, and herewith present a substitute, and recommend its passage.

JOHN MITCHELL, Chairman.

Mr. Mercer, from Committee on Claims, submitted the following report:

Your Committee (on Claims) to whom was referred a Resolution introduced by Mr. McLennan, entitled, Joint Resolution authorizing the Board of Auditing Commissioners to audit and allow certain claims of citizens of Dubuque county, have had the same under consideration, and beg leave to report that they are satisfied that the above claims are of the same character of many others which the Auditing Commissioners have refused to allow, for the reason that said claims were not created by authority of the Executive or other officer empowered by law to create such claims.

Your Committee are satisfied that said claims are just and should be paid, but considering the fact that there are numerous claims of the same class, and equally just, it would be contrary to the spirit of our Government, to allow some of them to the exclusion of the rest, and as this Legislature cannot act as an Auditing Board for all of those claims, your Committee are of opinion that some general provision ought to be made which will enable all persons now holding similar claims, to obtain an adjustment for the same, and believing that some general law would give the relief sought for by these parties, and at the same time furnish a means by which all similar claims can be adjusted, your Committee recommend the passage of the following Bill.

Respectfully submitted,

THOMAS MERCER,

Ch'n Com. on Claims.

The Committee introduced House File No. 261: A Bill for an Act to authorize the Auditing Commissioners to audit and allow claims against the War and Defense Fund in certain cases. Read a first and second time and passed upon the files.

Mr. Cutler, from Committee on New Counties, submitted the following reports :

The Committee on New Counties, to whom was referred a petition of the citizens of Audubon County, asking for a change of County Boundaries, would state that there is a Bill on file providing for the prayer of said petitioners.

L. H. CUTLER, Chairman.

The Committee on New Counties, to whom was referred a remonstrance of Wm. H. M. Pusey and eighty others, of Pottawattamie County, against the division of said Pottawattamie County, would state that in the opinion of your Committee, no such special Act will be passed by this General Assembly.

L. H. CUTLER, Chairman.

Mr. Young, from Committee on Judiciary, submitted the following report :

The Judiciary Committee, to whom was referred Senate File No. 158 : A Bill for an Act to establish a Court at McGregor, have had the same under consideration, and have instructed me to report the same back to the House with the following amendments, viz : Strike out all between the word "Court," in the 25th line of section 5, and the word "if" in the 28th line of said section ; also, strike out the 14th, 15th and 16th lines of section 9. And they recommend the passage of the Bill so amended.

The amendments were concurred in.

Mr. Holyoke, from Committee on Charitable Institutions, submitted the following report :

The Committee on Charitable Institutions, to whom was referred House File 247 : An Act to permanently locate the Asylum for the Deaf and Dumb, such location to be at Fayette, in Fayette County, have instructed me to report that in their opinion, the Bill should not pass.

THOS. HOLYOKE, Chairman.

Mr. Moir, from Committee on Judiciary, submitted the following report :

The Judiciary Committee, to whom was referred a petition of Lewis Rorder and others, from Jefferson County, asking the General Assembly to confer civil and criminal jurisdiction upon County Judges, beg leave to report that they have had the same under consideration, and have instructed me to report that there being a Bill now under consideration conferring such jurisdiction, they recommend that said petition do lie upon the table.

Mr. Williams, of Mahaska, from Committee on Judiciary, submitted the following report :

The Judiciary Committee, to whom was referred House File No. 249 : A Bill for an Act relative to the Public Square in the town of Indianapolis, in Mahaska County, have had the same under consideration, and have instructed me to report the same back to the

House without amendment, and without recommendation as to its passage.

WILLIAMS, of Mahaska.

Mr. Williams, of Mahaska, moved that the Bill reported back by the Committee, be taken up and the rule suspended, and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavey, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Polk, Moir, Moser, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright and Mr. Speaker—81.

The nays were, Messrs. Lowrie, Mitchell of Fremont, Nelson, Walton and Young—5.

Absent or not voting, Messrs. Calfee, Chase, Eaton, Hood, Milburn, Quinn and West—7.

The Bill passed and the title was agreed to.

Mr. Wright, from Committee on Roads and Highways, submitted the following report:

The Committee on Roads and Highways to whom was referred House File No. 245: An Act to establish Roads in certain cases, have had the same under consideration, and find ample provisions made for the same in section 913, in the Revision of 1860. They have therefore instructed me to report the same back with a recommendation that it do not pass.

WRIGHT.

The Committee on Roads and Highways to whom was referred House File No. 231: An Act to amend section 885 of the Revision of 1860, have had the same under consideration, and have instructed me to report the same back, and recommend that it do not pass.

WRIGHT.

INTRODUCTION OF BILLS.

Mr. Moser introduced House File No. 262: A Bill for an Act making deeds for the conveyance of Real Estate, uniform. Read a first and second time, and referred to Committee on Judiciary.

RESOLUTIONS.

Mr. Gibson introduced House File No. 263: A Joint Resolution instructing our Senators and requesting our Representatives in Congress to procure additional mail facilities.

Mr. Lake moved its reference to Committee on Federal Relations. The motion prevailed.

MESSAGES ON THE TABLE.

Senate File No. 153: A Bill for an Act in relation to the organization of Townships, and the number of Supervisors in any county. Read a first and second time, and referred to Committee on County and Township Organization.

Senate File No. 206: A Bill for an Act to amend Section 662 of the Revision of 1860. Read a first and second time, and referred to Committee on the Judiciary.

Mr. Glanville offered the following resolution:

Resolved, That this House do now adjourn, and stand adjourned until 9 o'clock, thereby enabling the Standing and Select Committees to report all Bills now in their hands to this General Assembly on Monday next.

Mr. Bowdoin moved to lay the resolution on the table. The motion prevailed.

BILLS ON SECOND READING.

House File No. 260: A Bill for an Act fixing the salaries of the Superintendent and Assistant Physician of the Hospital for the Insane.

Mr. McQuinn moved to suspend the rule, and read the bill a 3d time now.

Mr. Wetherall moved to amend by striking out \$1,200, and inserting \$1,000; and upon this question the yeas and nays were demanded by Messrs. Wetherall and Maxwell, and were as follows:

The yeas were, Messrs. Ferguson, Flint, Gibson, Lorah, Maxwell, McGlothlen, Thompson, Wetherall, Wilcox—9.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Frisbie, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Hol-yoke, Hollingsworth, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lowrie, Martin, McCall, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Van Anda, Walker,

Walton, Wasson, White, Whittemore, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, Mr. Speaker—78.

Absent or not voting, Clark, Chase, Eaton, Fuller of Fayette, Hood, Milburn and West.

The amendment did not prevail.

Mr. Shipman moved that the Bill be re-committed. The motion prevailed.

Message from the Senate by Wm. F. Davis, their Secretary:

Mr. SPEAKER:—I am directed to inform your Honorable Body, that the Senate has passed the following Bills:

Senate File No. 62: A Bill for an Act supplementary to an Act entitled an Act for the suppression of Intemperance, passed January 22d, 1855, and the Act entitled an Act supplementary and amendatory to an Act entitled an Act for the suppression of Intemperance, passed January 28th, 1857.

Substitute for Senate File No. 124: A bill for an Act relating to the acknowledgement of Deeds, Mortgages, &c.

Also, that House File, Substitute for Nos. 163 and 173: A Bill for an Act entitled an Act to amend Section 2475 of the Revision of 1860, and to legalize certain acts of County Judges, has been indefinitely postponed and is herewith returned.

WM. F. DAVIS, Secretary.

The Chair announced the special order for this hour, being House File No. 226: A Bill for an Act providing for Assistant Collectors, and for the better collection of taxes.

Mr. Gibson moved to strike out the enacting clause of the Bill; and upon this question the yeas and nays were demanded by Messrs. Gordon and Shipman, and were as follows:

The yeas were, Messrs. Blackford, Bracewell, Calfee, Clark, Dunlavy, Eichorn, Ferguson, Flint, Fuller of Harrison, Gibson, Glanville, Gordon, Hollingsworth, Kellogg, Lane, Lorah, Lowrie, McCall, McGlothlen, Meyer, Mitchell of Fremont, Moir, Moser, Nelson, Pendleton, Quinn, Russell of Dallas, Sarver, Schramm, Smeltzer, Speer, Stewart, Thompson, Walton, Wasson, Wetheral, Williams of Mahaska, Wilson of Pottawattamie, Wright, Young—40.

The nays were, Messrs. Bowdoin, Burton, Castor, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Frisbie, Fuller of Fayette, Gault, Guthrie, Hardie, Hudnutt, Holyoke, Jackson, Knoll, Lake, Lakin, Loomis, Martin, Maxwell, McLennan, McQuinn, Mercer, Mitchell of Polk, Parker, Porter, Price, Rothrock, Rowles, Russell of Jones, Shipman, Stanton, Stevenson, Van Anda, Walker, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Woodworth, Mr. Speaker—47.

Absent or not voting, Messrs. Eaton, Fairall, Frisbie, Hood, Milburn and West.

The motion did not prevail.

Mr. Shipman moved that the House resolve itself into a Committee of the Whole on the Bill under consideration. The motion was lost.

Mr. Kellogg moved the indefinite postponement of the Bill, and upon this question the yeas and nays were demanded by Messrs. Wetherall and Smeltzer, and were as follows:

The yeas were, Bracewell, Calfee, Clark, Dunlavy, Eichorn Fairall, Ferguson, Flint, Fuller of Harrison, Gibson, Glanville, Gordon, Kellogg, Lorah, Lowrie, McCall, Meyer, Mitchell of Fremont, Moser, Quinn, Russell of Dallas, Sarver, Schramm, Smeltzer, Speer, Stewart, Thompson, Walton, Wasson, Wetherall, Wright, Young—32.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Castor, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Frisbie, Fuller of Fayette, Gault, Guthrie, Hardie, Hudnutt, Hoke, Hollingsworth, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Martin, Maxwell, McLennan, Mercer, Mitchell of Polk, Moir, Nelson, Parker, Porter, Price, Rothrock, Rowles, Russell of Jones, Shipman, Stanton, Stevenson, Van Anda, Walker, White Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Woodworth, Mr. Speaker—52.

Absent or not voting, Messrs. Chase, Eaton, Hood, McGlothlen, Milburn, Pendleton, West and Wilson of Pottawattamie.

The motion did not prevail.

Mr. Frisbie moved to amend Section 1 by striking out all after the clause to the word "Provided" in 3d line and insert, "That at the general election, annually hereafter, there shall be elected an Assistant Collector in each of the organized Townships in this State."

Mr. Curtiss moved to amend the amendment by inserting after the word "hereafter" in said amendment, "in each organized County in this State having a population of — thousand inhabitants."

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Mr. Kellogg moved to fill the blank with "fifteen." Lost.

Mr. Fuller of Harrison with "thirty." Lost.

Mr. Sarver with "ten." Lost.

Mr. Sarver with "eight." Lost.

Mr. Converse with "three." The motion prevailed.

Mr. Lane moved to amend Section 1, by striking out all after "resides," in third line.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following report:

The Joint Committee on Enrolled Bills ask leave to report that they have delivered to the Governor, for his approval, House Files Nos. 12, 169, 170, 190, 203, and 226.

D. G. FRISBIE, Chairman House Committee.

On motion of Mr. Rowles, the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

The Chair announced that the special order for this hour, being House File No. 136: A Bill for an Act to authorize the Governor to appoint agents in regard to Swamp Land belonging to the State of Iowa, and defining their duties.

Mr. Cleaves moved that the special order be rescinded. The motion prevailed.

The House resumed the consideration of the Bill, pending on the adjournment.

Mr. Denlinger offered the following as a substitute for Section 1:

"SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That at the general election in 1862, and each year thereafter, there shall be elected in each of the civil townships in this State, in Counties having a population of not less than three thousand, one township collector, who shall hold his office for the term of one year, and until his successor is elected and qualified." The substitute was adopted.

Mr. Frisbie moved to amend Section 2, first line: strike out "assistant," and insert "Township." The amendment prevailed.

Mr. Shipman moved to amend Section 2, by striking out the words "or on behalf of the Council, as the case may be." The amendment was adopted.

Mr. Russell, of Dallas, moved to strike out "County," in third line of Section 2, and insert "Township." The amendment was lost.

Mr. Clark, of Tama, moved to strike out all of Section 2 after "bonds." Lost.

Mr. Denlinger offered the following substitute for Section 3:

SEC. 3. Said Collector shall give bond in such sum as shall be fixed by the Board of Supervisors, not less than the amount of the tax list going into the hands of said Collector, with at least two good and sufficient securities to be approved by the Board of Supervisors, and said Collector shall take the usual oath of office.

The substitute did not prevail.

Mr. Castor moved to amend Section 2 as follows: insert after the words "real estate," in 11th line, "except the homestead." The amendment was lost.

Mr. Smeltzer moved to amend Section 3 as follows: after the word "year," in the second line, insert "containing the list of all taxes upon personal property and resident lands." The amendment was lost.

Mr. Glanville moved to amend Section 5: strike out "last day of January," in first line, and insert "15th of February." Lost.

Mr. Quinn moved to amend Section 5, by striking out "as Collectors' fees," in third line. Lost.

Mr. Cutler moved to amend same Section, first line, by striking out "January," and insert "February." The amendment did not prevail.

Mr. Cutler moved to amend Section 5, after the word "taxed" in second line insert "if such person can be found in the Township of the collector." The amendment was lost.

Mr. McCall moved to amend Section 7, by inserting between the words "transcript" and "shall," in the first line "on personal property," and add to said Section "but no personal property shall be sold for taxes on real estate."

And upon this question, the yeas and nays were demanded by Messrs. McCall and Frisbie, and were as follows:

The yeas were, Messrs. Blackford, Bracewell, Calfee, Converse, Curtiss, Cutler, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Fuller of Harrison, Gault, Gibson, Glanville, Hollingsworth, Kellogg, Lorah, Lowrie, McCall, McGlothlen, McLennan, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Quinn, Rowles, Russell of Dallas, Sarver, Smeltzer, Speer, Stewart, Thompson, Walton, Wasson, Wetherall, Wilson of Pottawattamie, and Young—39.

The nays were, Messrs. Baker, Bass, Bowdoin, Burton, Cleaves, Denlinger, Dorr, Eaton, Frisbie, Fuller of Fayette, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Knoll, Lake, Lakin, Lane, Martin, Maxwell, McQuinn, Mercer, Meyer, Nelson, Parker, Porter, Price, Rothrock, Russell of Jones, Schramm, Shipman, Stanton, Stevenson, Van Anda, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Woodworth, Wright, and Mr. Speaker—43.

Absent or not voting, Messrs. Clark, Chase, Hood, Jackson Loomis, Milburn, Pendleton, Walker, West, and Williams of Mahaska.

The amendment was not adopted.

Mr. Lane moved to amend Section 7, by inserting after "person" in first line, "being a resident of the Township," and after "fees" in second line, "and in all other cases without demand." The amendment was adopted.

Mr. Shipman moved to strike out Section 6, and insert the following in lieu thereof:

SEC. 6. Nothing in this Bill shall be construed to prevent the Co. Treasurer from receiving at any time the taxes due from non-residents, but all other taxes shall not be received by the County Treasurer during the time the tax list is in the hands of the Township Collectors. The amendment did not prevail.

Mr. Smeltzer moved to strike out the words: "the like fees allowed the Township Collector, if any," in the second line of Section 6. Lost.

Mr. Dunlavy moved to amend Section 9, after the word "shall," in fourth line, insert "have power to call out the militia to put down such combination." Lost.

Mr. Denlinger moved to amend Section 9, 2d line strike out "in the same or any other township" and all after "sold" in 3d line. Lost.

Mr. Gordon moved that the Bill be postponed till the 4th day of July, and upon this question the yeas and nays were demanded by Messrs. Gordon and Martin, and were as follows :

The yeas were, Messrs. Bracewell, Calfee, Clark, Converse, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Fuller of Harrison, Gibson, Glanville, Gordon, Hollingsworth, Kellogg, Lorah, Lowrie, McCall, McGlothlen, McLennan, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Porter, Quinn, Rowles, Russell of Dallas, Sarver, Schramm, Smeltzer, Speer, Stanton, Stewart, Thompson, Walton, Wasson, Wetherall, Wilson of Pottawattamie, Wright and Young—42.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Castor, Cleaves, Curtiss, Cutler, Denlinger, Dorr, Frisbie, Fuller of Fayette, Guthrie, Hardie, Hudnutt, Holyoke, Knoll, Lake, Lakin, Lane, Martin, Maxwell, McQuinn, Mercer, Nelson, Parker, Price, Rothrock, Russell of Jones, Shipman, Stevenson, Van Anda, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Woodworth and Mr. Speaker—40.

Absent or not voting, Messrs. Chase, Gault, Hood, Jackson, Loomis, Milburn, Pendleton, Walker, West and Williams of Mahaska.

The motion prevailed.

Mr. Hardie offered the following amendment to the rules of the House :

When an amendment to a bill, resolution, report, or other subject is under consideration, and a motion to lay such amendment on the table is carried in the affirmative, such decision shall not affect the question directly acted upon, and shall in no manner otherwise affect the principal motion or bill then pending," which was laid over under the rule.

Senate File No. 158: A Bill for an Act for a Court in the City of McGregor.

Mr. Bass moved to suspend the rule and read the Bill a third time now. Carried.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Jackson, Kellogg, Knoll, Lakin, Lane, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Van Anda, Walker,

Walton, Wasson, Wetherall, White, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—80.

The nays were, Messrs. Lake, Meyer, and Thompson—3.

Absent or not voting, Messrs. Chase, Cleaves, Eaton, Gibson, Hood, Jackson, Loomis, Milburn, Pendleton, Russell of Jones, West and Williams of Mahaska.

The Bill passed and the title was agreed to.

Substitute for House File No. 64: A Bill for an Act authorizing the people of Mills county to cancel the indebtedness of said county to the swamp land fund.

Mr. Wright moved that the rule be suspended, and the bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Clark, Cleaves, Converse, Cutler, Denlinger, Dorr, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hardie, Huddnutt, Holyoke, Hollingsworth, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—84.

The nays were, Mr. Williams of Des Moines—1.

Absent or not voting, Messrs. Castor, Chase, Curtiss, Dunlavy, Eaton, Gibson, Hood, Jackson, Loomis, Milburn, Pendleton, Russell of Jones and West.

The Bill passed and the title was agreed to.

Mr. Kellogg moved to take from the table, House File No. 18: A Bill for an Act to amend an Act entitled an Act providing for auditing all accounts and disbursements arising under the call for volunteers from Iowa, and also for all men organized as the State Militia of Iowa.

Mr. Rothrock moved to amend Section 1, 4th and 5th lines strike out "or" and "an amendment" and insert "of" and "amendatory." The amendment prevailed.

Mr. Lowrie moved to amend same Section after the word "oaths" in 8th line "in matters pending before them to witnesses and claimants." The amendment was adopted.

Mr. McCall moved to suspend the rule, and read the bill a 3d time now. The motion prevailed.

The Bill was read a third time and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Eichorn, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Guthrie, Holyoke, Hollingsworth, Kellogg, Lane, Lowrie, Martin, Maxwell, McCall, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Porter, Rothrock, Rowles, Sarver, Schramm, Shipman, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Young, and Mr. Speaker—61.

The nays were, Messrs. Baker, Denlinger, Ferguson, Flint, Gordon, Hardie, Hudnutt, Knoll, Lake, Lakin, Lorah, McGlothlen, Meyer, Parker, Price, Russell of Dallas, Russell of Jones, and Smeltzer—18.

Absent or not voting, Messrs. Chase, Dunlavy, Eaton, Hood, Jackson, Loomis, Milburn, Nelson, Pendleton, Quinn, West, Williams of Mahaska and Wright.

The Bill passed and the title was agreed to.

Mr. Martin moved that when the House adjourn, it be till 7 o'clock P. M. Carried.

On motion of Mr. Martin, the House adjourned.

SEVEN O'CLOCK, P. M.

House met pursuant to adjournment.

The Chair announced the special order being the various Bills upon the Prohibitory Liquor Laws, &c.

The Chair announced that the question pending on the postponement of the special order was the amendment of Mr. Sarver to the amendment of Mr. Russell of Dallas to House File No. 208: A Bill for an Act to amend an Act for the suppression of Intemperance, approved January 22, 1855.

Mr. Bracewell moved that the House resolve itself into Committee of the Whole, on the Special Order, and upon this question the yeas and nays were demanded by Messrs. Hardie and McLennan. and were as follows:

The yeas were, Messrs. Blackford, Bracewell, Dunlavy, Gibson, Glanville, Hollingsworth, Russell of Jones, Schramm, Van Anda, Williams of Des Moines and Mr. Speaker—12.

The nays were, Messrs. Baker, Bass, Burton, Calfee, Castor, Cleaves, Converse, Curtiss, Denlinger, Dorr, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Gault, Guthrie, Hardie, Hudnutt, Holyoke, Knoll, Martin, Maxwell, McGlothlen, McLennan, Mc-

Quinn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Porter, Price, Rowles, Russell of Dallas, Shipman, Smeltzer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, Whittemore, Wilson of Pottawattamie, Wright and Young—49.

Absent or not voting—Messrs. Bowdoin, Clark, Chase, Cutler, Eaton, Eichorn, Fuller of Fayette, Gordon, Hood, Jackson, Kellogg, Lake, Lane, Loomis, Lorah, Lowrie, McCall, Mercer, Meyer, Milburn, Mitchell of Polk, Moser, Parker, Pendleton, Quinn, Rothrock, Sarver, Speer, West, White, Wilcox, Williams of Mahaska, Wilson of Chickasaw and Woodworth.

The motion did not prevail.

Mr. Curtiss moved to recommit the Bill under consideration to the Select Committee on the Prohibitory Liquor Law; and upon this question the yeas and nays were demanded by Messrs. McLennan and Knoll, and were as follows:

The yeas were, Messrs. Cleaves, Curtiss, Parker, Russell of Jones, Schramm and Van Anda—6.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Converse, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Guthrie, Hardie, Hudnutt, Hollingsworth, Kellogg, Knoll, Lakin, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Moir, Parker, Porter, Price, Rothrock, Rowles, Russell of Dallas, Sarver, Shipman, Smeltzer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Wilson of Pottawattamie, Wright, Young and Mr. Speaker—64.

Absent or not voting—Messrs. Clark, Chase, Cutler, Eaton, Gordon, Hood, Jackson, Lake, Lane, Loomis, Lorah, Lowrie, McCall, Milburn, Mitchell of Polk, Pendleton, Quinn, Speer, West, White, Williams of Mahaska and Woodworth—22.

The motion did not prevail.

Mr. Frisbie moved to postpone the further consideration of the special order till Monday evening at 7 o'clock. The motion did not prevail.

Mr. Gordon moved that the Bill be made the Special order for to-morrow evening. The motion did not prevail.

Mr. Van Anda moved the previous question, which was seconded by a majority of the House, and the question, "shall the main question be now put?" was decided in the affirmative.

The question being upon the adoption of the amendment of Mr. Sarver, Messrs. Sarver and McLennan demanded the yeas and nays, which were as follows:

The yeas were, Messrs. Calfee, Dunlavy and Thompson—4.

The nays were Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler,

Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Kellogg, Knoll, Lake, Lakin, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Schramm, Shipman, Stanton, Stevenson, Stewart, Van Anda, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Wilson of Pottawattamie, Wright, Young and Mr. Speaker—75.

Absent or not voting, Messrs. Clark, Chase, Fuller of Harrison, Hood, Jackson, Lane, Loomis, Lorah, Lowrie, McCall, Milburn, Mitchell of Polk, Quinn, Smeltzer, Speer, West, Williams of Des Moines and Woodworth—18.

The amendment did not prevail.

The question recurring upon the amendment of Mr. Russell of Dallas, Messrs. Denlinger and McLennan demanded the yeas and nays, which were as follows:

The yeas were, Messrs. Bowdoin, Bracewell, Calfee, Cleaves, Curtiss, Dorr, Dunlavy, Eichorn, Ferguson, Flint, Gault, Gibson, Glanville, Gordon, Guthrie, Holyoke, Kellogg, Maxwell, McGlothlen, Mercer, Mitchell of Fremont, Nelson, Price, Russell of Dallas, Russell of Jones, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Whittemore and Wright—35.

The nays were, Messrs. Baker, Bass, Blackford, Burton, Castor, Converse, Denlinger, Eaton, Fairall, Frisbie, Fuller of Fayette, Hardie, Hudnutt, Hollingsworth, Knoll, Lake, Lakin, Martin, McLennan, McQuinn, Meyer, Moir, Moser, Parker, Pendleton, Pierce, Porter, Rothrock, Rowles, Sarver, Schramm, Shipman, Wetherall, White, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Wilson of Pottawattamie, Young, Mr. Speaker—40.

Absent or not voting—Messrs. Clark, Chase, Cutler, Fuller of Harrison, Hood, Jackson, Lane, Loomis, Lorah, Lowrie, McCall, Milburn, Mitchell of Polk, Quinn, Smeltzer, Speer, West, Williams of Mahaska, and Woodworth.

The amendment was lost.

Mr. Fuller of Fayette moved that the Bill be engrossed for a third reading to-morrow, and moved the previous question, which was seconded by a majority of the House, and the question "Shall the main question now be put?" was decided in the affirmative.

Upon the question, "Shall the Bill be engrossed for a third reading to-morrow?" the yeas and nays were demanded by Messrs. Knoll and McLennan, and were as follows:

The yeas were, Messrs. Baker, Blackford, Burton, Castor, Cleaves, Converse, Curtiss, Cutler, Frisbie, Fuller of Fayette, Gordon, Hollingsworth, Lake, McQuinn, Moir, Moser, Nelson, Porter, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Steven-

son, Van Anda, Walker, White, Wilson of Chickasaw, Wilson of Pottawattamie, and Young—30.

The nays were, Messrs. Bass, Bowdoin, Bracewell, Calfee, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Gault, Gibson, Glanville, Guthrie, Hardie, Hudnutt, Holyoke, Kellogg, Knoll, Lakin, Martin, Maxwell, McGlothlen, McLennan, Mercer, Meyer, Mitchell of Fremont, Parker, Price, Schramm, Stanton, Stewart, Thompson, Walton, Wasson, Wetherall, Whittemore, Wilcox, Williams of Des Moines, Wright and Mr. Speaker—43.

Absent or not voting, Messrs. Clark, Chase, Cutler, Fuller of Harrison, Hood, Jackson, Lane, Loomis, Lorah, Lowrie, McCall, Milburn, Mitchell of Polk, Pendleton, Quinn, Smeltzer, Speer, West, Williams of Mahaska, Woodworth.

The motion did not prevail.

On motion of Mr. Curtiss, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
SATURDAY, March 15, 1862. }

House met pursuant to adjournment.

Prayer by Elder Kimmons.

Journal of yesterday read and approved.

The following Message was received from the Senate, by Wm. F. Davis, their Secretary:

Mr. SPEAKER:—I am directed to inform your Honorable Body, that the Senate has passed the following Bills:

Senate File No. 110: A Bill for an Act for the erection of an Arsenal building to keep and secure the arms and munitions of War, belonging to the State of Iowa.

Senate File No. 176: A Bill for an Act relating to Draining.

Senate File No. 212: A Bill for an Act to punish Trespass on the Swamp and Overflowed Lands belonging to the several counties of this State.

Also, House File No. 22: An Act to legalize the sales of certain School lands, with the following amendment: At the end of Section 2, add, "Provided said selections of land shall be approved by the Board of Supervisors of said County at its first regular meeting thereafter." In all of which, the concurrence of the House is asked.

W. F. DAVIS, Secretary.

Mr. Wilcox, by leave, introduced the following resolution which was laid over under the rule.

Resolved, That from and after to-day, night sessions shall be held four evenings in each week, to-wit: on Monday, Tuesday, Wednesday and Friday, at 7 o'clock, P. M.

Mr. Price moved to reconsider the vote by which the House refused to order House File No. 208: A Bill for an Act for the suppression of Intemperance, approved January 22d, 1855, to be engrossed for a third reading.

Mr. Lane moved to lay the motion on the table. Carried.

Mr. McLennan moved to take up the Bill now.

Mr. Hardie moved to lay the motion on the table. Carried.

Mr. Lake, from Select Committee on House File No. 120, by leave, submitted the following report:

The Select Committee, to whom was referred Substitute for House File No. 120, for the purpose of incorporating into the same certain amendments, have performed that duty and return the Bill and recommend its passage.

JED LAKE, Chairman.

Mr. Converse, from Committee on Agriculture, by leave, submitted the following Report:

The Committee on Agriculture, to whom was referred Senate File No. 127: A Bill for an Act to amend the Acts to protect Game, have had the same under consideration, and have directed me to report the Bill back and recommend its passage.

A. CONVERSE, Chairman.

Messages on the table, by the unanimous consent of the House, were taken up.

Substitute for Senate File No. 124: A Bill for an Act relating to the acknowledgment of Deeds, Mortgages, &c. Read a first and second time and referred to Committee on Judiciary.

Senate File No. 176: A Bill for an Act relating to Draining. Read a first and second time and referred to Committee on Public Lands.

Substitute for Senate File No. 110: A Bill for an Act for the erection of an Arsenal building to keep and secure the arms and munitions of War, belonging to the State of Iowa. Read a first and second time and referred to Committee on Public Buildings.

Senate File No. 62: A Bill for an Act supplementary to an Act for the suppression of Intemperance, passed January 22d, 1855; and the Act entitled an Act supplementary and amendatory to an Act entitled an Act for the suppression of Intemperance, passed January 28th, 1857. Read a first and second time.

Mr. Fuller of Fayette, moved to refer the Bill to the Select Committee on the Prohibitory Liquor Law. This motion was lost.

Mr. Knoll moved to reconsider the vote by which the motion of Mr. Fuller of Fayette, to refer the Bill to the Select Committee on the Prohibitory Liquor Law, was lost.

Mr. Sarver moved to lay the motion on the table. Carried.

Mr. Cutler moved to amend the Bill by striking out all in reference to the exemption of the Homestead. The amendment did not prevail.

Mr. Fairall moved to insert the following new section as Section 4, and change Section 4 to 5 :

"SEC. 4. The principal obligor in the bond required in this Act, and that to which this is amendatory, shall, at the time of the giving of the same, endorse on such bond, an oath or affirmation that he will comply with all the provisions of this Act, and that to which this is amendatory, and that he will not sell drugged or impure liquors." The amendment did not prevail.

Mr. Converse moved to suspend the rule, and read the Bill a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Holyoke, Lake, Lakin, Lane, Loomis, Lowrie, Martin, Maxwell, McCall, McQuinn, Mercer, Meyer, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Stanton, Stevenson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Woodworth, Wright, Young, Mr. Speaker—64.

The nays were, Messrs. Bass, Denlinger, Dunlavy, Fairall, Ferguson, Flint, Gibson, Hardie, Hudnutt, Hollingsworth, Kellogg, Knoll, Lorah, McGlothlen, McLennan, Mitchell of Fremont, Schramm, Smeltzer, Speer, Stewart, Thompson, Wilson of Pottawattamie—23.

Absent or not voting, Messrs. Chase, Guthrie, Hood, Jackson, Milburn, West.

The Bill passed and the title was agreed to.

Senate File No. 212 : A Bill for an Act to punish trespass on the Swamp and Overflowed Lands belonging to the several counties of this State. Read a first and second time and referred to the Committee on Judiciary.

House File No. 22 : A Bill for an Act to legalize the sale of certain School Lands in Tama County. The Senate amendment was concurred in.

Mr. Clark of Tama moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler

Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Hardie, Hudnutt, Holyoke, Hollingsworth, Kellogg, Knoll, Lane, Loomis, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Russell of Dallas, Russell of Jones, Schramm, Shipman, Speer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—77.

The nays were, Messrs. Bracewell, Ferguson, and Lorah—3.

Absent or not voting, Messrs. Chase, Gibson, Guthrie, Hood, Jackson, Lake, Lakin, Milburn, Rowles, Sarver, Smeltzer, Van Anda, and West—13.

The Bill passed and the title was agreed to.

Mr. Converse moved that the regular order be suspended, and Bills on second reading taken up. Carried.

Mr. Young moved that House File No 212: A Bill for an Act repealing part of section 1583, chapter 64 of the Revision of 1860, be taken up. And upon this question the yeas and nays were demanded by Messrs. Rothrock and Hardie, and were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Calfee, Castor, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eaton, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Hardie, Hudnutt, Holyoke, Hollingsworth, Kellogg, Lakin, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moser, Nelson, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Schramm, Speer, Stanton, Stevenson, Stewart, Thompson, Walker, Wetherall, Whittemore, Wilson of Chickasaw, Woodworth, Wright, and Young—60.

The nays were, Messrs. Bass, Burton, Eichorn, Ferguson, Flint, Gibson, Knoll, Lane, Moir, Parker, Pendleton, Porter, Sarver, Shipman, Smeltzer, Van Anda, Walton, Wasson, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, and Mr. Speaker—23.

Absent or not voting, Messrs. Clark, Chase, Cutler, Guthrie, Hood, Jackson, Lake, Milburn, and West—9.

The motion prevailed.

Mr. McQuinn moved that the rule be suspended and the Bill read a third time now.

Mr. Moir moved to make the Bill the special order for Monday evening at 7 o'clock.

Mr. Van Anda moved to lay Mr. Moir's motion on the table. Carried.

Mr. Pendleton moved the indefinite postponement of the Bill.

Mr. Moir moved that the enacting clause be stricken out, and on this motion moved the previous question, which was seconded by a majority of the House, and upon the question "Shall the main question be now put?" was decided in the affirmative.

The question being upon the motion of Mr. Moir to strike out the enacting clause of the Bill, Messrs. Rothrock and Denlinger demanded the yeas and nays which were as follows:

The yeas were, Messrs. Blackford, Bowdoin, Burton, Cutler, Fairall, Hardie, Knoll, Lakin, Lane, Martin, McCall, McLennan, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Sarver, Schramm, Shipman, Smeltzer, Speer, Van Anda, Wetherall, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, and Mr. Speaker—33.

The nays were, Messrs. Baker, Bass, Bracewell, Calfee, Castor, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Holyoke, Hollingsworth, Kellogg, Lake, Loomis, Lorah, Lowrie, Maxwell, McGlothlen, McQuinn, Mercer, Meyer, Mitchell of Fremont, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Whittemore, Woodworth, Wright and Young—51.

Absent or not voting, Messrs. Clark, Chase, Guthrie, Hood, Hudnutt, Jackson, Milburn, and West.

The motion did not prevail.

Mr. Frisbie moved the previous question which was seconded by a majority of the whole House, and the question "Shall the main question be now put?" was decided in the affirmative.

The question, "Shall the rule be suspended and the bill read a third time now?" was decided in the affirmative.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bracewell, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Holyoke, Hollingsworth, Kellogg, Lake, Loomis, Lowrie, Maxwell, McGlothlen, McQuinn, Meyer, Mitchell of Fremont, Nelson, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Whittemore, Wilson of Chickasaw, Woodworth, Wright, and Young—52.

The nays were, Messrs. Bass, Blackford, Bowdoin, Burton, Denlinger, Eichorn, Fairall, Hardie, Hudnutt, Knoll, Lakin, Lane, Lorah, Martin, McCall, McLennan, Mercer, Mitchell of Polk, Moir, Moser, Parker, Pendleton, Porter, Sarver, Schramm, Shipman, Smeltzer, Speer, Wetherall, White, Wilcox, Williams of Des Moines,

Williams of Mahaska, Wilson of Pottawattamie and Mr. Speaker—35.

Absent or not voting, Messrs. Chase, Guthrie, Hood, Jackson, Milburn, and West,

The Bill passed and the title was agreed to.

On motion of Mr. Curtiss, Senate File No. 130: A Bill for an Act to provide for a full settlement of all claims, rights and liabilities between the State of Iowa and James A. Brown and George C. Allender was taken from unfinished business, and passed to Bills on second reading.

Mr. Hardie moved to take up his amendment to the Rules of the House. The motion prevailed.

The House then took up the amendment which is as follows:

When an *amendment* to a Bill, Resolution, Report or other subject, is under consideration, and a motion to lay such amendment on the table is carried in the affirmative, such decision shall only affect the question *directly* acted upon, and shall in no manner, otherwise affect the principal motion or Bill then pending. The amendment to the rules did not prevail.

House File No. 251: A Bill for an Act to amend Section 1471 and 1472 of the Revision of 1860, reducing the number of Trustees of the Hospital for the Insane.

Mr. Curtiss moved that the rule be suspended and the Bill be read a third time now. The motion prevailed.

Mr. Walker moved to reconsider the vote by which the bill was ordered to a third reading. The motion did not prevail.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Bass, Blackford, Burton, Calfee, Castor, Clark, Cleaves, Curtiss, Cutler, Dorr, Dunlavy, Frisbie, Gault, Gordon, Hudnutt, Holyoke, Kellogg, Lake, Lakin, Lane, Loomis, McCall, McQuinn, Mercer, Meyer, Nelson, Porter, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Speer, Van Anda, Wasson, Wetherall, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Woodworth, Young and Mr. Speaker—44.

The nays were, Messrs. Baker, Bowdoin, Bracewell, Converse, Denlinger, Eichorn, Fairall, Ferguson, Flint, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Hardie, Hollingsworth, Knoll, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, Mitchell of Fremont, Moir, Moser, Parker, Pendleton, Price, Quinn, Schramm, Shipman, Smeltzer, Stevenson, Stewart, Thompson, Walker, Walton, Whittemore, Wilson of Pottawattamie, and Wright—40.

Absent or not voting, Messrs. Chase, Eaton, Guthrie, Hood, Jackson, Milburn, Mitchell of Polk, Stanton, West.

The Bill was rejected.

House File No. 124: A Bill for an Act authorizing Counties to

become the purchasers of lands for delinquent taxes in cases where there is no other purchaser.

Mr. Denlinger moved to refer to a select Committee of five, of which Mr. Shipman shall be Chairman. The motion prevailed.

The Chair appointed Messrs. Shipman, Denlinger, Pendleton, Moir and McQuinn, such Committee.

House File No. 260 : A Bill for an Act fixing the salaries of the Superintendent and Assistant Physician of the Hospital for the insane.

Mr. Woodworth moved to strike out "twelve hundred," and insert "twelve hundred and fifty." Lost.

Mr. McQuinn moved to suspend the rule and read the Bill a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Hudnutt, Holyoke, Hollingsworth, Kellogg, Knoll, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stevenson, Stewart, Van Anda, Walker, Walton, Wasson, Wetherall, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Wright, Young, and Mr. Speaker—81.

The nays were, Messrs. Thompson and Woodworth—2.

Absent or not voting, Messrs. Chase, Cutler, Eaton, Guthrie, Hardie, Hood, Jackson, Lake, Milburn, Stanton, West, and Whittemore.

The Bill passed and the title was agreed to.

House File No. 167 : A Bill for an Act to set off the funds arising from the sale of the sixteenth section to the townships in which they are situated for the support of Common Schools, and for the support of Common Schools, and for the management of said fund, and the distribution of the interest arising therefrom.

Mr. Moser moved that the Bill be recommitted. Lost.

The Chair announced the question to be upon concurring in the report of the Committee recommending the indefinite postponement of the Bill. The Report was concurred in.

House File No. 200 : A Bill for an Act for the relief of all persons heretofore divorced, to whom the disability to marry again has been attached, either by the law under which the divorce was had, or by decree of the Court granting the same.

Mr. Fuller, of Fayette, moved that the rule be suspended, and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Cutler, Dorr, Eaton, Eichorn, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Hudnutt, Holyoke, Hollingsworth, Kellogg, Lake, Lakin, Loomis, Lowrie, Martin, Maxwell, McQuinn, Mercer, Meyer, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Shipman, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Williams of Des Moines, Williams of Mahaska, Wright, Young and Mr. Speaker—62.

The nays were, Messrs. Blackford, Curtiss, Denlinger, Dunlavy, Ferguson, Flint, Gibson, Hardie, Knoll, Lane, Lorah, McCall, McGlothlen, McLennan, Mitchell of Fremont, Porter, Russell of Jones, Sarver, Schramm, Smeltzer, Wilcox, Wilson of Chickasaw, Wilson of Pottawattamie and Woodworth,—24.

Absent or not voting—Messrs. Chase, Guthrie, Hood, Jackson, Milburn and West—6.

The Bill passed and the title was agreed to.

Mr. Bowdoin moved that when this House adjourn it be till Monday morning. The motion prevailed.

Mr. Williams of Mahaska, by leave, introduced House File No. 264: A Bill for an Act providing for a settlement with the sureties on third official bond of James D. Eads. Read a first and second time and referred to Committee on Judiciary.

House File No. 95: A Bill for an Act to exempt young orchards from taxation.

The chair announced the question to be upon concurring in the Report of the Committee recommending the indefinite postponement of the Bill. The report was concurred in.

Mr. Bass moved that the Chief Clerk request the Senate to return to the House, Senate File No. 158: A Bill for an Act for a Court in the City of McGregor. The motion prevailed.

House File No. 239: a Bill for an Act to substitute an affidavit for an oath now administered at elections in cases of challenges.

Mr. Bowdoin moved that the rule be suspended and the bill read a third time now.

Mr. Martin moved the indefinite postponement of the bill and upon this question the yeas and nays were demanded by Messrs. Martin and Kellogg, and were as follows:

The yeas were, Messrs. Bass, Blackford, Bracewell, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Gibson, Glanville, Gordon, Hardie, Kellogg, Knoll, Lane, Lorah, Martin, Maxwell, McGlothlen, McLennan, Mitchell of Fremont, Nelson,

Pendleton, Porter, Quinn, Sarver, Schramm, Smeltzer, Stewart, Thompson, Walton, Wetherall, Wilson of Chickasaw, Wilson of Pottawattamie—37.

The nays were, Messrs. Baker, Bowdoin, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Holyoke, Hollingsworth, Lake, Lakin, Loomis, Lowrie, McCall, McQuinn, Mercer, Meyer, Mitchell of Polk, Moir, Moser, Parker, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Shipman, Stevenson, Van Anda, Walker, Wasson, White, Whittemore, Wilcox, Williams of Mahaska, Woodworth, Wright, Young and Mr. Speaker—45.

Absent or not voting, Messrs. Chase, Guthrie, Hood, Hudnutt, Milburn, Stanton, West and Williams of Des Moines.

The motion did not prevail.

The question then recurring upon the motion to suspend the rule and read the Bill a third time now, it prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Calfee, Castor, Clark, Converse, Curtiss, Cutler, Eaton, Frisbie, Fuller of Harrison, Holyoke, Hollingsworth, Lake, Lakin, Loomis, Lowrie, McQuinn, Mercer, Meyer, Mitchell of Polk, Moir, Moser, Parker, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Shipman, Stevenson, Van Anda, Walker, Wasson, White, Whittemore, Wilcox, Williams of Mahaska, Woodworth, Wright, Young and Mr. Speaker—40.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Cleaves, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Fuller of Fayette, Gault, Gibson, Glanville, Gordon, Hardie, Kellogg, Knoll, Lane, Lorah, Martin, Maxwell McCall, McGlothlen, McLennan, Mitchell of Fremont, Nelson, Pendleton, Porter, Quinn, Sarver, Schramm, Smeltzer, Speer, Stewart, Thompson, Walton, Wetherall, Wilson of Chickasaw, Wilson of Pottawattamie—44.

Absent or not voting, Messrs. Chase, Guthrie, Hood, Hudnutt, Jackson, Milburn, Stanton, West and Williams of Des Moines.

The Bill did not pass.

On motion of Mr. Mitchell of Fremont the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
MONDAY, March 17, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Walker.

Journal of Saturday read and approved.

Message from the Senate, by Wm. F. Davis, their Secretary:

MR. SPEAKER:—I am directed to inform your Honorable Body, That the Senate has passed Substitute for Senate File No. 10: A Bill for an Act to confer civil and criminal jurisdiction on County Courts:

Also, House File No. 96: A Bill for an Act to amend Section 5066 of the Revision of 1860, without amendment.

WM. F. DAVIS, Secretary.

On motion of Mr. Lake, Mr. Van Anda was excused for this week.

PETITIONS, &c.

Mr. Price presented the petitions of sundry citizens of Muscatine county, praying for an amendment to the School Laws. Referred to Committee on Schools and State University.

Mr. Clark of Tama, presented the remonstrance of sundry citizens of Tama county against the repeal of Sections 6 and 7 of the Land Grant Act of 1860. Referred to Committee on Railroads.

Mr. Russell of Jones, presented the petition of S. T. Pierce and 83 others, citizens of Jones county, in favor of resumption of the lands granted to the Cedar Rapids and Missouri River Rail Road Company, and praying that the interests and rights of the people east of Cedar Rapids be respected and guaranteed by the General Assembly, and the provisions of the Act of Congress faithfully observed. Referred to Committee on Railroads.

Mr. Bracewell presented the petition of sundry citizens of Wayne County, in favor of a reduction in the price of public printing. Referred to Committee on Printing.

Mr. Hardie presented a memorial of Farmers' Club of Dubuque County, in favor of abolishing the Seed Department of the Agricultural College Department, and that all appropriations should be withheld for the present from State or County Agricultural Societies. Referred to Committee on Agriculture.

Mr. Fairall presented the petition of J. S. Smith and 30 others, citizens of Mahaska County, praying for a tax on cats. Referred to Committee on Agriculture.

Mr. Martin presented the petition of D. C. Forbes and 75 others, citizens of Iowa and Benton Counties, to confer civil and criminal jurisdiction on County Judges. Referred to Committee on Judiciary.

Mr. Lane presented the petition of citizens of Scott County, praying for the repeal of an Act known as the "Appraisement Act."

REPORTS OF COMMITTEES.

Mr. Bowdoin, from Committee on Ways and Means, submitted the following report:

The Committee on Ways and Means, to whom were referred the Reports of the Committees on Mileage of the two Houses, have instructed me to report the accompanying Bill, and recommend its passage.

E. G. BOWDOIN, Chairman.

The Committee introduced House File No. 265: A Bill for an Act making appropriation for the payment of the mileage of the Members of the General Assembly. Read a first and second time.

Mr. Bowdoin moved to suspend the rule and read the Bill a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Hardie, Hudnutt, Hollingsworth, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—77.

The nays were, Messrs. Curtiss, Ferguson and Gordon—3.

Absent or not voting, Messrs. Cutler, Guthrie, Holyoke, Hood, Jackson, Kellogg, Lowrie, Milburn, Pendleton, Rothrock, Van Anda, West and White—13.

The Bill passed and the title was agreed to.

Mr. Shipman, from Committee on Township and County Organization, submitted the following reports:

The Committee on County and Township Organization, to whom was referred House File No. 213: A Bill for an Act to authorize Boards of Supervisors to build and keep in repair certain bridges in their respective counties, have had the same under consideration, and have instructed me to report the same back to the House, and recommend that it do not pass.

SHIPMAN, Chairman.

The Committee on Township and County Organization, to whom was referred Senate File No. 153: A Bill for an Act in relation to the organization of Townships, and the number of Townships in any County, have had the same under consideration and have instructed me to report the same back to the House, and recommend its passage.

SHIPMAN, Chairman.

Mr. Converse, from Committee on Agriculture, submitted the following report:

The Committee on Agriculture, to whom was referred Senate File No. —: A Bill for an Act to encourage hedging, have had the same under consideration, and have directed me to report the same back and recommend its passage.

A. CONVERSE, Chairman.

Mr. Hardie, from Select Committee, on House File No. 258, submitted the following report:

The Special Committee, to whom was referred House File No. 258: Entitled a Bill for an Act for the protection of fruit, have had the same under consideration and have instructed me to report as follows: That further legislation on this subject is needed, because in the opinion of your Committee the present law gives but little, if any, protection, as will be made to appear by examining the Statute in such case made and provided, which may be found Chapter 170, Section 4325 of the Revised Code.

FIRST—It will be seen that the Code places this matter within the jurisdiction of the Justice of the Peace. The penalty is not more than \$100 or thirty days' imprisonment in the County Jail. The history of such cases shows that in order to save expense to the County the Justice almost invariably assesses a fine. The penalty of imprisonment being scarcely ever heard of, and if an effort is made to collect the fine the culprit is sure to have nothing out of which the fine can be made. The offender is aware of this; hence, he has no fears of the law. Again, he may be, as the law is now, convicted any number of times for the same offense. The same farce of a trial may be gone through and result as before; but by the passage of an Act making the offence larceny, instead of trespass, you will reach the subject. The offender now has the means of knowing that if twice convicted his escape is not so easy; hence, will not look upon the act as one that may be performed with impunity, and the result will be the reaching the object sought—your fruit will be protected. For these reasons and others, which might be added, your Committee report back the Bill committed to them, and recommend its passage.

RUSSELL of Dallas, Chairman.

RESOLUTIONS LAID OVER UNDER THE RULE.

Resolved, That from and after to-day, night sessions shall be held four evenings in each week, to-wit: on Monday, Tuesday, Wednesday and Friday, at 7 o'clock, P. M.

Mr. Sarver moved to strike out "four" and insert "three," and to strike out "Tuesday."

The motion prevailed.

Mr. Castor moved to insert "Thursday." Lost.

Mr. Wilcox moved to strike out "from and after," and insert in lieu thereof "commencing." Lost.

• The amendment as amended was adopted.

INTRODUCTION OF BILLS.

Mr. Young introduced House File No. 266: A Bill for an Act to amend an Act entitled an Act to require County Judges to give bond, which was read a first and second time and passed on file.

Also, House File No. 267: A Bill for an Act to repeal Section 2498 of the Revision of 1860, relating to the estates of decedents, which was read a first and second time, and passed on file.

Also, House File No. 268: A Bill for an Act to repeal a part of Section 261 of the Revision of 1860, relating to the sessions of the County Courts, which was read a first and second time and passed on file.

Also, House File No. 269: A Bill for an Act to amend Section 4515 of the Revision of 1860, relating to the time of commencing criminal actions in certain cases, which was read a first and second time and passed on file.

Mr. Lake introduced House File No. 270: A Bill for an Act limiting the amount of taxation in Counties containing less than five hundred inhabitants, which was read a first and second time and referred to the select Committee, of which Mr. Cutler is Chairman.

Also, House File No. 271: A Bill for an Act to prevent Counties having less than five hundred inhabitants, from disposing of their public lands, which was referred to the select Committee, of which Mr. Cutler is Chairman.

Mr. Lane introduced House File No. 272: A Bill for an Act to prevent the issue of false receipts and to punish fraudulent transfers of property by warehousemen, wharfingers and others, which was read a first and second time and referred to the Judiciary Committee.

Mr. Lake introduced House File No. 273: A Bill for an Act legalizing certain acts of Ray B. Griffith and Z. D. Scooby, Treasurers and Recorders of Delaware County, Iowa, which was read a first and second time.

Mr. Lake moved that the rule be suspended and the Bill be read a third time now. The motion prevailed.

And on the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Converse, Curtiss, Denlinger, Dorr, Eaton, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gordon, Hardie, Hudnutt, Holyoke, Hollingsworth, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Martin, Maxwell, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk,

Moser, Parker, Pendleton, Porter, Price, Rowles, Russell of Dallas, Russell of Jones, Sarvor, Schramm, Shipman, Speer, Stanton, Walker, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—62.

The nays were, Messrs. Chase, Cleaves, Dunlavy, Eichorn, Ferguson, Flint, Gibson, Glanville, Lowrie, McGlothlen, McLennan, Moir, Nelson, Quinn, Smeltzer, Stevenson, Stewart, Thompson, Walton and Wetherall—20.

Absent or not voting, Messrs. Cleaves, Cutler, Guthrie, Hood, Jackson, Kellogg, McCall, Milburn, Rothrock, Van Anda, West, and Williams of Mahaska.

The Bill passed and the title was agreed to.

Mr. Fairall introduced House File No. 274: A Bill for an Act to protect the people of the State of Iowa in their rights to land, which was read a first and second time and referred to the Committee on Judiciary.

Mr. Flint introduced House File No. 275: A Bill for an Act regulating the fees and contingent expenses of certain officers therein named, which was read a first and second time and referred to the Committee on Claims.

MESSAGES ON THE TABLE.

A communication from P. C. Burke in relation to Common Schools, was taken up and read and referred to Committee on Schools and State University.

Substitute for Senate File No. 10: A Bill for an Act to confer civil and criminal jurisdiction on County Courts. Read a first and second time and referred to Committee on Judiciary.

BILLS ON A SECOND READING.

House File No. 238: A Bill for an Act making appropriation for Guard's salaries, Library locks, cistern, ash house, vault for Clerk's office, Contingent Fund, shop and past indebtedness of the Penitentiary.

Mr. Holyoke moved that the rule be suspended and the Bill read a third time now.

Mr. Fairall moved to strike out "five thousand" in Section 8, and insert "one thousand;" and upon this question the yeas and nays were demanded by Messrs. Fairall and Gordon, and were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bracewell, Burton, Calfee, Castor, Clark, Converse, Denlinger, Dorr, Fairall, Ferguson, Flint, Fuller of Fayette, Gault, Gibson, Glanville, Gordon, Hardie, Hudnutt, Kellogg, Knoll, Lake, Lane, Loomis, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, Mercer, Mitch-

ell of Fremont, Moir, Nelson, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Smeltzer, Speer, Stewart, Walker, Walton, Wasson, Wetherall, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wright, and Young—58.

The nays were, Messrs. Bowdoin, Chase, Cleaves, Curtiss, Dunlavy, Eichorn, Frisbie, Fuller of Harrison, Lakin, Lowrie, McQuinn, Meyer, Mitchell of Polk, Moser, Parker, Stevenson, Thompson, Whittemore, Wilson of Pottawattamie, Woodworth, and Mr. Speaker—21.

Absent or not voting, Messrs. Cutler, Eaton, Guthrie, Hood, Jackson, Milburn, Pendleton, Rothrock, Shipman, Stanton, Van Anda, and West—12.

The amendment was adopted.

Mr. Curtiss moved to strike out Section 9. The motion did not prevail.

Mr. Lowrie moved to amend by adding the following additional Section :

SECTION 10. *Be it further enacted*, That the sum of \$11,682 be appropriated for the construction of a wall on the west side of the Penitentiary.

The amendment did not prevail.

The question recurring upon the motion of Mr. Holyoke to suspend the rule and read the Bill a third time now, it prevailed.

The bill was read a third time and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Curtiss, Dorr, Dunlavy, Eichorn, Fairall, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Holyoke, Hollingsworth, Kellogg, Lakin, Lowrie, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Price, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stevenson, Thompson, Walker, Walton, Wasson, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—63.

The nays were, Messrs. Converse, Denlinger, Ferguson, Gordon, Hardie, Hudnutt, Jackson, Knoll, Lake, Lane, Loomis, Lorah, McLennan, Porter, Quinn, Smeltzer, Stewart, and Wetherall—18.

Absent or not voting, Messrs. Cutler, Eaton, Guthrie, Hood, Jackson, Millburn, Moser, Pendleton, Rothrock, Stanton, Van Anda, West, and White—13.

The Bill passed and the title was agreed to.

Substitute for Senate File No. 143 : A Bill for an Act regulating the purchase of supplies for the use of Charitable Institutions belonging to the State.

Mr. Holyoke moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Hardie, Hudnutt, Holyoke, Hollingsworth, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilsen of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—82.

The nays were, None.

Absent or not voting, Messrs. Cutler, Eaton, Guthrie, Hood, Jackson, Milburn, Pendleton, Rothrock, Stanton, Van Anda, and West—11.

The Bill passed and the title was agreed to.

Senate File No. 130: A Bill for an Act to provide for a full settlement of all claims, rights and liabilities between the State of Iowa and James A. Brown and George C. Allender.

The Chair announced the question to be on the motion of Mr. Curtiss to strike out the enacting Clause of the Bill.

On motion of Mr. Fuller of Fayette, the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Lowrie moved a call of the House; pending which Mr. Curtiss moved that further proceedings under the call be suspended. The motion did not prevail.

The Clerk proceeded to call the roll.

Messrs. Van Anda, Jackson, Schramm, Meyer and Pendleton were excused. Absent and not excused, Messrs. Eaton, Kellogg, Knoll, Lane, Maxwell, Mercer, White and Williams of Des Moines.

Mr. Martin moved to reconsider the vote by which the House refused to suspend further proceedings under the call. The motion did not prevail.

The Sergeant-at-Arms was ordered to bring in the absentees.

Messrs. White, Maxwell and Williams of Des Moines, came into the House and took their seats.

Mr. Gibson moved that further proceedings under the call be suspended. The motion was lost.

The Sergeant-at-Arms returned with the other absentees.

On motion of Mr. Shipman, the absentees were excused.

The House resumed the consideration of Senate File No. 180: A Bill for an Act to provide for a full settlement of all claims, rights, and liabilities between the State of Iowa and James A. Brown and George C. Allender.

The Chair announced that the question pending upon the adjournment of the House, was the motion of Mr. Curtiss to strike out the enacting clause of the Bill. And upon this question the yeas and nays were demanded by Messrs. Rothrock and Smeltzer, and were as follows:

The yeas were, Messrs. Baker, Blackford, Chase, Dorr, Gordon, Loomis, Lorah, Maxwell, Mitchell of Fremont, Moir, Parker, Price, Rothrock, Sarver, Wilson of Chickasaw—15.

The nays were, Messrs. Bass, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Hardie, Hudnutt, Holyoke, Hollingsworth, Kellogg, Knoll, Lane, Lowrie, Martin, McCall, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Polk, Moser, Nelson, Porter, Quinn, Rowles, Russell of Dallas, Russell of Jones, Shipman, Smeltzer, Speer, Stanton Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young, Mr. Speaker—67.

Absent or not voting, Messrs. Guthrie, Hood, Jackson, Lake, Lakin, Meyer, Milburn, Pendleton, Schramm, Van Anda and West.

The motion did not prevail.

Mr. Price moved to amend Section 4 by striking out 1st and 2d lines and 3d line to the word "but." Lost.

Mr. Russell of Jones, moved to amend Section 8, after the word "cents" in 2d line, by inserting the following:

Provided, That a sum not exceeding Ten Thousand Dollars of said amount shall be paid by the State of Iowa, on or before the First day of April, One Thousand Eight Hundred and Sixty-Three, and the further sum of Ten Thousand Dollars in one year thereafter, and the balance of the whole amount on the First day of April, One Thousand Eight Hundred and Sixty-Five.

Mr. Walker offered the following amendment to the amendment:

"To be paid as herein described: one-half to be paid by the 1st of May, 1862; one-fourth by the 1st day of January, 1863; and the

remaining one-fourth by the 1st day of January, 1864; and all to bear interest at the usual rate.

The amendment to the amendment prevailed.

Mr. Kellogg moved to reconsider the vote by which the amendment to the amendment was adopted. The motion prevailed.

Mr. Walker, by leave of the House, withdrew his amendment to the amendment.

Mr. Lane offered the following amendment to the amendment:

After the word "Allender", the second time it occurs, in the 4th line, insert the following:

"One-half to be payable in six months, and the balance in equal parts in one and two years thereafter; with interest at the rate of six per cent."

The amendment to the amendment prevailed.

The amendment as amended was adopted.

Mr. Lane moved to add the following new Section as Section 9, changing Section 9 to 10, 10 to 11, 11 to 12.

"Sec. 9. The said Brown and Allender, before they or either of them shall be entitled to any Warrants for any money appropriated by this Act, shall procure and file in the office of the Secretary of State, a release to the State of Iowa, by Geo. Green, Willis N. Bragg, James Green and Green, Bragg & Co., of all liabilities, demands or claims which the said parties or either of them may hereafter have against the State of Iowa, under any contract or lease or sub-lease with the State of Iowa, or Brown and Allender, or other parties, for the use of said Water Power and the said Dam hereinbefore referred to, at Bentonsport or Vernon, on said Des Moines River; said release to be approved by the Attorney General of the State."

The new Section was adopted.

Mr. Martin moved to amend Section 12, 1st line after "Act" insert "being deemed of immediate importance," and strike out "immediately." The amendment prevailed.

Mr. Gibson moved to suspend the rule and read the Bill a third time now.

Mr. Rothrock moved to insert the following new Section as Section 12, and change Section 12 to 13.

"Sec. 12. And there is hereby appropriated out of any moneys in the Treasury of the State, not otherwise appropriated, the sum of Forty Thousand Dollars; and the Auditor of State is hereby required to draw Warrants therefor."

The question recurring upon the motion of Mr. Gibson, to suspend the rule and read the Bill a third time now, it prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Bowdoin, Bracewell, Burton, Calfee, Castor, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fay-

ette, Fuller of Harrison, Gault, Gibson, Glanville, Guthrie, Hardie, Holyoke, Kellogg, Knoll, Lane, Lowrie, Martin McCall, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moser, Nelson, Porter Quinn, Rowles, Russell of Dallas, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Watherall, White, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright and Young—68.

The nays were, Messrs. Baker, Bass, Blackford, Clark, Chase, Dorr, Gordon, Hudnutt, Hollingsworth, Lake, Lakin, Loomis, Lora, Maxwell, Moir, Parker, Price, Rothrock, Russell of Jones, Whittemore, Williams of Mahaska, Wilson of Chickasaw and Mr. Speaker—23.

Absent or not voting, Messrs. Jackson, Meyer, Milburn, Pendleton, Van Anda and West—6.

The Bill passed.

Mr. Lake moved to amend the title as follows: "A Bill for an Act to pay Allender and Brown for building a dam at Bentonsport, Iowa, and giving them the dam and all land adjoining." The amendment did not prevail.

The title to the Bill was agreed to.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following reports:

Mr. SPEAKER: The Joint Committee on Enrolled Bills, ask leave to report that they have examined Senate File 78, and House Files 8, 22, 78, 96, 97, 156, 178, and 186, have corrected the same, and now present them for your signature.

D. G. FRISBIE, Chairman.

The Joint Committee on Enrolled Bills, ask leave to report that they have delivered to the Governor for his approval, Senate File 78, and House Files 8, 22, 78, 96, 97, 127, 156, 178 and 186.

D. G. FRISBIE,

Chairman of House Committee.

Mr. Shipman moved to reconsider the vote by which House File No. 251: A Bill for an Act to amend sections 1471 and 1472, of the Revision of 1860, reducing the number of Trustees of the Hospital for the Insane, was rejected. Lost.

Mr. Cutler, by leave, presented the petition of I. W. Purcell and others, asking for the allowance of the sum of ninety dollars, as payment for a horse stolen by the Indians, while he, said Purcell, was in the service of the State of Iowa. Referred to Committee on Claims.

Mr. Bowdoin moved that the vote by which House File No. 239: A Bill for an Act to substitute an affidavit for the oath now administered at elections in case of challenge, was lost on yesterday.

Mr. Martin moved that the motion to reconsider be laid upon the table.

Upon this motion, Messrs. McLennan and Knoll demanded the yeas and nays, which were as follows :

The yeas were, Messrs. Baker, Bass, Bracewell, Castor, Denlinger, Dorr, Dunlavy, Eichorn, Ferguson, Flint, Gault, Gibson, Glanville, Gordon, Hardie, Hudnutt, Kellogg, Knoll, Lane, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, Mercer, Mitchell of Fremont, Nelson, Quinn, Sarver, Schramm, Speer, Stewart, Thompson, Walton, Wetherall, Williams of Mahaska, Wilson of Chickasaw and Wilson of Pottawattamie—39.

The nays were, Messrs. Blackford, Bowdoin, Burton, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Guthrie, Hudnutt, Holyoke, Hollingsworth, Lake, Lakin, Loomis, Lowrie, McQuinn, Mitchell of Polk, Moir, Moser, Parker, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Shipman, Smeltzer, Stevenson, Walker, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Woodworth, Wright, Young and Mr. Speaker—45.

Absent or not voting, Messrs. Calfee, Fairall, Hood, Jackson, Meyer, Milburn, Pendleton, Porter, Stanton, Van Anda and West—11.

The motion did not prevail.

Mr. Smeltzer moved that the last vote be reconsidered.

On Motion of Mr. Shipman, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
TUESDAY, March 18, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Dr. Peet.

Journal of yesterday read and approved.

Message from the Senate, by Wm. F. Davis, their Secretary :

MR. SPEAKER :—I am directed to inform your Honorable Body, that the Senate has passed the following :

Senate File No. 112: A Bill for an Act to authorize Stockholders in a Branch of the State Bank of Iowa, to file informations.

House File No. 207: A Bill for an Act defining the duties of the Physician to the Penitentiary, and fixing his salary, with the following amendments :

Add to the title the words "and providing a Steward."

Add to Section 4, "unless objection be made by the relations of such patient."

Substitute the following for Section 10 :

"The salary of the Physician and Surgeon shall be Three Hundred and Sixty-Five Dollars per annum, provided, that after the number of prisoners, exceeds one hundred and fifty, he shall receive an additional sum of Fifty Dollars for every additional fifty prisoners in the Institution."

Strike out of last period the words "the same wages as other day guards or keepers," and insert in lieu thereof the words "Twenty Dollars per month."

House File No. 47: A Bill for an Act for the re-location of County Seats," with the following amendment:

Add to Section 2 the words, "provided that such vote for the said re-location shall not take place in any county oftener than once in every three years"; in all of which the concurrence of the House is asked.

I also herewith return House File No. 48: A Bill for an Act to incorporate civil townships, the same having been rejected by the Senate.

Also Senate File No. 217: A Bill for an Act regulating the printing, binding and distributing Reports of State officers and others; in which the concurrence of the House is asked.

WM. F. DAVIS, Secretary of Senate.

The Chair announced the question before the House, to be the motion of Mr. Smeltzer to re-consider the vote by which the motion of Mr. Martin to lay on the table the motion of Mr. Bowdoin to re-consider the vote by which House File No. 239: A Bill for an Act to substitute an affidavit for the oath, now administered at election in case of challenge, was rejected.

The motion of Mr. Smeltzer was lost.

Mr. Sarver moved the previous question, which was seconded by a majority of the House, and the question "Shall the main question be now put?" was decided in the affirmative.

The question recurring upon the motion of Mr. Bowdoin, to re-consider the vote by which the Bill was rejected; the yeas and nays were demanded by Messrs. McLennan and Knoll, and were as follows:

The yeas were, Messrs. Baker, Bowdoin, Burton, Clark, Chase, Converse, Curtiss, Cutler, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Holyoke, Lake, Lakin, Loomis, Lowrie, McQuinn, Mitchell of Polk, Moir, Nelson, Parker, Price, Rothrock, Russell of Dallas, Shipman, Stanton, Stevenson, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Woodworth, Wright, and Mr. Speaker—36.

The nays were, Messrs. Blackford, Bracewell, Calfee, Castor, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Gibson, Gordon, Guthrie, Hardie, Hudnutt, Hollingsworth, Hood, Kellogg, Knoll, Lane, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, Mercer, Mitchell of Fremont, Moser, Pierce, Porter, Quinn, Rowles, Russell of Jones, Sarver, Schramm, Smeltzer,

Speer, Stewart, Thompson, Walker, Walton, Wetherall, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Young—49.

Absent or not voting, Messrs. Bass, Cleaves, Glanville, Hood, Jackson, Meyer, Milburn, Pendleton, Van Ande, and West.

The motion did not prevail.

PETITIONS, &c.

Mr. Mitchell of Polk, presented the petition of John Bryan, claiming an allowance of \$1399,28 for materials furnished and work and labor performed, and money expended in fitting up, finishing and furnishing, ready for occupancy, the Capitol building now occupied by the State. Referred to Committee on claims.

Mr. Flint presented a petition of Matilda Bigley and other citizens of Wapello County, praying for the passage of a law exempting Medical Practitioners from all Military duties. Referred to Committee on Military affairs.

Mr. Clark of Tama, presented the petition of Wm. Thompson and other citizens of Tama County, asking the repeal of Sections six and seven of the Land Grant of 1860. Referred to Committee on Rail Roads.

Mr. Hood presented the petition of A. Crawford and 147 other citizens of Madison County, for reduction of price of State Printing. Referred to Committee on printing.

Also, a petition from sundry citizens of same County, asking that civil and criminal jurisdiction be conferred upon County Judges. Referred to Committee on Judiciary.

Mr. Rothrock presented the petition of sundry citizens of Cedar County, to abolish County Supervisor system and establish a Board of County Commissioners. Passed upon the files.

Mr. Martin presented the petition of sundry citizens of Iowa County, to reduce the price of State Printing. Referred to Committee on Printing.

Mr. Lane presented the petition and claim of J. C. Washburn. Referred to Committee on Claims.

Mr. Denlinger presented the petition of sundry citizens of Dubuque, for the reduction of the price of State Printing. Referred to Committee on Printing.

Mr. Chase presented the remonstrances of sundry citizens of Alameda and Clayton Counties, against the formation of a new County out of part of said Counties. Referred to the members representing said Counties.

REPORTS OF COMMITTEES.

Mr. Frisbie from Joint Committee on Enrolled Bills, submitted the following Reports:

MR. SPEAKER:—The Joint Committee on Enrolled Bills ask leave to report that they have examined Senate File No. 158: An Act to establish a Court at McGregor, find the same correctly enrolled, and present the same for your signature.

D. G. FRISBIE, Chairman House Committee.

The Joint Committee on Enrolled Bills, ask leave to report that they have handed the Governor, for his approval, Senate File No. 158: An Act establishing a Court at McGregor.

D. G. FRISBIE, Chairman House Committee.

The Committee on Charitable Institutions, to whom was referred Senate File No. 152: To permanently locate the Asylum for the Education of the Deaf and Dumb, at the City of Des Moines, have had the subject under consideration, and instructed me to report the Bill back to the House without recommendation.

THOMAS HOLYOKE, Chairman Committee.

Mr. Moir, from Committee on Judiciary, submitted the following Reports:

The Judiciary Committee, to whom was referred the resolution from the Board of Supervisors of the County of Mahaska, beg leave to report that they have had the same under consideration and have instructed me to report, that in their opinion, it would be unwise in the extreme to require parties to give security for costs before commencing a criminal prosecution. They therefore recommend that said resolution be indefinitely postponed.

MOIR, for Committee.

The Committee on Judiciary, to whom was referred House File No. 262; an Act for making deeds for the conveyance of Real Estate uniform, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, and recommend that it be indefinitely postponed.

MOIR, for Committee.

Mr. Mitchell of Polk, from Committee on Public Lands, submitted the following report:

Your Committee on Public Lands, to whom was referred Senate File No. 176: "An Act in relation to Draining," have had the same under consideration, and have instructed me to report the same back to this House and recommend its passage.

JOHN MITCHELL, Chairman.

Mr. Lowrie, from Select Committee on House Files Nos. 188, 222, and 24, submitted the following Reports:

Your Committee, to whom was referred House File No. 188, have had the same under consideration, and recommend that it do not pass.

C. W. LOWRIE, Chairman.

Your Committee, to whom was referred House File No. 222,

have had the same under consideration, and recommend the passage of the following substitute :

C. W. LOWRIE, Chairman.

Your Committee, to whom was referred House File No. 24, have had the same under consideration, and recommend that it do not pass.

C. W. LOWRIE, Chairman.

Mr. Mitchell of Fremont, from Committee on the Judiciary, submitted the following Report :

The Judiciary Committee, to whom was referred House File No. 253: A Bill for an Act to secure to mortgagors all crops growing on land at the time of its sale on Execution and at the time of the expiration of the rights of Redemption, have had the same under consideration, and instructed me to report it back to the House with the recommendation that it be indefinitely postponed.

MITCHELL of Fremont.

Mr. McQuinn, from Committee on Rail Roads, submitted the following Report :

Your Committee on Rail Roads, to whom was referred House File No. 220: A Bill for an Act to regulate the carrying of Freight and Passengers over connecting Rail Roads, have had the same under consideration, and finding its provisions involve a question of legal rights, they have instructed me to report it back to the House and recommend that it be referred to the Committee on the Judiciary.

McQUINN.

The Report was concurred in and the Bill so referred.

Mr. Young, from Committee on the Judiciary, submitted the following Reports :

The Judiciary Committee, to whom was referred House File No. 230: A Bill for an Act regulating proceedings on Bonds, Coupons, Bills, Notes, and other evidences of indebtedness, have had the same under consideration, and have instructed me to report the same back to the House, with the following amendments, viz: Strike out the words "bill, note, or other evidence of indebtedness," wherever they occur in said Bill. Amend the title so as to read: A Bill for an Act regulating proceedings in actions on Bonds and Coupons issued by a County or City; and they recommend the passage of the Bill so amended.

YOUNG, Chairman.

The Judiciary Committee, to whom was referred Senate File No. 125: A Bill for an Act granting certain powers to the District Court of Lee County, and relief thereby to Jonathan Jones, have had the same under consideration, and the undersigned members of said Committee recommend the passage of a Substitute for Senate File No. 125, which Substitute is herewith submitted.

YOUNG, Chairman.

FAIRALL.

The Judiciary Committee, to whom was referred House File No. 272: A Bill for an Act to prevent the issue of false receipts, and to punish fraudulent transfers of property, by Warehousemen, Wharfingers and others, have had the same under consideration, and have instructed me to report the same back to the House and recommend its passage.

YOUNG, Chairman.

Mr. Lake, from Committee on the Judiciary, submitted the following Reports:

The Judiciary Committee, to whom was referred Senate File No. 125: A Bill for an Act granting certain powers to the District Court of Lee County, and relief thereby to Jonathan Jones, have had the same under consideration, and the undersigned make the following report:

That the Bill as it comes from the Senate is loosely drawn, and is uncertain and indefinite, the opponents claiming that it compels the District Court to grant a new trial, while its friends say it leaves it optional with the Court, it provides that the award of the arbitrators shall be conclusive as to the amount of the defalcation of Eads, but does not specify how much of such defalcation occurred before the time that Governor Grimes should have declared the office vacant. Neither does it provide for the Court investigating that subject. It allows the Defendant to suffer judgment to go against him, on account of the ignorance or inefficiency of his attorney, and then provides a remedy for such attorney's act. It does not provide that the party asking the relief shall pay the costs of the rehearing, or even give bond for the costs in case the suit goes against him.

The undersigned of your Committee further show that this judgment appears to be a joint judgment against all the sureties and are of the opinion that in case a new trial should be granted to one it would enure to the benefit of all; that in case this new trial is granted to Jonathan Jones, the judgment as it now stands on the records of the District Court of Lee County against Eads and his sureties would be null and void; that the new trial must be granted to all, and the Court proceed to a new trial of the entire cause, and show how much of this defalcation occurred before the first of August, 1856, and how much afterwards, or they would be precluded from recovering the judgment against any of the defendants in execution. The undersigned of your Committee are of the opinion that if the defendant Jones should, on this new trial get released from said judgment, the State could not now recover of the balance of the sureties the proportion that Jones is now bound to contribute.

Your Committee are informed that a motion was made for a new trial before the District Court of Lee County at the proper time and was refused. They are also informed that the certificate of the Secretary of State to the copy of the record showing the order o

Governor Grimes to Eads to give a new bond is dated July 2, 1860, and that the judgment was rendered in December, 1860, leaving full time for said Jones to use said evidence, either at the trial or on motion for a new trial.

Your Committee are, therefore, unable to see that it is justice to the State, or to Mr. Jones to pass the Bill.

They further believe that the precedent is bad; that no person ought to be released from his obligations on an official bond, unless it is clearly shown that the State will be benefited thereby. Should such a policy be adopted by this State, it will make men careless as to signing bonds of officers whereby the State would be subject to great loss by an improper management of its financial affairs.

Your Committee therefore recommend that the bill be not passed.

JED LAKE.

J. L. MITCHELL.

S. G. VAN ANDA.

W. J. MOIR.

The undersigned, without expressing an opinion as to the correctness of the legal propositions contained in the foregoing report, concurs in the recommendation thereof, as such legislation would be highly prejudicial to the interests of the State, and the case made is not such as to demand the interference of the General Assembly, but should be left with the Courts, where it now is.

JAS. H. ROTHROCK, from Committee.

As to the substitute, it only removes two objections; the one of uncertainty as to the granting of the trial. This Bill leaves it optional with the Court. The other is—it specifies that if the said Jones gets clear of the judgment on the new trial, it shall release all the sureties from his proportion of the judgment now obtained. It does not provide for the testimony.

Your Committee are aware that the evidence cannot be obtained to prove the case on the part of the State, without great trouble and cost, if at all.

JED LAKE.

The Judiciary Committee, to whom was referred Senate File No. 212: A Bill for an Act to punish trespass on Swamp and Overflowed lands, have had the same under consideration and directed me to report the same back, and recommend its indefinite postponement.

JED LAKE for Committee.

The Judiciary Committee, to whom was referred Senate File No. 206: A Bill for an Act to amend section 662 of the Revision of 1860, have had the same under consideration, and have directed me to report the same back and recommend its passage.

JED LAKE for Committee.

Mr. Lane, from Committee on Military Affairs, submitted the following report :

Committee on Military Affairs, to whom was referred House File No. 218: A Bill for an Act to provide for auditing the claim of Mentzer Toogood & Co., have had the same under consideration and have instructed me to report the same back and recommend its passage.

Respectfully submitted in behalf of the Committee.

JAMES T. LANE Chairman.

Mr. Castor, from Committee on Agriculture, submitted the following report :

The Committee on Agriculture, to whom was referred the resolution of enquiry, as to what legislation was necessary to more effectually protect timber from trespass, have had the same under consideration, and have instructed me to report the Bill herewith submitted, and recommend its passage.

CASTOR.

Mr. Williams of Mahaska, from the Judiciary Committee, submitted the following reports :

The Judiciary Committee, to whom was referred House File No. 255: A Bill for an Act relating to the Bonds of State Officers and County Treasurers, have had the same under consideration, and I am instructed to report the same back to the House with a recommendation that the same don't pass.

WILLIAMS of Mahaska.

The Judiciary Committee, to whom was referred House File No. 246: A Bill for an Act to authorize the Recorder of Appanoose County to re-index the records &c., of said County, have had the same under consideration, and have instructed me to report the same back to the House without amendment, and recommend its passage.

WILLIAMS of Mahaska.

Mr. Gault moved to suspend the rule and that the Bill reported back by the Committee, House File No. 246: A Bill for an Act to authorize the Recorder of Appanoose County to reindex the records, &c., of said County, be read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm,

Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, White, Wilcox, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, and Mr. Speaker—77.

The nays were, Messrs. Gordon and Lowrie—2.

Absent or not voting, Messrs. Bass, Cleaves, Glanville, McQuinn, Milburn, Pendleton, Rothrock, Van Anda, Wetherall, West, Whittemore, Williams of Des Moines, and Young.

The Bill passed and the title was agreed to.

COMMUNICATIONS AND MESSAGES ON THE TABLE.

The following communication from the Governor was taken up and read, and referred to Committee on Military Affairs :

EXECUTIVE OFFICE, IOWA, }
March 17, 1862. }

Gentlemen of the House of Representatives :

I herewith transmit a copy of a recent Act of Congress providing for the appointment, by the President of the United States, of three Commissioners for each State having troops in the Federal army to visit such troops and procure from them such allotments of their pay as they may desire to send to their families or friends at home.

You will perceive that the United States will not pay three Commissioners ; and in order that the very desirable object of their appointment may be secured, it is necessary that provision for the payment be made by the General Assembly.

I recommend the matter to your early and favorable consideration.

The President has appointed as Commissioners, Rev. A. J. Ky-
nett, Thomas French, Esq., and Rev. E. C. Byam.

SAMUEL J. KIRKWOOD.

"AN ACT to provide for allotment certificates among the Volunteer forces."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States shall appoint for each State having Volunteers in the United States service, not exceeding three persons, who shall be authorized by the President's commission to visit the several departments of the army in which Volunteers from their respective States may be, and there procure from said Volunteers from time to time their respective allotments of their pay to their families or friends, duly certified in writing ; and by them or by some commissioned officer of such department, attested in pursuance of such orders as may be made for that purpose by the Secretary of War, and upon which certified allotment the several paymasters shall, at each regular payment to troops, give drafts pay-

able in the city of New York to the order of such person to whom said allotments were or may be made.

SEC. 2. *And be it further enacted*, That the persons appointed as commissioners to carry into effect the preceding Section of this Act, shall receive no pay or emoluments whatever from the Treasury of the United States.

SEC. 3. *And be it further enacted*, That the fifth Section of the Act of twelfth of June, eighteen hundred and fifty-eight, giving sutlers a lien upon the soldiers' pay, be and the same is hereby repealed; and all regulations giving sutlers rights and privileges beyond the rules and articles of War, be and the same are hereby abrogated.

Approved December 24, 1861.

The following communication was taken up and read :

DES MOINES, March 17, 1862.

HON. RUSH CLARK,

Speaker of the House of Representatives :

SIR:—In accordance with a resolution of the House, calling for a map of the line of the Cedar Rapids & Missouri River Railroad, I submit herewith a map showing the location of said Road, together with a certificate of the Chief Engineer of the Company, duly verified under oath.

Yours, Very Respectfully,

L. B. CROCKER, Pres't
Cedar Rapids & Mo. River Railroad.

House File No. 207: A Bill for an Act defining the duties of the Physician of the Penitentiary and fixing his salary, and providing a steward.

The Senate amendments were concurred in; and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Stewart, Thompson, Wasson, Wetherall, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—77.

The nays were, Messrs. Chase and Hardie—2.

Absent or not voting, Messrs. Bass, Gault, McQuinn, Meyer,

Milburn, Pendleton, Rothrock, Smeltzer, Van Anda, Walker, Walton, West, and Whittemore.

The Bill passed and the title was agreed to.

House File No. 47: A Bill for an Act for the re-location of County Seats. The question was upon concurring in the Senate amendment, which is as follows:

Add to section 2, "Provided that such vote for the said re-location shall not take place in any county oftener than once in three years." The yeas and nays were demanded by Messrs. Kellogg and Lakin, and were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Converse, Curtiss, Dorr, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Loomis, McGlothlen, Mitchell of Fremont, Moser, Nelson, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Stevenson, Stewart, Thompson, Walker, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—52.

The nays were, Messrs. Bass, Bracewell, Cleaves, Cutler, Denlinger, Dunlavy, Eichorn, Fairall, Gault, Gibson, Guthrie, Hardie, Kellogg, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McCall, McLennan, McQuinn, Mercer, Mitchell of Polk, Moir, Parker, Porter, Smeltzer, Speer, Stanton, Walton, and Wetherall—32.

Absent or not voting, Messrs. Eaton, Glanville, Lake, Meyer, Milburn, Pendleton, Van Anda, and West.

The amendment was concurred in.

And upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Converse, Curtiss, Cutler, Dorr, Fairall, Ferguson, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gordon, Hudnutt, Hollingsworth, Hood, Jackson, Lake, Lane, Loomis, Lowrie, Martin, McCall, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stevenson, Stewart, Thompson, Walker, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, and Mr. Speaker—63.

The nays were, Messrs. Bass, Blackford, Cleaves, Denlinger, Dunlavy, Eichorn, Flint, Gibson, Guthrie, Hardie, Kellogg, Knoll, Lakin, Lorah, Maxwell, McGlothlen, McLennan, Smeltzer, Stanton, Walton, and Wetherall—21.

Absent or not voting, Messrs. Eaton, Glanville, Holyoke, Meyer, Milburn, Pendleton, Van Anda, West, and Young.

The Bill passed and the title was agreed to.

Senate File No. 112: A Bill for an Act to authorize stockholders in any Branch of the State Bank of Iowa to file informations. Read a first and second time, and referred to Committee on Banks and Banking.

Senate File No. 217: A bill for an Act regulating the printing, binding and distribution of reports of State officers and others, Read a first and second time, and referred to Committee on Printing.

BILLS ON SECOND READING.

Mr. Lane moved to take from unfinished business House File No. 227: A bill for an Act to amend Chapter forty-five of the Revision of 1860, being an Act in relation to Revenue, and proceed to its farther consideration. The motion prevailed.

The Chair announced the question pending before the House to be the amendment of Mr. Fairall to Section 13 of the Bill.

Mr. Fairall, by leave, withdrew his amendment.

Mr. Lake offered the following amendment:

SECTION 16. All Rail Road Companies now organized or hereafter organized in this State and completed in whole or in part, and being operated or used, shall on or before the fifteenth (15) day of February in each year, make out and return or cause to be made out and returned to the Treasurer of this State, a true and just statement of the Gross Earnings of their respective Roads, without deduction for outlay or expenditure for the preceding year up to the first (1st) day of January, which statement shall be verified by the affidavit of the Secretary and Treasurer of each respective Company, and the Capital Stock, Depot Building, Road-Bed, and Rolling Stock of Rail Road Companies shall be taxed as provided in this Act, and in no other manner. *Provided*, That any Real Estate of Rail Road Companies, other than Depot Buildings and Road-Bed, shall be assessed, and the taxes thereon collected the same as the property of individuals in such cases.

SECTION 17. It shall be the duty of Rail Road Companies to pay or cause to be paid to the Treasurer of State for the use of the State, on or before the fifteenth (15th) day of February in each year, a sum equal to one per centum of the Gross Earnings of their respective Roads so returned without deduction for outlay or expenditure or other purposes. But when a Rail Road lies partly in another State or Territory, the Company shall pay such proportion of one per centum upon the Gross Earnings of the whole Road so returned as the length of that portion of the Road within this State bears to the whole length of said Road.

SECTION 18. If any Rail Road Company, or its Officers, fail to comply with the requirements of this Act, such Company shall forfeit to the Treasurer of this State for the use of the State, the sum of ten thousand dollars for each case of neglect, to be recovered in

an action to be instituted in the name of the Treasurer of State against such Company.

SECTION 19. If any Rail Road Company shall fail to make the return required by this Act, the Treasurer of State shall ascertain as near as may be the Gross Earnings of such delinquent Company, and assess thereupon the said one per centum, and shall seize and levy upon the whole or any part of the property, rights and franchises of said Company, and after giving ten days public notice of the time and place of sale, shall proceed to sell the same at public auction to satisfy the amount of said assessment, together with all costs and disbursements incurred in making the assessment and sale, (said costs and disbursements to be taxed by the Attorney General of the State.) *Provided*, That nothing herein contained shall be so construed as to defeat the right of the Treasurer in behalf of the State, to sue for and recover the penalty prescribed in this Act.

On motion of Mr. Stevenson the House adjourned.

TWO O'CLOCK P. M.

House met pursuant to adjournment.

Message from the Senate by Wm. F. Davis, their Secretary :

Mr. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following:

Senate File No. 214: A Bill for an Act to quiet titles to certain purchasers and occupants of land in Webster County.

Senate File No. 218: Joint Resolution relating to a Roman Catholic Clergyman for the Iowa Regiment Volunteers.

Senate File No. 219: Joint Resolution asking for additional Mail facilities.

Senate File No. 220: Joint Resolution for increased Mail facilities to Knoxville, Marion County, *via* Sigourney and Oskaloosa, in which the concurrence of the House is asked.

Herewith return House File No. 138: A Bill for an Act making further appropriation for the completion of the Blind Asylum, the same having passed the House without amendment.

WM. F. DAVIS, Secretary of Senate.

Mr. Kellogg moved to amend the amendment by striking out the word "gross" wherever it occurs in said amendment, and substitute "nett." The amendment to the amendment was lost.

Mr. Stanton offered the following substitute for Mr. Lake's amendment:

"Section 16. The property of whatever kind, of any Railroad Company, shall be assessed and taxed the same as now provided in

case of individuals, and all Acts and parts of Acts in conflict with the provisions of this section, are hereby repealed ;”

And upon this question the yeas and nays were demanded by Messrs. McLennan and Knoll, and were as follows :

The yeas were, Messrs. Baker, Bowdoin, Calfee, Castor, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Flint, Gault, Hardie, Hood, Jackson, Kellogg, Knoll, Lake, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, Moir, Nelson, Price, Quinn, Russell of Dallas, Russell of Jones, Stanton, Stevenson, Stewart, Thompson, Wetherall, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Young and Mr. Speaker—46.

The nays were, Messrs. Bass, Blackford, Bracewell, Burton, Clark, Cutler, Ferguson, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Lane, McCall, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Parker, Porter, Rowles, Sarver, Schramm, Shipman, Smeltzer, Speer, Walker, Walton, Wasson, White, Wilson of Chickasaw, Wright—37.

Absent or not voting, Messrs. Chase, Glanville, Lakin, Meyer, Milburn, Pendleton, Rothrock, Van Anda, and West.

The substitute was adopted.

The question recurring upon the amendment of Mr. Lake as amended, the yeas and nays were demanded by Messrs. Lowrie and Knoll, and were as follows :

The yeas were, Messrs. Baker, Bowdoin, Bracewell, Calfee, Castor, Cleaves, Converse, Curtiss, Dunlavy, Eaton, Eichorn, Fairall, Hardie, Kellogg, Lake, Lakin, Lane, Martin, Moser, Nelson, Porter, Price, Quinn, Sarver, Schramm, Smeltzer, Speer, Walton, White, Whittemore, Williams of Mahaska, Wilson of Chickasaw, Young and Mr. Speaker—33.

The nays were Messrs. Blackford, Burton, Clark, Chase, Cutler, Denlinger, Dorr, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lorah, Lowrie, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Parker, Rowles, Russell of Jones, Shipman, Stanton, Stevenson, Stewart, Thompson, Walker, Wasson, Wetherall, Wilcox, Williams of Des Moines, Woodworth and Wright—49.

Absent or not voting, Messrs. Bass, Glanville, Loomis, Meyer, Milburn, Pendleton, Rothrock, Russell of Dallas, Van Anda, West, and Wilson of Pottawattamie.

The amendment as amended did not prevail.

Mr. Frisbie moved to strike out Section 16, and upon this motion demanded the previous question, which was not seconded.

Mr. Mitchell of Fremont, moved to strike out “and County” after the word “State” in 12th line of Section 16 ; and upon this

question the yeas and nays were demanded by Messrs. Lowrie and were as follows:

The yeas were, Messrs. Blackford, Bracewell, Fuller of Harrison, Gibson, Hudnutt, Hollingsworth, Kellogg, Lorah, Maxwell, McCall, Mercer, Mitchell of Fremont, Moir, Moser, Porter, Russell of Dallas, Sarver, Smeltzer, Speer, Walton, Wetherall, Wright—22.

The nays were, Messrs. Bowdoin, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Gault, Guthrie, Hardie, Holyoke, Hood, Jackson, Knoll, Lake, Lakin, Lane, Lowrie, Martin, McGlothlen, McLennan, McQuinn, Mitchell of Polk, Nelson, Parker, Price, Quinn, Rowles, Russell of Jones, Schramm, Shipman, Stanton, Stevenson, Stewart, Thompson, Walker, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Young, Mr. Speaker—61.

Absent or not voting, Messrs. Bass, Fairall, Glanville, Gordon, Loomis, Meyer, Milburn, Pendleton, Rothrock, Van Anda, and West.

The amendment did not prevail.

McLennan moved to amend by striking out all after the word "Railroad" in twelfth line of 15th Section, and add the following:

"That each Rail Road Company shall be taxed ——— per cent on its gross earnings, for State purposes; said tax shall cover the road bed, iron on the same, and rolling stock of said road. All depots, depot grounds, machine shops, and other property, real and personal, except as above taxed, shall be taxed by each County in which said property is situate, as the property of individuals is taxed."

This amendment was lost.

The question recurring upon the motion of Mr. Frisbie to strike out Section 16, the yeas and nays were demanded by Messrs. Maxwell and Whittemore, and were as follows:

The yeas were, Messrs. Blackford, Bowdoin, Bracewell, Castor, Clark, Cutler, Frisbie, Fuller of Harrison, Gordon, Guthrie, Hudnutt, Holyoke, Kellogg, Lane, Lorah, Lowrie, Martin, McCall, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Porter, Russell of Dallas, Sarver, Smeltzer, Speer, Walton, Wasson, Wetherall, White, Williams of Mahaska, Wilson of Pottawattamie—35.

The nays were, Messrs. Baker, Burton, Calfee, Chase, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Ferguson, Flint, Fuller of Fayette, Gault, Gibson, Hardie, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Maxwell, McGlothlen, McLennan, Nelson, Parker, Price, Quinn, Rowles, Russell of Jones, Schramm, Shipman, Stanton, Stevenson, Stewart, Thomp-

son, Walker, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Woodworth, Young—46.

Absent or not voting, Messrs. Bass, Fairall, Glanville, Loomis, Meyer, Milburn, Pendleton, Rothrock, Van Anda, West, Wright, and Mr. Speaker.

The motion was lost.

Mr. Moser moved to re-commit the Bill. The motion did not prevail.

Mr. Lane offered the following amendment :

SECTION 16. Each Rail Road Company in this State shall annually, on or before the first day of February, furnish to the State Treasurer a sworn statement of the gross receipts of their Rail Road, without a reduction of expenses, for the year ending on the first day of January, preceding, which said statement shall be sworn to by the Secretary and Treasurer of such Company, and the Treasurer of State shall levy on said gross receipts a tax of one per centum, which the said Rail Road Companies shall pay on or before the 15th day of February, after which time the said taxes shall become delinquent, and the same penalties and interest shall attach as on other taxes. After said tax has become delinquent the Treasurer of the State shall proceed to collect the same in the same manner and with the same rights and powers as a Sheriff may on execution. One-half of said taxes, levied and collected as aforesaid, shall be equally apportioned by the State Treasurer, to the several Counties through which the said roads respectively run, and shall be paid over by him to the County Treasurer of such Counties. If any Rail Road Company in this State shall neglect or refuse to return to the Treasurer of State, the statement herein required by the said first day of February of each year, such Rail Road Company shall forfeit and pay a fine of Ten Thousand Dollars, to be collected in the name of the State."

Mr. Lake moved to amend the amendment as follows: Add to the said amendment, "The tax herein provided for, shall be in lieu of all taxes for any and all purposes—on the road-bed, track, rolling stock and necessary buildings for operating their roads. But other property belonging to such Company, whether personal or real, shall be taxed as property of individuals, in the respective Counties in which the same may lie.

Mr. Lowrie moved a call of the House, pending which, further proceedings under the call, on motion of Mr. Shipman, were suspended.

The amendment to the amendment prevailed.

The question recurring, upon the amendment of Mr. Lane as amended, the yeas and nays were demanded by Messrs. Maxwell and Stewart, and were as follows :

The yeas were, Messrs. Blackford, Bowdoin, Bracewell, Calfee, Castor, Clark, Cleaves, Converse, Cutler, Eichorn, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Hud-

nut, Holyoke, Hollingsworth, Kellogg, Lake, Lane, Lorah, Lowrie, Martin, McCall, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Porter, Quinn, Russell of Dallas, Sarver, Schramm, Smeltzer, Speer, Stevenson, Walton, Wasson, White, Williams of Mahaska, Wilson of Chickasaw, Woodworth, Wright, and Mr. Speaker—50.

The nays were, Messrs. Baker, Bass, Burton, Chase, Curtiss, Denlinger, Dorr, Dunlavy, Flint, Guthrie Hardie, Hood, Jackson, Knoll, Lakin, Maxwell, McGlothlen, McLennan, Price, Rowles, Russell of Jones, Shipman, Stanton, Stewart, Thompson, Wetherall, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Young—31.

Absent or not voting, Messrs. Eaton, Ferguson, Glanville, Loomis, Meyer, Milburn, Parker, Pendleton, Rothrock, Van Anda, Walker and West.

The amendment as amended was adopted.

Mr. Bowdoin offered the following amendment :

Immediately after the Taxes become delinquent, each County Treasurer shall proceed to collect the same by distress and sale of the personal property of the delinquent tax payer, in the manner prescribed in Section 757 and 758 of said Chapter 45, and for this purpose he shall, within sixty days after the taxes become delinquent, appoint one or more deputies to aid and assist him in collecting the delinquent taxes, in his respective County. Each deputy so appointed shall receive as a compensation for his services and expenses, the sum of 5 per cent on the amount of all delinquent taxes collected by him, the account for such compensation to be audited and paid out of the county treasury in the same manner as other claims against the County. And any County Treasurer who shall wilfully refuse or neglect to comply with any of the provisions of this Section, shall forfeit the sum of five hundred dollars, to be recovered in the name of the County, for the use of the common school therein.

Mr. Mitchell of Fremont offered the following amendment to the amendment : Provided that nothing in this Act shall be so construed as to authorize the distress and sale of personal property for payment of taxes on real estate ; and upon this question the yeas and nays were demanded by Messrs. Fairall and Lorah, and were as follows :

The yeas were, Messrs. Baker, Blackford, Bracewell, Curtiss, Dunlavy, Ferguson, Gault, Gibson, Hollingsworth, Kellogg, Lorah, McCall, Mitchell of Fremont, Mitchell of Polk, Sarver, Smeltzer, Speer, Stewart, Walton, Wasson, Wetherall, and Wilson of Pottawattamie—22.

The nays were, Messrs. Bass, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Cutler, Denlinger, Dorr, Eichorn, Fairall, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hood, Jackson, Knoll, Lake,

Lakin, Lane, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Moir, Moser, Nelson, Porter, Price, Quinn, Russell of Dallas, Russell of Jones, Schramm, Shipman, Stanton, Stevenson, Thompson, Walker, White Whittemore, Wilcox, Williams of Mahaska, Wilson of Chickasaw, Woodworth, Wright, Young and Mr. Speaker—59.

Absent or not voting, Messrs. Eaton, Glanville, Loomis, Lowrie, Meyer, Milburn, Parker, Pendleton, Rothrock, Van Anda, West, Williams of Des Moines.

The amendment to the amendment did not prevail.

The question recurring upon the amendment of Mr. Bowdoin, it prevailed.

Mr. Bowdoin offered the following amendment:

Sec. 18. All of Section 760 of said Chapter 45, on page 118, to the period following the word "paid" at the end of the 7th line of said section, is hereby repealed, and in place thereof it is enacted as follows: The Treasurer shall continue to receive taxes after they have become delinquent, until collected by distress and sale, but after they have become delinquent, he shall collect, in addition to the tax of each tax-payer so delinquent as a penalty for non-payment, at the rate of one per cent. a month on the amount of the tax for the first three months, two per cent. a month for the second three months, three per cent. per month for the third three months and four per cent. per month for all after nine months. In computing this penalty, nothing shall be reckoned or collected therefor if the tax is paid before the first day of March, nor after that time, except for a full month.

Mr. Smeltzer moved to adjourn. Lost.

Mr. Frisbie, from Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER: The Joint Committee on Enrolled Bills, ask leave to report that they have examined House File 138, find the same correctly enrolled, and now present it for your signature.

D. G. FRISBIE,
Chairman House Committee.

Message from the Senate:

MR. SPEAKER: I am directed to inform your Honorable Body that the Senate has concurred in the House amendments to Senate File No. 130: A Bill to provide for a full settlement of all claims &c., between the State of Iowa and James A. Brown and George C. Allender.

W. F. DAVIS, Secretary.

The question recurring upon Mr. Bowdoin's amendment, the yeas and nays were demanded by Messrs. Fairall and Lorah, and were as follows:

The yeas were, Messrs. Baker, Bowdoin, Bracewell, Burton Clark, Cleaves, Curtiss, Dorr, Fairall, Frisbie, Fuller of Fayette Fuller of Harrison, Gordon, Guthrie, Holyoke, Jackson, Lak

Lakin, Lane, Martin, McCall, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Pierce, Porter, Price, Quinn, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Walton, White, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Woodworth, Wright, Young and Mr. Speaker—46.

The nays were, Messrs. Bass, Blackford, Calfee, Castor, Converse, Cutler, Denlinger, Dunlavy, Eichorn, Ferguson, Flint, Gault, Gibson, Hardie, Hudnutt, Hollingsworth, Hood, Knoll, Lorah, Lowrie, Maxwell, McGlothlen, McLennan, Moser, Rowles, Russell of Dallas, Smeltzer, Stevenson, Stewart, Thompson, Wasson, Wetherall, Whittemore, Williams of Mahaska, Wilson of Chickasaw and Wilson of Pottawattamie—35.

Absent or not voting, Messrs. Chase, Eaton, Glanville, Kellogg, Loomis, Meyer, Milburn, Parker, Pendleton, Rothrock, Van Anda, Walker and West—13.

The amendment prevailed.

Mr. Shipman moved that the Bill be engrossed for a third reading to-morrow.

Mr. Cleaves moved to adjourn. Lost.

Mr. Fairall moved to reconsider the vote by which section 18 of the Bill was adopted.

Mr. Sarver moved to lay this motion on the table, and upon this question the yeas and nays were demanded by Messrs. Fairall and Lorah, and were as follows :

The yeas were, Messrs. Baker, Bass, Bowdoin, Burton, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Ferguson, Frisbie, Fuller of Fayette, Fuller of Harrison, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Lake, Lakin, Lane, Martin, McCall, McQuinn, Mercer, Mitchell of Polk, Moir, Moser, Nelson, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Walton, White, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Woodworth, Wright, Young and Mr. Speaker—49.

The nays were, Messrs. Blackford, Bracewell, Calfee, Castor, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Flint, Gault, Gibson, Gordon, Hardie, Kellogg, Knoll, Lorah, Lowrie, Maxwell, McGlothlen, McLennan, Mitchell of Fremont, Smeltzer, Speer, Stevenson, Stewart, Thompson, Walker, Wasson, Wetherall, White, Whittemore, Williams of Mahaska, Wilson of Pottawattamie—34.

Absent or not voting—Messrs. Eaton, Glanville, Loomis, Meyer, Milburn, Parker, Pendleton, Rothrock, Stanton, Van Anda and West.

The motion prevailed.

Mr. Lakin moved to reconsider the vote by which the House decided to hold night sessions.

Mr. Smeltzer moved to adjourn. Lost.

The question recurring upon the motion of Mr. Shipman to order the Bill to be engrossed for a third reading to-morrow, the

yeas and nays were demanded by Messrs. Fairall and Lorah, and were as follows.

The yeas were, Messrs. Baker, Bowdoin, Burton, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Fairall, Ferguson, Frisbie, Fuller of Fayette, Fuller of Harrison, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Lake, Lakin, Lane, Martin, Maxwell, McCall, McQuinn, Mercer, Mitchell of Polk, Moir, Moser, Nelson, Porter, Price, Quinn, Rowles, Russell of Jones, Sarver, Shipman, Stevenson, White, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Woodworth, Wright, Young, and Mr. Speaker—48.

The nays were, Messrs. Bass, Blackford, Bracewell, Calfee, Castor, Denlinger, Dorr, Dunlavy, Eichorn, Flint, Gault, Gibson, Gordon, Hardie, Kellogg, Knoll, Lorah, Lowrie, McGlothlen, McLennan, Mitchell of Fremont, Russell of Dallas, Smeltzer, Speer, Stewart, Thompson, Walton, Wasson, Wetherall, Whittemore, Williams of Mahaska, and Wilson of Pottawattamie—32.

Absent or not voting, Messrs. Eaton, Glanville, Loomis, Meyer, Milburn, Parker, Pendleton, Schramm, Stanton, Van Anda, Walker, and West—12.

The motion prevailed.

On motion of Mr. Wilcox the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
WEDNESDAY, March 19th, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Dr. Peet.

Journal of yesterday read and approved.

PETITIONS.

Mr. Bracewell presented the petition of J. W. Freeland and others, citizens of Wayne County, praying for a law to reduce the price of State printing. Referred to Committee on printing.

Mr. Curtiss presented the petition of Nathan Spencer, praying that a certain Township in Tama County be attached to Black Hawk County. Passed upon the files.

REPORTS OF COMMITTEES.

Mr. Mercer, from Committee on Claims, submitted the following report:

Your Committee, to whom was referred House File No. 275,

have had the same under consideration and beg leave to report, that in their opinion, said Bill is inconsistent in its second Section, and that its friends may have the opportunity of explaining it and showing its merits, if possessed of any. Your Committee report it back to the House without recommendation.

Mr. Mercer from the Committee on Claims, made the following report :

Your Committee to whom was referred House File No. 275 : have had the same under consideration and beg leave to report, that in their opinion said Bill is inconsistent in its 2d section, and that its friends may have an opportunity of explaining it, and showing its merits if possessed of any—your Committee Report it back to the House without recommendation.

THOS. MERCER, Chairman.

Mr. Mercer from the Committee on Claims made the following report :

Your Committee have had under consideration the claim of John Teesdale for printing Laws of the 8th General Assembly in the Iowa State Register, and also claim of G. M. Todd for printing Laws of the Eighth General Assembly in the Iowa State Journal, and beg leave to report :

That they find that said parties published the Laws of said Session by authority of law, that the State Register published 579 squares, and the Iowa State Journal 551 squares, that they charged one dollar per square for said publication, that the State Auditor allowed said party only one-half price charged, or 50 cents per square, that they accepted said one-half, but not as a final payment, but reserving the right to apply to the Legislature for relief, and now come before this Legislature asking payment for the other one-half, yet remaining unpaid, viz :

J. Teesdale.....	\$289 50
G. M. Todd.....	275 50

Your Committee find that no compensation was fixed by law for publishing laws in newspapers, ordered to be published by the General Assembly until the present law on that subject found on page 28 of the Code, and which went into effect on the 4th of July, 1860, and that these claims originated some months previous to the taking effect of this law. That at the time these claims originated and for years before, custom had fixed the price of such publication at one dollar per square, that that was the price paid in Iowa for publishing proclamations, legal notices, sheriff sales, laws, &c., that the State had paid that price often before for like service. Your Committee believe the compensation allowed by custom was too great, but on the other hand the amount allowed by the Auditor was insufficient at the time and under the circumstances, viz : That the parties had to get a large amount of new type for the special purpose of printing said laws, which type they could not afford to procure at the price allowed by the Auditor, and the price of such

printing being fixed thereafter by law at 30 cents per square, they could not hope to realize by any future job the outlay thus sustained.

Your Committee think that a proper adjustment of those claims would be to allow the parties one-half the balance yet claimed, viz :

J. Teesdale, claiming,.....\$289 50.....allow \$144 75

G. M. Todd, claiming,..... 275 50.....allow 137 75

Your Committee recommend the adoption of the following Resolution :

Resolved, That the Committee on Ways and Means are hereby instructed to place in their Appropriation Bill the following items :

For J. Teesdale for Balance due for publishing laws of
Eighth General Assembly \$144 75

For G. M. Todd for balance due for publishing laws of
Eighth General Assembly \$137 75

THOS. MERCER, Chairman.

The Resolution reported by the Committee was adopted.

Mr. Shipman from Committee on County and Township Organization submitted the following report :

The Committee on County and Township Organization to whom was referred resolution instructing your Committee to inquire into the expediency of separating the office of Recorder of Deeds from that of County Treasurer, have had the subject under consideration and would beg leave to report, that in the opinion of your Committee it would be inexpedient to separate the two offices at this time.

SHIPMAN, Chairman.

Mr. Fuller of Fayette, from Committee on Banks and Banking, submitted the following report :

Your Committee on Banks and Banking to whom was referred Senate File No. 12 : Entitled an Act to authorize stock-holders in a Branch of the State Bank of Iowa to file informations, ask leave to report the same back to the House, and recommend the indefinite postponement of the Bill.

FULLER of Fayette, Chairman.

INTRODUCTION OF BILLS.

Mr. McLennan introduced House File No. 278 : A Bill for an Act to amend Section 1650 of the Revision of 1860. Read a first and second time and referred to Committee on Banks and Banking.

Mr. Shipman introduced House File No. 279 : A Bill for an Act to confer additional powers upon the Board of Supervisors in certain cases. Read a first and second time and passed upon the files.

Mr. Fairall introduced House File No. 280 : A Bill for an Act to legalize the acts of John C. Turk, as Notary Public in and for Polk County, Iowa. Read a first and second time and referred to Committee on Judiciary.

Mr. Cleaves introduced House File No. 243 : A Bill for an Act

to repeal Chapter 68 of the Laws of the Seventh General Assembly. Read a first and second time.

Mr. Cleaves moved to suspend the rule, and read the Bill a third time now. Carried.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Knoll, Lakin, Lane, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Mr. Speaker—77.

The nays were, none.

Absent or not voting, Messrs. Chase, Denlinger, Dunlavy, Glanville, Jackson, Lake, Loomis, Lowrie, Meyer, Milburn, Parker, Rothrock, Van Anda, Wetherall, West, Young.

The Bill passed.

Mr. Kellogg moved to amend the title by adding thereto the following: "in relation to keeping a levee in repair on Muscatine Island." Carried.

The title as amended was agreed to.

Mr. Curtiss introduced House File No. 281: A Bill for an Act to legalize the acts of John H. Brown, Notary Public. Read a first and second time.

Mr. Curtiss moved to suspend the rule and read the Bill a third time now. Carried.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Guthrie, Hudnutt, Holyoke, Hood, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stevenson, Thompson, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Mr. Speaker—72.

The nays were, Messrs. Gibson, Gordon, Hollingsworth, and Stewart—4.

Absent or not voting, Messrs. Chase, Denlinger, Dunlavy, Glanville, Hardie, Jackson, Loomis, Lowrie, McLennan, Meyer, Milburn, Parker, Pendleton, Rothrock, Stanton, Van Anda, Wetherall, West and Young.

The Bill passed and the title was agreed to.

RESOLUTIONS.

Mr. Castor introduced House File No. 282: A Joint Resolution for increase of mail facilities. Referred to Committee on Federal Relations.

Mr. Walker offered the following Resolution:

Resolved, That the Speaker of this House shall appoint a Committee of three, whose duty it shall be to examine all Bills now on file, and those that may hereafter be placed on file, and they shall report thereon in the order of first, second and third class Bills, and that this House will act on them in the order in which they are reported by said Committee.

Mr. Moir moved to lay the Resolution on the table. The motion prevailed.

Mr. Gibson introduced the following Resolution:

Resolved, by the General Assembly of the State of Iowa, That the number of Senators hereafter to be elected, shall not be more than thirty members, and the number of Representatives hereafter to be elected shall not be more than sixty members; and the Senatorial and Representative Committees of each House are hereby required to District the State according to the provisions of this Resolution.

Referred to Committee on Senatorial and Representative Districts.

Mr. Smeltzer introduced House File No. 283: A Joint Resolution for increased Mail facilities. Referred to Committee on Federal relations.

Mr. Kellogg introduced House File No. 284: A Joint Resolution for increased Mail facilities. Referred to Committee on Federal relations.

MESSAGES ON THE TABLE.

Senate File No. 218: A Joint Resolution in reference to Roman Catholic Clergymen for the Iowa Regiments of Volunteers. The resolution was adopted.

Senate File No. 211: Substitute for House File No. 10: A Bill for an Act to prevent the spreading of fire on the prairie and timber, in certain seasons of the year. The Substitute was adopted.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Eaton, Fairall, Ferguson, Flint, Fuller of Fayette, Gault, Gibson, Gordon, Guthrie, Holyoke, Hollingsworth, Hood, Kellogg, Knoll, Lakin, Lane, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Porter, Price, Quinn, Rowles, Russell of Jones, Sarver, Shipman, Speer, Stanton, Stevenson, Stewart, Thompson, Walker, Wasson, Whittemore, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Mr. Speaker—57.

The nays were, Messrs. Bass, Blackford, Bowdoin, Bracewell, Eichorn, Fuller of Harrison, Hudnutt, Lorah, Moser, Pendleton, Russell of Dallas, Schramm, Smeltzer, Walton, Wilcox, Williams of Des Moines, Wright—17.

Absent or not voting, Messrs. Chase, Denlinger, Dunlavy, Frisbie, Glanville, Hardie, Jackson, Lake, Loomis, Lowrie, Meyer, Milburn, Parker, Rothrock, Van Anda, Wetherall, West, White and Young.

The Bill passed and the title was agreed to.

Senate File No. 214: A Bill for an Act to quiet titles to certain purchasers and occupants of land in Webster County. Read a first and second time and referred to the Committee on the Judiciary.

Senate File No. 21: A Bill for an Act to amend article one, chapter 51 of Revision of 1860, entitled an Act for the incorporation of cities and towns. Read a first and second time and referred to Committee on Incorporations.

Senate File Nos. 219 and 220: Joint Resolutions asking for additional mail facilities, were referred to Committee on Federal Relations.

Leave of absence was granted to Messrs. Hardie, Chase, Denlinger, Parker, Glanville and Jackson.

BILLS ON SECOND READING.

Senate File No. 129: A Bill for an Act to legalize the official acts of Edward S. Edgington, a Notary Public of Lucas County.

Mr. Sarver moved that the rule be suspended, and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Converse, Outler, Curtiss, Eaton, Eichorn, Fairall, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Knoll, Lakin, Lane, Lorah, Martin, Maxwell, McCall,

McGlothlen, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Sarver, Schramm, Shipman, Stanton, Stevenson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright and Mr. Speaker—62.

The nays were, Messrs. Dorr, Ferguson, Smeltzer, Speer, Stewart, Thompson and Walton—7.

Absent or not voting, Messrs. Chase, Castor, Cleaves, Denlinger, Dunlavy, Gibson, Glanville, Hardie, Jackson, Lake, Loomis, Lowrie, McLennan, Meyer, Milburn, Parker, Russell of Jones, Van Anda, Walker, Wasson, Wetherall, West, Wilson of Chickasaw and Young—23.

The Bill passed and the title was agreed to.

House File 230: A Bill for an Act regulating the proceedings in actions on bonds or coupons issued by a County or City.

The amendments recommended by the Committee were adopted.

Mr. Fairall moved to suspend the rule and read the Bill a third time now. The motion prevailed.

The bill was read a third time and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Cutler, Dorr, Eaton, Eichorn, Fairall, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Knoll, Lorah, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Sarver, Schramm, Shipman, Smeltzer, Speer, Stewart, Thompson, Walton, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright and Mr. Speaker—62.

The nays were, Messrs. Bowdoin, Curtiss, Ferguson, Lake, Lakin, Lane, Moser, Stevenson, Wasson and White—10.

Absent or not voting—Messrs. Chase, Denlinger, Dunlavy, Gibson, Glanville, Hardie, Jackson, Loomis, Lowrie, McLennan, Meyer, Milburn, Parker, Rothrock, Russell of Jones, Stanton, Wetherall, West and Young—19.

The Bill passed and the title was agreed to.

Substitute for Senate File No. 73: A Bill for an Act defining the manner of canvassing votes cast at special elections. The substitute was adopted.

Mr. Kellogg moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler

Dorr, Eaton, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—71.

Mr. Fairall voted nay.

Absent or not voting, Messrs. Chase, Denlinger, Dunlavy, Gibson, Glanville, Hardie, Jackson, Lane, Loomis, Lowrie, Martin, Mercer, Meyer, Milburn, Parker, Rothrock, Russell of Jones, Smeltzer, Van Anda, Wetherall and West—20.

The Bill was passed and the title was agreed to.

House File No. 79: A Bill for an Act amendatory to an Act entitled an Act to provide for the making and repairing of public highways, and prescribing the further duties of Township officers in certain cases.

Mr. Kellogg moved to amend Section 1 by striking out "hard wood." Lost.

Mr. Williams, of Des Moines, moved to amend same Section by striking out "substantial hard wood." Lost.

Mr. Stephenson moved to amend Section 1, seventh line, after "at," insert "cross roads and at." Carried.

Mr. Wright moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Caffee, Castor, Converse, Cutler, Dorr, Eaton, Eichorn, Fairall, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gordon, Hudnutt, Holyoke, Hollingsworth, Hood, Lake, Lakin, Lane, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Schramm, Shipman, Stanton, Stevenson, Stewart, Walker, Walton, White, Whittemore, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wright, and Mr. Speaker—55.

The nays were, Messrs. Bracewell, Burton, Clark, Oleaves, Curtiss, Ferguson, Guthrie, Knoll, Lake, Lorah, McCall, Moser, Nelson, Sarver, Speer, Wilcox, and Woodworth—17.

Absent or not voting, Messrs. Chase, Denlinger, Dunlavy, Gibson, Glanville, Hardie, Jackson, Loomis, Lowrie, Meyer, Milburn, Parker, Rothrock, Smeltzer, Thompson, Van Anda, Wasson, Wetherall, West, Wilson of Pottawattamie, and Young.

The Bill passed and the title was agreed to.

Substitute for House File No. 29 and Senate File No. 74: A Bill for an Act to amend Section 548 of the Revision of 1860, defining the duties and pay of Township Clerks in certain cases.

Mr. Curtiss moved to amend Section 1 by striking out "through the Post Office or otherwise." The amendment was lost, and the substitute was adopted.

Mr. White moved to suspend the rule, and read the Bill a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Gordon, Gunthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Lake, Lakin, Lane, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Pendleton, Porter, Price, Quinn, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Thompson, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Mr. Speaker—72.

The nays were, Messrs. Gault, Knoll, Lorah, Rowles, and Stewart—5.

Absent or not voting, Messrs. Chase, Denlinger, Dunlavy, Glanville, Hardie, Jackson, Loomis, Lowrie, Meyer, Milburn, Parker, Rothrock, Van Anda, Wetherall, West, and Young.

The Bill passed and the title was agreed to.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following report:

Mr. SPEAKER:—The Joint Committee on Enrolled Bills ask leave to report that they have examined Senate Files 62 and 143, and House Files 47 and 207, find the same correctly enrolled and present them herewith for your signature.

D. G. FRISBIE,

Chairman of House Committee.

Mr. Cutler, from Select Committee on House Files Nos. 270 and 271, by leave, submitted the following report:

The Select Committee, to whom was referred House File No. 270, have taken the same under consideration and have instructed me to report the same back to this House and recommend that it do not pass.

The same Committee to whom was referred House File No. 271, have taken the same under consideration, and have instructed me to report the accompanying substitute and recommend that it do pass.

L. H. CUTLER, Chairman.

Message from the Senate, by Wm. F. Davis, their Secretary:

MR. SPEAKER:—I am directed to inform your Honorable Body, that the Senate has passed Senate File No. 21: A Bill for an Act to amend Article 1, Chap. 51 of the Revision of 1860, "An Act for the incorporation of cities and towns;"

Senate File No. 211, substitute for House File No. 10: An Act to prevent the spreading of fire on the Prairie and the Timber in certain seasons of the year; in all of which the concurrence of the House is asked.

WM. F. DAVIS, Sec'y of Senate.

Senate File No. 206: A Bill for an Act to amend Section 662 of the Revision of 1860.

Mr. Lane offered the following as a substitute for the Bill :
A BILL for an Act to amend Section six hundred and sixty-two, (662) of the Revision of 1860.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That Section six hundred and sixty-two, (662) of the Revision of 1860, be amended by adding thereto the following, viz: "the acceptance of a commission to any military officer, either in the militia of this State or in the Volunteer Service of the United States, which requires the incumbent in the civil office to exercise his military duties, out of this State for a period not less than sixty days.

SEC. 2. This Act being deemed of immediate importance, shall be in force and take effect from and after its publication in the Daily State Register and Des Moines Daily Times.

The substitute was adopted.

Mr. Williams of Mahaska moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Mitchell of Polk, Moir, Moser, Nelson, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stevenson, Stewart, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, and Mr. Speaker—71.

The nays were, Mr. Gordon—1.

Absent or not voting, Messrs. Chase, Denlinger, Dunlavy, Frisbie, Glanville, Hardie, Jackson, Loomis, Lowrie, McLennan,

Meyer, Milburn, Mitchell of Fremont, Parker, Rothrock, Stanton, Thompson, Van Anda, Wetherall, West, and Young—21.

The Bill passed and the title was agreed to.

House File No. 229 : A Bill for an Act entitled an Act to regulate the taxation of costs in certain cases.

Mr. Moir Moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, " Shall the Bill pass ? " the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Eaton, Eichorn, Fairall, Flint, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Polk, Moir, Moser, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stevenson, Stewart, Walker, Walton, Wasson, White, Whitemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawatamie, Young and Mr. Speaker—69.

The nays were, Messrs. Ferguson, Guthrie, Mitchell of Fremont, Nelson, and Woodworth—5.

Absent or not voting, Messrs. Chase, Denlinger, Dunlavy, Frisbie, Glanville, Hardie, Jackson, Loomis, Lowrie, Meyer, Milburn, Parker, Rothrock, Smeltzer, Stanton, Thompson, Van Anda, Wetherall, West, and Young—20.

The Bill passed and the title was agreed to.

Mr. Eaton introduced the following Resolution, which was laid over under the rule :

Resolved, That the Attorney General of this State be instructed to give his legal opinion in writing to this House at his earliest convenience, if either of the Land Grant Rail Road Companies have any right to draw from this State any Lands donated by the General Government to this State in alternate sections, six miles in width on each side of the located lines of said Companies, as designated on the maps deposited with the Secretary of the Interior and State, in case either of said Companies shall build their Roads outside of the six mile limits as designated on the map of the line of said Rail Roads.

House File No. 217 : A Bill for an Act relating to the bringing of suits against Counties.

Mr. Fairall moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, " Shall the Bill pass ? " the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Clark, Cleaves, Converse, Curtiss, Cutler,

Dorr, Eaton, Eichorn, Fairall, Ferguson, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Knoll, Lake, Lakin, Lane, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Pendleton, Porter, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, and Mr. Speaker—71.

In the negative, Mr. Quinn—1.

Absent or not voting, Messrs. Castor, Chase, Denlinger, Dunlavy, Flint, Glanville, Hardie, Jackson, Kellogg, Loomis, Lowrie, McQuinn, Meyer, Milburn, Parker, Price, Rothrock, Van Anda, Wetherall, West and Young—21.

The Bill passed and the title was agreed to.

Mr. Outler moved that when this House adjourn it be until tomorrow morning.

Upon this question the yeas and nays were demanded by Messrs. Converse and Maxwell, and were as follows :

The yeas were, Messrs. Bowdoin, Bracewell, Outler, Lorah, McLennan, Russell of Dallas, Smeltzer, Walton, Wilson of Pottawattamie, and Mr. Speaker—10.

The nays were, Messrs. Baker, Bass, Blackford, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Dorris, Eaton, Eichorn, Fairall, Ferguson, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Knoll, Lake, Lakin, Lane, Martin, Maxwell, McCall, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Porter, Price, Rowles, Russell of Jones, Schramm, Shipman, Speer, Stanton, Stevenson, Stewart, Walker, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Woodworth and Wright—59.

Absent or not voting, Messrs. Chase, Denlinger, Dunlavy, Flint, Frisbie, Glanville, Hardie, Jackson, Loomis, Lowrie, McGlothlen, McQuinn, Meyer, Milburn, Parker, Pendleton, Rothrock, Sarver, Thompson, Van Anda, Wetherall, West, and Young—23.

The motion did not prevail.

On motion of Mr. Wilcox the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Lake introduced the following Resolution, by leave, which was laid over under the rule :

Resolved, That the Attorney General be requested to give this House a statement of the facts upon which the suit was brought by the State against the estate of Francis W. Allen, in Webster County, Iowa, for the purpose of recovering the same as an escheat to the State.

House File No. 77: A Bill for an Act to remove an escheat.

Mr. Lane moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Martin, Maxwell, McCall, McGlothlen, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Pendleton, Porter, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Stanton, Stevenson, Stewart, Thompson, Walton, Wasson, Wetherall, White, Whitemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Mr. Speaker—71.

The nays were, none.

Absent or not voting, Messrs. Chase, Calfee, Denlinger, Dunlavy, Glanville, Hardie, Jackson, Loomis, Lowrie, McLennan, McQuinn, Meyer, Milburn, Price, Parker, Quinn, Rothrock, Smeltzer, Speer, Van Anda, Walker, West and Young.

The Bill passed and the title was agreed to.

Substitute for House File No. 176: A Bill for an Act to provide for a report from the Adjutant General of the State of Iowa, and the distribution of the same.

Mr. Curtiss moved to strike out the last Section. The motion prevailed.

Mr. Kellogg moved to refer the Bill to a Select Committee of three, of which Mr. Lane shall be Chairman. The motion prevailed.

The Chair appointed as such Committee, Messrs. Lane, Lake and Hudnutt.

Senate File No. 168: A Bill for an Act to legalize the laying out of the Town of Grove City, in Cass County, Iowa.

Mr. Lorah moved that the rule be suspended and the Bill read a third time. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows :

The Yeas were, Messrs. Baker, Bass, Blackford Bowdoin, Brace-

well, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Martin, Maxwell, McCall, Mercer, Mitchell of Polk, Moir, Moser, Nelson, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Mr. Speaker—71

The nays were, none.

Absent or not voting, Messrs. Chase, Denlinger, Dorr, Dunlavy, Eaton, Glanville, Hardie, Jackson, Loomis, Lowrie, McLennan, McGlothlen, McQuinn, Meyer, Milburn, Mitchell of Fremont, Parker, Rothrock, Van Anda, Walker, West and Young.

The Bill passed and the title was agreed to.

House File No. 183: A Bill for an Act in relation to Plank Roads and conferring certain powers upon Boards of County Supervisors.

Mr. Stephenson moved to suspend the rule, and read the Bill a third time now. The motion prevailed.

The Bill was read a third time and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Knoll, Lakin, Lane, Lorah, Martin, Maxwell, McCall, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Stewart, Thompson, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, and Mr. Speaker—69.

The nays were, None.

Absent or not voting, Messrs. Chase, Denlinger, Dunlavy, Eaton, Fairall, Glanville, Hardie, Jackson, Lake, Loomis, Lowrie, McLennan, McGlothlen, McQuinn, Meyer, Milburn, Parker, Pendleton, Rothrock, Smeltzer, Van Anda, Walker, Walton, West, and Young.

The Bill passed and the title was agreed to.

Substitute for House File No. 271: A Bill for an Act to prevent Counties, having less than five hundred inhabitants, from disposing of their public lands and limiting the amounts to be expended for the erection of public buildings.

Mr. Curtiss moved to amend Section 3 as follows: Strike out

"hundred," in seventh line, and insert "thousand;" strike out "thirty days," in ninth and tenth lines, and insert "one year." The amendment prevailed.

Mr. Martin moved to amend same Section by adding thereto the following: "and all contracts made contrary to the provisions of this Act shall be null and void." The amendment was adopted.

The substitute was adopted.

Mr. Gault moved to suspend the rule and read the Bill a third time now.

Mr. Gibson moved to insert "Daily Des Moines Times." Lost.

Mr. Kellogg moved to strike out the last Section. Lost.

Mr. Fuller, of Harrison, moved to strike out "five hundred," in Section 1, and insert "three hundred." Lost.

Mr. Martin moved to add the following to Section 1: *Provided*, however, that the provisions of this Act shall not apply to any "town lots now owned by said Counties." The amendment prevailed.

The question recurring upon the motion of Mr. Gault to suspend the rule and read the Bill a third time now, it prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Bowdoin, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Frisbie, Fuller of Fayette, Guthrie, Hudnutt, Holyoke, Hollingsworth, Lake, Lakin, Lane, Lowrie, Martin, Maxwell, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Porter, Price, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Stevenson, Walker, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright and Mr. Speaker—50.

The nays were, Messrs. Blackford, Bracewell, Eichorn, Ferguson, Flint, Fuller of Harrison, Gault, Gibson, Gordon, Kellogg, Knoll, Lorah, McCall, McGlothlen, McQuinn, Mercer, Pendleton, Smeltzer, Speer, Stanton, Stewart, Thompson, Walton, and Wasson—24.

Absent or not voting—Messrs. Chase, Denlinger, Dunlavy, Eaton, Fairall, Glanville, Hardie, Hood, Jackson, Loomis, Lowrie, McLennan, Meyer, Milburn, Parker, Quinn, Rothrock, Van Anda, West and Young—20.

The Bill passed.

Mr. Smeltzer moved to amend the title as follows: "A Bill for an Act to prevent the settlement of the Northwestern Counties."

The amendment to the title did not prevail.

The title was agreed to.

Mr. Shipman moved that when this House adjourns, it be until to-morrow morning.

And upon this question the yeas and nays were demanded by Messrs. Smeltzer and Stevenson, and were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Clark, Cleaves, Converse, Cutler, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Knoll, Lakin, Lane, Lorah, Martin, McCall, McGlothlen, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moser, Nelson, Porter, Price, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Stanton, Walker, Walton, Wasson, Wetherall, Whittemore, Williams of Mahaska, Wilson of Pottawattamie, Woodworth and Wright—58.

The nays were, Messrs. Calfee, Castor, Fuller of Fayette, Jackson, Maxwell, Pendleton, Smeltzer, Speer, Stevenson, Stewart, Thompson, White, Wilcox, Williams of Des Moines, Wilson of Chickasaw and Mr. Speaker—18.

Absent or not voting, Messrs. Chase, Denlinger, Dunlavy, Eaton, Glanville, Hardie, Lake, Loomis, Lowrie, McLennan, Meyer, Milburn, Parker, Quinn, Rothrock, Van Anda, West and Young—18.

The motion prevailed.

Mr. Lakin called up his motion to reconsider the vote by which the House decided to hold night sessions.

Mr. White moved to lay the motion on the table, and on this motion the yeas and nays were demanded by Messrs. Wilcox and Stewart, and were as follows :

The yeas were Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Clark, Cleaves, Converse, Cutler, Dorr, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Knoll, Lakin, Lane, Lorah, Martin, McCall, McGlothlen, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moser, Nelson, Porter, Price, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Stanton, Walker, Walton, Wasson, Wetherall, Whittemore, Williams of Mahaska, Wilson of Pottawattamie, Woodworth and Wright—57.

The nays were, Messrs. Calfee, Castor, Curtiss, Fuller of Fayette, Jackson, Maxwell, Moir, Pendleton, Smeltzer, Speer, Stevenson, Stewart, Thompson, White, Wilcox, Williams of Des Moines, Wilson of Chickasaw and Mr. Speaker—18.

Absent or not voting, Messrs. Chase, Denlinger, Dunlavy, Eaton, Glanville, Hardie, Lake, Loomis, Lowrie, McLennan, Meyer, Milburn, Parker, Quinn, Rothrock, Van Anda, West and Young.

The motion prevailed.

Substitute for Senate File No. 141 : A Bill for an Act to authorize the Governor to settle the excess over 500,000 acres selected by the State of Iowa under Act of Congress of Sept. 4th 1841, &c.

Mr. Mitchell of Polk, moved to suspend the rule and read the bill a third time now. The motion prevailed.

The Bill was read a third time and upon the question "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Dorr, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Pendleton, Porter, Price, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Speer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, and Mr. Speaker—70.

The nays were,—None.

Absent or not voting, Messrs. Chase, Converse, Curtiss, Cutler, Denlinger, Dunlavy, Eaton, Glanville, Hardie, Jackson, Loomis, Lowrie, McLennan, Meyer, Milburn, Parker, Quinn, Rothrock, Shipman, Smeltzer, Van Anda, West and Young.

The Bill passed and the title was agreed to.

Mr. Lane, by leave, introduced House File No. 285 : A Joint resolution for the publication of a Legislative Manual. Referred to Committee on Printing.

Senate File No. 152 : A Bill for an Act to permanently locate the Asylum or Institution for the Education of the Deaf and Dumb.

Mr. Martin moved that the bill be postponed until the 4th day of July.

On motion of Mr. Lake the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
THURSDAY, March 20, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Turner.

Journal of yesterday read and approved.

Message from the Senate by Wm. F. Davis, their Secretary :

MR. SPEAKER :—I am directed to inform your Honorable Body, that the Senate has passed Senate File No. 221 : A Joint Resolution in relation to mail facilities.

Senate File No. 224 : A Bill for an Act to legalize the acts of G. C. Wright as Notary Public in Bremer county in which the concurrence of the House is asked.

I herewith return House File No. 246: A Bill for an Act to authorize the Recorder of Appanoose county to re-index the records, &c. of said county, the same having passed the Senate without amendment.

House File No. 212: A Bill for an Act repealing part of Section 1583, Chapter 64 of the Revision of 1860, the same having been rejected by the Senate.

Also, Substitute for Senate File No. 114: A Bill for an Act to amend Chapter 67 of the Revision of 1860.

Also, Senate File No. 225: A Bill for an Act to legalize the acts of Wm. H. Manning, as Notary Public of Van Buren County,—in which the concurrence of the House is asked.

WM. F. DAVIS, Sec'y of Senate.

COMMUNICATIONS AND MESSAGES ON THE TABLE.

The following communication from the Governor was taken up and read, and referred to Committee on Railroads:

EXECUTIVE OFFICE, IOWA, }
MARCH 18, 1862. }

Gentlemen of the House of Representatives:—

I herewith transmit copy of a letter this day received by me from Hon. W. W. Hamilton, in regard to the requirement of the Rail Road "Land Grant Act" which requires the roads built under it to be equal to the average of first class roads elsewhere.

The suggestions therein contained deserve careful, serious, and in my judgment, favorable consideration. They seem to be sensible and practical.

SAMUEL J. KIRKWOOD.

DES MOINES, MARCH 18, 1862.

To His Excellency,

GOVERNOR KIRKWOOD:

SIR: The Board of Directors of the Dubuque and Sioux City Rail Road Company, desire me to call your Excellency's attention and that of the General Assembly, to the requirement of the Land Grant Act, which requires the roads built under it to be equal to the average of first class roads elsewhere.

These roads are now built one hundred miles and more, west of the Mississippi, and have each to build about two hundred miles before they reach the Missouri; most of the way through a country very thinly settled, and where, for some time to come, there can not, in the nature of things, be traffic enough to pay interest on the money invested in a first class road, laid with heavy rail. The experience of other States has shown that the true policy of Rail

Road building in a new country, is to pioneer with a cheap road and substitute heavier iron, as the settlement of the country and its increased means will justify it. Our policy, forced upon us by law, has been just the contrary of this; and to this policy may be traced, as I believe, the slow progress of the roads, and the bad financial condition of some of them.

Without giving other instances in support of this argument, I may call attention to the fact that the first Rail Road built from Chicago, westward, was laid with iron that did not cost one-third of that now laid down on our roads; and that a large traffic was done on it for some years; and it does not seem necessary to argue that a road which was deemed sufficient by the business men of Chicago, in their endeavor to reach the Mississippi, might be considered sufficient for us in Iowa, in our further progress to the Missouri.

Believing that if the above requirement in the Land Grant Act was repealed, and each Company left to its own discretion as to the kind of road it built, that the roads would be built twice as fast as they now are; and that the necessities of the Companies would compel them to improve and re-lay them as fast as the increased wants of the country and means of the Companies would justify it; and that such repeal might enable, at least, some of said Companies to reach the Missouri within the time designated in the Act of Congress, I must respectfully beg you to bring the matter before the attention of the General Assembly.

W. W. HAMILTON.

Senate File No. 224: A Bill for an Act to legalize the acts of G. C. Wright, as Notary Public of Bremer County, State of Iowa. Read a first and second time.

Mr. Bracewell moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eichorn, Fairall, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Huddnutt, Holyoke, Hollingsworth, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Speer, Stanton, Stevenson, Thompson, Van Anda, Walker, Wasson, Wetherall, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Wright, Mr. Speaker—68.

The nays were, Messrs. Dunlavy, Ferguson, Hardie, Lowrie, McLennan, Shipman, Smeltzer and Walton—8.

Absent or not voting, Messrs. Chase, Eaton, Glanville, Hood, Jackson, Loomis, Meyer, Milburn, Nelson, Parker, Rothrock, Stew-

art, West, White, Wilson of Chickasaw, Woodworth and Young.

The Bill passed and the title was agreed to.

Substitute for Senate File No. 114: A Bill for an Act to amend Chapter 67 of the Revision of 1860. Read a first and second time and referred to Committee on Agriculture.

Senate File No. 225: A Bill for an Act to legalize the acts of Wm. H. Manning, as Notary Public of Van Buren County. Read a first and second time.

Mr. Martin moved to suspend the rule and read the Bill a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Frisbie, Fuller of Harrison, Hudnutt, Hollingsworth, Hood, Kellogg, Lakin, Lane, Lorah, Martin, Maxwell, McCall, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moser, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Stanton, Thompson, Van Anda, Walton, Wasson, White, Whittemore, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Wright, Mr. Speaker—55.

The nays were, Messrs. Ferguson, Flint, Gault, Gibson, Gordon, Guthrie, Hardie, Knoll, Lake, Lowrie, McGlothlen, McLennan, Moir, Shipman, Smeltzer, Speer, Stevenson, Walker, Wetherall, Wilcox, Woodworth—21.

Absent or not voting, Messrs. Chase, Cleaves, Eaton, Fuller of Fayette, Glanville, Holyoke, Jackson, Loomis, Meyer, Milburn, Nelson, Parker, Rothrock, Stewart, West, Williams of Des Moines, and Young.

The Bill passed and the title was agreed to.

Senate File No. 221: Joint resolution in relation to additional mail facilities. Referred to Committee on Federal Relations.

PETITIONS, &C.

Mr. McGlothlen presented sundry petitions of citizens of Wapello County, for a reduction in State printing. Referred to Committee on Printing.

Mr. Lane presented the petition of sundry citizens of Scott County, for the repeal of all appraisement laws. Referred to Committee on Judiciary.

The motion prevailed.

REPORTS OF COMMITTEES.

Mr. Fairall, from Committee on the Judiciary, submitted the following reports:

The Judiciary Committee, to whom was referred House File No. 152: A Bill for an Act to amend Chapter 16 of Revision of 1860, in relation to Notaries Public, respectfully report that they have had said bill under consideration, and have instructed me to report back the following Substitute and recommend its passage.

SAML. H. FAIRALL, for Committee.

The Judiciary Committee, to whom was referred Substitute for Senate File No. 150, respectfully report that they have had the same under consideration, and have instructed me to report the same back to the House and recommend its passage.

SAML. H. FAIRALL, for Committee.

Mr. Lane, from Committee on Military affairs, submitted the following Report:

The Committee on Military affairs, to whom was referred a Bill for an Act for the appointment of additional Surgeons in the Iowa Volunteers, have had the same under consideration, and have instructed me to report the same back with a Substitute, and recommend the passage of the Substitute.

JAMES T. LANE, Chairman.

Mr. Pendleton, from Committee on Military affairs, submitted the following Report:

The Military Committee, to whom was referred House File No. 65: A Bill for an Act for the relief of Capt. James F. Morton and others, employed in the military service of the State, for the protection of the North-Western Frontier, have had the same under consideration, and have directed me to report and recommend the adoption of a Substitute for the same, which is herewith submitted.

PENDLETON, from Military Committee.

Mr. Shipman, from Committee on County and Township organization, submitted the following Report:

The Committee on Township and County Organization, to whom was referred a Resolution passed by the Board of Supervisors of Marshall County asking a repeal of the law creating the Board of County Supervisors, would report that they have had the Resolution under consideration; and as your Committee have heretofore made a report on this subject, they have instructed me to report the Resolution back to the House, and ask that it be laid on the table.

SHIPMAN, Chairman.

Mr. Moir, from Committee on Judiciary, submitted the following report:

The Judiciary Committee, to whom was referred the petition of G. W. Elliott and thirty others, asking the Legislature of this State to confer civil and criminal jurisdiction on County Judges, beg leave to report that a Bill having been presented to this House, and being now under consideration, they recommend that this petition be placed upon file.

MOIR.

Mr. Fuller, of Fayette, from Committee on Banks and Banking, submitted the following report :

Your Committee on Banks and Banking, to whom was referred House File No. 278 : An Act to amend Section 1650 of the Revision of 1860, ask leave to report that, in their opinion, said Bill, if passed, would be unconstitutional.

FULLER of Fayette,
Chairman Com. on Banks and Banking.

Mr. Maxwell, from the Select Committee, to whom was referred a resolution relative to the right of Counties to dispose of their swamp lands, &c., submitted the following report :

Your Committee, to whom was referred the Resolution relative to the right of Counties to dispose of their swamp lands, and funds arising therefrom, to any other purpose than that of reclaiming said lands, have had the same under consideration, and instructed me to report that, in their opinion, it would be well for this Assembly to have the written opinion of the Attorney General thereon, and recommend the adoption of the following Preamble and Resolution.

JOHN S. MAXWELL,
Chairman Committee.

The Committee introduced the following Preamble and Resolution ; by the unanimous consent of the House the Resolution was taken up and adopted :

WHEREAS, Certain Acts have heretofore been passed by the General Assembly empowering and authorizing Counties to divert their Swamp Lands, and Funds arising therefrom, to other purposes than that of reclaiming said lands by means of levees and drains ; and,

WHEREAS, It being a question of some doubt whether or not said lands can be used or diverted to any other purpose than that contemplated in the Act of Congress donating said lands to the State ; therefore, be it

Resolved, That the Attorney General be requested to give, in writing, to this General Assembly his opinion as to whether the State, by law, can direct, and Counties divert their Swamp Lands, and Funds arising therefrom, to any other purpose than that of reclaiming said lands.

Mr. Mitchell, of Polk, from Committee on Public Lands, submitted the following report :

Your Committee on Public Lands, to whom was referred House File No. 53, have had the same under consideration, and have instructed me to report a substitute therefor and recommend its passage.

JNO. MITCHELL, Chairman.

Mr. McCall, from Committee on Engrossed Bills, submitted the following report :

The Committee on Engrossed Bills have examined House File

No. 227: A Bill for an Act to amend Chapter 45 of the Revision of 1860, being an Act in relation to Revenue, and find the same correctly engrossed.

McCALL & SMELTZER.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: The Joint Committee on Enrolled Bills ask leave to report that they have examined Senate File 130, find the same correctly enrolled, and herewith present it for your signature.

D. G. FRISBIE,
Chairman House Committee.

RESOLUTIONS LAID OVER UNDER THE RULE.

Resolved, That the Attorney General be requested to give this House a statement of the facts upon which the suit was brought by the State against the estate of Francis W. Allen in Webster County, Iowa, for the purpose of recovering the same as an escheat to the State.

The Resolution was adopted.

Resolved, That the Attorney General of this State be instructed to give his legal opinion in writing to this House, at his earliest convenience, if either of the Land Grant Railroad Companies have any right to draw from this State any lands donated by the General Government to this State in alternate sections six miles in width, on each side of the located lines of said companies, as designated on the maps deposited with the Secretary of the Interior and State, in case either of said Companies shall build their road outside of the six mile limits as designated on the map of the line of said railroads.

The resolution was adopted.

INTRODUCTION OF BILLS.

Mr. Bowdoin introduced House File No. 286: A Bill for an Act fixing the time for the meetings of the Board of Education. Read a first and second time.

Mr. Bowdoin moved to suspend the rule and read the Bill a third time now.

Mr. Martin moved to refer to the Committee on the Judiciary. This motion did not prevail.

The question recurring upon the motion of Mr. Bowdoin to suspend the rule and read the Bill a third time now, it prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Ful-

ler of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Maxwell, McCall, McGlothlen, McLennan, Mercer, Mitchell of Fremont, Moir, Moser, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Smeltzer, Speer, Stanton, Thompson, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Woodworth, Wright and Mr. Speaker—69.

The nays were, Messrs. Bass, Blackford, Cutler, Lowrie, Martin, McQuinn, Shipman, Stevenson, Van Anda, Walker, and Wilson of Pottawattamie—11.

Absent or not voting, Messrs. Chase, Glanville, Jackson, Loomis, Meyer, Milburn, Nelson, Parker, Rothrock, Stewart, West and Young—11.

The Bill passed and the title was agreed to.

Mr. McQuinn introduced House File No. 287: A Bill for an Act to authorize the Superintendent of the institution, for the education of the Blind, to remove said institution to the building erected for that purpose at Vinton, in Benton County, Iowa. The Bill was read a first and second time, and referred to Committee on Charitable Institutions.

BILLS ON SECOND READING.

House File No. 118: A Bill for an Act to remove the State Weights and Measures from Iowa City to Des Moines.

Mr. Curtiss moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Calfee, Castor, Curtiss, Cutler, Ferguson, Frisbie, Fuller of Harrison, Gibson, Gordon, Guthrie, Holyoke, Hood, Kellogg, Lorah, Mitchell of Polk, Sarver, Smeltzer, Speer, Thompson, Wetherall, Williams of Mahaska, Wilson of Pottawattamie, and Wright—23.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Clark, Cleaves, Converse, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Flint, Fuller of Fayette, Gault, Hardie, Hudnutt, Hollingsworth, Knoll, Lake, Lakin, Lane, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Mitchell of Fremont, Moir, Moser, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Schramm, Shipman, Stanton, Stevenson, Van Anda, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Woodworth, and Mr. Speaker—56.

Absent or not voting, Messrs. Chase, Glanville, Jackson, Loomis,

Lowrie, McLennan, Meyer, Milburn, Nelson, Parker, Rothrock, Stewart, West, and Young.

The Bill did not pass.

House File No. 195: A Bill for an Act providing for a uniform standard of weights and measures, creating the office of State Superintendent of weights and measures, and providing the appointment of sealers of weights and measures in the several counties, cities and incorporated towns of this State.

Mr. Bowdoin moved to suspend the rule and read the bill a third time now.

Mr. Sarver moved to fill the blank in section fifteen with "fifty." Carried.

Mr. Shipman moved to strike out the words, "from the Board of Professors of the Iowa State University," in 3d line of Section 13. Lost.

Mr. Williams of Mahaska moved to strike out the following words in section 13: "Who shall be a scientific man, of sufficient learning and mechanical tact to perform the duties of his office." Lost.

Mr. Gordon moved to strike out Section 13. The motion was lost.

Mr. Sarver offered the following substitute for section 16:

"Section 16. The State Superintendent shall procure such apparatus and fixtures as are necessary in the comparison and adjustment of County and Town standards." The substitute did not prevail.

Mr. Kellogg moved to amend section 16: After the word "copies," in the 4th line, add, "Provided said copies shall not cost to exceed two hundred dollars. The amendment was lost.

Mr. Guthrie moved to amend section 16 as follows: After the word "copies" in 4th line insert, "Provided the cost of the same shall not exceed three hundred and fifty dollars. The amendment was adopted.

Mr. White moved to strike out "ten" in the fourth line of section 23, and insert "five." Carried.

Mr. Martin moved to strike out "shall" in 1st, 2d and 6th lines of section 19, and insert "may." Carried.

Mr. Lake moved to strike out, "and incorporated towns," in first line of section 19. Lost.

The question recurring upon the motion of Mr. Bowdoin, that the rule be suspended, and the Bill read a third time now, it prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glan-

ville, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Porter, Price, Quinn, Rowles, Russell of Dallas, Sarver, Schramm, Shipman, Smeltzer, Stanton, Stevenson, Van Anda, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, and Mr. Speaker—71.

The nays were, Messrs. Gibson, Gordon, Kellogg, Martin, and Russell of Jones—5.

Absent or not voting, Messrs. Chase, Cutler, Glanville, Jackson, Loomis, Meyer, Milburn, Nelson, Pendleton, Parker, Rothrock, Speer, Stewart, Thompson, Wetherall, West, Williams of Des Moines, and Young.

The Bill passed and the title was agreed to.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following report :

Mr. SPEAKER :—The Joint Committee on Enrolled Bills ask leave to report that they have delivered to the Governor for his approval Senate Files Nos. 62, 1130 and 143, and House Files Nos. 47, 138, and 207.

D. G. FRISBIE,
Chairman of House Committee.

Senate File No. 79 : A Bill for an Act to regulate the fees of Sheriffs for taking convicts to the Penitentiary.

Mr. Fuller of Fayette moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Pendleton, Porter, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Thompson, Van Anda, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Woodworth, Wright, and Mr. Speaker—75.

The nay was, Mr. Price—1.

Absent or not voting, Messrs. Bass, Chase, Cutler, Eaton, Glanville, Hardie, Loomis, Moser, Nelson, Parker, Rothrock, Stewart, Wetherall, West, Wilson of Pottawattamie, and Young.

The Bill passed and the title was agreed to.

Senate File No. 162: A Bill for an Act in relation to County Court Records:

Mr. Bracewell moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Moir, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Woodworth, Wright and Mr. Speaker—74.

The nays were, Mr. Thompson—1.

Absent or not voting, Messrs. Chase, Cutler, Eaton, Glanville, Jackson, Loomis, Meyer, Milburn, Mitchell of Polk, Moser, Nelson, Parker, Rothrock, Smeltzer, Stewart, West, Wilson of Pottawattamie and Young.

The Bill passed and the title was agreed to.

Senate File No. 108: A Bill for an Act to amend Section 906 of the Revision of 1860, and for the encouragement of hedging.

On motion of Mr. Converse the rule was suspended and the bill read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Knoll, Lake, Lakin, Lane, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, and Mr. Speaker—78.

The nays were,—None.

Absent or not voting, Messrs. Chase, Cutler, Glanville, Jackson, Kellogg, Loomis, Lowrie, Nelson, Parker, Pendleton, Rothrock, Stewart, Thompson, West and Young.

The Bill passed and the title was agreed to.

Senate File No. 132: A Bill for an Act to define further the duties of County Supervisors and their Clerks.

Mr. Martin moved to amend the Bill by adding the following additional section thereto:

SECTION. 3. All Bonds of County Officers including justices of the peace, constables and township clerks, shall be approved by the Board of Supervisors, and filed in the office of the Clerk of said Board, except that of the Clerk of said Board of Supervisors which shall be filed as now required by law, *Provided*, however that such power may be delegated in like manner and under like circumstances as specified in the first Section of this Act. The amendment was adopted.

Mr. Martin moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Harrison, Gault, Gordon, Guthrie, Hardie, Hudnutt, Holroyke, Hollingsworth, Hood, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Polk, Moir, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Thompson, Van Anda, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright and Mr. Speaker—73.

The nays were, Messrs. Denlinger, Mitchell of Fremont, Moir—3.

Absent or not voting, Messrs. Chase, Cutler, Fuller of Fayette, Gibson, Glanville, Jackson, Loomis, Meyer, Milburn, Nelson, Rothrock, Smeltzer, Stewart, Wetherall, West and Young.

The Bill passed and the title was agreed to.

On motion of Mr. Gordon the House adjourned.

TWO O'CLOCK P. M.

House met pursuant to adjournment.

Senate File No. 176: A Bill for an Act relating to Draining.

Mr. Williams of Des Moines moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Knoll, Lake, Lane, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Speer, Stanton, Stevenson, Thompson, Van Anda, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright and Mr. Speaker—68.

The nays were, None.

Absent or not voting, Messrs. Bass, Clark, Chase, Eaton, Gault, Glanville, Gordon, Jackson, Lakin, Loomis, Lowrie, Meyer, Milburn, Moser, Nelson, Parker, Rothrock, Shipman, Smeltzer, Stewart, Walker, West, Williams of Mahaska, and Young—24.

The Bill passed and the title was agreed to.

House File No. 59: A Bill for an Act to encourage Domestic Manufacture.

Mr. Wilcox moved to suspend the rule and read the Bill a third time now.

Mr. Smeltzer moved to amend section 1, as follows: Strike out all after "aye" in the fifth line, to "all" the first time it occurs in eighth line.

Mr. Dorr moved to strike out the enacting clause of the Bill, and upon this question the yeas and nays were demanded by Messrs. Smeltzer and Lorah, and were as follows:

The yeas were, Messrs. Baker, Bass, Calfee, Castor, Dorr, Dunlavy, Eichorn, Ferguson, Flint, Guthrie, Hardie, Knoll, Lorah, McGlothlen, McLennan, McQuinn, Mitchell of Fremont, Mitchell of Polk, Moser, Pendleton, Porter, Price, Rowles, Smeltzer, Van Anda, Walton, Wetherall, Williams of Mahaska, Woodworth and Wright—32.

The nays were, Messrs. Blackford, Bowdoin, Bracewell, Burton, Clark, Cleaves, Curtiss, Denlinger, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Hudnutt, Holyoke, Hollingsworth, Kellogg, Lake, Lane, Martin, Maxwell, McCall, Mercer, Moir, Quinn, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Thompson, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Woodworth, and Mr. Speaker—42.

Absent or not voting, Messrs. Chase, Cutler, Eaton, Gault, Glanville, Gordon, Jackson, Lakin, Loomis, Lowrie, Meyer, Milburn, Nelson, Parker, Rothrock, Stewart, Walker, West, Wilson of Pottawattamie, and Young—20.

The motion did not prevail.

Mr. Frisbie moved to amend section 1 by striking out "taxation" in third line and inserting "execution."

Mr. Sarver moved to refer the Bill to a Select Committee of three, of which Mr. shall be Chairman. The motion was lost.

Mr. Price moved that the further consideration of the Bill be postponed until the 5th of July, and upon this question the yeas and nays were demanded by Messrs. Kellogg and Guthrie, and were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Burton, Castor, Clark, Cleaves, Converse, Dorr, Dunlavy, Eichorn, Ferguson, Flint, Fuller of Fayette, Gault, Gibson, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Knoll, Lake, Lorah, McGlothlen, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Pendleton, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Van Anda, Walton, Wasson, Wetherall, Williams of Mahaska, Wilson of Chickasaw, Woodworth, and Wright—51.

The nays were, Messrs. Bowdoin, Bracewell, Calfee, Curtiss, Cutler, Denlinger, Fairall, Frisbie, Fuller of Harrison, Kellogg, Lane, Martin, Maxwell, McCall, McLennan, McQuinn, Mercer, Porter, Stanton, Stevenson, Thompson, Walker, White, Whittemore, Wilcox, Williams of Des Moines, and Mr. Speaker—27.

Absent or not voting—Messrs. Chase, Eaton, Glanville, Jackson, Lakin, Loomis, Lowrie, Milburn, Parker, Rothrock, Stewart, West, Wilson of Pottawattamie and Young—14.

The motion prevailed.

Mr. Bowdoin moved that House File No. 227: A Bill for an Act to amend Chapter 45 of the Revision of 1860, being an Act in relation to Revenue, be taken up. The motion prevailed.

Mr. Williams of Mahaska moved to re-commit the Bill to Committee on Ways and Means. The motion did not prevail.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Burton, Clark, Cleaves, Curtiss, Cutler, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Lake, Lakin, Lane, Martin, Maxwell, McCall, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Stevenson, Van Anda, Walker, Walton, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Chickasaw, Woodworth, Wright, and Mr. Speaker—52.

The nays were, Messrs. Bass, Bracewell, Calfee, Castor, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Gib-

son, Hardie, Kellogg, Knoll, Lorah, McGlothlen, McLennan, Smeltzer, Speer, Thompson, Wasson, and Wetherall—25.

Absent or not voting, Messrs. Chase, Converse, Glanville, Jackson, Loomis, Lowrie, McLennan, Milburn, Nelson, Parker, Pendleton, Rothrock, Stanton, Stewart, West, Williams of Mahaska, and Wilson of Pottawattamie—16.

The Bill passed and the title was agreed to.

Senate File No. 153: A Bill for an Act in relation to the organization of Townships and the number of Supervisors in any County.

Mr. Van Anda moved to amend section 1, strike out "twenty-five" in sixth line and insert "ten."

Mr. Russell of Dallas moved to insert "fifty." The motion was lost.

The question recurring upon the amendment of Mr. Van Anda, it was lost.

On motion of Mr. Shipman the rule was suspended and the Bill read a third time, and upon the question "shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Bowdoin, Burton, Castor, Cleaves, Curtiss, Denlinger, Dorr, Eaton, Eichorn, Frisbie, Fuller of Harrison, Gibson, Guthrie, Hudnutt, Holyoke, Hood, Lake, Lakin, Lane, Maxwell, McQuinn, Mitchell of Fremont, Quinn, Rowles, Russell of Dallas, Russell of Jones, Schramm, Shipman, Speer, Stevenson, Thompson, Walker, Walton, Wasson, Wetherall, White, Williams of Mahaska, Wilson of Chickasaw, Woodworth, Wright, and Mr. Speaker—43.

The nays were, Messrs. Blackford, Bracewell, Calfee, Clark, Converse, Cutler, Dunlavy, Fairall, Ferguson, Flint, Gault, Gordon, Hardie, Hollingsworth, Kellogg, Knoll, Lorah, Martin, McCall, McGlothlen, Mercer, Meyer, Mitchell of Polk, Moir, Moser, Pendleton, Price, Sarver, Smeltzer, Van Anda, Wilcox, Williams of Des Moines—32.

Absent or not voting, Messrs. Chase, Fuller of Fayette, Glanville, Jackson, Loomis, Lowrie, McLennan, Milburn, Nelson, Parker, Rothrock, Stanton, Stewart, West, Whittemore, Williams of Mahaska, Wilson of Pottawattamie, and Young—18.

The Bill was lost.

Mr. Moir moved to reconsider the vote by which the Bill was rejected. The motion prevailed.

Mr. Clark, of Tama, moved to reconsider the vote by which the Bill was ordered to a third reading. The motion prevailed.

Mr. Frisbie moved to strike out all of Section 1, except the enacting clause.

Mr. Moir moved to amend by striking out "twenty-five," in the sixth line of Section 1, and insert "ten." The motion prevailed.

Mr. Curtiss moved to strike out "legal voters," in Section 1, and insert "inhabitants." Lost.

The question recurring upon the motion of Mr. Frisbie, it was lost.

Mr. Moir moved to suspend the rule and read the Bill a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bowdoin, Bracewell, Burton, Castor, Clark, Cleaves, Curtiss, Dunlavy, Eaton, Eichorn, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Guthrie, Hudnutt, Hood, Lakin, Lane, Martin, Maxwell, McCall, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Porter, Price, Quinn, Rowles, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Van Anda, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Woodworth, Wright, and Mr. Speaker—53.

The nays were, Messrs. Bass, Blackford, Calfee, Converse, Cutler, Denlinger, Dorr, Fairall, Ferguson, Flint, Frisbie, Gordon, Hardie, Holyoke, Hollingsworth, Kellogg, Knoll, Lorah, McGlothlen, McLennan, Moser, Pendleton, Russell of Dallas, Smeltzer, and Thompson—25.

Absent or not voting, Messrs. Chase, Glanville, Jackson, Lake, Loomis, Lowrie, Milburn, Nelson, Parker, Rothrock, Stewart, Walker, West, Wilson of Pottawattamie, and Young.

The Bill passed and the title was agreed to.

Senate File No. 127: A Bill for an Act to amend the Acts to protect game.

Mr. Lane moved that the rule be suspended and the Bill read a third time now.

Mr. Mitchell, of Fremont, moved the indefinite postponement of the Bill. The motion prevailed.

House File No. 242: Substitute for House Files Nos. 100, 119 and 168: A Bill for an Act defining the manner in which the boundaries of Counties may be changed in certain cases and providing for the disposition of existing liabilities.

Mr. Cutler moved that the rule be suspended and the Bill read a third time now.

Mr. Burton moved to amend Section 1 as follows: After "therefor" in third line, insert "and four weeks notice shall be given of the presentation of such petition, by two insertions in one paper published in said County." Lost.

Mr. Pendleton moved to amend Section 1 as follows: After "which" in third line, insert "and each of", and change "petition" in same line, to "petitions", and Section 3 as follows: Strike out "an" the first time it occurs in second line, and after "give" in same line, insert "at least" and strike out "or all" in fourth line. The amendment prevailed.

Mr. Blackford offered the following amendment to Section 1:

After "Counties" in second line, insert "having each a population of five hundred inhabitants." Lost.

Mr. Denlinger moved to strike out Sections 9, 10 and 11. Lost.

The question recurring upon the motion of Mr. Cutler to suspend the rule and read the Bill a third time now, it prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Calfee, Castor, Clark, Converse, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Van Anda, Walker, Walton, Wasson, White, Whittemore, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Wright, and Mr. Speaker—63.

The nays were, Messrs. Burton, Cleaves, Denlinger, Ferguson, Flint, Hardie, Knoll, McLennan, McGlothlen, Thompson, and Wetherall—11.

Absent or not voting, Messrs. Chase, Dunlavy, Lowrie, Nelson, Parker, Rothrock, Smeltzer, Stewart, Wilcox, Woodworth, and Young.

The Bill passed and the title was agreed to.

Mr. Bracewell moved to reconsider the vote by which Senate File No. 127, A Bill for an Act to amend the Acts to protect game, was rejected. The motion prevailed.

Mr. Frisbie from Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Joint Committee on Enrolled Bills have examined Senate File Nos. 129, 168, and 218, found the same correct and now present them for your signature.

D. G. FRISBIE,

Ch'n House Com.

On motion of Mr. Frisbie the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
FRIDAY, March 21, 1862. }

House met pursuant to adjournment.
Prayer by Rev. Mr. Turner.

Journal of yesterday read and approved.

REPORTS OF COMMITTEES.

Mr. Fairall from the Committee on the Judiciary, submitted the following report:

The Judiciary Committee to whom was referred House File No. 235, A Bill for an Act to amend Chapter 146 of Revision of 1860, respectfully report that they have had the same under consideration and have instructed me to report back and recommend the adoption of the accompanying substitute.

SAM. H. FAIRALL, for Committee.

Mr. Bracewell from Select Committee on House File Nos. 55 and 131, submitted the following report:

The Select Committee, to whom was referred House Files No. 55 and 131, in relation to fences, have had the same under consideration and have instructed me to report a substitute therefor, and recommend its passage.

The Committee introduced House File No. 288, substitute for House Files No. 55 and 131: A Bill for an Act in relation to fences.

Message from the Senate by Wm. F. Davis, their Secretary:

MR. SPEAKER:—I am directed to inform your Honorable Body, that the Senate has passed Senate File No. 226: A Bill for an Act to authorize the Governor of this State to procure passes over Railroad and Steamboat routes for such sick and wounded soldiers as may need the same in returning home from the army.

Also; House File No. 249: A Bill for an Act relative to the public square in the town of Indianapolis in Mahaska County.

House File No. 248: A Bill for an Act to legalize the acts of E. A. Alexander, a Notary Public in and for Buchanan County.

House File No. 229: A Bill for an Act entitled an Act to regulate the taxation and collection of costs in certain cases.

House File No. 281: A Bill for an Act to legalize the acts of John H. Brown, a Notary Public of Blackhawk County.

House File No. 183: A Bill for an Act in relation to Plank Roads, and conferring certain powers upon Boards of Supervisors, without amendment.

Also; That the Senate has rejected House File No. 107: A Bill for an Act to amend section 317, chapter 22, of the Revision of 1860, in relation to Boards of Supervisors, and has concurred in the House amendment to Senate File No. 206: A Bill for an Act to amend section 662 of the Revision of 1860.

House File No. 233: A Bill for an Act further defining the duties of Register of the State Land Office, amended by striking out the publication clause, in which the concurrence of the House is asked.

W. F. DAVIS, Secretary.

INTRODUCTION OF BILLS.

Mr. Stanton introduced House File No. 289: A Bill for an Act in relation to the sale of malt liquors, wine and cider. Read a first time.

Mr. Hardie moved that the Bill be rejected, and upon this question the yeas and nays were demanded by Messrs. Hardie and Knoll, and were as follows:

The Yeas were, Messrs. Bass, Blackford Bowdoin, Burton, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Gault, Gordon, Hardie, Hudnutt, Knoll, Lakin, Lane, Lorah, Martin, McLennan, Mitchell of Polk, Moir, Nelson, Pendleton, Porter, Quinn, Rowles, Russell of Jones, Sarver, Smeltzer, Speer, Stewart, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawatomie, Woodworth, and Mr. Speaker—44.

The nays were, Messrs. Bracewell, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Dunlavy, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Guthrie, Holyoke, Hollingsworth, Hood, Kellogg, Lake, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Mitchell of Fremont, Price, Russell of Dallas, Schramm, Shipman, Stanton, Stevenson, Thompson, Van Anda, Walker, Wilson of Chickasaw, and Wright—37.

Absent or not voting, Messrs. Baker, Chase, Jackson, Loomis, Lowrie, Meyer, Milburn, Moser, Parker, Rothrock, West and Young.

The Bill was rejected.

Mr. Fairall introduced House File No. 290: A Bill for an Act to vacate part of the town of Windham, in Johnson county, Iowa. Read a first and second time, and referred to Committee on Incorporations.

Leave of absence was granted to Mr. Wilson of Chickasaw for the remainder of the session.

RESOLUTIONS.

Mr. Moir introduced the following resolution:

WHEREAS, It is near the close of the present Session, and high time that all the important Bills of this Session should be presented for consideration, so that the session shall not be prolonged thereby; therefore,

Resolved, That the Committee on Congressional Districts be instructed to report a Bill for the establishment of Congressional Districts in this State, on or before the 25th day of the present month.

Mr. Curtiss moved to lay the Resolution on the table. Lost.

The Resolution was adopted.

Mr. Williams of Des Moines introduced the following Resolution:

WHEREAS, In obedience to the unanimous demand of our constituents, this General Assembly has adopted the policy of curtailing expenditures and reducing salaries, as a general rule; and,

WHEREAS, It becomes us as Legislators, to set the example in our own conduct, of submission to the imperative demand for retrenchment, in these times of onerous taxation upon the people, and more particularly that such taxation hereafter will of necessity be largely increased by the Federal Tax for the support of the Government in crushing the present Rebellion; therefore,

Resolved, That it is expedient and proper that the per diem of the members of this General Assembly, be reduced to the sum of two dollars and fifty cents per day, and that the Committee of Ways and Means be instructed to bring in a bill for that purpose.

Mr. Shipman moved to lay the Resolution on the table, and upon this question the yeas and nays were demanded by Messrs. Williams of Des Moines and Stewart, and were as follows:

The yeas were, Messrs. Bass, Blackford, Bowdoin, Bracewell, Burton, Clark, Cleaves, Converse, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gordon, Hardie, Holyoke, Hollingsworth, Lake, Lakin, Lane, Lorah, Martin, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Pendleton, Price, Quinn, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Thompson, Van Anda, Walker, Walton, Wasson, White, Whittemore, Williams of Mahaska, Wilson of Pottawattamie, Wright and Young—57.

The nays were, Messrs. Castor, Curtiss, Cutler, Ferguson, Flint, Gibson, Glanville, Guthrie, Hudnutt, Hood, Kellogg, Knoll, Maxwell, McCall, McGlothlen, Rowles, Stewart, Wetherall, Wilcox, Williams of Des Moines, Woodworth and Mr. Speaker—21.

Absent or not voting, Messrs. Baker, Calfee, Chase, Jackson, Loomis, Lowrie, Meyer, Milburn, Moser, Nelson, Porter, Rothrock, West, and Wilson of Chickasaw.

The motion prevailed.

MESSAGES ON THE TABLE.

House File No. 233: A Bill for an Act further defining the duties of the Register of the State Land Office. The Senate amendment was concurred in.

And upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Bass, Blackford, Bowdoin, Bracewell, Burton, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville,

Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—81.

The nays were, none.

Absent or not voting, Messrs. Baker, Calfee, Chase, Jackson, Loomis, Lowrie, Meyer, Milburn, Moser, Parker, Rothrock, and West.

The Bill passed and the title was agreed to.

Senate File No. 226: A Bill for an Act to authorize the Governor of this State to procure passes over Railroad and Steamboat Routes for such sick and wounded soldiers as may need the same in returning home from the army. Read a first and second time.

Mr. Curtiss moved that the rule be suspended, and the Bill read a third time now. The motion prevailed.

And upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Bass, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—80.

The nays were—None.

Absent or not voting, Messrs. Baker, Blackford, Chase, Eaton, Jackson, Loomis, Lowrie, Meyer, Milburn, Moser, Parker, Rothrock, and West.

The Bill was passed and the title was agreed to.

Leave of absence was granted to Mr. Moser.

BILLS ON SECOND READING.

House File No. 136: A Bill for an Act to authorize the Govern-

or to appoint agents in regard to Swamp Lands belonging to the State of Iowa, and defining their duties.

Mr. Fairall offered the following amendment to Section 1: Strike out "or men" in second line, and change "agents" in same line to "agent." The amendment prevailed.

Also, the following amendment to Section 2: Strike out third line and all of fourth line to period, and insert after "money" in sixth line, "or Land Scrip." The amendment was adopted.

Mr. Price moved to strike out third and fourth sections and all of fifth section, to "it" in second line.

Mr. Curtiss offered the following amendment: After the words "Governor to" in section 3, third line, insert the following: To notify and deposit with the Board of Supervisors of each County, the amount of said Land Scrip to which the County is entitled, whereupon said Board shall, within six months thereafter, cause to be selected and located at some convenient Land Office, at which said Scrip can be located, the number of acres of land named in the Scrip, and make returns in writing, accompanied with the certificate of the Register of the Land Office where said location may be made, to the Register of the State Land Office. The amendment did not prevail.

Mr. Mitchell of Fremont moved to reconsider the vote by which Mr. Fairall's amendment to Section 1, was adopted. The motion was lost.

Mr. Shipman moved to reconsider the vote by which Mr. Fairall's amendment to Section 2 of the Bill was adopted. The motion prevailed.

The question recurring upon the amendment of Mr. Fairall to Section 2, it was lost.

Mr. Smeltzer moved to insert a new Section, as follows:

"SECTION 4. When any County shall have been notified that it is entitled to an amount of this Scrip, it may immediately make selection of unentered lands in this State, and forward the same to the Register of the State Land Office, and the State agent in locating said Scrip, shall follow the County as far as practicable."

The amendment was lost.

Mr. McCall moved that the rule be suspended and the Bill read a third time now.

Mr. Maxwell moved to strike out "including expenses" in third line of Section 12. The amendment was lost.

Mr. Fairall moved to strike out "four" in second line of Section 12, and insert "three." Lost.

Mr. Smeltzer moved to reconsider the vote by which Mr. Maxwell's amendment was lost. Carried.

The question recurring upon the amendment of Mr. Maxwell, it was adopted.

Mr. Williams of Mahaska, moved to amend Section 12 as fol-

lows: After "rendered" in second line, insert "and expenses incurred." Carried.

Mr. Shipman moved to commit the Bill to a Select Committee of five, of which Mr. Lane shall be Chairman. The motion prevailed.

The Chair appointed as such Committee, Messrs. Lane, Cleaves, Shipman, Fairall, and Mitchell of Polk.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following Report:

MR. SPEAKER: The Joint Committee on Enrolled Bills have examined Senate Files Nos. 77, 79, 108, 211, 224 and 225, and House File No. 246, find the same correctly enrolled, and herewith present them for your signature.

D. G. FRISBIE,

Chairman House Committee.

House File No. 288: Substitute for House Files 55 and 131: A Bill for an Act in relation to fences. The Substitute was adopted.

On motion of Mr. Curtiss, the rule was suspended and the Bill read a third time; and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Bass, Bracewell, Burton, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dunlavy, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Hardie, Hudnutt, Holyoke, Kellogg, Lane, Martin, McCall, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Pendleton, Porter, Price, Quinn, Russell of Dallas, Russell of Jones, Schramm, Shipman, Smeltzer, Stevenson, Stewart, Thompson, Van Anda, Walker, Wasson, White, Whittemore, Williams of Mahaska, Wilson of Pottawattamie, Mr. Speaker—48.

The nays were, Messrs. Blackford, Bowdoin, Calfee, Denlinger, Dorr, Eaton, Eichorn, Ferguson, Flint, Gordon, Guthrie, Hollingsworth, Hood, Knoll, Lorah, Maxwell, McGlothlen, McLennan, Rowles, Sarver, Speer, Stanton, Walton, Wetherall, Wilcox, Williams of Des Moines, Wright—27.

Absent or not voting, Messrs. Baker, Chase, Gibson, Glanville, Jackson, Lake, Lakin, Loomis, Lowrie, Meyer, Milburn, Moser, Parker, Rothrock, West, Wilson of Chickasaw, Woodworth and Young.

The Bill passed and the title was agreed to.

House File No. 74: A Bill for an Act to amend Chapter 46 of the Revision of 1860, fixing the compensation of Township Clerks.

Mr. Price moved to suspend the rule and read the Bill a third time now.

Mr. Ferguson moved to strike out "and twenty-five cents" in seventh line of Section 1. Carried.

Mr. Kellogg moved to lay the Bill on the table. Lost.

The question recurring upon the motion of Mr. Curtiss to suspend the rule and read the Bill a third time now, it prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Bass, Blackford, Bowdoin, Bracewell, Calfee, Castor, Clark, Converse, Curtiss, Cutler, Denlinger, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Fuller of Fayette, Fuller of Harrison, Gault, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hood, Lane, Lora, Martin, McCall, McGlothlen, McQuinn, Mercer, Mitchell of Polk, Moir, Pendleton, Porter, Price, Rowles, Russell of Dallas, Sarver, Schramm, Stanton, Stevenson, Stewart, Van Anda, Walker, Wasson, Wetherall, Wilcox, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Mr. Speaker—52.

The nays were, Messrs. Burton, Cleaves, Dorr, Eaton, Gibson, Hollingsworth, Kellogg, Knoll, Maxwell, McLennan, Mitchell of Fremont, Nelson, Quinn, Russell of Jones, Smeltzer, Speer, Walton, White, Williams of Des Moines, and Wright—20.

Absent or not voting, Messrs. Baker, Chase, Frisbie, Glanville, Jackson, Lake, Lakin, Loomis, Lowrie, Meyer, Milburn, Moser, Parker, Rothrock, Shipman, Thompson, West, Woodworth and Young.

The Bill passed and the title was agreed to.

Message from the Senate:

MR. SPEAKER:—I am directed by the Senate to request of your Honorable Body to return House File No. 107: A Bill for an Act to amend Section 317, Chapter 32 of the Revision of 1860, in relation to Boards of Supervisors; the Senate having reconsidered the vote by which it was rejected on yesterday.

WM. F. DAVIS, Sec'y of Senate.

Leave of absence was granted to Mr. Brown, Engrossing Clerk, until to-morrow morning.

Substitute for House File No. 152: A Bill for an Act to amend Chapter 16 of the Revision of 1860, in relation to Notaries Public.

On motion of Mr. Smeltzer, the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Price moved that when the House adjourn, it be until to-morrow morning. The motion prevailed.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following report:

The Joint Committee on Enrolled Bills, have presented to the Governor for his approval Senate Files Nos. 77, 79, 108, 129, 168, 211, 218, 224 and 246, and House File No. 246.

D. G. FRISBIE, Chairman House Committee,

The House resumed the consideration of the Bill pending upon its adjournment, being substitute for House File No. 152: A Bill for an Act to amend Chapter 16 of the Revision of 1860, in relation to Notaries Public.

Mr. Clark, of Johnson, offered a substitute for the Bill.

Mr. Frisbie moved that the Bill and substitute be referred to a select Committee of three, of which Mr. Martin shall be Chairman. The motion prevailed.

The Chair appointed as such Committee: Messrs. Martin, Lake and Moir.

House File No. 135: A Bill for an Act to organize Fire Companies in villages, towns and cities, and regulate the same.

Mr. Russell, of Jones, moved that the Bill be postponed until the Fourth of July.

Mr. Kellogg moved its indefinite postponement, and upon this question the yeas and nays were demanded by Messrs. Curtiss and Thompson, and were as follows:

The yeas were, Messrs. Bracewell, Calfee, Oastor, Clark, Converse, Ferguson, Fuller of Fayette, Gordon, Hudnutt, Hollingsworth, Hood, Jackson, Kellogg, Lake, Lane, Maxwell, McQuinn, Mercer, Milburn, Mitchell of Fremont, Moir, Nelson, Porter, Price, Quinn, Rowles, Russell of Jones, Sarver, Schramm, Shipman, Stevenson, Thompson, Walker, Wasson, Wetherall, White, Wilcox, Wilson of Chickasaw, Wilson of Pottawattamie, and Wright—40.

The nays were, Messrs. Blackford, Bowdoin, Cleaves, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Flint, Frisbie, Fuller of Harrison, Gault, Gibson, Guthrie, Hardie, Holyoke, Knoll, Lakin, Lorah, Martin, McCall, McGlothlen, Meyer, Mitchell of Polk, Pendleton, Russell of Dallas, Smeltzer, Stewart, Walton, Whittemore, Williams of Des Moines, Williams of Mahaska, and Mr. Speaker—36.

Absent or not voting, Messrs. Baker, Bass, Burton, Chase, Glanville, Loomis, Lowrie, McLennan, Moser, Parker, Rothrock, Speer, Stanton, Van Anda, West, Woodworth, and Young.

The motion prevailed.

Substitute for Senate File No. 150: A Bill for an Act to change the names of townships, towns and villages.

Mr. McQuinn moved to amend the Bill by inserting "township" before "town or village," whenever it occurs in said Act. The amendment prevailed.

Mr. McQuinn moved to add the following new Section:

SEC. 3. All Acts and parts of Acts inconsistent with this Act are hereby repealed. The amendment was adopted.

On motion of Mr. McQuinn, the rule was suspended and the Bill read a third time and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Bass, Blackford, Bracewell, Burton, Calfee, Oastor, Clark, Cleaves, Converse, Curtiss, Cutler, Denlinger,

Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, White, Whittemore, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Wright, and Mr. Speaker—77.

In the negative, Mr. Moser.

Absent or not voting, Messrs. Baker, Bowdoin, Chase, Glanville, Loomis, Lowrie, McLennan, Parker, Rothrock, Smeltzer, Van Anda, West, Wilcox, Woodworth, and Young.

The Bill passed and the title was agreed to.

Mr. Pendleton, from Committee on Police Regulations, by leave, submitted the following report :

The Committee on Police Regulations, to whom was referred substitute for Senate File No. 101: A Bill for an Act to prevent fraud in warehousemen and others, have had the same under consideration and have directed me to report back the same with the recommendation that it be passed.

PENDLETON,

From Com. on Police Regulations.

The Bill reported back by the Committee was taken up ; and on motion of Mr. Lane, the rule was suspended and the Bill was read a third time, and upon the question, " Shall the Bill pass ? " the yeas and nays were as follows :

The yeas were, Messrs. Bass, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Wright and Mr. Speaker—78.

The nays were, None.

Absent or not voting—Messrs. Baker, Blackford, Chase, Cutler, Glanville, Loomis, Lowrie, McLennan, Moser, Parker, Rothrock, Van Anda, West, Woodworth and Young—14.

The Bill passed and the title was agreed to.

Substitute for Senate File No. 55 : A Bill for an Act to provide

for the appointment and pay of additional Surgeons and for the employment of nurses in the Iowa Regiments of Volunteers in the service of the United States.

Mr. Kellogg moved to amend section one as follows: strike from said Section the following words, "the rank and pay of Assistant Surgeon of the army of the United States" being the concluding words of said Section, and add the following: "shall receive pay at the rate of three dollars per day." The amendment prevailed.

Mr. McCall moved to reconsider the vote by which the amendment of Mr. Kellogg was adopted. The motion was lost.

Mr. Moir moved that the rule be suspended and the Bill be read a third time now. Carried.

Mr. Lake moved to recommit the Bill and Substitute to the Committee on Military Affairs. The motion prevailed.

Mr. Frisbie from Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Joint Committee on Enrolled Bills have examined Senate File No. 141, and House Files Nos. 183, 206, 229, 233, 248, 249 and 281, have corrected the same and herewith present the same for your signature.

D. G. FRISBIE, Chairman.

House File No. 216: A Bill for an Act regulating stay of execution.

Mr. Van Anda moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Martin, Maxwell, McCall, McGlothlen, McLennan, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Nelson, Pendleton, Porter, Price, Quinn, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Wright, Mr. Speaker—74.

The nays were, Messrs. Dunlavy, Kellogg, Lorah, McQuinn, Mitchell of Fremont, Rowles, Wasson and Wetherall—8.

Absent or not voting, Messrs. Baker, Chase, Glanville, Loomis, Lowrie, Moser, Parker, Rothrock, West, Woodworth and Young.

The Bill passed and the title was agreed to.

Substitute for House File No. 235: A Bill for an Act, relating to the release of certain instruments of records. The substitute was adopted.

Mr. Van Anda moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Bass, Blackford, Bracewell, Burton, Caffee, Castor, Clark, Converse, Dorr, Eaton, Fairall, Fuller of Fayette, Gibson, Gordon, Hudnutt, Hollingsworth, Jackson, Lake, Lakin, Lorah, Martin, Maxwell, McQuinn, Meyer, Milburn, Mitchell of Fremont, Moir, Porter, Price, Rowles, Russell of Dallas, Schramm, Shipman, Speer, Van Anda, Walton, Wetherall, White, Wilcox, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie and Wright—43.

The nays were, Messrs. Bowdoin, Cleaves, Curtiss, Cutler, Denlinger, Eichorn, Ferguson, Flint, Frisbie, Fuller of Harrison, Guthrie, Holyoke, Kellogg, Knoll, McCall, McGlothlen, Mercer, Mitchell of Polk, Nelson, Quinn, Russell of Jones, Sarver, Smeltzer, Stanton, Stevenson, Thompson, Wasson, Whittemore, Williams of Des Moines and Mr. Speaker—30.

Absent or not voting, Messrs. Baker, Chase, Dunlavy, Glanville, Hardie, Hood, Lane, Loomis, Lowrie, McLennan, Moser, Parker, Pendleton, Rothrock, Stewart, Walker, West, Woodworth, and Young.

The Bill was lost.

Mr. Stanton moved to adjourn. Lost.

Substitute for House File No. 65: A Bill for an Act to pay Capt James F. Morton and others for services rendered in protecting the North Western frontier during the months of May and June, 1861.

Mr. Pendleton moved a call of the House.

The Clerk proceeded to call the roll.

Absent and not excused, Mr. Stanton.

Mr. Curtiss moved that further proceedings under the call be suspended. Lost.

The Sergeant-at-Arms was dispatched for the absentee.

Mr. Kellogg moved to reconsider the vote by which the motion of Mr. Curtiss to suspend further proceedings under the call was lost. Carried.

The question being upon the motion of Mr. Curtiss, it prevailed.

Mr. Sarver moved to lay the Bill on the table. The motion prevailed.

Mr. Porter from Committee on Schools and State University, by leave, submitted the following report:

The Committee on Schools and State University, to whom was referred House File No. 259: A Bill for an Act to provide for the management of the School Fund invested in the several counties, have had the same under consideration, and have directed me to report the same back to the House, and recommend its passage.

J. R. PORTER.

Mr. Price moved to lay the Bill on the table, and order the usual

number of copies printed for the use of the House. The motion prevailed.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following report :

The Joint Committee on Enrolled Bills, have presented to the Governor for his approval, Senate File 141, and House Files 183, 206, 229, 233, 248, 249 and 281.

D. G. FRISBIE,

Chairman House Committee.

House File No. 261 : A Bill for an Act to authorize the auditing Commissioners to audit and allow claims against the War and Defense Fund in certain cases.

Mr. Bowdoin moved its reference to the Committee on Military Affairs. The motion prevailed, and the Bill was so referred.

Substitute for House File No. 53 : A Bill for an Act to amend section 986, of the Revision of 1860, in relation to Swamp Lands.

Mr. Fuller, of Harrison moved that the rule be suspended, and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Knoll, Lane, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Wright, and Mr. Speaker—73.

The nays were, Messrs. Jackson, Kellogg, Lakin, Wilcox, Williams of Des Moines—5.

Absent or not voting, Messrs. Baker, Cleaves, Cutler, Glanville, Lake, Loomis, Lowrie, Moser, Parker, Rothrock, Stanton, West, Woodworth and Young.—14.

The Bill passed and the title was agreed to.

House File 289 : A Bill for an Act authorizing the inhabitants of incorporated cities and towns in this State, to abolish their articles of incorporation.

On motion of Mr. White, the Bill was recommitted to the Select Committee on the same, of which Mr. Fairall is Chairman.

On motion of Mr. Curtiss, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
SATURDAY, March 22, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Turner.

Journal of yesterday read and approved.

Message from the Senate by Wm. F. Davis, their Secretary :

Mr. SPEAKER:—I am directed to inform your honorable body that the Senate has passed Senate File No. 232: A Bill for an Act for extending the time for claimants to prove up and purchase certain Saline Lands.

Substitute for Senate File No. 72: A Bill for an Act to provide for the support of the Deaf, Dumb and Blind Asylums.

Senate File No. 222: A Bill for an Act to legalize the acts of John N. Miles, a Notary Public.

House File No. 286: A Bill for an Act fixing the time for the meetings of the Board of Education, without amendment.

House File No. 107: A Bill for an Act to amend Section 317, Chapter 22, of the Revision of 1860, in relation to Boards of Supervisors, with the following amendment, strike out "20,000," and insert "25,000."

House File No. 68: A Bill for an Act providing for the vacation of town plats, with the following additional section as an amendment :

SECTION 6. Nothing in this Act shall have the effect to discharge any lands or town lots, or improvements lying and being within the limits of any addition so vacated from any corporate tax legally levied upon the same before such vacation, but such addition and the property therein shall remain liable for such corporate taxes, the same as if no vacation had taken place, and provided further, that nothing herein contained shall be held to impair the liabilities of such addition, or sub-division, from its proportion of any existing debts which may have been incurred by such village or town.

House File No. 195: A Bill for an Act providing for a uniform standard of weights and measures, creating the office of Superintendent of weights and measures, and providing for the appointment of Sealers of weights and measures in the several counties, cities and incorporated towns of the State with the following amendment: add to Section 13, "and who shall give a bond in the penal sum of \$5000 for the faithful discharge of his duties;" in all of which the concurrence of the House is asked.

WM. F. DAVIS, Secretary.

Mr. Eaton moved that when the House adjourn it be until Monday morning. The motion prevailed.

PETITIONS, &c.

Mr. Pendleton presented the petition of Wm. Snipp and others

for the allowance of certain claims against the State. Referred to Committee on Claims.

Mr. Martin presented the petition of S. Huston and 46 others, citizens of Iowa county, asking that civil and criminal jurisdiction be conferred on County Courts in certain cases.

Also ; The communication of C. C. Nestlerode, President of the Iowa State Institute in reference to schools. Referred to Committee on Schools.

Mr. Fuller of Fayette presented the petition of sundry citizens of Richland Township, Fayette county, for a change of name of said Township. Referred to Committee on New Counties.

Mr. Van Anda presented the petition of Cathrow & Taylor for allowance of claim for subsisting troops. Referred to Committee on Claims.

Mr. Clark of Johnson, presented the communication of J. W. Stow. Referred to Committee on Agriculture.

REPORTS OF COMMITTEES.

Mr. Young from the Judiciary Committee, submitted the following report:

The Judiciary Committee to whom was referred House File No. 264: A Bill for an Act providing for a settlement with the sureties on 3d official bond of James D. Eads, have had the same under consideration and have instructed me to report the following Substitute and recommend its passage.

YOUNG, Chairman.

Mr. Porter from Committee on Incorporations submitted the following report:

The Committee on Incorporations to whom was referred Senate File No. 21: An Act to amend article 1, of Chapter 51 of the Revision of 1860, entitled an Act for the Incorporation of Cities and Towns, have had the same under consideration, and have directed me to report the same back to the House and recommend its passage.

J. R. PORTER.

Mr. Bowdoin, from Committee on Ways and Means, submitted the following report:

The Committee of Ways and Means have instructed me to report the accompanying Bill for an Act making appropriations for the payment of State and Judicial Officers, interest on State Bonds and Loans, and for other purposes, and recommend its passage.

E. G. BOWDOIN, Chairman.

The Committee introduced House File No. 291: A Bill for an Act making appropriations for the payment of State and Judicial Officers, Interest on State Bonds and Loans, and for other purposes. Read a first and second time.

Mr. Bowdoin moved to make the Bill the special order for Monday next, 10 o'clock, A. M. The motion prevailed.

On motion of Mr. Lowrie, Mr. Stevenson was added to the Committee on Congressional Districts.

Mr. Cutler, from Committee on New Counties, submitted the following Report :

The Committee on New Counties, to whom was referred House File No. 214, have had the same under consideration, and after examining all of the petitions and remonstrances, have instructed me to report the same back to the House without recommendation.

L. H. CUTLER, Chairman.

Mr. Pendleton, from Committee on Military Affairs, submitted the following Reports :

The Military Committee, to whom was re-committed substitute for House File No. 125 : A Bill for an Act to exempt from execution the property of Iowa Volunteers mustered into the actual service of the United States, with proposed amendments, have had the same under consideration, and directed me to report a substitute which is herewith submitted, and recommend its adoption.

PENDLETON, from Military Committee.

The Military Committee to whom was referred House File No. 89, A Bill for an Act to repeal Chapter 7 of the Laws of the State of Iowa, passed at the Extra Session of the 8th General Assembly, have had the same under consideration, and directed me to report the same back without recommendation, and also to report the accompanying Bill, entitled "A Bill for an Act prescribing the manner of commencing actions against Iowa Volunteers in the military service of the United States, and the time of their appearance.

PENDLETON, from Military Com.

Mr. Van Anda, from Committee on Incorporations, submitted the following report :

The Committee on Incorporations to whom was referred House File No. 290, "A Bill for an Act to vacate part of the town of Windham, Johnson county, Iowa," have had the same under consideration, and have instructed me to report that in the opinion of your Committee said Act would be unconstitutional if passed. Your Committee, therefore, report the same back, and recommend that it do not pass.

VAN ANDA, Chairman.

The report of Committee was concurred in.

Mr. Lake, from Committee on Judiciary, submitted the following report :

The Judiciary Committee to whom was referred Substitute for

Senate File No. 10, have had the same under consideration, and directed me to recommend the following amendments :

1st. Strike out section 15.

2d. Strike out all of Section 20, after the word "Court," in 7th line.

3d. Strike out Section 28.

Thus amended, they recommend its passage.

JED. LAKE, for Committee.



INTRODUCTION OF BILLS.

Mr. Williams of Des Moines introduced House File No. 292: A Bill for an Act to prevent obstructions in any of the public ditches for the benefit of swamp lands. Read a first and second time, and referred to Committee on Public Lands.

Mr. Mitchell of Polk introduced House File No. 293: A Bill for an Act to provide for the Swamp Land Sections in the State Land Office. Read a first and second time, and passed upon the files.

Mr. Fairall introduced House File No. 294: A Bill for an Act to legalize the acts of Geo. W. Clark, Notary Public. Read a first and second time, and passed upon the file.

Also House File No. 295: A Bill for an Act to protect the owners of Treasurers' Certificates of Purchase of real estate at tax sale. Read a first and second time and referred to Committee on the Judiciary.

RESOLUTIONS.

Mr. McCall introduced House File No. 297: Joint Resolution for additional mail facilities. Referred to Committee on Federal Relations.

Mr. Cutler introduced House File No. 297: Joint Resolution for additional mail facilities. Referred to Committee on Federal Relations.

Mr. Pendleton introduced House File No. 298: Joint Resolution for additional mail facilities. Referred to Committee on Federal Relations.

COMMUNICATIONS AND MESSAGES ON THE TABLE.

House File No. 195: A Bill for an Act providing a uniform standard of weights and measures, creating the office of State Superintendent of weights and measures, and providing the appointment of Sealers of weights and measures in the several Counties, Cities and incorporated Towns of this State.

The Senate amendment was concurred in.

The Bill was read as amended, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Sarver, Schramm, Shipman, Smeltzer, Speer, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Mr. Speaker—80.

The nays were, Messrs. Ferguson, Gordon, and Russell of Jones—3.

Absent or not voting, Messrs. Dunlavy, Glanville, Kellogg, McLennan, Parker, Rothrock, Wetherall, West and Young.

The Bill passed and the title was agreed to.

House File No. 107: A Bill for an Act to amend Section 317 of Chapter 22 of the Revision of 1860, in relation to the Board of Supervisors. Senate amendment concurred in.

The Bill was read as amended, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Ourtiss, Cutler, Denlinger, Dorr, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Pendleton, Porter, Price, Quinn, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young, Mr. Speaker—80.

The nays were, Messrs. Bracewell, Dunlavy and Gordon—3.

Absent or not voting, Messrs. Eaton, Glanville, Kellogg, Lake, Moser, Parker, Rothrock, Rowles, Wetherall and West.

The Bill passed and the title was agreed to.

Substitute for House File No. 68: A Bill for an Act providing for the vacation of Town plats. The Senate amendment was concurred in.

The Bill was read as amended, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bowdoin, Bracewell, Burton, Cal-

tee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McQuinn, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaaka, Wilson of Pottawattamie, Woodworth, Wright, Young, Mr. Speaker—79.

The nays were, Messrs. Bass, Blackford and Smeltzer—3.

Absent or not voting, Messrs. Eaton, Glanville, Kellogg, Lakin, McLennan, Mercer, Moser, Parker, Rothrock, Wetherall, West and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

Senate File No. 232: A Bill for an Act extending the time for claimants to prove up and purchase certain swamp lands. Read a first and second time.

Mr. Gault moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaaka, Wilson of Pottawattamie, Woodworth, Wright, Young, Mr. Speaker—81.

The nays were, none.

Absent or not voting, Messrs. Curtiss, Glanville, Guthrie, Kellogg, Lake, McLennan, Moser, Parker, Rothrock, Wetherall, West, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

Substitute for Senate File No. 72: A Bill for an Act to provide for the support of the Deaf, Dumb and Blind Asylum. Read a first and second time and referred to Committee on Charitable Institutions.

Senate File No. 222: A Bill for an Act to legalize the acts of

John M. Miles, Notary Public. Read a first and second time and passed upon the files.

The following communication from the Attorney General was read :

OFFICE OF THE ATTORNEY GENERAL, }
DES MOINES, March 20, 1862. }

To the House of Representatives :

I have the honor to acknowledge the receipt of your Resolution calling upon me for information in regard to the suit pending upon the relation of the Attorney General in regard to the estate of Francis W. Allen, deceased.

This case is a proceeding in equity to recover from certain parties a large and valuable portion of the real estate, which formerly belonged to Allen, deceased.

Allen died without heirs and his estate become an escheat to the State of Iowa for the use of the School Fund.

It is alleged upon the part of the State, and I believe sustained by the depositions taken in the case, that Allen died without any outstanding indebtedness. Certain parties at Ft. Dodge procured letters of administration upon his estate, and, as I am advised, conspired with other defendants in this case to get up fictitious claims against the estate, upon which an order was procured from the County Court of Webster County for the sale of the property. These pretended creditors together with the administrator, who had acted in the matter, became the purchasers and pretended owners of the property. A suit was commenced, I believe, before Mr. Rice was Attorney General, for the recovery of this property. The case did not receive proper attention in the District Court, and after a defective application for a continuance of the case to procure testimony, the bill, in the absence of the Attorney General of the State, was dismissed. An appeal was taken to the Supreme Court of the State, and upon hearing, the Court determined that upon an examination of the record the Court was satisfied that there were strong equities apparent in favor of the State and that the order of the District Court should be so modified that the dismissal of the bill should be without prejudice and that complainants should have an opportunity to be heard again upon a new bill. [See report of the case, 6 Iowa, 502.] A new bill was accordingly filed by my predecessor in accordance with this opinion of the Supreme Court.

I am advised that before this last bill was filed and after the order of the Supreme Court in the first case, that certain parties at Fort Dodge purchased a part, and perhaps all, of the property from the original defendants. In regard to this matter, however, I am not as fully advised as I would wish. These purchasers are also defendants in the present suit and I have but little doubt that un-

der the decision of our Courts they are at least chargeable with constructive notice of the rights and equities of the State. Whether they had actual notice or not I am not advised by the record or evidence in the case. [Upon this point I refer the House to the decisions of our Courts in case of *Ferrier vs. Basic*, 6 Iowa Reports 262.] This case is now in the hands of the Judge of the Eleventh Judicial District for decision. When I came into office, the order submitting the case had already been made, and Mr. Rice the Attorney General and Mr. Garaghty, assistant Counsel, had their briefs and arguments in course of preparation. The testimony in the case is very voluminous and I thought it would hazard the interests of the State to discontinue the Attorneys then engaged in it. Upon consultation with the Governor, Mr. Rice and Mr. Garaghty were authorized to complete the arguments and attend to the case until its determination by the District Court. For this reason the record and evidence in the cause is not now in my possession and I can only give the House such information as I have received from the Attorneys engaged in it for the State.

It has been represented to me by responsible parties in behalf of a portion of the defendants in this case, that strong equities exist in their behalf; but as I have no official information in regard thereto and have no opportunity of examining the evidence in the case, I have not thought myself justified in making any statements in the premises. The property was at one time estimated as worth about \$30,000.

Very Respectfully,

C. C. NOURSE.

Mr. Young moved that the following House Files be referred to the Committee on Judiciary:

House File No. 266: A Bill for an Act to amend an Act entitled an Act to require County Judges to give bond.

House File 276: A Bill for an Act to repeal section 2,498 of the Revision of 1860, relating to the estates of decedents.

House File No. 268: A Bill for an Act to repeal a part of section 261 of the Revision of 1860, relating to the sessions of the County Court.

House File No. 269: A Bill for an Act to amend Section 4,515, of the Revision of 1860, relating to the time of commencing criminal actions in certain cases.

House File No. 277: A Bill for an Act to punish malicious mischief and trespass on timber in certain cases.

And Substitute for House File No. 222: A Bill for an Act punishing person placing obstructions on railroads. The motion prevailed, and the Bills were so referred.

BILLS ON SECOND READING.

Senate File No. 127: A Bill for an Act to amend the acts to protect game. Read a first and second time.

Mr. Van Anda moved to add to section two the following: "any prairie hen or chicken, between the first day of February and the first day of August in each and every year." The amendment prevailed.

Mr. McQuinn moved to amend Section 2, 17th line, by striking out "January" and inserting "February." Lost.

Mr. Gibson moved to strike out all after the enacting clause, and insert the following: "That all Game Laws now in force in this State, are hereby repealed." The motion did not prevail.

Mr. Shipman moved that the rule be suspended and the Bill read a third time now.

Mr. Bracewell moved to amend the Bill as follows: "provided that this Act shall not apply to counties of less than ten thousand inhabitants."

Mr. Gibson moved to amend the amendment by striking out "ten" and inserting "twenty."

Mr. Castor moved the previous question, which was seconded by a majority of the House; and upon the question, "Shall the main question be now put?" it was decided in the affirmative.

The question being upon the amendment of Mr. Gibson, it was lost.

The question recurring upon the amendment of Mr. Bracewell, it did not prevail.

The question recurring upon the motion of Mr. Shipman, to suspend the rule and read the Bill a third time now, the motion prevailed.

The Bill was read a third time and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Bass, Blackford, Bowdoin, Burton, Castor, Olark, Oleaves, Converse, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Hardie, Hudnutt, Holyoke, Hollingsworth, Knoll, Lake, Lakin, Lane, Loomis, Lowrie, Martin, Maxwell, McCall, McLennan, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Sarver, Schramm, Shipman, Stevenson, Stewart, Thompson, Van Anda, Walton, Wasson, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—63.

The nays were, Messrs. Baker, Bracewell, Calfee, Chase, Curtis, Ferguson, Flint, Gibson, Gordon, Guthrie, Hood, Lorah, McGlothlen, McQuinn, Mercer, Moser, Russell of Jones, Smeltzer, Speer, Stanton, Walker and Whittemore—22.

Absent or not voting, Messrs. Glanville, Jackson, Kellogg, Parker, Rothrock, Wetherall, West and Wilson of Chickasaw—8.

The Bill passed and the title was agreed to.

Message from the Senate by Wm. F. Davis, their Secretary:

MR. SPEAKER: I am directed to request your honorable body to

return Senate File No. 222: A Bill legalizing acts of John M. Mills, a Notary Public.

WM. F. DAVIS, Secretary.

Request granted and Bill returned.

Substitute for House File No. 264: A Bill for an Act providing for the settlement with the sureties of James D. Eads, late Superintendent of Public Instruction.

Mr. Lake moved to amend Section one, by inserting after Thos. H. Benton, Jr., "C. C. Nourse."

Mr. Van Anda moved to strike out "Thomas H. Benton, Jr. and C. C. Nourse," and insert "the Hon. C. W. Lowrie." Lost.

The amendment of Mr. Lake was adopted.

Mr. Lake moved to amend section two by adding the following: "And to settle with all persons owing said School Fund as loaned by James D. Eads, and redeem all property on which are prior mortgages, and which, in their judgment, is worth more than the amount necessary to redeem the same, and the claim of the State, provided funds sufficient to redeem such property can be obtained out of said sureties. The amendment was lost.

Mr. Lane moved to strike out the last three lines of Section 7, and add: "Provided that all expenses incurred under this Act shall be paid by the principal or sureties on said bonds." The amendment was lost.

On motion of Mr. Williams of Mahaska, the rule was suspended and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Bass, Bowdoin, Bracewell, Burton, Castor, Cleaves, Cutler, Dorr, Dunlavy, Eaton, Ferguson, Flint, Fuller of Harrison, Gault, Gibson, Hardie, Holyoke, Jackson, Knoll, Lorah, Lowrie, Martin, McGlothlen, McLennan, McQuinn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Pendleton, Porter, Quinn, Rowles, Russell of Dallas, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Young and Mr. Speaker—52.

The nays were, Messrs. Baker, Blackford, Calfee, Clark, Chase, Converse, Curtiss, Denlinger, Eichorn, Fairall, Frisbie, Gordon, Guthrie, Hudnutt, Hollingsworth, Hood, Lake, Lakin, Lane, Loomis, Maxwell, McCall, Mercer, Meyer, Milburn, Nelson, Price, Russell of Jones, Van Anda, White, Whittemore, Wilcox and Wright—33.

Absent or not voting, Messrs. Fuller of Fayette, Glanville, Kellogg, Parker, Rothrock, Wetherall and West.—7.

The Bill passed and the title was agreed to.

Message from the Senate, by Wm. F. Davis, their Secretary:

MR. SPEAKER:—I am directed to return to your Honorable Body House File No. 265: A Bill for an Act making appropriations

for the payment of the mileage of the members of the 9th General Assembly, with the following amendments: Strike out of Senate appropriation, "Two thousand and sixty," and insert "Two thousand one hundred and ninety-three." Strike out of House appropriation the words, "and Chief Clerk." In which the concurrence of the House is asked.

WM. F. DAVIS, Sec'y of Senate.

Mr. Bowdoin moved to take up the message just received from the Senate, being House File No. 265, A Bill for an Act making appropriations for the payment of the mileage of the members of the Ninth General Assembly. The motion prevailed.

The Senate amendment was concurred in.

The Bill was read as amended, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Knoll, Lake, Lakin Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—83.

The nays were, Messrs. Curtiss, Denlinger, and Ferguson—3.

Absent or not voting, Messrs. Bass, Glanville, Jackson, Kellogg, Parker, Rothrock, and West.

The Bill passed.

On motion of Mr. Curtiss the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
MONDAY, March 24, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Chamberlain.

Journal of Saturday read and approved.

PETITIONS, &C.

Mr. Bracewell presented the petition of sundry citizens of Wayne County, asking for a change of County Supervisor System to that of County Commissioners. Referred to Committee on County and Township Organization.

Mr. Meyer presented the petition of sundry citizens of Jasper County, to confer additional Civil and Criminal jurisdiction on County Judges.

Message from the Senate, by Wm. F. Davis, their Secretary:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed House File No. 53: A Bill for an Act to amend section 986 of the Revision, in relation to Swamp Lands, without amendment.

House File No. 133: A Bill for an Act for the registry of Dogs, and defining the duties of Township Officers in certain cases, with the following amendments:

Strike out section 11 and insert "all funds received for the registry of Dogs, except so much as is allowed as fees, hereby is set apart in the several townships of the State for the payment of damages sustained by the owners of any sheep maimed or killed by dogs in their respective townships, and any person having sheep maimed or killed by dogs, may present his claim within ten days thereafter, together with an affidavit properly sworn to, stating the facts and circumstances of the case and the amount of damage sustained, to the Township Trustees, who, upon being satisfied of the correctness of said claim, shall order the Clerk to credit said person with one half the amount of said claim, and at the expiration of each current year it shall be the duty of the Clerk to pay over to the person so credited, the full amount of their claim, *Provided* there is sufficient amount of funds in his hands accruing under the provisions of this Act. If the funds set apart for this purpose are not sufficient to pay the whole amount of such credits, the Township Clerk shall divide said fund *pro rata* among the persons credited, in full discharge of damages thus sustained, and any surplus that may arise under the provisions of this Act, shall be School Funds, and distributed to the schools in said Township, annually.

Insert as Section 12: In every case where sheep are maimed or killed by dogs, the owner of such sheep may recover against the owner or keeper of such dog or dogs, the full amount of such damage, and upon the recovery of such damage, he shall not be entitled to draw any portion from the township fund.

Also, Senate File No. 235: Bill for an Act to repeal Sec. 2871 of the Revision of 1860, and enact a substitute therefor, and to repeal any law requiring Notice Books.

Senate Substitute for House File No. 101: A Bill for an Act to restrict and define the powers and duties of the City Court of

the City of Dubuque in the State of Iowa. In all of which the concurrence of the House is asked.

WM. F. DAVIS, Secy. of Senate.

Mr. Mercer, from Committee on Claims, submitted the following report:

The Committee on Claims to whom was referred the claim of Messrs. Cattron & Taylor, claiming \$200 for clothing and subsistence furnished to soldiers of Capt. Wm. T. Crozier's Company, rendezvoused at Earlville, afterwards mustered into the service of the United States as Company "K," 5th Regiment of Iowa Volunteers, have had the same under consideration, and have directed me to report: That said claim appears to have been made by authority of Col. W. B. Allison, but your Committee know of no legal authority said Allison had for creating this claim. The statement made by these parties, also show that this claim was sent to the Auditing Commissioners, but came too late, being barred by the Statutes of limitation. Your Committee are of opinion that this claim is similar in character to that of Greenwald and others in Dubuque, recently reported on, and know of no consistent mode of relief, except the enacting of a general law allowing the Board of Auditing Commissioners to audit and allow all just claims for subsistence and clothing, and the passage of such a law is recommended by your Committee.

We herewith report back said claim without prejudice to the claimants, and recommend that they be allowed to take the same from the files of this House.

Respectfully submitted,

THOMAS MERCER, Chairman Committee on Claims.

The Committee on Claims to whom was referred the claim of John Bryan for \$1,399 28 for labor and materials furnished in fitting up and making ready for occupancy the Capitol Building at Des Moines, during the latter part of the year 1857 and fore part of 1858; have had the same under consideration and have instructed me to report the following:

That we find this claim to be a balance on an original Bill of \$6,215 28, and upon which \$4,814 00 have been paid, leaving the aforesaid \$1,399 28 yet unpaid; that at the Seventh General Assembly the original bill was presented and referred to the Committee on Claims, that said Committee called in the assistance of competent workmen to examine the work and to measure and to estimate the same, that the estimate of the workmen was but little over one half the amount charged in said original bill; that the aforesaid Committee in consequence of the disadvantages said Bryan labored under in getting hands and materials, and in the high price of labor and materials, and the disadvantage consequent upon the hurry that was necessary to get the building ready for the sitting of the Seventh General Assembly in time, did allow said Bryan one-half the difference between his bill and the award of the workmen,

which aforesaid one-half difference the Committee estimated was sufficient compensation for the aforesaid disadvantage, making the sum of \$4,814 00. This claim we find was before the last Legislature and by it refused, and your Committee are satisfied that the aforesaid sum of \$4,814 00 was a sufficient compensation for said labor and materials, &c., and see no cause for differing with the decisions of former Committees on this matter. Your Committee recommend that no part of said claim of \$1,399 28 be paid.

Respectfully submitted,

THOMAS MERCER, Chairman.

Mr. Mercer, Chairman of the Committee on Claims, made the following report :

Your Committee to whom was referred Resolution and Memorial of the Board of Supervisors of Tama county, asking that the amount furnished in response to the call of the Governor for the outfit of soldiers, be refunded to said county—claim \$873 44.

Also, Claim of the Board of Supervisors, of Clayton county, for an allowance of account against the State—amount of claim \$2,521 89; have had the same under consideration and have instructed me to report, that claims of the same character are numerous in the State and it is impossible for this House to sit as an Auditing Board for their consideration. That should your Committee recommend the allowance of these two claims, the House would in all probability ask for the testimony introduced before us, thus consuming a large amount of time in considering documentary testimony, and should this House go into a consideration of these two claims, such action would, in the opinion of your Committee, be immediately followed by the presentation of dozens of similar claims, all equally just, the consideration of which would protract this session until we would undoubtedly have an opportunity of acting on the several special orders set for the 4th of July. Your Committee find said claims are for clothing and subsistence furnished soldiers, by the Boards of Supervisors of the two counties aforesaid, and we have no reason to doubt their correctness.

To give relief to these parties, and at the same time furnish a means of relief for all similar claimants, your Committee recommend the passage of a law authorizing the Auditing Board to audit and allow claims of this character. Your Committee report back herewith said two claims without prejudice to the claimants and recommend that they be allowed to take the same from the files of this House.

Respectfully submitted,

THOMAS MERCER, Chairman.

Mr. Mercer, Chairman of Committee on Claims, made the following Report :

Your Committee to whom was handed Bill of Hon. J. P. Eaton for \$5,10, money expended by him on March 1, 1862, for telegraphing to and from Washington in ascertaining now many Con-

gressional Districts this State was entitled to, have had the same under consideration and recommend its allowance.

Also, on Bill of C. P. Luse for \$2,50, for two pairs of shears furnished the General Assembly, and recommend its allowance, and offer the following Resolution :

Resolved, That the Committee on Ways and Means place in the Appropriation Bill the items of \$5,10 for benefit of Hon. J. P. Eaton for expenses of Telegraphing, and \$2,50 for C. P. Luse for two pair of Shears furnished General Assembly.

Respectfully,

THOMAS MERCER,

Chairman of Committee on Claims.

The Chair announced the question to be upon the Resolution reported by the Committee. The Resolution was adopted.

Mr. Kellogg, from Committee on Military Affairs, submitted the following Report :

The Military Committee, to whom was referred a memorial from the Field and Line Officers of the Second Regiment of Iowa Infantry, in relation to the Clothing of said Regiment, have had the same under consideration, and instructed me to report that in the opinion of your Committee the intention of the Legislature (convened at the Extra Session) in providing Clothing and Arms for our Troops, was (that as Congress at that time had made no appropriation for such purposes, to make the needful appropriation) to supply our Troops with Clothing and Arms, expecting to be reimbursed by the General Government. Taking this view of the case, we are of the opinion that the Clothing received by said Troops would be charged to them the same as though it had been received directly from a United States Army Officer. It would seem like a species of favoritism for this State to donate Clothing to one or two of her Regiments and not to the rest; and as the State has not as yet proposed to make such donation, and in view of this and other reasons we respectfully submit the foregoing Report.

By order of Committee,

R. D. KELLOGG.

Mr. Milburn, from Committee on Military Affairs, submitted the following Report :

The Military Committee, to whom was referred substitute for Senate File No. 55, have had the same under consideration, and have instructed me to Report the same back with the recommendation that the Bill as originally introduced do pass.

MILBURN, of Linn.

Mr. Lake, from Select Committee, to whom was referred Bill and Resolution relating to printing Adjutant General's Report, submitted the following Report :

The Select Committee, to whom was referred a Resolution and Bill providing for the publication and distribution of the Adjutant General's Report, have had the same under consideration and pre-

pared a Bill therefor, and directed me to report the same back to the House and recommend its passage.

JED LAKE for Committee.

The Committee introduced House File No. 299: A Bill for an Act to provide for the publication and distribution of the report of the Adjutant General. Read a first and second time.

Mr. Curtiss moved that the rule be suspended and the Bill read a third time now.

Mr. Kellogg moved to strike out "30" in Section 2, 4th line and insert "50." Carried.

Mr. Kellogg moved to strike out "five" in 5th line of same Section and insert "four." Lost.

Mr. Williams of Mahaska moved to amend same section as follows: insert between 6th and 7th lines "in boards." Carried.

The question recurring upon the motion of Mr. Curtiss, to suspend the rule and read the bill a third time now, it prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Castor, Clark, Cleaves, Curtiss, Dorr, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Glanville, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Lake, Lakin, Lane, Loomis, Lowrie, Maxwell, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Quinn, Rowles, Russell of Dallas, Russell of Jones, Schramm, Stanton, Van Anda, Walker, Walton, Wasson, Whittemore, Wilcox, Williams of Mahaska, Woodworth, Wright, Young, Mr. Speaker—54.

The nays were, Messrs. Bracewell, Castor, Clark, Cleaves, Converse, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Gordon, Guthrie, Hardie, Kellogg, Knoll, Lorah, Martin, McGlothlen, McLennan, Price, Sarver, Smeltzer, Speer, Stewart, Williams of Des Moines, Wilson of Pottawattamie—27.

Absent or not voting, Messrs. Burton, Calfee, Chase, Cutler, Denlinger, Gibson, Pendleton, Rothrock, Shipman, Stevenson, Thompson, Wetherall, West, White, Wilson of Chickasaw.

The Bill was passed and the title was agreed to.

Mr. Martin, from Select Committee on House Files Nos. — and 52, submitted the following Reports:

Your Select Committee, to whom were referred certain House Files pertaining to the office of Notary Public, have had the same under consideration, and instructed me to report a Substitute therefor and recommend its passage.

H. M. MARTIN, Chairman.

The Committee introduced House File No. 300: Substitute for House Files Nos. — and 152: A Bill for an Act to amend Chapter 16 of the Revision of 1860, relating to Notaries Public.

Read a first and second time and passed upon the files.

Mr. Moir, from Committee on the Judiciary, submitted the following Report :

The Judiciary Committee, to whom was referred the petition of G. T. McKay, and those making certain averments and praying for the repeal of the Act to regulate interest on money, and the Act providing for the appraisement of property under execution, beg leave to report that they have had the same under consideration, and have instructed me to report that a majority of said Committee agree in part with the averments in said petition; yet they do not deem it expedient at the present time, to repeal said acts. They therefore recommend that said petition be laid upon the table.

MOIR, Member of Judiciary Committee.

INTRODUCTION OF BILLS.

Mr. Fairall introduced House File No. 301: A Bill for an Act fixing the time when taxes shall become a lien upon real estate. Read a first and second time and referred to Committee on the Judiciary.

Also, House File No. 302: A Bill for an Act to prevent the conveying or encumbering of certain lands. Read a first and second time and referred to Committee on Rail Roads.

RESOLUTIONS.

Mr. Lowrie introduced the following Resolution :

WHEREAS, A large number of the members have been and still are sick; and whereas it is believed that the same has resulted from the manner in which this Hall has been kept, either from imperfect ventilation or some other cause; therefore, be it

Resolved, That a Committee of three, consisting of Physicians of the House, be appointed to inquire into the same, and report at an early day, to the House.

Mr. Lake moved to lay the Resolution on the table. The motion prevailed.

Mr. Knoll introduced House File No. 303: A Joint Resolution in reference to Federal tax. Referred to Committee on Federal Relations.

Mr. Kellogg introduced the following Resolution which was laid over under the rule :

Resolved, That the Secretary of State be requested to report to this House, at no distant day, whether or not, the printed Report of the Select Committee on Printing, made at the last regular session of the General has been placed in his hands, and if so, where said Report may be found.

The Chair amended the Special order, being House File No. 291: A Bill for an Act making appropriations for the payment of

State and Judicial officers, interest on State Bonds and Loans, and for other purposes.

Mr. Hardie moved that the Special order be postponed five minutes, and Senate Substitute for House File No. 101: A Bill for an Act to restrict and define the powers and duties of the City Court of the City of Dubuque, in the State of Iowa, be taken up from messages on the table. The motion prevailed.

The Bill was taken up and read a first and second time, and on motion of Mr. Hardie, the rule was suspended and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker--80.

The nays were--None.

¶ Absent or not voting, Messrs. Burton, Chase, Denlinger, Gibson, Mercer, Pendleton, Rothrock, Stanton, Stevenson, Wetherall, West, White, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

Mr. Eaton moved that House File No. 259: A Bill for an Act to provide for the management of the School Fund invested in the several Counties, be taken from the table and recommitted to the Committee on Schools and State University. The motion prevailed.

Leave of absence was granted Messrs. Wetherall, Denlinger, White, Chase, Stevenson, Gibson and Pendleton.

The time having elapsed during which the special order was suspended, it was taken up.

Mr. Quinn moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Calfee, Castor, Cleaves, Converse, Curtiss, Cutler, Dorr, Eaton, Eichorn, Fuller of Fayette, Fuller of Harrison, Glanville, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall,

McQuinn, Mercer, Milburn, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Quinn, Rowles, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Stanton, Van Anda, Walker, Walton, Wasson, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, and Mr. Speaker—63.

The nays were, Messrs. Fairall, Ferguson, Flint, Gault, Hardie, Kellogg, Knoll, McGlothlen, McLennan, Meyer, Mitchell of Fremont, Russell of Dallas, Speer, and Stewart—14.

Absent or not voting, Messrs. Burton, Clark, Chase, Denlinger, Dunlavy, Frisbie, Gibson, Pendleton, Rothrock, Stevenson, Thompson, Wetherall, West, White, Wilson of Chickasaw, and Young.

The Bill passed and the title was agreed to.

The following message from the Governor was taken from the table and read :

EXECUTIVE OFFICE, IOWA, }
MARCH 24, 1862. }

Gentlemen of the House of Representatives:—

I have the honor to submit a statement of the disbursements made by me of the money appropriated at the Extra Session of 1861, for extraordinary expenses of this office, as follows :

STATEMENT

Of Fund appropriated for Extraordinary Expenses of the Executive Department, Extra Session, 1861 :

	DR.	CR.
Amount appropriated		\$10,000 00
Donated by John Byers for Amana Society, Iowa County.....		200 00
Total amount,.....		10,200 00
AMOUNT EXPENDED.		
Paid Jno. Edwards for his services as Aid to Governor.....	550 00	
Paid Cyrus Bussey for his services as Aid to Governor.....	250 00	
Paid C. Baldwin for his services as Aid to Governor.....	250 00	
Paid to aid building telegraph line from Bur- lington to Keokuk.....	500 00	
Paid H. M. Hoxie, traveling expenses two trips to southern part of the State on public business.....	50 00	
Paid expenses of self to and at Keokuk....	35 50	

STATEMENT—Continued.

	Dr.	Cr.
Paid stationery and furniture for office at Iowa City	18 25	
Paid Chas. Pomeroy, special messenger ...	10 00	
Paid advertising sale of State bonds in Journal of Commerce.	41 80	
Paid same in Boston Atlas.....	71 50	
Paid same in N. Y. Tribune.....	146 00	
Paid same in Chicago Tribune.....	38 00	
Paid same in Boston Post.....	77 38	
Paid same in N. Y. Times	168 00	
Paid telegraphing	70 40	
Paid advance to M. L. Fisher.....	50 00	
Paid expense to James & Fisher for bond, Paid telegraphing.....	164 40	
Paid telegraphing.....	95 14	
Paid telegraphing.....	50 73	
Paid A. J. Kynett for Sanitary Commission	100 00	
Paid S. Hurchell expenses to New York and return, in connection with sale of State Bonds	93 10	
Paid postage at Davenport, Adjutant General's Office.....	84 19	
Paid Express charges.....	18 45	
Paid Express charges.....	6 00	
Paid Express charges.....	19 80	
Paid N. H. Brainard, Military Secretary...	225 00	
Paid A. J. Kynett, Sanitary Commission...	200 00	
Paid Flag Second Iowa Cavalry to get flag First Iowa Infantry	35 00	
Paid A. J. Kynett, Sanitary Commission...	100 00	
Paid E. Sells, expenses to New York.....	130 00	
Paid Wm. Smyth, expenses to Washington	140 63	
Paid Rev. Fuller, Chaplain of First Regiment Iowa Infantry.....	20 00	
Paid G. M. Dodge, part expenses to Washington.....	100 50	
Paid expenses of myself to New York and Washington, including telegraphing ...	225 00	
Paid expenses of myself to Washington and Philadelphia, including telegraphing ..	215 00	
Paid expenses of myself traveling in this State	175 50	
Paid procuring information in regard to condition of our Southern Border....	500 00	
Paid expenses of myself and party to Fort		

STATEMENT—Continued.

	DR.	CR.
Donelson	333 00	
Paid cash to Dr. Orr, sent to Arkansas to look after wounded in Gen. Curtis' army	1,000 00	
Paid Postage bill at Davenport.....	43 80	
Balance unexpended	3,997 93	
Total	\$10,200 00	10,200 00

Some explanation may be necessary for some of these items. The expenditure for the telegraph to Keokuk was, in my judgment, absolutely necessary. That portion of the State was repeatedly threatened by the rebels, and it seemed to me there could not be any doubt of the propriety of putting it in telegraphic communication with the rest of the State, when it could be done so cheaply. The sums paid to the newspapers named, were for advertising the State Loan. Money to pay for these advertisements could not be had otherwise, and I had to pay it from this fund.

There are some charges against the fund not yet paid. I owe some to my Military Secretary; also, to Lieut. Col. Nutt, my Aid at Council Bluffs, for services and expenses this winter in Fremont and Atchison County, Mo., in connection with the troubles there. I have telegraphed to the Sanitary Commission at Cincinnati, Ohio, to send our sick and wounded men there home, and do not know what the expense will be. There is, I believe, a small amount not yet paid, of the expense to Fort Donelson, and there may be some items not now remembered.

A portion of the amount in my hands unexpended is in warrants on the War and Defense Fund. Hiram Price, when engaged in subsisting the large amount of troops in Camp McClellan, was at one time much embarrassed for funds. He could not sell his warrants at fair prices, and not then having immediate use for the money, I advanced some to him, taking warrants in lieu. I still have them, but hope your legislation on that subject will have the effect of enabling me to use them at par. It is, perhaps, unnecessary I should say I gave him for them in money the par value of them.

It is difficult to fix the amount for such extraordinary expenses for the future. You have already placed three thousand dollars of it for the Sanitary Commissions. Future battles in which our troops may be engaged, will require expenditures, and it is impossible to know how frequent such occasions may be, and what amounts may be needed. I may have to go or send to Washington in connection with the settlement of our claim against the General Government, and contingencies not now expected may arise.

The whole matter is left in your hands with the confident assurance that you will do what in your judgment the public interests may require.

SAMUEL J. KIRKWOOD.

Mr. Fairall moved to lay the message on the table and print the usual number of copies for the use of the House. The motion was lost.

Mr. Russell, of Dallas, offered the following resolution, which was laid over under the rule:

Resolved, That the Secretary of State, the Auditor of State, and the State Treasurer, are each requested to furnish this House, as soon as practicable, with a list of the items which have been allowed and paid for out of the contingent fund pertaining to their respective offices.

Mr. Lakin offered the following resolution:

WHEREAS the Hon. C. W. Lowrie, of Lee County, has written and caused to be published the following charges against the majority on this floor:

"I do not believe there are ten gentlemen upon this floor who do not believe that by the passage of this Bill, the State would be benefited, and yet I have been convinced for the last two days that this Bill would not pass, and why? Simply because these sureties and James D. Eads (the defaulter) are Democrats.

"I am well informed that some leading Republicans up to the adjournment of this House at noon, intended and expressed themselves to others, that they would support this Bill, but after the adjournment a private caucus was held, and these gentlemen were convinced by older heads that it would not do to vote for the measure, as it would be giving up an element of strength that has been used so effectually in elections against the Democrats. And, sir, this afternoon I find these newly converted gentlemen speaking with great earnestness and much eloquence against the passage of the Bill."

AND WHEREAS, the said charges are an impeachment of the honor and good faith of this House; are not only false, slanderous and unjust, but were never delivered boldly in the presence of this House, as they are represented to have been in the speech of the said Lowrie, on Friday, February 7th, but have been inserted in said speech since its delivery, therefore,

Resolved, That this House hereby places upon these charges the seal of its disapprobation, and passes censure upon the said Lowrie for his covert and unmanly attack.

Mr. Dunlavy moved to lay the resolution on the table, and upon this question the yeas and nays were demanded by Messrs. Fairall and Maxwell, and were as follows:

The yeas were, Messrs. Bass, Bracewell, Cutler, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Glanville, Hardie, Hood,

Kellogg, Knoll, Lorah, Martin, Maxwell, McGlothlen, McLennan, Milburn, Mitchell of Fremont, Quinn, Schramm, Smeltzer, Speer, Stewart, Walton, Williams of Des Moines, Wilson of Pottawattamie and Young—31.

The nays were, Messrs. Baker, Blackford, Bowdoin, Castor, Clark, Cleaves, Converse, Curtiss, Fuller of Fayette, Fuller of Harrison, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Jackson, Lake, Lakin, Lane, Loomis, McCall, Mercer, Meyer, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Stanton, Van Anda, Wasson, Whittemore, Wilcox, Wright and Mr. Speaker—42

Absent or not voting, Messrs. Burton, Calfee, Chase, Denlinger, Eaton, Frisbie, Gibson, Lowrie, McQuinn, Pendleton, Rothrock, Stevenson, Thompson, Walker, Wetherall, West, White, Williams of Mahaska, Wilson of Chickasaw and Woodworth—20.

The motion did not prevail.

Mr. Mitchell, of Fremont moved to refer the resolution to the Committee on Charitable Institutions :

Mr. Bowdoin moved to refer the resolution to a Select Committee of three, of which Mr. Lane shall be Chairman : and upon this question the yeas and nays were demanded by Messrs. McLennan and Maxwell, and were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Castor, Clark, Converse, Curtiss, Cutler, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Guthrie, Hollingsworth, Jackson, Lake, Lane, Loomis, McCall, Mercer, Parker, Porter, Price, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Stanton, Van Anda, Walton, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wright and Mr. Speaker—39.

The nays were, Messrs. Cleaves, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Gault, Glanville, Hardie, Hudnutt, Hood, Kellogg, Knoll, Lorah, Martin, Maxwell, McGlothlen, McLennan, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Quinn, Schramm, Smeltzer, Speer, Stewart, Walker, Wasson, Wilson of Pottawattamie, Woodworth and Young—36.

Absent or not voting, Messrs. Burton, Calfee, Chase, Denlinger, Gibson, Holyoke, Lakin, Lowrie, McQuinn, Pendleton, Rothrock, Stevenson, Thompson, Wetherall, West, White and Wilson of Chickasaw—17.

The motion prevailed.

The Chair appointed as such Committee, Messrs. Lane, Lake, and Martin.

Mr. Moir introduced House File No. 304 : A Joint Resolution of thanks to officers and men engaged in battle of Pea Ridge, Arkansas. The resolution was referred to Committee on Military Affairs.

Mr. Bowdoin introduced House File No. 305 : Joint Resolution of approval of the administration of Mr. Lincoln.

Mr. Bowdoin moved the previous question, which was seconded by a majority of the House, and the question, "Shall the main question be now put?" was decided in the affirmative.

The question being upon the adoption of the Joint Resolution introduced by Mr. Bowdoin, the yeas and nays were demanded by Messrs. Young and Fuller of Fayette and were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Van Anda, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—78.

The nays were, Messrs. Ferguson, Hardie, McLennan, Stewart, and Denlinger—5.

Absent or not voting, Messrs. Burton, Chase, Gibson, Smeltzer, Thompson, Wetherall, West, Wilson of Chickasaw.

The Resolution was adopted.

Mr. Gault introduced the following resolution :

Resolved, That the Committee on Printing are hereby instructed to report at an early day upon the several petitions referred to said Committee on the subject of a reduction in the price of State Printing.

Mr. Curtiss moved to lay the resolution on the table, and upon this question the yeas and nays were demanded by Messrs. McLennan and Knoll, and were as follows :

The yeas were, Messrs. Bowdoin, Curtiss, Cutler, Hollingsworth, Lake, Lakin, Lane, Moser, Porter, and Stanton—11.

The nays were, Messrs. Baker, Bass, Blackford, Bracewell, Calfee, Castor, Cleaves, Converse, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hood, Jackson, Kellogg, Knoll, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Smeltzer, Speer, Stewart, Van Anda, Walker, Walton, Wasson, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—68.

Absent or not voting, Messrs. Burton, Clark, Chase, Denlinger

Gibson, Pendleton, Rothrock, Shipman, Stevenson Thompson, Wetherall, West, White, and Wilson of Chickasaw.

The motion did not prevail.

The question recurring upon the resolution, it was adopted.

On motion of Mr. Frisbie, the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Stanton moved to reconsider the vote by which House File No. 305: Joint Resolution of approval of the administration of Mr. Lincoln was adopted.

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

Mr. McLennan moved that the House do now adjourn, and upon this question the yeas and nays were demanded by Messrs. McLennan and Fairall, and were as follows:

The yeas were, Messrs. Curtiss, Martin, Porter, and Speer—4.

The nays were, Messrs. Baker, Bass, Bowdoin, Bracewell, Calfee, Castor, Clark, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Guthrie, Hardie, Hudnutt, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Loomis, Lorah, Lowrie, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Nelson, Parker, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Stanton, Stewart, Van Anda, Walker, Walton, Wasson, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth, Wright, Young, and Mr. Speaker—67.

Absent or not voting, Messrs. Blackford, Burton, Chase, Cleaves, Converse, Denlinger, Frisbie, Gordon, Holyoke, Lane, Lowrie, Mitchell of Fremont, Moser, Pendleton, Rothrock, Stevenson, Wetherall, West, White, Wilson of Chickasaw, Wilson of Pottawattamie.

The motion did not prevail.

Mr. McLennan moved that the House take a recess for ten hours, and upon this question, the yeas and nays were demanded by Messrs. McLennan and Smeltzer and were as follows:

The yeas were—None.

The nays were, Messrs. Baker, Bass, Bowdoin, Bracewell, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin,

Loomis, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stewart, Van Anda, Walker, Walton, Wasson, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth, Wright, Young and Mr. Speaker—74.

Absent or not voting, Messrs. Blackford, Burton, Chase, Denlinger, Dorr, Frisbie, Gibson, Gordon, Lane, Lowrie, Mitchell of Fremont, Pendleton, Rothrock, Stevenson, Thompson, Wetherall, West, White, Wilson of Chickasaw, and Wilson of Pottawattamie.

The motion did not prevail.

The question recurring on the motion to lay on the table the motion to reconsider, it prevailed.

Mr. Fairall moved to reconsider the vote by which the motion to reconsider Mr. Bowdoin's Resolution was laid upon the table. The motion did not prevail.

MESSAGES ON THE TABLE.

Senate File No. 235: A Bill for an Act to repeal Section 2871 of the Revision of 1860, and enact a substitute therefor, and to repeal any law requiring Notice Books. Read a first and second time.

On motion of Mr. Martin the rule was suspended and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Bowdoin, Bracewell, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stewart, Van Anda, Walker, Walton, Wasson, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—77.

The nays were, None.

Absent or not voting, Messrs. Blackford, Burton, Calfee, Chase, Denlinger, Gibson, Lowrie, McQuinn, Moser, Pendleton, Rothrock, Stevenson, Thompson, Wetherall, West, White, and Wilson of Chickasaw,

The Bill passed and the title was agreed to.

House File No. 133: A Bill for an Act for the Registry of Dogs and defining the duties of Township Officers in certain cases.

The House refused to concur in the Senate amendments to the Bill.

BILLS ON SECOND READING.

Substitute for the substitute for House File No. 125 : A Bill for an Act to exempt the property of Iowa Volunteers in the service of the United States from levy or sale.

Mr. Smeltzer moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Saver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stewart, Van Anda, Walker, Walton, Wasson, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—78.

The nays were, None.

Absent or not voting, Messrs. Bass, Burton, Chase, Denlinger, Frisbie, Gibson, Lowrie, Pendleton, Rothrock, Stevenson, Thompson, Wetherall, West, White, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

Substitute for Senate File No. 10 : A Bill for an Act to confer civil and criminal jurisdiction on county courts. The amendments recommended by the Committee were adopted.

Mr. Young moved to add a new Section as follows :

SECTION 28. The Judge of the County Court shall be elected in the manner now provided by law at the regular election for State and County officers to be held in the year 1862, and biennially thereafter, and shall hold his office for the term of two years, or until his successor is elected and qualified.

Mr. Moser moved to strike out the enacting clause of the bill.

Mr. Converse moved to make the Bill the special order for to-morrow morning, 10 o'clock. The amendment was lost.

Mr. Curtiss moved that when the House adjourn it be until to-morrow morning. The motion prevailed.

Mr. Shipman moved that the further consideration of this Bill be postponed till to-morrow morning, 9½ o'clock. The motion was lost.

The question recurring upon the motion of Mr. Moser to strike out the enacting clause of the Bill, the yeas and nays were demanded by Messrs. Fairall and Van Anda and were as follows :

The Yeas were, Messrs. Cleaves, Cutler, Dunlavy, Eichorn, Gault, Glanville, Guthrie, Hudnutt, Holyoke, Lorah, Maxwell, McLennan, Meyer, Mitchell of Fremont, Moir, Moser, Rowles, Russell of Dallas, Schramm, Smeltzer, Stewart, Van Anda, Wasson and Woodworth—25.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Calfee, Castor, Clark, Converse, Curtiss, Eaton, Fairall, Flint, Fuller of Fayette, Fuller of Harrison, Gordon, Hardie, Hollingsworth, Hood, Jackson, Knoll, Lakin, Lane, Loomis, Lowrie, Martin, McCall, McGlothlen, McQuinn, Mercer, Milburn, Mitchell of Polk, Nelson, Parker, Porter, Price, Quinn, Russell of Jones, Sarver, Shipman, Stanton, Walker, Walton, Wilcox, Williams of Mahaska, Wright, Young and Mr. Speaker—49.

Absent or not voting, Messrs. Burton, Chase, Denlinger, Ferguson, Frisbie, Gibson, Pendleton, Rothrock, Speer, Stevenson, Thompson, Wetherall, West, White, Whitemore, Williams of Des Moines, Wilson of Chickasaw and Wilson of Pottawattamie.

The motion did not prevail.

Mr. Smeltzer moved that the House do now adjourn. The motion did not prevail.

Mr. Curtiss moved to amend the amendment by adding the following: "and no court shall be held under the provisions of this Act until after the 1st day of January, A. D. 1863." The amendment to the amendment was lost.

The question recurring upon the amendment of Mr. Young, it was adopted.

Mr. Hardie, by leave, offered the following Resolution:

Resolved, That the Railroad Committee be instructed to report as early as possible upon the matter referred to in the special message of the Governor, in relation to authorizing a lighter track on the land-grant Railroads. The resolution was adopted.

Mr. Castor offered the following amendment:

"Provided that this Act shall not apply to any debts or contracts made previous to the taking effect of this Act." Lost.

Mr. Russell of Dallas moved to amend as follows:

SECTION 6. An appeal from the decisions rendered in the County Court shall only be allowed on writ of error to the Supreme Court subject to the same rules and regulations as are now prescribed for taking appeals on questions of law from the District Courts. The amendment was lost.

Mr. Young moved that the Bill be ordered to a third reading tomorrow.

Mr. Van Anda moved to amend as follows:

Provided that this Act shall not apply to any debts hereafter contracted. The amendment did not prevail.

On motion of Mr. Bracewell the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
TUESDAY, March 25, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Chamberlain.

Journal of yesterday read and approved.

Mr. Hardie read the following Protest, of himself and others, and requested that the same be entered upon the Journal. :

The undersigned firmly and solemnly protest against the action of the majority of this House in moving the "previous question" upon the resolution of thanks to the President of the United States, for the following reasons, viz :

FIRST—The operation of the previous question was to bring the House to an immediate and direct vote upon the "main question", without giving members sufficient time to properly understand, or even comprehend the full force of the language used in said resolution.

SECOND—By the same operation, members were not given an opportunity to offer amendments to the resolution, in order to perfect the same according to their views and opinions, or in failing so to do, to place themselves right upon the record.

THIRD—Being deprived of the privilege of either submitting amendments or expressing our opinions on the merits of the question at issue, we were compelled, (having a regard for truth and consistency) to vote against a resolution which says, "that as we have given to him our unwavering support in the past, so, for the future," &c., for the reason that he has not had our "unwavering support" in the following acts, viz : The arrest and imprisonment of citizens without "warrant" or "due process of law" and in violation of the Constitution of the United States, which says, "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation ; to be confronted with witnesses against him ; to have compulsory process for obtaining witnesses in his favor ; and to have the assistance of counsel for his defense. The suspension of the writ of *habeas corpus* without authority of law. The violation of Article 1 of the Constitution, which not only guarantees the freedom of the press, but even denies to Congress the power to abridge the same. These, together with others, in the past course of the President, are acts, to which we have not been able to give our "unwavering support."

Such being our position as to his past course, it can hardly be expected, that we would blindly commit ourselves to whatever future policy the President might see proper to adopt, as is contemplated by the insidious language in which said resolution is couch-

ed, as follows: "We pledge to him our earnest co-operation in all such measures as he shall deem requisite and just, to utterly and forever vanquish the rebellion," &c.

With all our abhorrence of "secession", and whatever might be our confidence in his "ability, integrity and patriotism", we think it would be but a poor compliment to the intelligence of the people, for them, or their Representatives to unalterably bind themselves to any future unknown acts or policy, which the President, of himself, might "deem requisite and just."

We believe that the restraints imposed upon the whole people by the Constitution, shall be at all times solemnly respected, and especially so by the chief executive of the nation, whose special duty it is to exercise its power. We have, in the past, and will in the future, cordially and "unwaveringly" award to him our unqualified support in all his constitutional acts and endeavors "to utterly and forever vanquish the rebellion of the South, and restore once more the unbroken American union, the unquestioned supremacy of the laws, and the Constitution.

THOMAS HARDIE,
WM. McLENNAN,
GEORGE B. STEWART,
DAVID FERGUSON,
C. DENLINGER.

Mr. Van Anda had leave to withdraw the claim of Cottern and Taylor.

PETITIONS, &c.

Mr. Curtiss presented the petition of A. E. Arnold, Enoch W. Eastman, and eighty-two others, citizens of Hardin County, remonstrating against extending judicial jurisdiction and powers of County Judges.

REPORTS OF COMMITTEES.

Mr. Holyoke, from Committee on Charitable Institutions, submitted the following Reports:

The Committee on Charitable Institutions, to whom was referred Substitute for Substitute for Senate File No. 72: An Act to provide for the support of the Deaf, Dumb and Blind Asylums, have considered the same, and instructed me to recommend its passage with the following amendment:

THOS. HOLYOKE, Chairman.

The Committee on Charitable Institutions, to whom was referred House File No. 287: An Act to authorize the Principal of the Institution for the Education of the Blind, to remove said Institution

to the building erected for that purpose at Vinton, in Benton County, Iowa, have considered the same and recommend its passage.

THOS. HOLYOKE, Chairman.

Mr. Shipman from Committee on County and Township organization, submitted the following Report :

The Select Committee, to whom was referred House File No. 124: A Bill for an Act authorizing Counties to become the purchaser of delinquent taxes, in cases where there is no other purchaser, have had the same under consideration and have directed me to report the following Substitute and recommend the passage of the Substitute.

SHIPMAN, Chairman.

Mr. Young from the Committee on the Judiciary, submitted the following Report :

The Judiciary Committee, to whom was referred House File No. 269: A Bill for an Act to amend Section 4515 of the Revision of 1860, relating to the time of commencing criminal actions in certain cases, have had the same under consideration, and have directed me to report the same back to the House and recommend its passage.

YOUNG, Chairman.

Mr. Mercer, from Committee on Claims, submitted the following Report :

Your Committee, to whom was referred petition and claims of John Johns, Jr., have had the same under consideration, and have directed me to make the following report: That they find said claim is for a horse, killed in the service of the State, and valued at \$115; that the facts set forth in the petition have been verified to the satisfaction of your Committee. We believe said claim is just and should be paid, and recommend the passage of the following Joint Resolution :

Respectfully submitted,

THOMAS MERCER,
Chairman of Committee on Claims.

The Committee introduced House File No. 305 $\frac{1}{2}$: A Joint Resolution in relation to the claim of John Johns, Jr. The Resolution was passed.

RESOLUTIONS LAID OVER UNDER THE RULE.

Resolved, That the Secretary of State be requested to report to this House, at no distant day, whether or not the printed Report of the Select Committee on Printing, made at the last regular session of the General Assembly, has been placed in his hands, and if so, where said Report may be found." The Resolution was adopted.

INTRODUCTION OF BILLS.

Mr. Clark of Tama, introduced House File No. 306: A Joint Resolution for additional mail facilities. Referred to Committee on Federal Relations.

Mr. Curtiss introduced House File No. 307: A Bill for an Act to organize Fire Companies in the village of Waterloo, Blackhawk County, Iowa, and regulate the same. Read a first and second time and on motion of Mr. Curtiss, the rule was suspended and the Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Curtiss, Cutler, Dorr, Fairall, Frisbie, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Kellogg, Knoll, Loomis, Lowrie, Martin, Maxwell, McCall, McQuinn, Mercer, Meyer, Mitchell of Polk, Moir, Moser, Nelson, Parker, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Speer, Stanton, Stewart, Van Anda, Walker, Wasson, Whittemore, Williams of Mahaska, Woodworth, Wright, Young, and Mr. Speaker—57.

The nays were, Messrs. Blackford, Converse, Denlinger, Eichorn, Ferguson, Flint, Hood, Jackson, Lake, Lakin, Lorah, McGlothlen, McLennan, Mitchell of Fremont, Porter, Thompson, Walton, Wetherall, Wilcox, Williams of Des Moines—20.

Absent or not voting, Messrs. Chase, Dunlavy, Eaton, Fuller of Fayette, Gibson, Hardie, Lane, Milburn, Pendleton, Shipman, Smeltzer, Stevenson, West, White, Wilson of Chickasaw, and Wilson of Pottawattamie.

The Bill passed and the title was agreed to.

Mr. Stewart introduced House File No. 308: A Bill for an Act to reduce the salaries of certain officers. Read a first and second time and passed upon the files.

Mr. Denlinger introduced House File No. 309: A Bill for an Act to amend Section 6, Chapter 45 of the Revision of 1860. Read a first and second time and referred to Committee on County and Township Organization.

Mr. Hudnutt introduced House File No. 310: A Bill for an Act to amend Section 9 of the Act of July 14th, 1856, conferring lands on certain Railroad Companies. Read a first and second time and referred to Committee on Railroads.

Mr. Rothrock introduced House File No. 311: A Bill for an Act repealing certain Acts and amendatory of certain other Acts of the Board of Education passed at its December Session, 1861. Read a first and second time and passed upon the files.

BILLS ON SECOND READING.

House File No. 293 : A Bill for an Act to provide for recording the swamp land selections in the State Land Office.

Mr. Mitchell, of Polk, moved that the rule be suspended and the Bill be read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Cutler, Denlinger, Dorr, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stewart, Thompson, Van Anda, Walton, Wasson, Wetherall, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth, Wright, and Mr. Speaker—77.

The nays were, None.

Absent or not voting—Messrs. Bowdoin, Chase, Curtiss, Dunlavy, Eaton, Fuller of Harrison, Gibson, Pendleton, Rothrock, Stevenson; Walker, West, White, Wilson of Chickasaw, Wilson of Pottawattamie, and Young.

The Bill passed and the title was agreed to.

Substitute for House File Nos. 152 and — : A Bill for an Act to amend Chapter 16 of the Revision of 1860, relating to Notaries Public.

Mr. Young moved to refer the Bill to the Committee on Judiciary.

Mr. Kellogg moved to lay the Bill on the table. The motion was lost.

The motion to refer to Judiciary Committee was lost.

Mr. Guthrie moved to strike out "ten" in the fifth line of Section 2.

Mr. Frisbie moved to strike out Section 2 and 3.

The question recurring upon the amendment of Mr. Guthrie, it prevailed.

Mr. Martin moved a division of the question on Mr. Frisbie's motion, which was ordered.

The question being upon striking out Section 2, it was lost.

The question was put upon striking out Section 3, which was lost.

Mr. Clark, of Johnson, offered the following amendment to Section 3: "The Secretary of State shall, before this Act takes effect,

send a written or printed copy of this Act to each person holding a commission as Notary Public. The amendment prevailed.

Mr. Williams, of Mahaska, moved to strike out "five" in ninth line of Section 2 and insert "ten." Lost.

Mr. Kellogg moved to strike out the last Section. Lost.

Mr. Martin moved to suspend the rule and read the Bill a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Converse, Denlinger, Dorr, Dunlavy, Eaton, Ferguson, Flint, Gault, Gordon, Guthrie, Hardie, Hudnutt, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Martin, Maxwell, McQuinn, Milburn, Moir, Moser, Nelson, Parker, Price, Quinn, Rowles, Russell of Jones, Shipman, Stanton, Stewart, Van Anda, Wetherall, Whittemore, Wilcox, Woodworth, and Wright—47.

The nays were, Messrs. Castor, Cleaves, Curtiss, Fairall, Frisbie, Fuller of Fayette, Glanville, Holyoke, Kellogg, Loomis, Lorah, Lowrie, McCall, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Porter, Rothrock, Russell of Dallas, Sarver, Schramm, Thompson, Walker, Walton, Wasson, Williams of Mahaska, Young and Mr. Speaker—28.

Absent or not voting, Messrs. Clark, Chase, Cutler, Eichorn, Fuller of Harrison, Gibson, McLennan, McGlothlen, Pendleton, Smeltzer, Speer, Stevenson, West, White, Williams of Des Moines, Wilson of Chickasaw, and Wilson of Pottawattamie.

The Bill was rejected.

Mr. Mitchell of Fremont moved to reconsider the vote by which the Bill just passed upon was rejected. The motion prevailed.

Mr. Kellogg moved to reconsider the vote by which the Bill was ordered to a third reading. The motion prevailed.

Mr. Rothrock moved to strike out section 3. The motion prevailed.

Mr. Fuller of Fayette moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

Mr. Kellogg moved to reconsider the vote by which the rule was suspended, and the Bill ordered to a third reading. The motion prevailed.

Mr. Clark of Johnson moved to strike out sections 4 and 5. The motion prevailed.

Mr. Williams of Mahaska moved to strike out "four" in fifteenth line of section 1, and insert "two." Lost.

Mr. Clark of Johnson offered the following new sections:

§ 3. Any person exercising the duties or powers of a Notary Public who has not been duly qualified, or whose commission shall have expired, shall forfeit and pay the sum of five hundred dollars,

to be recovered in the name of the State of Iowa for the use of the School Fund thereof.

§ 4. All Acts and parts of Acts so far as they conflict with this Act are hereby repealed.

The new sections were adopted.

Mr. Porter moved to strike out "four" in ninth line of section 1, and insert "one." Lost.

Mr. Kellogg moved to strike out "four" in ninth line of section 1, and insert "three." Lost.

Mr. Martin moved to suspend the rule and read the Bill a third time now.

Mr. Curtiss moved to strike out "eight" in eleventh line and insert "six." Lost.

The question recurring upon the motion of Mr. Martin, to suspend the rule and read the Bill a third time now, it prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Denlinger, Dorr, Eaton, Fairall, Ferguson, Flint, Fuller of Fayette, Gault, Glanville, Gordon, Guthrie, Hardie, Hollingsworth, Hood, Jackson, Knoll, Lakin, Lane, Lowrie, Martin, Maxwell, McCall, McGlothlen, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Price, Rothrock, Russell of Jones, Schramm, Shipman, Speer, Stanton, Stewart, Van Anda, Walton, Wasson, Wetherall, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth, Wright and Mr. Speaker—59.

The nays were, Messrs. Curtiss, Cutler, Frisbie, Hudnutt, Holyoke, Kellogg, Lorah, McQuinn, Meyer, Milburn, Porter, Quinn, Rowles, Russell of Dallas, Sarver, Smeltzer, Thompson, Walker, and Young—19.

Absent or not voting, Messrs. Bass, Chase, Dunlavy, Eichorn, Fuller of Harrison, Gibson, Lake, Loomis, McLennan, Pendleton, Stevenson, West, White, Wilson of Chickasaw, and Wilson of Pottawattamie.

The Bill passed and the title was agreed to.

Mr. Bracewell moved to reconsider the vote by which section 28, offered by Mr. Young, to substitute for Senate File No. 10: A Bill for an Act to confer Civil and Criminal jurisdiction on County Courts, was adopted.

House substitute for Senate File No. 55: A Bill for an Act to authorize the Governor to appoint one additional Assistant Surgeon for each Regiment Iowa Volunteers, and employ Nurses for the same and providing for their compensation. The report of the Committee was concurred in.

Mr. McCall moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Ferguson, Flint, Frisbie, Fuller of Fayette, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McQuinn, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Speer, Stanton, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, Whitemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth, Wright, Young, and Mr. Speaker—74.

The nays were, None.

Absent or not voting, Messrs. Chase, Eaton, Eichorn, Fairall, Fuller of Harrison, Gibson, Kellogg, Lake, McLennan, Mercer, Nelson, Pendleton, Shipman, Smeltzer, Stevenson, West, White, Wilson of Chickasaw, and Wilson of Pottawattamie.

The Bill passed and the title was agreed to.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following Report:

MR. SHEAKER:—The Joint Committee on Enrolled Bills ask leave to report that they have examined and corrected Senate Files No's. 101, 153, 176, 226, 232, and House Files No's. 53, 68, 101, 107, 162, 195, 265, 286, and herewith present them for your signature.

D. G. FRISBIE, Chairman of House Committee.

Substitute for House File No. 120: A Bill for an Act to allow organized Counties to fund their outstanding Warrants. The report of Committee recommending certain amendments, was concurred in.

Mr. Fairall moved that the rule be suspended, and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bowdoin, Bracewell, Dunlavy, Fairall, Gault, Hood, Jackson, Lake, Lakin, Martin, McGlothlen, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Russell of Dallas, Sarver, Smeltzer, Thompson, Van Anda, Wasson, Williams of Des Moines, Woodworth, Wright, and Mr. Speaker—27.

The nays were, Messrs. Bass, Blackford, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Ferguson, Frisbie, Fuller of Fayette, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Knoll, Lane, Loomis, Lorah, Lowrie, Maxwell, McCall, Mercer, Milburn, Parker, Porter,

Price, Quinn, Rothrock, Rowles, Russell of Jones, Schramm, Shipman, Speer, Stanton, Stewart, Walton, Wetherall, Whittemore, Wilcox and Williams of Mahaska—49.

Absent or not voting, Messrs. Chase, Eichorn, Fuller of Harrison, Gibson, Kellogg, McLennan, McQuinn, Pendleton, Stevenson, Walker, West, White, Wilson of Chickasaw, Wilson of Pottawattamie and Young.

The Bill was rejected.

On motion of Mr. Price the House adjourned.

TWO O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Price, by leave, introduced the following Resolution :

Resolved, That there shall be no more new business introduced into this House from and after Saturday next, without the unanimous consent of all the members present.

Mr. Moir moved to amend by striking out Saturday and inserting "to-morrow." Carried.

Mr. Kellogg moved to amend by striking out "unanimous" and inserting after "of" "two-thirds of." The amendment prevailed.

The Resolution as amended was adopted.

Mr. Martin read the following protest of himself and others, and asked that it be entered upon the Journal.

We, the undersigned, Members of the House of Representatives of the State of Iowa, believing that on the 24th day of March, A. D. 1862, at the time a certain Resolution "complimentary to Abraham Lincoln, as President of the United States," was introduced into the House, that an unusual, unjust and ungenerous usurpation of the freedom of speech and debate was perpetrated by the party in power, by immediately moving the previous question, upon its adoption, and believing, too, that upon the same day the same act of arbitrary power was re-enacted by the same party by moving to "reconsider" the motion upon which said resolution was adopted, and immediately thereupon moving to lay the motion to reconsider upon the table, thereby cutting off all chances for a free, fair and open discussion, and driving us to the last resort of being heard, that secured by Article 3, of Section 10, of the Constitution of our State, "the right of protesting against said resolution, and the manner in which the same was adopted."

FIRST. It was well and distinctly understood by those who urged and even forced the House to a vote upon the Resolution, that we, the protestants, had by our acts, words and even speeches, pledged our sacred honor as men to vote for the adoption of any and every

resolution sustaining Abraham Lincoln as President of the United States in his views upon the question of slavery as applied to the rebellion as enunciated in his order countermanding the Proclamation of John C. Fremont.

SECOND. It was also well and distinctly understood by this same party that we had pledged ourselves to them and to the world, and were in duty bound as true and loyal American citizens, to stand by and uphold the arms of the President in all his constitutional efforts to crush and wholly suppress the existing wicked rebellion.

THIRD. It was further well and distinctly understood by this same party that it ever has been, and still is, a cardinal and undying principle of the Democratic party that the Constitution is the cement of the Union, as well in its limitations as in its authorities, and that this Union cannot now, nor never can be saved by a violation of any of its provisions; that to violate, in itself, begets disunion; and that the very moment the innovating step is taken, whether in war or in peace, we virtually admit that thus far the Union is gone—"That the silver cord is loosened."

FOURTH. It was well understood, too, by this same dominant party, that we, the undersigned, most earnestly protested against the sanctioning of any unconstitutional act heretofore committed by the President of the United States; and would be less willing, as required by said resolution to sustain him in all his efforts in the future, whether unconstitutional or otherwise; but were willing, and still are willing to thus pledge ourselves to him in all his lawful and constitutional efforts.

FIFTH. And that it was well understood, too, by those who forced the adoption of this resolution, that we, the undersigned, inasmuch as we were deprived of the privilege of speaking upon and offering to amend said resolution, that we could not consistently record our votes against its adoption without placing ourselves upon record as being unwilling to sustain the President in any of his efforts to suppress the rebellion.

We, therefore, protest against the course pursued by the majority in bringing us to a vote upon said Resolution, believing it both uncourteous and unusual to thus usurp the rights of the minority by thus gagging them with the previous question, immediately upon the introduction of a new measure.

2. We protest against the action of the majority in further fortifying themselves by the further exercise of the same arbitrary power, in moving to reconsider the motion by which the resolution was adopted, and following this with a motion to lay the motion to reconsider upon the table, thereby cutting off the last and only chance for discussion upon the merits of the Resolution.

3. We protest against the adoption of all that portion of the Resolution which pledges us, and this General Assembly, to the unwavering support of Abraham Lincoln, as President of the United States, in the exercise, heretofore or hereafter, of any un-

constitutional power for any purpose whatsoever, and also sustaining him in his party political views.

4. We protest against the action by the majority in depriving the minority of the privilege of offering to amend said Resolutions in such a manner as to make it correspond with the views hereinbefore expressed.

As a duty we owe to our fellow citizens and ourselves, we enter this our solemn protest against so much of said resolution as herein referred to, and the proceedings had upon its adoption, upon the journals of the House.

H. M. MARTIN,
H. DUNLAVY,
SAMUEL H. FAIRALL,
F. M. KNOLL,
GODFREY EICHORN,
SAMUEL L. LORAH,
EDWARD J. GAULT,
R. D. KELLOGG,
JOSEPH H. FLINT,
THOMAS D. MCGLOTHLEN,
A. L. SPEER,
JOHN S. MAXWELL,
E. DORR,
H. BRACEWELL.

Mr. Eaton, by leave, introduced House File No. 312: A Bill for an Act to divide the State into Congressional Districts. Read a first and second time.

Mr. Van Anda moved that the rule be suspended and the Bill read a third time now.

Mr. Lake moved to strike out "Buchanan" from the Sixth District and add it to the "Third." Lost.

Mr. Dunlavy moved to strike "Washington" from the First District and add "Wapello;" and upon this question the yeas and nays were demanded by Messrs. Fairall and Maxwell, and were as follows:

The yeas were, Messrs. Bracewell, Denlinger, Dorr, Dunlavy, Fairall, Ferguson, Flint, Gault, Glanville, Hardie, Hudnutt, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lorah, Martin, Maxwell, McGlothlen, Smeltzer, Speer, Stewart, Thompson, Walton, Wetherall and Wilson of Pottawattamie—27.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Guthrie, Holyoke, Lake, Lane, Loomis, Lowrie, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Stanton, Stevenson, Van Anda, Walker,

Wasson, Whittemore, Wilcox, Williams of Des Moines, Woodworth, Wright, Young and Mr. Speaker—54.

Absent or not voting, Messrs. Chase, Eichorn, Gibson, Lakin, McLennan, Mitchell of Fremont, Pendleton, Schramm, West, White, Williams of Mahaska and Wilson of Chickasaw—12.

The motion did not prevail.

Mr. Ferguson moved to strike out "Davis" from the first and add it to the fourth District. Lost.

Mr. Wilson of Pottawattamie moved to strike out "Polk and Dallas" from the fifth and add them to the sixth District.

The question recurring upon the motion of Mr. Van Anda to suspend the rule and read the Bill a third time now, it prevailed.

The Bill was read a third time and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Jackson, Lake, Lane, Loomis, Lowrie, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Stanton, Stevenson, Van Anda, Walker, Walton, Wasson, Whittemore, Wilcox, Williams of Des Moines, Woodworth, Wright, Young and Mr. Speaker—58.

The nays were, Messrs. Bracewell, Denlinger, Dorr, Dunlavy, Fairall, Ferguson, Flint, Gault, Glanville, Hardie, Hood, Kellogg, Knoll, Lorah, Martin, Maxwell, McGlothlen, Mitchell of Fremont, Smeltzer, Speer, Stewart, Thompson, Wetherall, and Wilson of Pottawattamie—24.

Absent or not voting, Messrs. Chase, Eichorn, Gibson, Lakin, McLennan, Pendleton, Schramm, West, White, Williams of Mahaska and Wilson of Chickasaw—11.

The Bill passed and the title was agreed to.

Mr. Lowrie moved to reconsider the vote, by which House File No. 120: A Bill for an Act to allow organized Counties to fund their outstanding warrants, was rejected. The motion prevailed.

And upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bowdoin, Bracewell, Calfee, Denlinger, Dunlavy, Fairall, Ferguson, Flint, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hudnutt, Hood, Jackson, Kellogg, Loomis, Lorah, Lowrie, Martin, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Quinn, Rothrock, Rowles, Russell of Dallas, Sarver, Smeltzer, Stanton, Stevenson, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—53.

The nays were, Messrs. Bass, Blackford, Clark, Cleaves, Converse, Dorr, Frisbie, Hardie, Hollingsworth, Knoll, Lane, Maxwell, McCall, McGlothlen, Parker, Porter, Price, Russell of Jones, Shipman, Speer, Stewart, and Whittemore—22.

Absent or not voting, Messrs. Castor, Chase, Curtiss, Cutler, Eaton, Eichorn, Gibson, Lake, Lakin, McLennan, Moser, Pendleton, Schramm, West, White, Williams of Mahaska, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

Mr. Wilson of Pottawattamie, from Committee on Public Buildings, by leave, submitted the following report:

The Committee on Public Buildings, to whom was referred Senate File No. 110, entitled a Bill for an Act for the erection of an Arsenal to keep and secure the arms and munitions of war, belonging to the State of Iowa, have had the same under consideration and have directed me to report the same back with amendments and recommend its passage.

W. W. WILSON, Chairman.

Mr. Lane moved to take from the table House File No. 276: A Bill for an Act for the enrollment, organization, discipline and government of the militia of the State. The motion prevailed.

Mr. Russell, of Jones, moved that the House resolve itself into Committee of the Whole upon the Bill under consideration. The motion did not prevail.

Mr. Lake moved to strike out the sixth line of Section 1. The motion prevailed.

Mr. Hardie moved that the enacting clause of the Bill be stricken out, and upon this question the yeas and nays were demanded by Messrs. Hardie and Wetherall, and were as follows:

The yeas were, Messrs. Denlinger, Ferguson, Hardie, Knoll, Smeltzer, Speer, Stewart, Thompson, Wetherall—9.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Fairall, Flint, Frisbie, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hudnutt, Hollingsworth, Hood, Jackson, Kellogg, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Sarver, Shipman, Stanton, Stevenson, Van Anda, Walker, Walton, Wasson, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—71.

Absent or not voting, Messrs. Chase, Eichorn, Fuller of Fayette, Holyoke, McLennan, Pendleton, Russell of Jones, Schramm, West, White, Williams of Mahaska, and Wilson of Chickasaw.

The motion did not prevail.

Mr. Lane offered the following Substitute:

SEC. 4. The Board of Supervisors in each County shall annually and at the time of levying taxes on real and personal property for State and County purposes, assess and levy on each person enrolled in the militia of the State, as liable to do military duty, the sum of fifty cents, which shall be collected and paid into the County Treasury of each County as hereinafter provided, and shall constitute a military fund for the purpose of arming, equipping and training the militia of the State.

Mr. Curtiss moved to strike out Section 4. The motion prevailed.

The question recurring upon the adoption of the Substitute, the yeas and nays were demanded by Messrs. Hardie and Fairall and were as follows:

The yeas were, Messrs. Bass, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Converse, Cutler, Dorr, Eaton, Guthrie, Hollingsworth, Jackson, Lakin, Lane, Loomis, McCall, McQuinn, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Porter, Rothrock, Shipman, Stevenson, Thompson, Van Anda, Walker, Wasson, Whittemore, Williams of Des Moines, and Mr. Speaker—37.

The nays were, Messrs. Baker, Bracewell, Cleaves, Curtiss, Denlinger, Dunlavy, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Hardie, Hudnutt, Holyoke, Hood, Kellogg, Knoll, Lake, Lorah, Martin, Maxwell, McGlothlen, Meyer, Nelson, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Smeltzer, Speer, Stanton, Stewart, Walton, Wetherall, Wilcox, Woodworth, and Wright—42.

Absent or not voting, Messrs. Chase, Eichorn, Gibson, Lowrie, McLennan, Pendleton, Schramm, West, White, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, and Young.

The Substitute was not adopted.

Mr. Meyer moved to reconsider the vote by which Mr. Lane's Substitute for Section 4 was lost, and upon this question the yeas and nays were demanded by Messrs. Wetherall and Lorah and were as follows:

The yeas were, Messrs. Bass, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Eaton, Glanville, Gordon, Guthrie, Hudnutt, Hollingsworth, Jackson, Lake, Lakin, Lane, Loomis, McCall, McQuinn, Mercer, Milburn, Mitchell of Fremont, Moir, Moser, Nelson, Parker, Porter, Rothrock, Rowles, Stevenson, Walker, Wasson, Whittemore, Williams of Des Moines, Young, and Mr. Speaker—42.

The nays were, Messrs. Baker, Bracewell, Denlinger, Dunlavy, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Hardie, Holyoke, Hood, Knoll, Lorah, Lowrie, Martin, Maxwell, McGlothlen, Meyer, Price, Quinn, Russell of Dallas, Russell of Jones, Sarver, Smeltzer, Stewart, Thompson,

Van Anda, Walton, Wetherall, Wilcox, Woodworth, and Wright—36.

Absent or not voting, Messrs. Chase, Eichorn, Gibson, Kellogg, McLennan, Mitchell of Polk, Pendleton, Schramm, Shipman, Speer, Stanton, West, White, Williams of Mahaska, Wilson of Chickasaw, and Wilson of Pottawattamie.

The motion prevailed.

Mr. Moser moved to amend the Substitute by striking out "fifty-cents" and inserting "twenty-five cents." The amendment was lost.

The question recurring upon the adoption of the Substitute for Section 4 offered by Mr. Lane, Messrs. Denlinger and Fairall demanded the yeas and nays, which were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Calfee, Clark, Cleaves, Converse, Cutler, Dorr, Eaton, Guthrie, Hollingsworth, Jackson, Lake, Lakin, Lane, Loomis, Lowrie, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Porter, Rothrock, Shipman, Van Anda, Walker, Wasson, Whittemore, Williams of Des Moines and Mr. Speaker—38.

The nays were, Messrs. Bracewell, Burton, Curtiss, Denlinger, Dunlavy, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Hardie, Hudnutt, Holyoke, Hood, Knoll, Lorah, Martin, Maxwell, McGlothlen, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Smeltzer, Stanton, Stevenson, Stewart, Thompson, Walton, Wetherall, Wilcox, Woodworth, Wright and Young—40.

Absent or not voting, Messrs. Castor, Chase, Eichorn, Gibson, Kellogg, McLennan, Moser, Pendleton, Schramm, Speer, West, White, Williams of Mahaska, Wilson of Chickasaw and Wilson of Pottawattamie.

The Substitute was not adopted.

Mr. Van Anda moved the indefinite postponement of the Bill, and upon this question the yeas and nays were demanded by Messrs. Rothrock and Wetherall, and were as follows:

The yeas were, Messrs. Bass, Bracewell, Curtiss, Denlinger, Dunlavy, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gordon, Hardie, Hudnutt, Holyoke, Hood, Knoll, Lorah, Martin, McGlothlen, Meyer, Moir, Moser, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Smeltzer, Stewart, Thompson, Van Anda, Wetherall, Wilcox, Woodworth and Wright—38.

The nays were, Messrs. Baker, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Cleaves, Converse, Cutler, Dorr, Eaton, Glanville, Guthrie, Hollingsworth, Jackson, Lakin, Lane, Loomis, Lowrie, Maxwell, McCall, McQuinn, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Nelson, Parker, Porter, Rothrock, Ship-

man, Stanton, Stevenson, Walker, Walton, Wasson, Whittemore, Williams of Des Moines, Young and Mr. Speaker—42.

Absent or not voting, Messrs. Chase, Eichorn, Gibson, Kellogg, McLennan, Pendleton, Schramm, Speer, West, White, Wilson of Chickasaw and Wilson of Pottawattamie.

The motion did not prevail.

Mr. Hardie moved to lay the Bill on the table. The motion was lost.

Mr. Lane moved to make the Bill the special order for to-morrow, 10 o'clock, A. M. The motion prevailed.

Mr. McQuinn moved to take up Substitute for Senate File No. 10: A Bill for an Act to confer civil and criminal jurisdiction on County Courts, and refer the same to the Committee on Judiciary.

Mr. Young moved to take from unfinished business House File No. 208: A Bill for an Act to amend an Act for the suppression of intemperance, approved January 22, 1855, and recommit to the select Committee on that subject. The motion did not prevail.

On motion of Mr. Walker the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
WEDNESDAY, March 26, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Chamberlain.

Journal of yesterday read and approved.

Leave of absence was granted to Mr. Gault.

Mr. Shipman, by leave, introduced the following resolution:

Resolved, That the per diem allowance of the officers of this House during the present Session be as follows:

Chief Clerk	\$6,00
First Assistant Clerk	5,00
Second Assistant Clerk	4,00
Enrolling Clerk	4,00
Engrossing Clerk	4,00
Sergeant-at-Arms, Door-keeper and Fireman, each	3,00
Fireman for Committee Rooms	3,00
Messengers and Paper Folders, each	2,00
Assistant Postmaster and Mail Carrier,	3,00

Mr. Maxwell moved to strike out "six dollars" and insert "five."

Mr. Van Anda moved to strike out "five dollars" and insert "six." Lost.

The question recurring upon the motion of Mr. Maxwell, it was lost.

Mr Kellogg moved to strike out "three dollars" on the per diem of Fireman and Doorkeeper, and insert "two-dollars."

Mr. Shipman moved to insert "two dollars and fifty cents." Lost.

The question recurring upon the motion of Mr. Kellogg, it was lost.

Mr. Mitchell of Fremont, moved to amend the Resolution by making the per diem of messengers and paper folders two dollars and fifty cents per day. The amendment prevailed.

The Resolution as amended was adopted.

REPORTS OF COMMITTEES.

Mr. Fairall, from the Committee on the Judiciary, submitted the following Report :

The Judiciary Committee, to whom was referred House File No. 295: A Bill for an Act to protect owners of Treasurers' Certificates of Purchase of real estate at tax sale, respectfully report that they have had said Bill under consideration, and have instructed me to report the same back and recommend its passage.

FAIRALL, Chairman.

Mr. Price, from Committee on Roads and Highways, submitted the following Report :

The Committee on Roads and Highways, to whom was referred House File No. 85: An Act to amend Chapter 46 of the Revision of 1860, have had the same under consideration, and have instructed me to report the same back with same amendments and recommend that it do pass.

M. PRICE.

Mr. Shipman, from Committee on County and Township organization, submitted the following Report :

The Committee on Township and County organization, to whom were referred sundry petitions and resolutions in relation to making the office of County Treasurer and Recorder a fee office, would report the following bill and recommend its passage :

SHIPMAN, Chairman.

The Committee introduced House File No. 313: A Bill for an Act fixing the fees of County Recorder and Treasurer. Read a first and second time and passed upon the files.

Mr. Stanton, from Committee on Printing, submitted the following Report :

The Printing Committee, to whom was referred Senate File No. 217: "A Bill for an Act regulating the printing, binding and distribution of Reports of State officers and others," have had the

same under consideration, and instructed me to report the same back and recommend that it be passed.

STANTON.

Mr. Young, from Committee on the Judiciary, submitted the following Report:

The Judiciary Committee, to whom were referred House Files Nos. 266, 267 and 208, have had the same under consideration, and unanimously recommend their passage.

YOUNG, Chairman.

The Committee on Charitable Institutions introduced House File No. 314: A Joint Resolution relating to the appointment of Trustees for the Hospital for the Insane. The Resolution was adopted.

Mr. Mercer, from Committee on Claims, submitted the following Report:

Your Committee, to whom was referred Senate File No. 118, have had the same under consideration, and have instructed me to report the following:

We find this File is a Joint Resolution authorizing the Auditing Board to audit and allow all just claims of John Hornby, for building head-quarters at Camp McClellan, claim not to exceed fifty dollars.

We find that Hiram Price had a contract for building quarters for the men at Camp McClellan.

The said Hornby had a contract for building head-quarters; that he did build the same, and presented his bill to the United States disbursing officer, who paid him for the lumber, but did not pay him for the work.

The Auditing Board would not allow said claim for work, because they believed said work of building head-quarters was included in the contract of Hiram Price for building quarters for the men.

Your Committee believe that this was a misunderstanding of the Auditing Board; that said claim is just and comes under the law governing said Board of Auditors, and should be paid. We recommend the passage of the Resolution.

Respectfully submitted,

THOMAS MERCER,

Chairman of Committee on Claims.

The Chair announced the question to be upon the adoption of Senate File No. 118: A Joint Resolution in relation to the claim of John Hornby. The Joint Resolution was adopted.

Mr. Mercer, from Senate Committee, submitted the following Report:

Your Committee, to whom was referred House File No. 252: A Bill for the relief of Omer Lytle, have had the same under consideration, and have instructed me to report the following: That we find that Omer Lytle enlisted in a company known as the Sioux

City Mounted Riflemen, and entered the military service of the State of Iowa, and continued in such military service during the term of his enlistment and until he received an honorable discharge from such service; and while during his term of service as above mentioned, he furnished his own horse, and while using his horse in such service the said horse was killed. Said company was in the service by order of Judge Hubbard, who also appraised horse at \$100. Your Committee think the claim is just and should be paid; and report back the Bill, and instead thereof, offer the following Joint Resolution and recommend its passage:

Respectfully submitted,

THOMAS MERCER,

Chairman of Committee on Claims.

The Committee introduced Substitute for House File No. 252, A Joint Resolution for the benefit of Omer Lytle.

Mr. Moser moved to lay the resolution on the table. The motion prevailed.

Mr. Lowrie, from Committee on Railroads, submitted the following Reports:

The Committee to whom was referred House File No. 310, A Bill for an Act in relation to the quality of iron to be used on the Land Grant Railroads, have had the same under consideration, and the undersigned of said Committee recommend that it do not pass.

O. W. LOWRIE,

T. H. STANTON,

SAML. H. FAIRALL.

The Committee to whom was referred House File No. 302: A Bill for an Act to prevent the Land Grant Railroads from selling or encumbering lands granted to such roads, more than twenty miles beyond the completion of such roads, have had the same under consideration, and the undersigned, members of said Committee, recommend its passage.

O. W. LOWRIE,

T. H. STANTON,

SAML. H. FAIRALL.

Mr. Quinn moved that House File No. 312, reported back by Committee, be referred to Committee on the Judiciary. The motion prevailed.

Mr. Hudnutt, from Committee on Railroads, submitted the following report:

The Railroad Committee to whom was referred House File No. 310, relating to the iron to be laid upon the extension of the Land Grant Railroads, have had the same under consideration, and have instructed me to report the same back with the recommendation that it be passed.

J. O. HUDNUTT,

SAMUEL L. LORAH,

JAMES McQUINN,

W. EDWIN WETHERALL.

Mr. Lake, from Committee on Judiciary, submitted the following report:

The Judiciary Committee to whom was referred House File No. 220: A Bill for an Act to regulate the carrying of freight and passengers over connecting Railroads, have had the same under consideration, and have directed me to report the same back recommending that all of the 1st Section after the word "rate," in the 8th line, be stricken out, and thus amended, they recommend its passage.

JED. LAKE, for Committee.

Mr. Lane submitted the following report:

The Select Committee to whom was referred the resolution in relation to those portions of the speech purporting to have been delivered by the gentleman from Lee, reflecting upon the motives of certain members, beg leave to report that since the appointment of the Committee, the gentleman from Lee has caused to be published over his own signature, in the Daily State Register, the following card:

For the Iowa State Register.

MR. EDITOR:—*Dear Sir*:—I find that some members of the House of Representatives have taken exceptions to some parts of my speech made on the 7th ultimo in the House of Representatives on the motion to strike out the enacting clause of the Bill for the partial relief of the sureties of James D. Eads on his third official bond. I would state that the language of said speech was not intended to impugn the motives of any gentleman of the House. I am further satisfied now that no Republican caucus was held, as stated in said speech, and that my informant of the same was mistaken as to such fact. I do believe that every gentleman who voted for or against said measure, voted from a conviction of right, and that whether said sureties were Democrats or Republicans, did not govern the votes of the members of the House. I most cheerfully and voluntarily make the above statement, as I do believe there never assembled in this State, more upright, honest and high-toned gentlemen than those who comprise the present House of Representatives.

C. W. LOWRIE.

The Committee would therefore recommend that the Resolution be withdrawn, and that no further proceedings be had thereon.

Respectfully submitted,

JAMES T. LANE,
JED. LAKE,
H. M. MARTIN.

The report of the Committee was concurred in.

Mr. Lakin, by leave, withdrew his resolution, reported upon by the Committee.

Mr. Williams of Mahaska, from Committee on the Judiciary, submitted the following report :

The Judiciary Committee to whom was referred House File No. 174: A Bill for an Act to legalize the official acts of C. H. Toll, a Notary Public in Clinton county, have had the same under consideration, and I am instructed to report a substitute therefor, which is herewith presented, and its passage recommended.

WILLIAMS of Mahaska.

INTRODUCTION OF BILLS.

Mr. Milburn introduced House File No. 315: A Bill for an Act to require Boards of County Supervisors to provide dockets for the use of Justices of the Peace. Read a first and second time and referred to Committee on County and Township Organization.

Mr. Young introduced House File No. 316: A Bill for an Act to repeal Section 281 of the Revision of 1860, relating to vacancy in the office of County Judge. Read a first and second time, and passed upon the files.

Mr. Knoll introduced House File No. 317: A Bill for an Act further defining the duties of Sheriffs, Constables, and other like officers. Read a first and second time, and referred to Judiciary Committee.

Mr. Stewart introduced House File No. 318: A Bill for an Act to reduce the price of State Printing. Read a first and second time.

Mr. Martin moved to refer to Committee on Printing, with instructions to report to-morrow. The motion prevailed.

Mr. Mitchell of Polk, introduced House File No. 319: A Joint Resolution in relation to the Des Moines River Grant. Referred to Committee on Public Lands.

Mr. Denlinger introduced House File No. 320: A Joint Resolution relating to the conduct of officers and men belonging to the 4th Regiment Iowa Cavalry.

Mr. Denlinger moved that the resolution with accompanying testimony be referred to the Committee on Military Affairs. The motion prevailed.

Mr. Stephenson introduced House File No. 321: A Bill for an Act to confer additional powers on the Warden of the Penitentiary. Read a first and second time, and on motion of Mr. Stephenson, the rule was suspended and the bill read a third time, and upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Castor, Cleaves, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Glanville, Gordon, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLen-

nan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moser, Nelson, Parker, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth, Wright, Young, and Mr. Speaker—75.

The nays were, None.

Absent or not voting, Messrs. Bass, Calfee, Clark, Chase, Converse, Denlinger, Eichorn, Gault, Gibson, Guthrie, Lane, Moir, Pendleton, Porter, Smeltzer, West, Wilson of Chickasaw, and Wilson of Pottawattamie.

The Bill passed and the title was agreed to.

The Chair announced the special order for this hour being House File No. 276: A Bill for an Act for the enrollment, organization, discipline and government of the Militia of the State.

The House resolved itself into Committee of the Whole on the Special Order.

Mr. Rothrock in the Chair.

The Committee rose, reported the Bill back to the House with the recommendation that it do not pass.

Mr. Young moved to lay the Bill on the table, and upon this question the yeas and nays were demanded by Messrs. Mitchell of Fremont and Lake, and were as follows:

The yeas were, Messrs. Bracewell, Castor, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Glanville, Guthrie, Hardie, Hudnutt, Holyoke, Hood, Jackson, Knoll, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, Meyer, Moser, Price, Quinn, Rowles, Russell of Dallas, Schramm, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walton, Wasson, Wetherall, Wilcox, Wilson of Pottawattamie, Woodworth, Wright, and Young—44.

The nays were, Messrs. Baker, Blackford, Bowdoin, Burton, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Eaton, Gordon, Hollingsworth, Kellogg, Lake, Lakin, Lane, Loomie, McCall, McQuinn, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Porter, Rothrock, Russell of Jones, Sarver, Shipman, Walker, White, Whittemore, Williams of Des Moines, Williams of Mahaska, and Mr. Speaker—38.

Absent or not voting, Messrs. Bass, Calfee, Denlinger, Dunlavy, Eichorn, Gault, Gibson, Pendleton, West, and Wilson of Chickasaw.

The motion prevailed.

Message from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has concurred in the House amendments to Substitute for House File No. 150.

And has passed Substitute for Senate File No. 117: A Bill for

an Act to provide for the auditing and allowance of claims against the War and Defense fund, in which the concurrence of the House is asked.

W. F. DAVIS, Secretary.

RESOLUTIONS.

Mr. Russell of Jones introduced House File No. 322: A Joint Resolution for additional mail facilities. Referred to Committee on Federal Relations.

Mr. Hudnutt introduced the following Resolution:
WHEREAS, Professors Hawes and Brand have generously offered to repeat their *Grand Union Exhibition Exercises* for the benefit of the sick and wounded soldiers in the army, Therefore be it

Resolved, That the use of this Hall be tendered to the Soldiers' Aid Society on Wednesday Evening, April 2nd, for the purposes indicated in the preamble.

Mr. Kellogg moved to refer the Resolution to a select Committee of one, and that Mr. Curtiss constitute that Committee.

Mr. Ferguson moved to amend by striking out "Curtiss" and substituting "Kellogg." The amendment prevailed.

The motion as amended was adopted.

COMMUNICATIONS AND MESSAGES ON THE TABLE.

Senate File No. 117: A Bill for an Act to provide for the auditing and allowance of certain claims against the War and Defense Fund. Read a first and second time.

Mr. Gordon moved to suspend the rule and read the Bill a third time now.

Mr. Nelson moved to refer to Committee on Claims.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following Report:

The Joint Committee on Enrolled Bills, ask leave to report that they have delivered to his excellency the Governor, for his approval, Senate Files Nos. 101, 150, 153, 176, 226, 232, and House Files Nos. 53, 68, 101, 107, 162, 195, 265 and 286.

D. G. FRISBIE,

Chairman House Committee.

Mr. Kellogg, by leave, submitted the following Report:

The Select Committee, to whom was referred a Resolution offering the use of this Hall to the Soldiers Aid Society, on Wednesday next, have had the same under consideration, and have instructed me to report that your Committee waited upon Professor Hawes and the State Secretary, E. Sells, who agree with your Committee that some more appropriate Hall might be obtained for the use of the said Aid Society, in which to hold a concert; and in consequence of this House having passed a rule to hold an evening ses-

sion on the evening mentioned, your Committee recommend (without a dissenting voice) that the Resolution do not pass.

KELLOGG, from Committee.

The Report of the Committee was concurred in.

On motion of Mr. Frisbie the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

The House resumed the consideration of Senate File No. 117: A Bill for an Act to provide for the auditing and allowance of certain claims against the War and Defense Fund.

The Chair announced the question to be upon the motion of Mr. Nelson to refer the Bill to Committee on Claims. The motion did not prevail.

Mr. Kellogg moved to strike out Section 3. The motion prevailed.

Mr. Kellogg moved to strike out so much of Section 5 as is contained between "applicable" in the fifth line and "to" in the eighth line. The motion prevailed.

Mr. Hudnutt offered the following substitute for the Bill :

AN ACT providing for the settlement of claims arising from the requisition of the Government of the United States upon the State of Iowa for troops, and from the efforts to repel invasion from this State.

SECTION 1. *Be it enacted by the General Assembly of the State Iowa*, That the Board of Canvassers, created by Chapter 10 of the Acts of the Extra Session of the Eighth General Assembly, be and they are hereby authorized to allow such claims as they were authorized to allow by the Act creating said Board ; notwithstanding such claims were not filed within the time required by said Act, *Provided*, that all such claims must be filed with said Board before the first day of September, A. D. 1862.

SEC. 2. The Board of Commissioners, as aforesaid, are hereby authorized and required to receive the claims of all persons, cities, towns and counties, who have in any manner assisted in raising the quota of troops required to be raised in the State of Iowa by authority of the Government of the United States, or who have furnished maintenance, clothing and supplies for such troops, and the said Board shall take the evidence in writing of all such claims and report the same with the evidence thereof to the Governor of the State, (when the same are found to be just and *bona fide* claims,) and it shall be the duty of the said Governor to obtain as far as possible an allowance of such claims in the statement of the

quota of the Federal tax due or that may hereafter become due from the State to the Government of the United States, and whenever any such claims are so allowed by the Government of the United States, it shall be the duty of the Governor to report the same to the Auditor of State, whose duty it shall be, upon the receipt of such report, to draw his warrants for the sum in favor of the person or persons to whom such claims may be due, *Provided*, that nothing in this Section shall be so construed as to in any manner conflict with that class of claims that the said Board of Commissioners are by law now authorized to allow.

SEC. 3. The said Board of Commissioners are hereby authorized to receive the claims of Col. Edwards and all other persons who have been called upon by authority of the Governor of the State to bear arms in defence of this State and to repel invasion therefrom, including the claims of persons, residents of this State, who served under Col. Moore, in North-East Missouri, in suppressing rebellion and repelling invasion, *Provided*, such persons have not been otherwise paid for such services, and such claims shall be treated in the same manner as provided in Section 2 of this Act.

SEC. 4. It shall be the duty of the Governor of this State to carefully preserve such claims and the evidence thereof, as are not allowed by the Government of the United States, and to report the same to the next General Assembly.

Mr. Lake moved that the substitute be adopted, and upon this question the yeas and nays were demanded by Messrs. McLennan and Lowrie and were as follows:

The yeas were, Messrs. Baker, Bass, Bowdoin, Burton, Cleaves, Converse, Cutler, Dorr, Dunlavy, Eaton, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Glanville, Guthrie, Hardie, Hudnutt, Hollingsworth, Kellogg, Knoll, Lake, Loomis, Martin, Maxwell, McGlothlen, McLennan, Meyer, Nelson, Price, Quinn, Russell of Dallas, Russell of Jones, Smeltzer, Speer, Stewart, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, and Wright—45.

The nays were, Messrs. Blackford, Bracewell, Castor, Curtiss, Fuller of Harrison, Gordon, Holyoke, Hood, Jackson, Lane, Lowrie, McCall, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Pendleton, Porter, Rothrock, Rowles, Sarver, Schramm, Shipman, Stanton, Stevenson, Thompson, Van Anda, Williams of Mahaska, Woodworth, Young and Mr. Speaker—35.

Absent or not voting, Messrs. Calfee, Clark, Chase, Denlinger, Eichorn, Gault, Gibson, Lakin, Lora, McQuinn, Walker, West, Wilson of Chickasaw, and Wilson of Pottawattamie.

The Substitute was adopted.

Mr. Hardie moved to reconsider the vote by which the substitute was adopted.

Mr. Lake moved to lay this motion upon the table, and upon this

question the yeas and nays were demanded by Messrs. Hardie and McLennan and were as follows:

The yeas were, Messrs. Baker, Bass, Converse, Dunlavy, Fairall, Ferguson, Flint, Fuller of Fayette, Guthrie, Hardie, Hudnutt, Hollingsworth, Knoll, Lake, Maxwell, McLennan, Nelson, Price, Quinn, Russell of Jones, Smeltzer, Speer, Stanton, Stewart, Walton, Wetherall, White, Whittemore, Wilcox, and Wright—30.

The nays were, Messrs. Blackford, Bowdoin, Bracewell, Burton, Castor, Cleaves, Curtiss, Cutler, Dorr, Eaton, Frisbie, Fuller of Harrison, Glanville, Gordon, Holyoke, Hood, Jackson, Kellogg, Lane, Loomis, Lowrie, Martin, McCall, McGlothlen, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Pendleton, Porter, Rothrock, Rowles, Russell of Dallas, Sarver, Schramm, Shipman, Stevenson, Thompson, Van Anda, Wasson, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Young, and Mr. Speaker—50.

Absent or not voting, Messrs. Calfee, Clark, Chase, Denlinger, Eichorn, Gault, Gibson, Lakin, Lorah, McQuinn, Walker, West, Wilson of Chickasaw.

The motion did not prevail.

Mr. Hardie, by leave, withdrew his motion to reconsider.

Mr. Kellogg renewed the motion.

Mr. Kellogg moved a call of the House, which was seconded.

Mr. Clark proceeded to call the roll; the following gentlemen were absent: Messrs. Lakin, Lorah, McQuinn, and Walker.

Mr. Smeltzer moved that further proceedings under the call be suspended. The motion was lost.

Mr. Kellogg moved to reconsider the vote by which Mr. Smeltzer's motion was lost. The motion prevailed.

The question being upon the motion of Mr. Smeltzer to suspend further proceedings under the call, it prevailed.

Mr. Van Anda moved that when this House adjourn, it be until to-morrow morning; and upon this question, the yeas and nays were demanded by Messrs. Hudnutt and McLennan, and were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Castor, Cleaves, Converse, Curtiss, Cutler, Dunlavy, Eaton, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Loomis, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, Whittemore, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Young, and Mr. Speaker—67.

The nays were, Messrs. Dorr, Fairall, Lane, Lowrie, Martin, Max-

well, McLennan, Moir, Moser, Nelson, Rowles, White, Wilcox, Woodworth, and Wright—15.

Absent or not voting, Messrs. Calfee, Clark, Chase, Denlinger, Eichorn, Gault, Gibson, Lorah, McGlothlen, West, and Wilson of Chickasaw.

The motion prevailed.

Leave of absence was granted to Mr. Lorah.

Mr. Bracewell, by leave, introduced House File No. 323: A Joint Resolution asking for additional mail facilities. Referred to Committee on Federal Relations.

On motion of Mr. Ferguson, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
MONDAY, March 27, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Fleming.

Journal of yesterday read and approved.

REPORTS OF COMMITTEES.

Mr. Stanton, from Committee on Printing, submitted the following Report:

A majority of your Committee, to whom was referred House File No. 318: "A Bill for an Act to reduce the price of Public Printing," have had the same under consideration, and instructed me to report the same back and recommend that it be indefinitely postponed.

T. H. STANTON, Chairman,
JOHN MITCHELL,
JED LAKE,
O. NELSON.

Message from the Senate, by Wm. F. Davis, their Secretary:

MR. SPEAKER:—I am directed to inform your Honorable Body, that the Senate has passed Senate File No. 239: A Bill for an Act fixing the salary of the Adjutant General of the State of Iowa.

Also, the accompanying concurrent Resolution requiring Auditing Commissioners to audit claims of Stout, Munger and others, in which the concurrence of the House is asked.

I herewith return House File No. 307: Bill for an Act to organize Fire Companies in the village of Waterloo, Black Hawk County, and to regulate the same.

House File No. 305: Joint Resolution of approval of the Administration of President Abraham Lincoln, the same having passed the Senate, without amendment.

I am also directed to return House File No. 133: A Bill for an Act for the Registry of Dogs, and defining the duties of Township officers in certain cases, the Senate having receded from its amendments thereto.

I herewith return Substitute for House File No. 264: Bill for an Act providing for the settlement with the sureties of James D. Eads, late Superintendent of Public Instruction, the Senate having rejected the same.

Also that the Senate has passed the concurrent Resolution of the House, relating to the final adjournment, with the following amendment: Strike out "first" and insert "eighth," in which the concurrence of the House is asked.

W. F. DAVIS, Secretary of Senate.

Mr. Converse, from Committee on Agriculture, submitted the following Report:

The Committee on Agriculture, to whom was referred House File No. 309: A Bill for an Act to amend Section 6, of Chapter 45, of the Revision of 1860, have had the same under consideration and have directed me to report the same back to the House and recommend its passage.

A. CONVERSE, Chairman.

Mr. Price, from Committee on Roads and Highways, submitted the following Report:

The Committee on Roads and Highways, to whom was referred House File No. 287, have had the same under consideration, and have instructed me to report the same back and recommend that it do pass.

M. PRICE.

Mr. Stanton, by leave, introduced House File No. 324: A Bill for an Act to provide for the publication and distribution of the Laws of the Ninth General Assembly. Read a first and second time and referred to Committee on Ways and Means.

MESSAGES AND COMMUNICATIONS ON THE TABLE.

Mr. McQuinn moved to lay the Communication on the table and order the usual number of copies printed for the use of the House. The motion prevailed.

BILLS ON A SECOND READING.

House File No. 311: A Bill for an Act repealing certain Acts and amendatory of certain other acts of the Board of Education, passed at its December Session, 1861.

Mr. Price moved that the rule be suspended and the Bill read a third time now.

Mr. Price offered the following amendment: Add to the last section of the Bill, "And the Act entitled an Act defining the duties and regulating the compensation of County Superintendent, passed December 17th, 1861, be, and the same is hereby repealed." And upon this question the ayes and nays were demanded by Messrs. Russell of Jones and Converse, and were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Cleaves, Converse, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Fuller of Fayette, Glanville, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Lakin, Loomis, Lorah, Martin, Maxwell, McGlothlen, Milburn, Porter, Price, Rothrock, Rowles, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Thompson, Van Anda, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth, Wright, Young and Mr. Speaker—55.

The nays were, Messrs. Clark, Curtiss, Cutler, Frisbie, Fuller of Harrison, Hardie, Knoll, Lake, Lane, Lowrie, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Moir, Nelson, Parker, Pendleton, Russell of Dallas, Stevenson, Stewart, Walker, Walton, Wilson of Pottawattamie—25.

Absent or not voting, Messrs. Chase, Denlinger, Eaton, Gault, Gibson, Gordon, McCall, Mitchell of Polk, Moser, Quinn, Smeltzer, West, and Wilson of Chickasaw.

The amendment was adopted.

Mr. Russell of Jones, moved to amend by striking out all after "contract" in the 1st Section. The amendment did not prevail.

The question recurring upon the motion of Mr. Price to suspend the rule and read the bill a third time now, it prevailed.

The Bill was read a third time.

Mr. McLennan moved to recommit the Bill. The motion was lost.

Upon the question "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Dorr, Dunlavy, Eichorn, Ferguson, Flint, Fuller of Fayette, Fuller of Harrison, Glanville, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Lakin, Lane, Loomis, Lorah, Martin, Maxwell, McGlothlen, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Stanton, Stewart, Van Anda, Walker, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Woodworth, Wright, Young and Mr. Speaker—64.

The nays were, Messrs. Fairall, Frisbie, Hardie, Knoll, Lowrie,

McLennan, McQuinn, Mitchell of Fremont, Moser, Speer, Stevenson, Thompson, Walton, Williams of Mahaska and Wilson of Potawattamie—15.

Absent or not voting, Messrs. Chase, Outler, Denlinger, Eaton, Gault, Gibson, Kellogg, Lake, McCall, Shipman, Wetherall, West, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

Mr. Lane from Committee on Military Affairs, by leave, submitted the following reports :

The Committee on Military Affairs to whom was referred the Joint Resolution of thanks to the Iowa soldiers engaged in the battle of Pea Ridge, have had the same under consideration, and have instructed me to report the same back with the following Substitute, and recommend the passage of the Substitute.

On behalf of Committee,

JAMES T. LANE, Chairman.

The Committee on Military Affairs to whom was referred the Message of the Governor, communicating the allotment law passed by Congress, and recommending provision by law for the payment of the Commissioners appointed by the President under said Act, have had the same under consideration, and beg leave to report the same back, with the accompanying Bill which the Committee have prepared, and recommend its passage.

On behalf of the Committee,

JAMES T. LANE, Chairman.

Mr. Rothrock from Committee on Judiciary, by leave, submitted the following report :

The Committee to whom was recommitted Substitute for Senate File No. 10: A Bill for an Act to confer civil and criminal jurisdiction on County Courts, have had the same under consideration and have instructed me to report the same back and recommend that it be amended by striking out Sec. 28, and being thus amended, recommend that the Bill be passed.

ROTHROCK, from Committee.

Mr. Cleaves, by leave submitted the following report :

The majority of the Select Committee to whom was referred the Bill relating to the appointment of Swamp Land Agents, have had the same under consideration, and have instructed me to report back the Bill with the following slight amendments, and recommend its passage :

In the title, insert after the word Governor, "and Board of County Supervisors.

Section 3 third line, after the word agent, insert "or agents," also in Section 12 first line, after the word agent, insert "or agents."

JOHN CLEAVES,
JOHN MITCHELL,
SAM. H. FAIRALL,
GEO. C. SHIPMAN.

House File No. 287: A Bill for an Act to authorize the Principal of the Institution for the Education of the Blind to remove said Institution to the building erected for that purpose in Vinton, Benton county, Iowa. The amendments recommended by Committee were concurred in.

Mr. McQuinn moved to suspend the rule and read the Bill a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The Yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Cleaves, Curtiss, Cutler, Dorr, Dunlavy, Eichorn, Fairall, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lakin, Lane, Loomis, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Quinn, Rothrock, Rowles, Russell of Dallas, Sarver, Schramm, Shipman, Smeltzer Speer, Stanton, Stevenson, Thompson, Van Anda, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—73.

The nays were, Messrs. Bracewell, Converse, Ferguson, and Stewart—4.

Absent or not voting, Messrs. Chase, Denlinger, Eaton, Gault, Gibson, Kellogg, Lake, Lorah, Price, Russell of Jones, Thompson, Wetherall, West, Wilson of Chickasaw and Wilson of Pottawattamie.

The Bill passed and the title was agreed to.

Substitute for Substitute for Senate File No. 72: A Bill for an Act to provide for the support of the Deaf and Dumb and Blind Asylum.

Amendments of Committee adopted.

Mr. McQuinn moved that the Bill be recommitted. The motion prevailed.

House File No. 85: A Bill for an Act prescribing the duties of Township Trustees.

Mr. Price moved to strike out "Guide-board," in Section one. Carried.

The amendments of Committee adopted.

Mr. Williams of Des Moines moved that the rule be suspended, and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Calfee, Castor, Clark, Converse, Curtiss, Dorr, Eichorn, Fairall, Flint, Fuller of Fayette, Fuller of Harrison, Guthrie, Hardie, Hudnutt, Holyoke, Hood, Jackson, Knoll, Lake, Lakin, Loomis,

Lowrie, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Polk, Moir, Nelson, Parker, Porter, Price, Quinn, Rothrock, Rowles, Schramm, Shipman, Speer, Stanton, Stevenson, Thompson, Van Anda, Walker, Walton, Wasson, White, Whittemore, Williams of Des Moines, Williams of Mahaska, Woodworth, Wright, Young and Mr. Speaker—62.

The nays were, Messrs. Dunlavy, Ferguson, Frisbie, Gordon, Hollingsworth, Kellogg, Lorah, McCall, Milburn, Mitchell of Fremont, Pendleton, Russell of Dallas, Russell of Jones, Sarver, Speer, Stewart, Wilcox, Wilson of Pottawattamie—18.

Absent or not voting—Messrs. Burton, Chase, Cleaves, Cutler, Denlinger, Eaton, Gault, Gibson, Lane, Moser, Wetherall, West, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

Senate File No. 217: A Bill for an Act regulating the printing, binding and distribution of Reports of State Officers and others.

Mr. Kellogg moved to strike out "three" in the 2d line of Section 2, and insert "two." The amendment was lost.

Mr. Shipman moved the indefinite postponement of the Bill, and upon this question the yeas and nays were demanded by Messrs. Sarver and Kellogg, and were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bracewell, Calfee, Castor, Cleaves, Curtiss, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Frisbie, Fuller of Fayette, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Hood, Jackson, Kellogg, Knoll, Lakin, Loomis, Lorah, Lowrie, Martin, Maxwell, McLennan, Mercer, Meyer, Milburn, Mitchell of Fremont, Moir, Moser, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, and Young—65.

The nays were, Messrs. Bowdoin, Clark, Curtiss, Flint, Fuller of Harrison, Holyoke, Hollingsworth, McGlothlen, McQuinn, Mitchell of Polk, Parker, Stanton, and Mr. Speaker—15.

Absent or not voting, Messrs. Chase, Cutler, Denlinger, Eaton, Gault, Gibson, Lake, Lane, McCall, Nelson, Smeltzer, Wasson, and Wilson of Chickasaw.

The motion prevailed.

House File No. 269: A Bill for an Act to amend Section 4515 of the Revision of 1860, relating to the time of commencing criminal actions in certain cases.

Mr. Mitchell of Fremont moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Bracewell, Calfee, Castor, Clark, Curtiss, Cutler, Dorr, Dunlavy, Eichorn, Ferguson,

Flint, Frisbie, Fuller of Fayette, Glanville, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Lake, Loomis, Lowrie, Maxwell, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Pendleton, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Speer, Stanton, Stevenson Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—63.

The nays were, Messrs. Bass, Bowdoin, Burton, Cleaves, Converse, Guthrie, Hardie, Knoll, Lakin, Lorah, Martin, McLennan, Parker, Quinn, Stewart, Thompson, and Wilson of Pottawattamie—18.

Absent or not voting, Messrs. Chase, Denlinger, Eaton, Fairall, Gault, Gibson, Lane, McGlothlen, Porter, Shipman, Smeltzer, West, Williams of Des Moines, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

Mr. Kellogg moved a call of the House, pending which, further proceedings under the call were suspended.

On motion of Mr. McQuinn, substitute for Senate File No. 110 : A Bill for an Act for the erection of an Arsenal building to keep and secure the arms and munitions of war belonging to the State of Iowa.

Mr. Russell of Jones moved the indefinite postponement of the Bill, and upon this question the yeas and nays were demanded by Messrs. Maxwell and Eichorn, and were as follows :

The yeas were, Messrs. Baker, Bracewell, Castor, Converse, Curtiss, Cutler, Dorr, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Glanville, Hardie, Hudnutt, Holyoke, Jackson, Knoll, Lakin, Lane, Loomis, Martin, Maxwell, McGlothlen, McLennan, Milburn, Moir, Nelson, Price, Quinn, Rothrock, Rowles, Russell of Jones, Sarver, Schramm, Speer, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth, and Young—45.

The nays were, Messrs. Bass, Blackford, Bowdoin, Burton, Calfee, Clark, Cleaves, Dunlavy, Eaton, Gordon, Guthrie, Hollingsworth, Hood, Kellogg, Lorah, McCall, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moser, Parker, Pendleton, Russell of Dallas, Shipman, Smeltzer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wetherall, Wilson of Pottawattamie, Wright, and Mr. Speaker—38.

Absent or not voting, Messrs. Chase, Denlinger, Fuller of Harrison, Gault, Gibson, Lake, Lowrie, Porter, West, and Wilson of Chickasaw.

The motion prevailed.

On motion of Mr. Gordon the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Converse, by leave, introduced the following resolution :

Resolved, by the House, the Senate concurring, That the General Assembly adjourn *sine die*, on the 3d day of April, A. D. 1862, at 10 o'clock A. M.

The resolution was adopted.

House File No. 220 : A Bill for an Act to regulate the carrying of freight and passengers over connecting railroads.

The question being upon the amendment of Committee, it was adopted.

Mr. Rothrock moved that the rule be suspended, and the Bill be read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Burton, Castor, Clark, Cleaves, Converse, Cutler, Dorr, Dunlavy, Eaton, Fairall, Ferguson, Friebe, Glanville, Hollingsworth, Jackson, Lake, Lakin, Lane, Loomis, Martin, Maxwell, Meyer, Milburn, Nelson, Parker, Porter, Price, Rothrock, Russell of Jones, Shipman, Stanton, Van Anda, Wasson, White, Whittemore, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Young and Mr. Speaker—41.

The nays were, Messrs. Bass, Blackford, Bowdoin, Bracewell, Calfee, Eichorn, Fuller of Fayette, Guthrie, Hardie, Hudnutt, Holyoke, Hood, Kellogg, Knoll, Lorah, Lowrie, McCall, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Moir, Moser, Pendleton, Rowles, Russell of Dallas, Sarver, Schramm, Smeltzer, Spear, Stewart, Thompson, Walker, Walton, Wetherall, Woodworth and Wright—38.

Absent or not voting, Messrs. Chase, Curtiss, Denlinger, Flint, Fuller of Harrison, Gault, Gibson, Gordon, Mitchell of Polk, Quinn, Stevenson, West, Wilcox and Wilson of Chickasaw—14.

The Bill was rejected.

Mr. Martin moved to reconsider the vote by which the Bill was rejected. The motion prevailed.

Mr. Young moved to re-commit the Bill to the Committee on the Committee on the Judiciary. The motion prevailed.

Substitute for House File No. 304 : A Joint Resolution of thanks to officers and men engaged in the battle of Pea Ridge, Arkansas. The substitute was adopted.

The question was upon the Resolution as amended. At the request of the Chair, the members rose to their feet, and the vote was taken standing. The Resolution was unanimously adopted.

Substitute for House File No. 89 : A Bill for an Act to repeal Chapter 7, of the Laws of the State of Iowa, passed at the Extra Session of the Eighth General Assembly, an Act entitled an Act

for the relief of the volunteer soldiers of this State. The substitute was adopted.

Mr. Sarver moved to reconsider the vote by which the substitute was adopted. The motion prevailed.

The question recurring upon the adoption of the substitute, it was lost.

Mr. Van Anda moved that the rule be suspended, and the original Bill be read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Glanville, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—88.

The nays were, None.

Absent or not voting, Messrs. Chase, Denlinger, Gault, Gibson, Gordon, Quinn, Rothrock, Smeltzer, West and Wilson of Chickasaw—10.

The Bill passed and the title was agreed to.

House File No. 259: A Bill for an Act legalizing the establishment of roads by Boards of Supervisors in certain cases.

Mr. Price moved to re-commit the Bill. The motion prevailed.

House File No. 295: A Bill for an Act to protect the owners of Treasurers' Certificates of purchase of real estate at tax sales.

Mr. Mitchell, of Fremont, moved that the rule be suspended, and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Converse, Curtiss, Cutler, Dorr, Eaton, Fairall, Frisbie, Fuller of Fayette, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll Lake, Lakin, Lane, Loomis, Martin Maxwell, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Smeltzer, Speer, Stanton, Stevenson, Van Anda, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Ma-

haska, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—68.

The nays were, Messrs. Dunlavy, Eichorn, Ferguson, Flint, Hardie, Lorah, McGlothlen, McLennan, Shipman, Stewart and Wetherall—11.

Absent or not voting, Messrs. Chase, Cleaves, Denlinger, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Kellogg, Lowrie, Quinn, Thompson, West and Wilson of Chickasaw—14.

The Bill passed and the title was agreed to.

Mr. Lake from Committee on Federal Relations, by leave, introduced House File 326: A Joint Resolution for additional Mail facilities.

Mr. Eaton moved that the Resolution be re-committed. The motion prevailed.

Mr. Mitchell of Polk, from Committee on Public Lands, by leave, submitted the following report:

Your Committee on Public Lands, to whom was referred a Joint Resolution in relation to Des Moines River Lands, have had the same under consideration, and have instructed me to report the same back to this House and recommend its passage.

JOHN MITCHELL, Chairman.

House File No. 268: A Bill for an Act to repeal a part of section 261, of the Revision of 1860, relating to the sessions of the County Court.

Mr. Young moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Dorr, Eaton, Fairall, Ferguson, Frisbie, Fuller of Fayette, Glanville, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—77.

The nays were, Mr. Kellogg—1.

Absent or not voting, Messrs. Chase, Outler, Denlinger, Dunlavy, Eichorn, Flint, Fuller of Harrison, Gault, Gibson, Gordon, Pendleton, Quinn, Smeltzer, West, and Wilson of Chickasaw—15.

The Bill passed and the title was agreed to.

House File No. 313: A Bill for an Act fixing the Fees of County Recorder and Treasurer.

Mr. Frisbie moved the indefinite postponement of the Bill, and upon this question the yeas and nays were demanded by Messrs. Meyer and Wright and were as follows:

The yeas were, Messrs. Bass, Bowdoin, Bracewell, Burton, Castor, Cutler, Dorr, Ferguson, Flint, Frisbie, Fuller of Fayette, Hardie, Hollingsworth, Knoll, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Rowles, Russell of Dallas, Sarver, Smeltzer, Speer, Stewart, Van Anda, Walker, Wetherall, Williams of Mahaska, and Woodworth—40.

The nays were, Messrs. Baker, Blackford, Clark, Converse, Curtiss, Dunlavy, Eaton, Eichorn, Fairall, Glanville, Guthrie, Hudnutt, Holyoke, Hood, Jackson, Kellogg, Knoll, Lakin, Lane, Loomis, Lowrie, Meyer, Milburn, Pendleton, Price, Rothrock, Schramm, Shipman, Stanton, Walton, Wasson, White, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Wright, Young, and Mr. Speaker—38.

Absent or not voting, Messrs. Calfee, Chase, Cleaves, Denlinger, Fuller of Harrison, Gault, Gibson, Gordon, Quinn, Russell of Jones, Stevenson, Thompson, West, Whittemore, and Wilson of Chickasaw—15.

The motion prevailed.

House File No. 319: A Joint Resolution in relation to Des Moines River Grant.

Mr. McLennan moved to lay the Resolution on the table, and upon this question the yeas and nays were demanded by Messrs. McLennan and Fairall, and were as follows:

The yeas were, Messrs. Baker, Cutler, Frisbie, Knoll, Lakin, Lane, Lorah, Maxwell, McCall, McLennan, McQuinn, Mercer, Moir, Porter, Russell of Dallas, Smeltzer, Speer, Walton, White—19.

The nays were, Messrs. Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Fuller of Fayette, Glanville, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Lake, Loomis, Lowrie, Martin, McGlothlen, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moser, Nelson, Parker, Pendleton, Price, Rothrock, Rowles, Russell of Jones, Sarver, Schramm, Shipman, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Wasson, Wetherall, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—65.

Absent or not voting, Messrs. Chase, Denlinger, Fuller of Harrison, Gault, Gibson, Gordon, Quinn, West, and Wilson of Chickasaw—9.

The motion did not prevail.

Mr. McLennan offered the following amendment :

"Providing this Resolution does not in any manner apply to lands South of the Northern limits of the lands granted to the Dubuque and Pacific Rail Road, or in the limits of the lands claimed by said Rail Road." The Resolution was passed back upon the files.

Mr. Young, from Committee on the Judiciary, submitted the following Report :

The Judiciary Committee have directed me to report back House File No. 220: A Bill for an Act to regulate the carrying of freight and passengers over connecting Rail Roads, with a recommendation that the Bill be amended as follows, viz : Strike out of Section 2, the words "having the qualification of jurors", and insert in place thereof the following, viz : "being presidents or superintendents of Rail Roads, or experts in Rail Road business, without regard to their place of residence"; and they recommend the passage of the Bill so amended.

YOUNG, Chairman.

House File No. 220: A Bill for an Act to regulate the carrying of freight and passengers over connecting Rail Roads. The amendments of the Committee were adopted.

Mr. Moir moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bracewell, Burton, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Flint, Frisbie, Fuller of Fayette, Glanville, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McLennan, McQuinn, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—74.

The nays were, Messrs. Bowdoin, Calfee, Ferguson, Guthrie, Hardie, Mercer, Rowles, Stewart, Wetherall—9.

Absent or not voting, Messrs. Chase, Denlinger, Fairall, Fuller of Harrison, Gordon, McGlothlen, Quinn, West, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

Mr. Rothrock from Committee on the Judiciary, by leave, submitted the following report :

The Committee on the Judiciary to whom was referred Senate File No. 214: An Act to quiet titles to certain purchasers and occupants of land in Webster county, have had the same under con-

sideration and have instructed me to report the same back with the following amendment: Add to Section one (1) the following words: "And provided further that all the costs shall be paid by the said defendants in proportion to the amount of their several interests to be apportioned by the Clerk of the District Court of said County of Webster," and being thus amended, a majority of said Committee recommend the passage of the bill.

J. L. MITCHELL,
SAM. H. FAIRALL,
W. J. MOIR,
M. T. WILLIAMS,
J. B. YOUNG.
JAS. H. ROTHROCK.

The House took up the Bill reported back by the Committee.

Mr. Lake offered the following amendment to the amendment of the Committee: Add after the word "costs," "and the fees of the Attorneys employed by the State except the Attorney General." The amendment did not prevail.

The amendment of Committee was adopted.

Mr. Moser moved that the rule be suspended, and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Flint, Fairall, Frisbie, Fuller of Fayette, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Knoll, Loomis, Lorah, Lowrie, Martin, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—73.

The nays were, Messrs. Bass, Ferguson, Glanville, Guthrie, Jackson, Lake, Lakin, Lane, Maxwell, Van Anda—10.

Absent or not voting. Messrs. Chase, Denlinger, Fuller of Harrison, Gault, Gibson, Gordon, Quinn, Shipman, West, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

Mr. Kellogg offered the following resolution:

Resolved, That the Sergeant-at-Arms be requested to take charge of the Post Office of this General Assembly, and secure suitable assistance to attend the same until further ordered by the House. The resolution was adopted.

On motion of Mr. Moir Senate File No. 239: A Bill for an Act

fixing the salary of the Adjutant General of the State of Iowa, was taken from the files and referred to the Committee on Ways and Means.

On motion of Mr. Wilcox the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
FRIDAY, March 28th, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Fleming.

Journal of yesterday read and approved.

Mr. Shipman, by leave, offered the following Resolution :

Resolved, That the order made by the House, on yesterday, in relation to the Post Office, is hereby rescinded. The motion was adopted.

Mr. Hardie, by leave, offered the following Resolution :

WHEREAS, It has been satisfactorily ascertained that the absence of the assistant Post Master from his post of duty, yesterday, was caused by sickness ; therefore

Resolved, That the members of this House hold him blameless in the matter, and request him to continue in the performance of his duty as heretofore. The Resolution was unanimously adopted.

Leave of absence was granted to Mr. Lyon, second assistant Clerk.

Mr. Lorah presented the petition of R. N. Day and twenty-four others, of Audubon County, asking that an Act may be passed allowing said County to elect three Supervisors, there being but one organized Township in said County. Passed upon the files.

REPORTS OF COMMITTEES.

Mr. Holyoke, from Committee on Charitable Institutions, submitted the following Report :

The Committee on Charitable Institutions to whom was recommended Substitute for Substitute for Senate File No. 72 : An Act to provide for the support of the Deaf, Dumb and Blind Asylums, have considered the same and instructed me to report the same back to the House and recommend its passage amended as follows :

In Section 5, strike out the words "for the time such pupils are actually under instructions in such institutions."

THOS. HOLYOKE, Chairman.

Mr. Shipman from Committee on County and Township Organization, submitted the following report :

The Committee on Township and County Organization, to whom was referred House File No. — : A Bill for an Act providing that the Board of Supervisors shall furnish Dockets to Justices of the Peace, have had the same under consideration, and have instructed me to report the Bill back to the House, and recommend that it do not pass.

SHIPMAN, Chairman.

Mr. Mercer, from Committee on Claims, submitted the following Report :

Your Committee, to whom was referred the statement and claim of James Hall, State Geologist, have had the same under consideration, and have instructed me to make the following report :

We find said claim is for the sum of \$4,883 45, on which there has been paid \$2,630,19, leaving a balance of \$2,253,26 now claimed, to which the statement says a further sum of an unknown amount, claimed to be due to the Assistant State Geologist, should be added.

The foregoing account accrued for services rendered previous to to Jan. 1st, 1860, to the amount of \$2,630,19. This amount was discharged by an appropriation made by the last Legislature, of \$2,309 58, the warrants, for which the State Geologist (Mr. Hall) has received, and by cash in his hands \$320,61, making the aforesaid sum of \$2,630,19. The balance claimed, \$2,253,26, is for services rendered since March, 1860, and your Committee find that no appropriation was made by the last Legislature for continuing the survey; that they provided by a sufficient appropriation, for paying all the indebtedness of the survey up to that time, and that all the expenses of the survey since then, for which the aforesaid \$2,253,26 is claimed, was made without the authority of law or the order of the Governor.

That the fact of no appropriation having been made by the last Legislature, was a sufficient notification to the State Geologist, or if he had any doubts on that subject, it would have been an easy thing for him to have learned whether the survey was to continue or not, by applying to the proper officers of State.

We find that James Hall, State Geologist, was appointed on January 7th, 1857, for the term of two years. We have no knowledge of his re-appointment, and believe his term of office expired January 7th, 1859.

Your Committee, though aware of the importance of a thorough Geological Survey of the State — the probable development of mineral wealth, and the great interest it would be to the cause of science, yet are of opinion that the present interests of the State have been sufficiently served by the Survey as far as prosecuted.

Your Committee think, from the statement, there are some valuable documents in Mr. Hall's hands belonging to the survey, and

which were made during the time Mr. Hall's hands belonging to the survey, and which were made during the time Mr. Hall was in office as State Geologist, and receiving pay for the same, and consequently said documents belong to the State, and we suggest that the Secretary of State procure and preserve the same in his office for future disposal.

Your Committee believe that the aforesaid claim of \$2,253.26 was for service by Mr. Hall after his office of State Geologist had expired; and that he had no authority for continuing the Survey, and the State is not bound for the payment of the same. Your Committee, therefore, recommend that it be not paid.

Respectfully submitted,

THOMAS MERCER,

Chairman Committee on Claims.

Mr. Lane, from Select Committee on House File No. 136, submitted the following Minority Report :

The Minority of the Select Committee, to whom was referred House File No. 136, being unable to concur in the Report of the Majority, beg leave to submit a Minority Report :

The Minority of the Committee believe that the effect of the Bill will be to create at least one, if not two or three additional officers with a salary of from \$1,200 to \$1,500 a year, for doing nothing but what the Register of the State Land Office can just as well do by correspondence, and without making his duties burdensome. Besides, the Bill compels the several counties to have their land scrip located at the nearest land office, where Government lands may be had by an agent or agents at \$3 or \$4 per day, and expenses, whether the land may be worth anything or not, compels the counties to pay the expense. The effect may, and in many cases will be, to give the counties lands in Nebraska or Utah, or some remote Territory, which will be unsaleable perhaps for years, and at a very large cost to the counties, besides subjecting them to unnecessary taxation on such lands. The Minority of the Committee have prepared a Bill in accordance with their views, avoiding the objections and unnecessary expenses involved in the Bill reported by the Majority, and recommend that it be adopted as a substitute.

In behalf of the Minority,

JAMES T. LANE.

Mr. Lake, from Committee on Federal Relations, reported back House File No. 326 : A Joint Resolution for additional mail facilities, with sundry amendments, and recommended its passage.

MESSAGES AND COMMUNICATIONS ON THE TABLE.

The following communication from the Attorney General, was taken up and read :

OFFICE OF THE ATTORNEY GENERAL, }
 DES MOINES, March 27, 1862. }

To the House of Representatives :

I have the honor to acknowledge the receipt of the following resolution passed by the House :

“Resolved, That the Attorney General be requested to give, in writing, his opinion as to whether the State, by law, can direct, and Counties divert their swamp lands and funds arising therefrom, to any other purpose than that of reclaiming said lands.”

The swamp lands of this State were granted to the State by an Act of Congress, approved September 28th, 1850. The second section of said Act provides, that after the proper lists of the swamp lands shall have been made out, that at the request of the Governor of the State, a patent shall issue to the State therefor, and on that patent the fee simple to said land shall vest in the State, subject to the disposal of the Legislature thereof; provided, however, that the proceeds of said lands, whether from sale or by direct application, in kind, shall be applied exclusively, as far as necessary, to the purposes of reclaiming said lands. Under this provision of the Act of Congress, I conclude,

FIRST—That upon the issuing of the patent for the swamp lands, that the fee simple title vests absolutely in the State, without any right of reversion to the General Government.

SECOND—That the Act directs the Legislature of the State to appropriate so much of the proceeds of the lands as shall be necessary, to the purpose of reclaiming said lands; and that it is the duty of the Legislature to carry out this purpose of the grantor in good faith.

THIRD—That the Legislature of the State, or such authority as it may appoint, is the exclusive judge of the amount of the proceeds of the lands necessary to be expended in reclaiming the same.

FOURTH—That if in the opinion of the Legislature, or of the people of the Counties, under the authority of the Legislature, the entire proceeds of the swamp lands are not necessary to be expended for the purpose of reclaiming the same, that the remainder may be expended in such manner as the law of the State may direct.

Very respectfully submitted,

C. C. NOURSE.

Senate Concurrent Resolution, requiring Auditing Commissioners to audit the claim of E. S. Stows, was taken up and read and referred to Committee on Claims.

The following Concurrent Resolution was taken up :

Resolved by the House of Representatives, the Senate concurring, That the General Assembly will adjourn *sine die* on Tuesday, the

first day of April. Amended by the Senate by striking out "first" and inserting "eighth."

Mr. Converse moved to lay the Resolution on the table. Lost.

The amendment of the Senate was concurred in. The Resolution as amended was adopted.

Mr. Price moved that the regular order of business be suspended and Bills on their third reading taken up. The motion prevailed.

Substitute for House File No. 23: A Bill for an Act for laying out private roads.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the ayes and nays were as follows:

The yeas were, Messrs. Baker, Bass, Bracewell, Castor, Cleaves, Converse, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Glanville, Guthrie, Hood, Jackson, Lake, Lakin, Lowrie, Martin, Maxwell, McQuinn, Meyer, Moir, Nelson, Price, Rothrock, Rowles, Russell of Dallas, Schramm, Shipman, Stevenson, Stewart, Van Anda, Walker, Walton, Wasson, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, and Mr. Speaker—45.

The nays were, Messrs. Blackford, Bowdoin, Burton, Calfee, Clark, Flint, Frisbie, Gordon, Hudnutt, Hollingsworth, Kellogg, Knoll, Lane, Lorah, McCall, McGlothlen, McLennan, Milburn, Mitchell of Fremont, Mitchell of Polk, Moser, Parker, Quinn, Russell of Jones, Sarver, Smeltzre, Speer, Wetherall, Williams of Mahaska, Wright, and Young—31.

Absent or not voting, Messrs. Chase, Denlinger, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Hardie, Holyoke, Loomis, Mercer, Pendleton, Porter, Stanton, Thompson, West, White, and Wilson of Chickasaw.

The Bill was rejected.

Mr. McLennan moved to resume the regular order. Lost.

Substitute for Senate File No. 1: A Bill for an Act to alter the boundaries of the third, fourth and fifth Judicial Districts of Iowa.

Mr. Pendleton moved to recommit the Bill, with instructions to the Committee to strike out Section 2. The motion prevailed.

BILLS ON SECOND READING.

House File No. 325: A Bill for an Act to provide for the payment of the Commissioners, appointed under an Act of Congress entitled an Act to provide for allotment certificates among the volunteer forces.

Mr. Curtiss moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Clark, Converse, Cutler, Frisbie, Hol-

lingsworth, Lana, Maxwell, Mitchell of Polk, Parker, Porter, Shipman, Van Anda, Walker, White, Williams of Mahaska, Wilson of Pottawattamie, Young, and Mr. Speaker—18.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Cleaves, Curtiss, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Fuller of Fayette, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lorah, Lowrie, Martin, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Moir, Moser, Nelson, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Speer, Stanton, Stevenson, Stewart, Thompson, Walton, Wasson, Wetherall, Whittemore, Wilcox, Williams of Des Moines, Woodworth and Wright—64.

Absent or not voting, Messrs. Chase, Denlinger, Eaton, Fuller of Harrison, Gibson, Loomis, Mitchell of Fremont, Pendleton, Smeltzer, West, and Wilson of Chickasaw.

The Bill was rejected.

Mr. Young called up the motion of Mr. Kellogg to reconsider the vote by which substitute for Senate File No. 117: A Bill for an Act to provide for the auditing and allowance of certain claims against the War and Defense Fund, was adopted.

The question being upon the motion to reconsider, the yeas and nays were demanded by Messrs. Lowrie and Hudnutt, and were as follows :

The yeas were, Messrs. Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Dorr, Eaton, Friebie, Fuller of Fayette, Glanville, Gordon, Guthrie, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Lane, Lowrie, Maxwell, McCall, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Moser, Pendleton, Rothrock, Rowles, Russell of Dallas, Sarver, Schramm, Shipman, Stevenson, Thompson, Van Anda, Walker, Walton, Wasson, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Young, and Mr. Speaker—52.

The nays were, Messrs. Baker, Bass, Dunlavy, Fairall, Ferguson, Flint, Hardie, Hudnutt, Knoll, Lake, Lakin, Lorah, Martin, McGlothlen, McLennan, Mitchell of Fremont, Nelson, Parker, Price, Quinn, Russell of Jones, Speer, Stewart, Wetherall, White, Whittemore, Wilcox, and Wright—28.

Absent or not voting, Messrs. Chase, Cutler, Denlinger, Fuller of Harrison, Gault, Gibson, Loomis, McQuinn, Porter, Smeltzer, Stanton, West, and Wilson of Chickasaw.

The motion to reconsider prevailed.

Mr. Kellogg moved to take the original Bill and Substitute from unfinished business and place upon the files. The motion prevailed.

The question recurring upon the adoption of the substitute offered by Mr. Hudnutt, the yeas and nays were demanded by Messrs. Stewart and Nelson, and were as follows :

The yeas were, Messrs. Baker, Bass, Bowdoin, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Hardie, Hudnutt, Knoll, Lake, Lakin, Lorah, Martin, McGlothlen, McLennan, Mitchell of Fremont, Nelson, Parker, Price, Quinn, Rothrock, Russell of Dallas, Russell of Jones, Smeltzer, Speer, Stewart, Wetherall, White, Whittemore, Wilcox, and Wright—34.

The nays were, Messrs. Blackford, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Eaton, Frisbie, Glanville, Gordon, Guthrie, Holyoke, Hollingsworth, Hood, Jackson, Lane, Lowrie, Maxwell, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Moser, Pendleton, Porter, Rowles, Sarver, Schramm, Shipman, Stevenson, Thompson, Van Anda, Walker, Walton, Wasson, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Young, and Mr. Speaker—47.

Absent or not voting, Messrs. Chase, Cutler, Denlinger, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Kellogg, Loomis, Stanton, West and Wilson of Chickasaw.

The Substitute was rejected.

Mr. Kellogg moved to strike out Section 8.

Mr. Curtiss moved to refer to a Special Committee of five, of which Mr. Sarver shall be Chairman.

Mr. Sarver moved to commit to Committee on Military Affairs. The motion did not prevail.

The question recurring upon the motion of Mr. Curtiss, it was lost.

The question being upon the motion of Mr. Kellogg to strike out 8th Section, it prevailed.

Mr. McLennan moved to strike out 2d subdivision of Section 1.

Mr. Nelson moved to amend by making the following the first subdivision of section 1, and change the other numbers accordingly :

1st. All just claims of counties and municipal corporations for disbursements for clothing, arms and accoutrements for volunteers of this State, but rendered necessary for the comfort and convenience of such volunteers.

Mr. Lane moved to reconsider the vote by which Substitute for Senate File No. 110: A Bill for an Act for the erection of an Arsenal Building to keep and secure the arms and munitions of war belonging to the State of Iowa.

On motion of Mr. Glanville the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

The Chair announced the question to be on the amendment of Mr. Nelson to Section 1 of the Bill under consideration.

Mr. Nelson, by leave of the House, withdrew his amendment.

Mr. Moser moved a call of the House which was seconded.

The Clerk proceeded to call the roll. The following gentlemen were absent and unexcused, Messrs. Gordon Lane and Rowles.

Mr. Nelson moved that further proceedings under the call be suspended. The motion prevailed.

The question recurring upon the amendment of Mr. McLennan, it was lost.

Mr. Nelson offered the following amendment to the 1st subdivision of section one:

1st. All just claims of counties and municipal corporations for disbursements for arms, clothing, accoutrements and subsistence for volunteers of this State, rendered necessary for the comfort and convenience of such volunteers.

Upon this question the yeas and nays were demanded by Messrs. Baker and Kellogg, and were as follows:

The yeas were, Messrs. Baker, Bass, Burton, Curtiss, Dunlavy, Eaton, Eichorn, Frisbie, Fuller of Fayette, Hardie, Hudnutt, Knoll, Lake, Lakin, Lorah, McLennan, Nelson, Price, Quinn, Van Anda—20.

The nays were, Messrs. Blackford, Bowdoin, Bracewell, Calfee, Castor, Clark, Cleaves, Cutler, Denlinger, Dorr, Fairall, Ferguson, Flint, Gault, Glanville, Gordon, Guthrie, Holyoke, Hollingsworth, Hod, Jackson, Kellogg, Lane, Lowrie, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Pendleton, Porter, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—63.

Absent or not voting, Messrs. Chase, Converse, Denlinger, Fuller of Harrison, Gibson, Loomis, Speer, Stanton, West, and Wilson of Chickasaw.

The amendment was lost.

Mr. McLennan moved to add to Section 2 the following: "*Provided*, Nothing in this Section shall be construed so as to authorize the auditing and payment of the officers and soldiers composing the commands of Cols. Edwards, Morlidge, Moore and others, during their sojourn in the State of Missouri, nor any claim for subsistence of the said soldiers, aforesaid, while in the State of Missouri."

Mr. Sarver offered the following amendment to the amendment:

Add to Section 2 the following: "Nothing in this Act shall be construed so as to authorize said Commissioners to allow claims to any person or persons not a resident of this State at the time said claim or claims accrued; and no person or persons shall be allowed

any claim who did not, at the time said claim accrued, rely upon the State for payment."

And upon this question the yeas and nays were demanded by Messrs. Fairall and Nelson, and were as follows:

The yeas were, Messrs. Blackford, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Curtiss, Cutler, Dorr, Frisbie, Gault, Glanville, Gordon, Guthrie, Holyoke, Hood, Jackson, Kellogg, Lake, Lakin, Lane, Lowrie, Maxwell, McCall, McQuinn, Mercer, Meyer, Milburn, Moir, Moser, Pendleton, Porter, Rothrock, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, White, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—52.

The nays were, Messrs. Baker, Bass, Bowdoin, Dunlavy, Eaton, Eichorn, Fairall, Flint, Fuller of Fayette, Hardie, Hudnutt, Hollingsworth, Knoll, Lorah, Martin, McGlothlen, McLennan, Nelson, Parker, Quinn, Rowles, Smeltzer, Wasson, Whittenmore, Wilcox, and Williams of Des Moines—26.

Absent or not voting, Messrs. Chase, Converse, Denlinger, Ferguson, Fuller of Harrison, Gibson, Loomis, Mitchell of Fremont, Mitchell of Polk, Price, Speer, Stanton, Wetherall, West, and Wilson of Chickasaw.

The amendment to the amendment prevailed.

The question recurring upon the amendment as amended, it prevailed.

Mr. Martin offered the following amendment:

Add to Section 2 the following: "And provided further that the aggregate amount allowed under the provisions of this Section shall not exceed the sum of twenty thousand dollars, which shall be applied *pro rata* upon the various claims audited by said Board of Commissioners, and in order to carry out the provisions of this proviso, it shall be the duty of all parties holding claims under this Section to present and file the same with said Auditing Board within sixty days from the taking effect of this Act, and no Warrants shall be issued until after the expiration of said sixty days."

Mr. Kellogg offered the following amendment to the amendment: Strike out the words "under this Section," and insert "arising under the expedition of Cols. Edwards and Morlidge."

The amendment to the amendment did not prevail.

The question recurring upon the amendment of Mr. Martin, the yeas and nays were demanded by Messrs. Fairall and Nelson, and were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Fuller of Fayette, Gault, Glanville, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Knoll, Lake, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Moir, Nelson

Parker, Pendleton, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Smeltzer, Speer, Stevenson, Stewart, Van Anda, Walker, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, and Wright—67.

The nays were, Messrs. Cleaves, Frisbie, Gordon, Jackson, Lane, McCall, Milburn, Mitchell of Fremont, Mitchell of Polk, Moser, Porter, Shipman, Walton, Young, and Mr. Speaker—15.

Absent or not voting, Messrs. Chase, Converse, Denlinger, Fuller of Harrison, Gibson, Lakin, Loomis, Stanton, Thompson, West, and Wilson of Chickasaw.

The amendment was adopted.

Mr. Cutler moved that the rule be suspended and the Bill read a third time now.

Mr. Moir moved to commit to a select Committee of five. The motion was lost.

The motion to suspend the rule and read the Bill a third time now prevailed.

The Bill was read as amended, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Blackford, Burton, Dorr, Eaton, Frisbie, Gault, Glanville, Gordon, Guthrie, Jackson, Lakin, Lorah, Maxwell, McQuinn, Meyer, Moser, Parker, Sarver, Schramm, Shipman, Van Anda, Williams of Des Moines, Woodworth, and Mr. Speaker—25.

The nays were, Messrs. Baker, Bass, Bowdoin, Bracewell, Calfee, Castor, Clark, Cleaves, Curtiss, Cutler, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Fuller of Fayette, Hardie, Hudnutt, Holyoke, Hollingsworth, Kellogg, Knoll, Lake, Lane, Lorah, Lowrie, Martin, McCall, McGlothlen, McLennan, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Pendleton, Porter, Price, Quinn, Rothrock, Russell of Dallas, Russell of Jones, Smeltzer, Speer, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Wright, and Young—69.

Absent or not voting, Messrs. Chase, Converse, Denlinger, Fuller of Harrison, Gibson, Lakin, Loomis, Stanton, West, and Wilson of Chickasaw—10.

The Bill was rejected.

Mr. Kellogg moved to reconsider the vote by which the Bill was rejected.

Mr. Ferguson moved to lay the motion on the table, and upon this question the yeas and nays were demanded by Messrs. McLennan and Smeltzer, and were as follows:

The yeas were, Messrs. Baker, Dunlavy, Eichorn, Ferguson, Flint, Hardie, Hudnutt, Knoll, Lake, Lorah, McGlothlen, McLennan,

nan, Mitchell of Fremont, Nelson, Quinn, and Russell of Jones—16.

The nays were, Messrs. Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Curtiss, Cutler, Dorr, Eaton, Fairall, Frisbie, Fuller of Fayette, Gault, Glanville, Gordon, Guthrie, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Lane, Lowrie, Martin, Maxwell, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Moser, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Sarver, Schramm, Shipman, Smeltzer, Speer, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—67.

Absent or not voting, Messrs. Chase, Converse, Denlinger, Fuller of Harrison, Gibson, Lakin, Loomis, Stanton, West, and Wilson of Chickasaw—10.

The motion was lost.

The question recurring upon the motion of Mr. Kellogg to reconsider the vote by which the Bill was rejected, the yeas and nays were demanded by Messrs. McLennan and Nelson, and were as follows :

The yeas were, Messrs. Bass, Blackford, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Dorr, Frisbie, Gault, Glanville, Gordon, Guthrie, Hollingsworth, Hood, Jackson, Kellogg, Lane, Lowrie, Maxwell, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Moser, Parker, Porter, Price, Rothrock, Rowles, Russell of Dallas, Sarver, Schramm, Shipman, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—52.

The nays were, Messrs. Baker, Bowdoin, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Fuller of Fayette, Hardie, Hudnutt, Holyoke, Knoll, Lake, Lorah, Martin, McGlothlen, McLennan, Mitchell of Fremont, Nelson, Quinn, Russell of Jones, Smeltzer, Speer, Wetherall, White, Whittemore and Wilcox—28.

Absent or not voting, Messrs. Chase, Converse, Curtiss, Cutler, Denlinger, Fuller of Harrison, Gibson, Lakin, Loomis, Pendleton, Stanton, West and Wilson of Chickasaw—13.

The motion prevailed.

Mr. Kellogg moved to reconsider the vote by which the Bill was ordered to a third reading.

Mr. Nelson moved to adjourn. The motion was lost.

The motion of Mr. Kellogg prevailed.

Mr. Kellogg moved to recommit the Bill to the Committee on Military Affairs. The motion prevailed.

Mr. Frisbie from Joint Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER :—The Joint Committee on Enrolled Bills ask

leave to report that they have examined and corrected Senate Files Nos. 55, 118, 235, and House Files Nos. 133, 305 and 307, and present them herewith for your signature.

D. G. FRISBIE,

Chairman House Committee.

Mr. Shipman moved that when this House adjourn it be until tomorrow morning. The motion prevailed.

Mr. McLennan, by leave submitted the following report :

Your Committee to whom was referred Substitute for Senate File No. 1, with instructions to strike out Section 2 thereof, have had the same under consideration and have instructed me to report the accompanying Bill as a Substitute for Senate Substitute for Senate File No. 1.

The Bill reported by this Committee is the same as that referred to them, with two exceptions. First—The Section referring to Pottawattamie county is stricken out in pursuance to instructions. Second—The Judge of the 5th Judicial District is authorized to fix the times of holding court in Cass county.

All of which is respectfully submitted,

McLENNAN, Chairman.

Mr. Fuller of Fayette moved to reconsider the vote by which Senate File No. 217: A Bill for an Act regulating the printing, binding and distribution of Reports of State Officers and others, was rejected.

On motion of Mr. Kellogg the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
SATURDAY, March 29, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Fleming.

Journal of yesterday read and approved.

Mr. Shipman moved to reconsider the vote by which the Concurrent Resolution, "That the General Assembly Adjourn *sine die* on the 8th day of April," was adopted.

PETITIONS.

Mr. Wilson of Pottawattamie, presented the claim of Herman Vogel for \$150 for damages done by a party of the 14th Regiment of Iowa Volunteers. Referred to Committee on Claims.

REPORTS OF COMMITTEES.

Mr. Fairall from Committee on the Judiciary, submitted the following report :

The Judiciary Committee to whom has been referred from time to time sundry amendments proposed to be made to the Revision of 1860, respectfully report that at a joint meeting of the Judiciary Committee of Senate and House, the amendments were considered and I have been instructed to report back and recommend the passage of the accompanying Bills.

FAIRALL.

The Committee introduced the following Bills :

House File No. 327 : A Bill for an Act to amend Section 843 of Revision of 1860, relating to roads.

House File No. 328 : A Bill for an Act to amend Section 1842 of Revision of 1860, relating to removal and appointment of assignees.

House File No. 329 : A Bill for an Act to amend Section 1851 of the Revision of 1860, relating to Mechanics' Liens.

House File No. 130 : A Bill for an Act to repeal Section 1814 of Revision of 1860, and to enact in lieu thereof a substitute relating to proceedings to be observed in the acceptance and payment of bills and notes ; which were severally read a first and second time and passed upon the files.

Mr. McQuinn from Committee on Charitable Institutions, submitted the following report :

The Committee on Charitable Institutions, having had the affairs of the Institution for the Education of the Blind, under consideration have instructed me to report the following Bill and recommend its passage.

The Committee introduced House File No. 331 : A Bill for an Act to amend Chapter 90, Article 2, of the Revision of 1860. Read a first and second time and passed upon the files.

Mr. Mercer from Committee on Claims, submitted the following report :

Your Committee to whom was referred the memorial and claim of A. H. Worthen, claiming the sum of \$269,75, as compensation for services rendered the State as Assistant State Geologist, (as per bill rendered to Professor Hall, State Geologist, in March, 1858,) have had the same under consideration, and have instructed me to report the following :

We find that the Assistant State Geologist was employed by the State Geologist and was to look to him for his pay ; that a sufficient amount for that purpose was placed in his bill and paid to him from time to time for that purpose ; that if he did not pay it over to the Assistant it was not the fault of the State. Your Committee find from a letter of said Worthen, forwarded with said claim, that he

holds the written obligation of Professor Hall, the State Geologist, for the above sum of \$269,75, and which he has neglected to pay over. The Assistant Geologist not being the contracting party with the State, the State is not bound for said claim.

Your Committee are of opinion that the aforesaid claim is due from Professor Hall to said Worthen, and not from the State of Iowa.

Your Committee recommend that said claim be not paid.

Respectfully submitted,

THOMAS MERCER,

Chairman of Committee on Claims.

Mr. Martin, from Select Committee on House File No. 104, submitted the following Report :

Your Select Committee to whom was referred House File No. 104, have had the same under consideration, and have instructed me to report the same back with the following amendment : Strike out section 2, and with this amendment recommend its passage.

MARTIN, Chairman.

Mr. Williams of Mahaska, from Committee on Judiciary, submitted the following Report :

The Judiciary Committee, to whom was referred House File No. 280 : A Bill for an Act to legalize the Acts of John C. Turk, as Notary Public in and for Polk County, Iowa, have examined the same, and have instructed me to report the same back without amendment and recommend its passage.

WILLIAMS, of Mahaska.

Mr. Hardie, by leave, introduced House File No. 332 : A Bill for an Act providing for the selection of seats in the Hall of the House of Representatives by members of the General Assembly. Read a first and second time.

Mr. Lowrie moved that the rule be suspended and the Bill read a third time now.

Mr. Moser moved to lay the Bill on the table. The motion was lost.

The question recurring upon the motion of Mr. Lowrie to suspend the rule and read the Bill a third time now, it prevailed.

The Bill was read as amended, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bass, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Gault, Glanville, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Nelson, Pendleton, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, Whittemore, Wilcox, Williams of Des Moines, Williams of Ma-

haska, Wilson of Pottawattamie, Woodworth, Wright, and Mr. Speaker—69.

The nays were, Messrs. Blackford, Bowdoin, Curtiss, Cutler, Frisbie, Gordon, Kellogg, Mitchell of Fremont, Moser, Parker, Porter, Stevenson, Van Anda, White, and Wright—15.

Absent or not voting, Messrs. Chase, Converse, Denlinger, Fuller of Fayette, Fuller of Harrison, Gibson, Loomis, West, Wilson of Chickasaw—9.

The Bill passed and the title was agreed to.

Mr. Fuller of Fayette called up his motion to reconsider the vote by which Senate File No. 217: A Bill for an Act regulating the Printing, Binding, and distribution of Reports of State Officers and others, was rejected. The motion was lost.

Mr. Pendleton, by leave, introduced the following Resolution:

Resolved, That a Committee of five be appointed for each of the Land Grant Rail Road Companies, to inquire into the condition of said Rail Road Companies, and also as to what they have done and are doing to fulfill, and what they propose to do towards fulfilling, the condition of their Grants, and report at the earliest practical period.

The Resolution was adopted.

The Chair appointed as such Committees:

Mississippi & Missouri River Rail Road Company, Messrs. Lane, Fairall, Wilson of Pottawattamie, Stevenson and Moir.

Burlington & Missouri River Rail Road Company, Messrs. Mitchell of Fremont, Williams of Mahaska, Woodworth, Sarver, and Bracewell.

Cedar Rapids and Missouri River Rail Road Company, Messrs. McCall, Mercer, Mitchell of Polk, Walton and Speer.

Dubuque and Sioux City Rail Road Company, Messrs. Pendleton, Curtiss, Hudnutt, Smeltzer, and Blackford.

Mr. Van Anda, by leave, introduced the following resolution:

Resolved, That the Chief Clerk of this House be instructed to inform the Senate that Senate File No. 96 has been mislaid and cannot be found.

The resolution was adopted.

Mr. Lake, from Committee on Judiciary, submitted the following Report:

The Judiciary Committee to whom has been referred sundry amendments to the Revision of 1860, have in a Joint meeting of the Judiciary Committees of the Senate and House agreed upon the following Bills:

A Bill for an Act in relation to fees of witnesses.

A Bill for an Act in relation to recording powers of Attorneys for the conveyance of Real Estate.

A Bill for an Act to define the lien of judgments on a homestead.

A Bill for an Act to amend Section 2285 of the Revision of

1860, in relation to homesteads, and have directed me to report the same to the House and recommend the passage of the same.

JED. LAKE, for Committee.

The Committee introduced the following Bills:

House File No. 333: A Bill for an Act in relation to recording powers of Attorney for conveying real estate.

House File No. 334: A Bill for an Act to amend section 2285 of the Revision of 1860, in relation to Homesteads.

House File No. 335: A Bill for an Act in relation to witness fees.

House File No. 336: A Bill for an Act to define the lien of judgments on a Homestead; which were severally read a first and second time, and passed upon the files.

Mr. Moir from same Committee, submitted the following report:

At a Joint meeting of the Judiciary Committee of both Houses, they had under consideration the propriety of amending Section 1568 of the Revision of 1860, and have instructed me to report a Bill to this House amending the same and recommend its passage.

MOIR from Committee.

The Committee introduced House File No. 337: A Bill for an Act to amend an Act entitled an Act for the suppression of Intemperance, approved January 22, 1855, being Chapter 64 of the Revision of 1860. Read a first and second time and passed upon the files.

Mr. Fairall from same Committee submitted the following report:

The Judiciary Committee to whom was referred Petition of sundry citizens of Pottawattamie county, Iowa, praying that certain orders be legalized and made receivable for county taxes, report that they have had the same under consideration and instructed me to report back the accompanying bill and recommend its passage.

FAIRALL for Committee.

The Committee introduced House File No. 338: A Bill for an Act to legalize the issuing of certain orders. Read a first and second time and passed upon the files.

Message from the Senate, by Wm. F. Davis, their Secretary:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed the following Bills in which the concurrence of this House is asked:

Substitute for Senate File No. 99: A Bill for an Act to change and fix the salaries of the Judges of the Supreme and District Courts and State Officers.

Senate File No. 242: An Act for the relief of Jacob Minturn.

Senate File No. 243: An Act to amend Section 1874 of the Revision of 1860.

Senate File No. 222: A Bill for an Act to legalize the Acts of James N. Miles, a Notary Public.

Also has passed substitute for House File .64, without amendment.

I also return concurrent resolution of the House in relation to adjournment of the General Assembly, April 3.

W. F. DAVIS, Secretary.

BILLS ON SECOND READING.

Substitute for substitute for Senate File No. 72: A Bill for an Act to provide for the support of the Deaf and Dumb and Blind Asylums. The amendment reported by the Committee was adopted.

Mr. Holyoke moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Curtiss, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Gault, Glanville, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Smeltzer, Speer, Stanton, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—77.

In the negative, Gordon—1.

Absent or not voting, Messrs. Bowdoin, Chase, Converse, Cutler, Denlinger, Fuller of Harrison, Gibson, Lane, Loomis, McQuinn, Shipman, Stevenson, West, Williams of Mahaska, and Wilson of Chickasaw—15.

The Bill passed and the title was agreed to.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following Report:

The Joint Committee on Enrolled Bills ask leave to report that they have delivered to His Excellency, the Governor, for his approval Senate Files Nos. 55, 118, 235, and House Files Nos. 133, 305, and 307.

D. G. FRISBIE, Ch'n. H. Com.

House File No. 326: A Joint Resolution asking for additional mail facilities. The Resolution was passed unanimously.

Mr. Clark of Tama, by leave, introduced House File No. 339: A Bill for an Act to amend an Act entitled an Act to amend an Act to confer certain powers on Towns and Cities for School purposes. Read a first and second time and passed upon the files.

House File No. 91: A Bill for an Act to amend Chapter 46 of the Revision of 1860, in relation to bridges.

Mr. Kellogg moved to make the Bill the special order for July 4th, at 1 o'clock, P. M. The motion prevailed.

House File No. 266: A Bill for an Act to amend an Act entitled an Act to require County Judges to give bond.

Mr. Price moved to amend by striking out "Clerk of the District Court and County Treasurer," and inserting "Board of Supervisors." The amendment was adopted.

Mr. Williams of Mahaska, moved to suspend the rule and read the Bill a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Pierce, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawatomie, Woodworth, Wright, Young and Mr. Speaker—84.

The nays were, none.

Absent or not voting, Messrs. Chase, Denlinger, Fuller of Harrison, Gibson, Lakin, Speer, Van Anda, West, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

House File No. 328: A Bill for an Act to amend Section 1842, of Revision of 1860, relating to removal and appointment of assignees.

On motion of Mr. Fairall, the rule was suspended and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lane, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Pierce, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Thompson, Van Anda, Walker, Walton, Wasson, White, Whittemore, Wilcox,

Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—79.

The nays were, Gault, McQuinn, Stevenson, Stewart, Wetherall, —6.

Absent or not voting, Messrs. Chase, Converse, Denlinger, Fuller of Harrison, Lakin, Loomis, West, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

House File No. 309: A Bill for an Act to amend Section 6, of Chapter 45, of the Revision of 1860.

Mr. Moir moved to refer the Bill to a Select Committee of three, of which Mr. Hardie shall be Chairman. The motion prevailed.

The Chair appointed Messrs. Hardie, Moir and Price such Committee.

House File No. 316: A Bill for an Act to repeal Section 281, of the Revision of 1860, relating to the vacancy in the office of County Judge.

Mr. Fuller of Fayette, moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bracewell, Burton, Calfee, Clark, Cleaves, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Pierce, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—82.

In the negative, Mr. Schramm.

Absent or not voting, Messrs. Bowdoin, Castor, Chase, Converse, Denlinger, Fuller of Harrison, Gibson, Loomis, West and Wilson of Chickasaw.

House Substitute for Senate Substitute for Senate File No. 1: A Bill for an Act to alter the boundaries of the third and fifth Judicial Districts of Iowa.

The question being upon the adoption of the Substitute, the yeas and nays were demanded by Messrs Mitchell of Fremont, and Pendleton, and were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Curtiss, Cutler, Dorr, Frisbie, Fuller of Fayette, Guthrie, Hardie, Hudnutt, Holkoek, Lake, Lane, Lorah, Maxwell, McCall, McLennan, McQuinn, Mer-

cer, Meyer, Milburn, Mitchell of Polk, Moir, Nelson, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Walker, Wasson, Wetherall, Wilcox, Williams of Des Moines and Williams of Mahaska—52.

The nays were, Messrs. Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Glanville, Gordon, Hudnutt, Hood, Jackson, Kellogg, Knoll, Lowrie, Martin, McGlothlen, Mitchell of Fremont, Moser, Parker, Quinn, Russell of Jones, Thompson, Van Anda, Walton, Whittemore, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—30.

Absent or not voting, Messrs. Chase, Converse, Denlinger, Fuller of Harrison, Gault, Gibson, Hollingsworth, Loomis, West, White, and Wilson of Chickasaw.

The Substitute was adopted.

On motion of Mr. Wilson of Pottawattamie, the rule was suspended and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Flint, Frisbie, Fuller of Fayette, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Martin, Maxwell, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Pierce, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—78.

The nays were, Messrs. Ferguson, Hollingsworth, McCall and Stewart—4.

Absent or not voting, Messrs. Chase, Converse, Denlinger, Fuller of Harrison, Gault, Gibson, Loomis, Lowrie, McGlothlen, West, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

Leave of absence was granted to Mr. Guthrie.

Mr. Mercer moved that when the House adjourn, it be until Monday Morning. The motion prevailed.

House File No. 330: A Bill for an Act to repeal Section 1814, of Revision of 1860, and to enact in lieu thereof, a Substitute relating to proceedings to be observed in the acceptance and payment of notes.

Mr. Fairall moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Curtiss, Cutler, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Pierce, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—82.

The nays were, None.

Absent or not voting, Messrs. Chase, Converse, Denlinger, Dunlavy, Fuller of Harrison, Gibson, Loomis, Rothrock, Stanton, West, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

House File No. 267: A Bill for an Act to repeal Section 2498 of the Revision of 1860, relating to estates of decedents.

Mr. McCall moved that the rule be suspended, and the Bill ordered to a third reading now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Bracewell, Calfee, Castor, Clark, Dorr, Fairall, Frisbie, Fuller of Fayette, Gordon, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Lake, Lakin, Lorah, Lowrie, Martin, Maxwell, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Porter, Price, Rothrock, Russell of Dallas, Russell of Jones, Sarver, Schramm, Speer, Stanton, Stevenson, Van Anda, Walker, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth, Wright, Young, and Mr. Speaker—53.

The nays were, Messrs. Bowdoin, Burton, Cleaves, Curtiss, Cutler, Dunlavy, Eichorn, Ferguson, Flint, Gault, Glanville, Hardie, Kellogg, Knoll, McGlothlen, McLennan, Moser, Parker, Quinn, Rowles, Smeltzer, Stewart, Thompson, Walton, Wetherall, and Wilson of Pottawattamie—26.

Absent or not voting, Messrs. Bass, Chase, Converse, Denlinger, Eaton, Fuller of Harrison, Gibson, Guthrie, Lane, Loomis, Pendleton, Schramm, West, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

House File No. 258: A Bill for an Act for the protection of Fruit.

Mr. Hudnutt offered the following amendment to the Bill:

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa, That if any person enter into or upon the orchard, gar-*

den, or other enclosure of another, where fruit is cultivated without the consent of the owner of such premises, he shall be deemed guilty of a misdemeanor, and if such entry be in the day-time, he shall, upon conviction thereof, be fined one dollar for every offense, and if in the night-time such entry be made, he shall be fined five dollars for every offense.

The amendment did not prevail.

Mr. Maxwell moved the indefinite postponement of the Bill, and upon this question the yeas and nays were demanded by Messrs. Hardie and Walker and were as follows:

The yeas were, Messrs. Baker, Blackford, Clark, Dunlavy, Ferguson, Fuller of Fayette, Glanville, Gordon, Lakin, Lane, Lowrie, Martin, Maxwell, McGlothlen, McQuinn, Moser, Price, Quinn, Sarver, Schramm, Shipman, Wetherall, White, Woodworth, and Young—25.

The nays were, Messrs. Bass, Bowdoin, Bracewell, Burton, Calfee, Castor, Cleaves, Curtiss, Dorr, Eichorn, Fairall, Flint, Frisbie, Gault, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lorah, McCall, McLennan, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Porter, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wright, and Mr. Speaker—54.

Absent or not voting, Messrs. Chase, Converse, Cutler, Denlinger, Eaton, Fuller of Harrison, Gibson, Guthrie, Lake, Loomis, Van Anda, West, Wilson of Chickasaw, and Wilson of Pottawattamie.

The motion did not prevail.

On motion of Mr. Frisbie, the rule was suspended, and the Bill read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Bass, Bowdoin, Burton, Castor, Cleaves, Curtiss, Dorr, Eaton, Eichorn, Fairall, Frisbie, Fuller of Fayette, Gault, Hardie, Hudnutt, Holyoke, Hood, Jackson, Knoll, Lane, Lorah, Martin, McCall, McLennan, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Nelson, Parker, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Speer, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Whittemore, Wilcox, Woodworth, Wright, and Mr. Speaker—47.

The nays were, Messrs. Baker, Blackford, Bracewell, Calfee, Clark, Dunlavy, Ferguson, Flint, Glanville, Gordon, Hollingsworth, Kellogg, Lakin, Lowrie, Maxwell, McGlothlen, McQuinn, Mitchell of Fremont, Moser, Pendleton, Porter, Price, Quinn, Sarver, Schramm, Shipman, Smeltzer, Stanton, Van Anda, Wetherall, White, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, and Young—35.

Absent or not voting, Messrs. Chase, Converse, Cutler, Denlin-

ger, Fuller of Harrison, Gibson, Guthrie, Lake, Loomis, West, Williams of Des Moines, and Wilson of Chickasaw.

The Bill was rejected.

Mr. Smeltzer moved that the House adjourn. The motion was lost.

Mr. Shipman, by leave, offered the following resolution :

Resolved, That the Committee on Agriculture be instructed to report to this House the names of suitable persons to fill the vacancies occurring in the Board of Trustees of the Iowa Agricultural College and Farm.

The resolution was adopted.

House File No. 123: A Bill for an Act entitled an Act to protect young mens' rights.

Mr. Hardie moved to amend by striking out all after the word "hold," and adding the following: "A young lady of corresponding age, by complying with the Revision of 1860, and he shall be entitled to all the rights and privileges, usual to such cases, as long as he shall hold the same."

The amendment prevailed.

Mr. Kellogg moved to lay the Bill on the table, and on this question the yeas and nays were demanded by Messrs. Bowdoin and Young, and were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Dorr, Dunlavy, Frisbie, Gordon, Holyoke, Jackson, Kellogg, Mitchell of Fremont, Parker, Rothrock, Russell of Jones, Sarver, Shipman, Speer, Thompson, Van Anda, Walton, Wasson, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, and Woodworth—26.

The nays were, Messrs. Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Curtiss, Cutler, Eaton, Eichorn, Fairall, Ferguson, Flint, Fuller of Fayette, Gault, Glanville, Hardie, Hndnutt, Hollingsworth, Hood, Knoll, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Moser, Nelson, Pendleton, Pierce, Porter, Price, Quinn, Rowles, Russell of Dallas, Schramm, Smeltzer, Stanton, Stevenson, Stewart, Walker, Wetherall, White, Whittemore, Wright, Young, and Mr. Speaker—59.

Absent or not voting, Messrs. Chase, Converse, Denlinger, Fuller of Harrison, Guthrie, Lake, West, and Wilson of Chickasaw.

The motion was lost.

Mr. Wilcox moved to refer the Bill to a Select Committee of three, of which Mr. Bowdoin shall be Chairman. The motion did not prevail.

On motion of Mr. Kellogg, the rule was suspended and the Bill read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Brace-

well, Calfee, Castor, Clark, Cleaves, Curtiss, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Gault, Hardie, Hudnutt, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Polk, Moir, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, White, Whittemore and Wright—58.

The nays were, Messrs. Burton, Dorr, Dunlavy, Frisbie, Glanville, Gordon, Holyoke, Meyer, Milburn, Mitchell of Fremont, Moser, Nelson, Parker, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Young and Mr. Speaker—26.

Absent or not voting, Messrs. Chase, Converse, Cutler, Denlinger, Fuller of Harrison, Gibson, Guthrie, Loomis, Stewart, West, and Wilson of Chickasaw—10.

The Bill passed and the title was agreed to.

On motion of Mr. Shipman, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
MONDAY, March 31, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Clark.

Journal of Saturday read and approved.

Message from the Senate by Wm. F. Davis, their Secretary :

MR. SPEAKER :—I am directed to inform your Honorable Body that the Senate has passed the following Bills :

Substitute for Senate File No. 3 : An Act for the better protection of School Fund.

Senate File 250 : A Bill for an Act to legalize the acts of E. K. Hart, a Notary Public in Lee County.

Senate File 251 : A Bill for an Act to legalize the acts of Wm. L. Wood, a Notary Public in Lee County.

Senate File 246 : An Act for the relief of the widow and indigent children of Joseph Ketterer, deceased.

Substitute for Senate File 68 : An Act fixing the times of holding Courts in the Sixth Judicial District.

Senate File 227 : An Act to legalize the official acts of Joseph G. Tanner, a Justice of the Peace of Nevada Township, in and for the County of Story ;

And has passed House File substitute for House File 29 and Senate File 74: An Act to amend Section 548 of the Revision of 1860, defining the duties of Township Clerks in certain cases, with the following amendments: "Strike out all after the word "thereafter," in the 8th line of the 1st section; and insert "post up in three public places in the township written notices containing the names of persons elected to township offices at such election, and requiring each of them to appear before the proper officer or officers, and qualify according to law"; and strike out second section.

House File 242, substitute for House Files 100 and 168: An Act defining the manner in which the boundaries of Counties may be changed in certain cases, and providing for the disposition of existing liabilities," with the following amendment: Add to first Section: "Provided that before any petition shall be heard, satisfactory proof shall be made by affidavit to said Board, that at least three notices containing copies of such petitions have been posted at least six weeks before the same shall be heard, in three public places in each township in the County to be effected by such change of boundaries, one of which shall be kept posted upon the door of the office of the Clerk of the District Court of said Counties, which notice shall contain a copy of the petition, and shall show the time of hearing, and provided further, that if an equal number shall sign the remonstrances in each county where the petition is to be heard, to the number signing the petition, no election shall be held.

In all of which the concurrence of the House is asked.

The Senate has also concurred with the House amendment to Senate File 214; and has rejected House File No. 216: An Act regulating stay of Execution; and indefinitely postponed House File 273: A Bill for an Act legalizing certain acts of Ray B. Griffin, and Z. B. Scoby, as Treasurers and Recorders of Delaware County.

The Senate has also passed the following Bills without amendment:

House File 74: An Act to amend Chapter 36, of the Revision of 1860, fixing the compensation of Township Clerks.

Substitute for Senate File 73: An Act defining the manner of canvassing votes cast at Special Elections.

House File No. 200: A Bill for an Act for the relief of all persons heretofore divorced to whom the disability to marry again has been attached either by law, under which the divorce was had, or by decree of Court granting the same.

House File No. 202: A Bill for an Act to legalize the election and official acts of D. D. Chase of Hamilton county.

House File No. 217: A Bill for an Act relating to bringing of suits against counties.

WM. F. DAVIS, Secretary of Senate.

Mr. Williams of Mahaska, moved to reconsider the vote by which

House File No. 258: A Bill for an Act for the protection of fruit, was rejected.

PETITIONS.

Mr. Schramm presented the petition of M. H. Cooley and others, citizens of Van Buren county, praying for an amendment of the law in relation to the incorporation of cities and towns.

Mr. Schramm moved that the petition be referred to a select Committee of three. The motion prevailed.

The Chair appointed as such Committee, Messrs. Schramm, White and Mitchell of Polk.

REPORTS OF COMMITTEES.

Mr. Mitchell of Polk, from Committee on Public Lands, submitted the following report:

Your Committee on Public Lands to whom were referred various petitions and resolutions relating to the Swamp Land Grants of this State, have had the same under consideration, and have instructed me to report the accompanying Joint Resolution and recommend its passage:

JOHN MITCHELL, Chairman.

The Committee introduced House File No. 340: A Joint Resolution in relation to Swamp and overflowed lands.

Mr. Mitchell of Fremont, moved to strike out "repudiated" and insert "disclaimed." Carried.

The question being upon the passage of the resolution, the yeas and nays were demanded by Messrs. Bowdoin and Maxwell, and were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bracewell, Calfee, Castor, Clark, Cleaves, Curtiss, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Gault, Glanville, Gordon, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Lake, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Pendleton, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—65.

The nays were, Messrs. Bowdoin, Converse, Cutler, Hardie, Hndnutt, Knoll, Lakin, Lane, Moir, Moser, Nelson, Parker, Porter, Smeltzer, Stewart and White—16.

Absent or not voting, Messrs. Chase, Denlinger, Fuller of Harrison, Gibson, Guthrie, Loomis, McLennan, Quinn, West, Whittemore and Wilson of Chickasaw.

The Joint Resolution was adopted.

Message from the Senate, by Wm. F. Davis, their Secretary:

MR. SPEAKER:—I am directed to request of your Honorable Body, to return to the Senate, House File No. 273: A Bill to legalize the acts of Ray B. Griffin and D. B. Scoby, Treasurers and Recorders of Delaware county, the vote upon its passage having been reconsidered by the Senate.

W. F. DAVIS, Secretary.

Mr. Lake from the Committee on Judiciary submitted the following report:

The Judiciary Committee to whom was referred the Bill for an Act in relation to evidence to vacate, modify or set aside a judgment, have had the same under consideration and directed me to report the same back and recommend its passage.

JED. LAKE, for Committee.

The Committee introduced House File No. 341: A Bill for an Act in relation to evidence to vacate, modify or set aside a judgment. Read a first and second time and passed upon the files.

Mr. Moir from Committee on Judiciary submitted the following report:

The Judiciary Committee to whom was referred House File No. 317: A Bill for an Act further defining the duties of sheriffs, constables and other like officers, prohibiting them from becoming sureties on certain bonds, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass, Section 3446 of the Revision of 1860 being deemed sufficient on that subject.

MOIR for Committee.

At a Joint meeting of the Judiciary Committee of both Houses, they had under consideration the propriety of amending section 4220 of the Revision of 1860, and have instructed me to prepare and report to this House the accompanying Bill and recommend its passage.

MOIR, member of Judiciary Committee.

The Committee introduced House File No. 342: A Bill for an Act to amend Section 4220 of the Revision of 1860. Read a first and second time and passed upon the files.

Mr. Van Anda, from same Committee, submitted the following report:

The Judiciary Committee to whom was referred House File No. 277: An Act to punish malicious mischief and trespass on timber in certain cases, have had the same under consideration, and have instructed me to report that in the opinion of your Committee the laws already upon our Statutes in relation to malicious trespass on timber are sufficient, and substantially cover all cases intended by the Bill, and therefore recommend that it be indefinitely postponed.

VAN ANDA, for the Judiciary Com.

Mr. Mercer, from Committee on Claims, submitted the following Reports :

Your Committee, to whom was referred the claim of Frank G. Noyes, for \$12, for expenses at Davenport and going from and returning to Des Moines, under order of Adjutant General Baker, to ship Army and Hospital stores belonging to the State, as authorized by Resolution of this General Assembly, have had the same under consideration and find the same properly certified to, and recommend that it be paid.

THOMAS MERCER,

Chairman of Committee on Claims.

Mr. Mercer, Chairman of the Committee on Claims, made the following Report :

Your Committee to whom was referred the claim of Herman Vogle for \$150, for damage done his Corn, by reason that some soldiers of the United States on their way to Fort Randall, encamped near his Corn-field and destroyed a portion of his fence, and thereby the Cattle got into said field and destroyed his Corn to the amount of \$150, have had the same under consideration and have instructed me to make the following Report :

That said soldiers were in the service of the United States, and the State of Iowa is not bound for damage done by soldiers of the United States.

That said Vogle could have had his remedy by proceeding against said Soldiers for damage, could have got judgment against them, and if necessary could have garnished their Paymaster.

Your Committee think he should have pursued this course, and not having done this that he should now apply to the General Government and not to the State of Iowa.

Your Committee recommend that said claim be not paid, but that it be reported back without prejudice.

THOMAS MERCER,

Chairman of Committee on Claims.

Mr. Mercer, Chairman of Committee on Claims, made the following Report :

Your Committee to whom was referred the bill of John Dahldorf of \$50, for translating the Governor's Inaugural Address into the German Language, and the further sum of \$5,60 as Express charges for sending the printed address from Burlington to Des Moines, making in all the sum of \$55,60, have had the same under consideration and have instructed me to report :

That in their opinion \$25 is a sufficient compensation for said translation, and recommend that the sum of \$25 be paid him for said service; and, also, that there be paid him the sum of \$5,60 (as charged) for the aforementioned Express charges—making in all \$30,60.

Your Committee have also considered the bill of Henry P. Scholte of \$25 for translating and superintending the printing of

the Governor's Inaugural Address in the Holland Language, and recommend that he be paid the aforesaid sum for that service.

Your Committee, in consequence of a sworn statement of items of cost of the Speaker's Chair, which has been placed in their hands by Harbach & Co., have reviewed the award of \$15 made and reported on by them sometime since, and now recommend that the further sum of \$10 be allowed said Harbach on said chair.

Your Committee offer the following Resolution and recommend its passage:

Resolved, That the Committee of Ways and Means are hereby instructed to insert in the Appropriation Bill the following items, viz:

For Frank G. Noyes the sum of \$12 to be drawn from the War and Defense Fund; for John Dahldorf the sum of \$30,60; for H. P. Scholte the sum of \$25,00; for Harbach & Co. the sum of \$10,00.

Respectfully submitted,

THOMAS MERCER,

Chairman of Committee on Claims.

The question being upon the adoption of the resolution reported by the Committee, it prevailed.

Mr. Young, from Committee on Judiciary, submitted the following report:

The Judiciary Committee, to whom was referred substitute for Senate File 124: A Bill for an Act relating to the acknowledgment of deeds, mortgages and other instruments, have had the same under consideration, and have directed me to report the same back to the House, and recommend its passage.

YOUNG, Chairman.

Mr. Milburn, from Military Committee, submitted the following report:

The Military Committee, to whom was referred House File No. 259: A Bill to authorize the auditing of the claims of Counties, Cities and Towns, have had the same under consideration, and have instructed me to report the same back with the recommendation that it do not pass.

MILBURN, of Linn.

Mr. Rothrock, from Judiciary Committee, submitted the following reports:

The Committee on Judiciary, to whom was referred House File No. 222: A Bill for an Act to prevent obstructions on Railroads, and also the Substitute therefor, have had the same under consideration and have instructed me to report the same back with the recommendation that neither of said Bills should pass, for the reason that no further legislation is necessary upon that subject.

JAS. H. ROTHROCK, from Com.

The Committee on Judiciary, to whom was referred House File No. 301: A Bill for an Act fixing the time when taxes shall become

a lien upon real estate, have had the same under consideration, and recommend that the second Section be stricken out, and thus amended recommend its passage.

JAS. H. ROTHROCK, from Com.

Mr. Moir, from Judiciary Committee, submitted the following report:

The Judiciary Committee of both Houses, at a joint meeting, having had under consideration the propriety of amending Section 4246 of the Revision of 1860, have instructed me to prepare and report the accompanying Bill to this House and recommend its passage.

MOIR.

The Judiciary Committee of both Houses, at a joint meeting, having had under consideration the propriety of amending Section 4360, of the Revision of 1860, have instructed me to propose and report the accompanying Bill and recommend its passage:

MOIR, from Committee on Judiciary.

The Committee introduced House File No. 343: A Bill for an Act to amend Section 4246, of the Revision of 1860.

Also, House File No. 344: A Bill for an Act to amend Section 4360, of the Revision of 1860. Which were severally read a first and second time and passed upon the files.

Mr. Young, from Judiciary Committee, introduced House File No. 345: A Bill for an Act, making it the duty of the Clerk of the District Court to act in the place of the County Judge, in certain cases. Read a first and second time and passed upon the files.

Mr. Blackford, from Committee on Senatorial and Representative Districts, submitted the following Reports:

The Committee on Senatorial and Representative Districts, to whom was referred a Resolution limiting the number of Senators to thirty, and the number of Representatives to sixty, have had the same under consideration and instructed me to report the same back with the recommendation that it do not pass.

BLACKFORD.

The Committee on Senatorial and Representative Districts have directed me to report the accompanying Bill and recommend its passage.

BLACKFORD.

The Committee introduced House File No. 346: A Bill for an Act apportioning the State into Representative Districts. Read a first and second time.

On motion of Mr. Shipman, the rule was suspended and the Bill read a third time; and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Converse, Curtiss, Cutler, Eaton, Ferguson, Frisbie, Glanville, Gordon, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Lake, Lakin, Lane, Lowrie, Max-

well, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—64.

The nays were, Messrs. Dorr, Dunlavy, Eichorn, Fairall, Flint, Fuller of Fayette, Gault, Hardie, Knoll, Lorah, Martin, McGlothlen, McLennan, Smeltzer, Stewart, Wilcox, and Williams of Des Moines—17.

Absent or not voting, Messrs. Chase, Cleaves, Denlinger, Fuller of Harrison, Gibson, Guthrie, Kellogg, Loomis, Quinn, Thompson, West and Wilson of Chickasaw.—12.

The Bill passed and the title was agreed to.

Message from the Senate:

MR. SPEAKER: I am directed to inform your Honorable Body that the Senate has passed Senate File No. 96: A Bill for an Act to amend the law in reference to the sale of Intoxicating Liquors, in lieu of the original Bill lost by the House, in which the concurrence of the House is asked.

W. F. DAVIS, Secretary.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following Reports:

MR. SPEAKER:—The Joint Committee on Enrolled Bills ask leave to report that they have examined Senate File No. 214 and House File No. 64, find them correctly enrolled, and present them herewith for your signature.

D. G. FRISBIE,

Chairman of House Committee.

The Joint Committee on Enrolled Bills ask leave to report that they have presented to his Excellency, the Governor, for his approval, Senate File No. 214.

D. G. FRISBIE,

Chairman of House Committee.

Mr. Rothrock moved to reconsider the vote by which House File No. 91: A Bill for an Act to amend Chapter 46, of the Revision of 1860, in relation to bridges, was made the special order for July 4th, at 1 o'clock.

Mr. Hardie, from Select Committee on House File No. 309, submitted the following Report:

The majority of the Select Committee, to whom was referred House File No. 309: A Bill for an Act to amend Section 6, of Chapter 45, of the Revision of 1860, have instructed me to report a Substitute to the same and recommend its passage. The only change made is one more clearly defining the particular subdivision of the Section of the Revision proposed to be amended.

HARDIE.

Mr. Hardie moved the adoption of the Substitute reported by the Committee. The Substitute was adopted.

Mr. Hardie moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The Yeas were, Messrs. Baker, Bass, Blackford, Bracewell, Burton, Calfee, Castor, Cleaves, Converse, Curtiss, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Gault, Glanville, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Moser, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Wright and Young—71.

The nays were, Messrs. Gordon, Moir, Nelson and White—4.

Absent or not voting, Messrs. Clark, Chase, Cutler, Denlinger, Fuller of Harrison, Gibson, Guthrie, Lane, Loomis, Mitchell of Polk, Parker, Quinn, Schramm, West, Wilson of Chickasaw and Mr. Speaker.

The Bill passed and the title was agreed to.

MESSAGES ON THE TABLE.

Substitute for Senate File No. 3: A Bill for an Act for the better protection of the School Fund. Read a first and second time and referred to Committee on Schools and State University.

Senate File No. 96: A Bill for an Act to amend the law in reference to the sale of intoxicating liquors. Read a first and second time.

On motion of Mr. Price, the rule was suspended and the Bill read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Eaton, Frisbie, Fuller of Fayette, Glanville, Gordon, Holyoke, Hollingsworth, Lake, Lowrie, Martin, Maxwell, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Moser, Nelson, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Stanton, Stevenson, Van Anda, Walker, Walton, Wasson, Whittemore, Wilcox, Williams of Mahaska, Wright, and Young—53.

The nays were, Messrs. Bass, Blackford, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Hardie, Hudnutt, Hood, Jackson, Kellogg, Knoll, Lakin, Lane, Loomis, Lorah, McGlothlen, McLennan, Mitch-

ell of Fremont, Parker, Smeltzer, Speer, Stewart, Wetherall, White, and Wilson of Pottawattamie—27.

Absent or not voting, Messrs. Chase, Denlinger, Fuller of Harrison, Gault, Gibson, Guthrie, Quinn, Thompson, West, Williams of Des Moines, Wilson of Chickasaw, Woodworth, and Mr. Speaker.

The Bill passed and the title was agreed to.

House File No. 242, Substitute for House Files Nos. 100 and 168: A Bill for an Act defining the manner in which the boundaries of Counties may be changed in certain cases, and providing for the disposition of existing liabilities. The Senate amendment was concurred in.

Upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Calfee, Clark, Converse, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Frisbie, Gordon, Hardie, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McCall, McLennan, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Parker, Pendleton, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Saver, Shipman, Smeltzer, Speer, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Wright and Mr. Speaker—62.

The nays were, Messrs. Burton, Castor, Ferguson, Flint, Fuller of Fayette, Hudnutt, Kellogg, McGlothlen, McQuinn, Porter, Schramm, Stanton, Williams of Mahaska, and Wilson of Pottawattamie—14.

Absent or not voting, Messrs. Chase, Cleaves, Denlinger, Fuller of Harrison, Gault, Gibson, Glanville, Guthrie, Loomis, Moser, Nelson, Quinn, West, Williams of Des Moines, Wilson of Chickasaw, Woodworth and Young—17.

The Bill was passed and the title was agreed to.

Mr. Hardie, by leave, introduced the following resolution:

Resolved, That the Sergeant-at-Arms be and is hereby instructed to have the carpet removed from the floor of this Hall; the Hall thoroughly cleaned, and strips of matting laid down in the lobby and aisles leading to and around the Speaker's Chair.

Mr. Kellogg offered the following substitute:

Resolved, That the Janitor be requested to thoroughly sweep this Hall, and the stairs and lobby, and place gauze or mosquito bars across the upper portion of the windows.

The substitute was adopted.

The resolution as amended was adopted.

Substitute for Senate File No. 68: A Bill for an Act fixing the times of holding Courts in the Sixth Judicial District. Read a first and second time and passed upon the files.

Senate File No. 242: A Bill for an Act for the relief of Jacob Mintun. Read a first and second time.

Mr. Cleaves moved to suspend the rule and read the Bill a third time now. The motion prevailed.

The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Cleaves, Converse, Curtiss, Cutler, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Gault, Glanville, Gordon, Hardie, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rowles, Russell of Dallas, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wright, and Mr. Speaker—74.

The nays were, Messrs. Baker, Bass, Hudnutt, Rothrock, and Russell of Jones—5.

Absent or not voting, Messrs. Clark, Chase, Denlinger, Dunlavy, Fuller of Fayette, Fuller of Harrison, Gibson, Guthrie, Loomis, West, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, and Young.

The Bill passed and the title was agreed to.

Substitute for House File No. 29 and Senate File No. 74: A Bill for an Act to amend Section 548 of the Revision of 1860, defining the duties of Township Clerks in certain cases. The Senate amendment concurred in.

Upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Converse, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Wright, Young, and Mr. Speaker—80.

The nays were, Messrs. Cleaves, Knoll, McLennan, Moser, and Smeltzer—5.

Absent or not voting, Messrs. Chase, Denlinger, Fuller of Fay-

ette, Fuller of Harrison, Gibson, Loomis, Quinn, West, Wilson of Chickasaw, and Woodworth.

The Bill passed and the title was agreed to.

Senate File No. 227: A Bill for an Act to legalize the official acts of Joseph G. Tanner, as a Justice of the Peace of Nevada Township in and for the County of Story, Iowa. Read a first and second time.

And on motion of Mr. McCall, the rule was suspended and the Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Blackford, Bowdoin, Bracewell, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Eaton, Eichorn, Fairall, Frisbie, Gault, Holyoke, Hood, Jackson, Kellogg, Knoll, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Parker, Pendleton, Porter, Rowles, Russell of Dallas, Sarver, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, West, White, Whittemore, Williams of Mahaska, Wilson of Pottawattamie, and Mr. Speaker—55.

The nays were, Messrs. Baker, Bass, Dorr, Dunlavy, Ferguson, Flint, Glanville, Gordon, Hardie, Hudnutt, Lakin, Lane, Meyer, Milburn, Moser, Nelson, Rothrock, Russell of Jones, Schramm, Van Anda, Wilcox, Williams of Des Moines, and Wright—23.

Absent or not voting, Messrs. Burton, Chase, Denlinger, Flint, Fuller of Fayette, Fuller of Harrison, Gibson, Guthrie, Hollingsworth, Lake, Loomis, Price, Quinn, West, Wilson of Chickasaw, Woodworth, and Young.

The Bill passed and the title was agreed to.

Senate File No. 246: A Bill for an Act for the relief of the Widow and Children of Joseph Kittern, deceased. Read a first and second time and referred to Committee on Judiciary.

Senate File No. 250: A Bill for an Act to legalize the acts of E. K. Hart, a Notary Public in and for Lee County. Read a first and second time.

Mr. Lowrie moved to suspend the rule and read the Bill a third time now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Gault, Glanville, Gordon, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Parker, Pendleton, Porter, Price, Rowles, Russell of Dallas, Sarver, Schramm, Speer, Stanton, Stevenson, Thompson, Van

Anda, Walker, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wright, Young, and Mr. Speaker—71.

The nays were, Messrs. Dunlavy, Eichorn, Lorah, Milburn, Moser, Nelson, Rothrock, Russell of Jones, Shipman, Smeltzer, Stewart, Walton, and Wilson of Pottawattamie—13.

Absent or not voting, Messrs. Chase, Fuller of Harrison, Gibson, Guthrie, Loomis, Quinn, West, Wilson of Chickasaw, and Woodworth.

The Bill passed and the title was agreed to.

Senate File No. 251: A Bill for an Act to legalize the acts of Wm. L. Wood, a Notary Public in and for Lee County.

On motion of Mr. Meyer, the rule was suspend and the Bill read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Eaton, Eichorn, Fairall, Frisbie, Fuller of Fayette, Gault, Gordon, Guthrie, Hudnutt, Holyoke, Jackson, Kellogg, Lane, Loomis, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Nelson, Parker, Pendleton, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Thompson, Van Anda, Walker, Wetherall, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Wright, and Mr. Speaker—65.

The nays were, Messrs. Dunlavy, Ferguson, Flint, Hardie, Hollingsworth, Hood, Knoll, Lorah, Moir, Moser, Russell of Jones, Smeltzer, Stewart, Walton, Wasson, and Whittemore—16.

Absent or not voting, Messrs. Chase, Denlinger, Fuller of Harrison, Gibson, Glanville, Lake, Lakin, Mitchell of Polk, West, Wilson of Chickasaw, Woodworth, and Young.

The Bill passed and the title was agreed to.

Senate File No. 243: A Bill for an Act to amend Section 1874, of the Revision of 1860. Read a first and second time and referred to Committee on the Judiciary.

Substitute for Senate File No. 243: A Bill for an Act to amend Section 1874, of the Revision of 1860. Read a first and second time.

Mr. Bowdoin moved to refer to Committee on Ways and Means.

Mr. Hardie moved to make the Bill the special order for 2 o'clock, P. M. The motion was lost.

Mr. Converse moved to reconsider the vote by which the motion of Mr. Bowdoin to refer to Committee on Ways and Means, was lost. The motion prevailed.

The question being upon the motion of Mr. Bowdoin to refer to Committee on Ways and Means, it prevailed.

On motion of Mr. Cleaves the House adjourned.

TWO O'CLOCK P. M.

The House met pursuant to adjournment.

Mr. Stanton, from Committee on printing, by leave, submitted the following majority Report:

A majority of your Committee, to whom was referred a Joint Resolution for the publication of a Legislative Manual, have considered the same, and instructed me to report that, in their opinion, the cost of publication of such a Manual would but very little exceed the sum paid by each Assembly, for Cushing's or the Parliamentary Manual, and the printing of the Rules. The Committee find that the proposed number of copies can be neatly printed and bound at a cost not excelling 75 cents per copy, and containing, as it will, a large amount of valuable statistics in relation to the State, believe it would be especially acceptable to members of the Legislature, and therefore recommend the passage of said Resolution.

T. H. STANTON, Chairman,
F. M. KNOLL,
JED LAKE,
JNO. MITCHELL,
O. NELSON.

Mr. Wilson of Pottawattamie, from same Committee, submitted the following minority Report:

The undersigned, a member of the Committee on Printing, to whom was referred House File No. 285: A Joint Resolution for the publishing of a Legislative Manual, begs leave to submit the following Minority Report, to-wit:

That in the opinion of the undersigned, the publication of such a Manual as set forth, would be more ornamental than useful, as under the present arrangement we have all the information furnished to us at a cost of about \$100; whereas, if such Manual should be published, it would cost not less than \$650, making a difference of about \$550 in the cost.

Therefore, considering our financial embarrassment, the publication of such Manual, in the opinion of the undersigned, would be unnecessary and unwise.

W. W. WILSON.

Leave of absence was granted to Mr. Mitchell of Fremont.

BILLS ON SECOND READING.

Substitute for Senate File No. 10: A Bill for an Act to confer civil and criminal jurisdiction on County Courts.

The Report of Committee recommending that the last Section be stricken out, was concurred in.

Mr. Lowrie moved that the rule be suspended and the Bill read a third time now.

Mr. Moir offered the following amendment to Section 1:

"Provided, that the provision of this Act shall apply to Counties having a population of less than ten thousand inhabitants."

Mr. Frisbie moved the previous question.

Mr. Martin moved a call of the House, which was seconded.

Messrs. Quinn, Walker, Flint and McLennan were excused.

The Clerk proceeded to call the roll. Absent and not excused, Mr. Hudnutt.

On motion of Mr. Shipman, further proceedings under the call were suspended.

The previous question was seconded by a majority of the House, and the question, "Shall the main question be now put?" was decided in the affirmative.

The question being upon the amendment of Mr. Moir, it was lost.

The question recurring upon the motion of Mr. Lowrie to suspend the rule and read the Bill a third time now, it prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Bracewell, Calfee, Clark, Converse, Dorr, Eaton, Fairall, Ferguson, Frisbie, Fuller of Fayette, Hood, Jackson, Kellogg, Lake, Lakin, Lane, Martin, McCall, McQuinn, Mercer, Mitchell of Polk, Moser, Nelson, Pendleton, Porter, Price, Rothrock, Sarver, Shipman, Stanton, Walker, Walton, White, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Wright, Young and Mr. Speaker—41.

The nays were, Messrs. Bass, Bowdoin, Burton, Castor, Cleaves, Curtiss, Cutler, Dunlavy, Eichorn, Gault, Glanville, Gordon, Hardie, Hudnutt, Holyoke, Hollingsworth, Knoll, Lorah, Lowrie, Maxwell, Meyer, Milburn, Moir, Parker, Rowles, Russell of Dallas, Russell of Jones, Schramm, Smeltzer, Stevenson, Stewart, Thompson, Van Anda, Wasson, Wetherall, Whittemore, Williams of Mahaska, and Woodworth—38.

Absent or not voting, Messrs. Chase, Denlinger, Flint, Fuller of Harrison, Gibson, Guthrie, Loomis, McLennan, McGlothlen, Mitchell of Fremont, Quinn, Speer, West, and Wilson of Chickasaw.

The Bill was rejected.

Message from the Senate by Wm. F. Davis, their Secretary:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed the following Bill, in which the concurrence of the House is asked:

Senate File No. 252: A Bill for an Act to change the time of holding Courts in the Seventh Judicial District.

W. F. DAVIS, Secretary of Senate.

Mr. Lane moved to take up Senate File No. 252: A Bill for an Act to change the times of holding Courts in the Seventh Judicial District, from Messages on the table. The motion prevailed. The Bill was read a first and second time, and passed upon the files.

Mr. Stanton moved that when the House adjourn, it be until to-morrow morning. Carried.

Substitute for House File No. 65: A Bill for an Act to pay Capt. James F. Morton and others, for services rendered in protecting the North-Western Frontier during the months of May and June, 1861. The substitute was adopted.

On motion of Mr. Kellogg, the rule was suspended, and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Flint, Frisbie, Gault, Glanville, Gordon, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Lake, Lakin, Lane, Lorah, Lowrie, McCall, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Sarver, Schramm, Shipman, Smeltzer, Stanton, Stevenson, Stewart, Walker, Walton, Wasson, Whittemore, Wilcox, Williams of Mahaska, Woodworth, Young and Mr. Speaker—64.

The nays were, Messrs. Castor, Ferguson, Fuller of Fayette, Hardie, Martin, Maxwell, Milburn, Russell of Jones, Van Anda, White, Wilson of Pottawattamie and Wright.—12.

Absent or not voting, Messrs. Chase, Denlinger, Fuller of Harrison, Gibson, Guthrie, Loomis, McLennan, McGlothlen, Nelson, Quinn, Thompson, Wetherall, West, Williams of Des Moines and Wilson of Chickasaw—15.

The Bill passed and the title was agreed to.

House File No. 136: A Bill for an to authorize the Governor and Board of County Supervisors to appoint agents in regard to Swamp Lands belonging to the State of Iowa, and defining their duties.

Mr. Mitchell, of Polk, offered the following new Section:

SECTION 13. Notwithstanding the foregoing provisions of this Act, the Board of Supervisors of any County, for the purpose of expediting a settlement of the claim of such County may nominate to the Governor a suitable person as Special Agent to settle said claim; and the Governor shall thereupon appoint such person the Special Agent of the State to make such settlement with the United States for the Swamp Lands within the territorial limits of such County. The proceeds of such settlement may be received by such Agent and shall be delivered to the said Board of Supervisors for the use of the County. The costs, expenses and compensation of such Special Agent shall be paid by the County requesting the appointment thereof.

The amendment was adopted.

Amendments of the Committee concurred in.

On motion of Mr. Curtiss the rule was suspended, and the Bill

read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Eaton, Fairall, Frisbie, Fuller of Fayette, Gault, Gordon, Holyoke, Hollingsworth, Hood, Jackson, Lake, Lowrie, Maxwell, McCall, McQuinn, Mercer, Meyer, Mitchell of Polk, Moir, Parker, Pendleton, Porter, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Stanton, Stevenson, Stewart, Van Anda, Walker, Walton, Wasson, Wetherall, Whittemore, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—55.

The nays were, Messrs. Bass, Bracewell, Burton, Dunlavy, Flint, Eichorn, Ferguson, Hardie, Hudnutt, Knoll, Lane, Lorah, Martin, Milburn, Nelson, Price, Schramm, Smeltzer, Speer, White, Wilcox—20.

Absent or not voting, Messrs. Chase, Denlinger, Flint, Fuller of Harrison, Gibson, Glanville, Guthrie, Kellogg, Lakin, Loomis, McGlothlen, McLennan, Mitchell of Fremont, Moser, Quinn, Thompson, West, and Wilson of Chickasaw—18.

The Bill passed and the title was agreed to.

Mr. Rothrock called up his motion to reconsider the vote by which House File No. 91: A Bill for an Act to amend Chapter 46 of the Revision of 1860, in relation to Bridges, was rejected. The motion to reconsider prevailed.

Mr. Curtiss moved to refer the Bill to a Select Committee of three, of which Mr. Rothrock shall be Chairman. The motion prevailed.

The Chair appointed as such Committee, Messrs. Rothrock, Curtiss and Flint.

Substitute for for Senate File No. 68: A Bill for an Act fixing the times of holding Courts in the Sixth Judicial District.

On motion of Mr. Williams, of Mahaska, the rule was suspended and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Calfee, Castor, Cleaves, Converse, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Frisbie, Fuller of Fayette, Gault, Gordon, Hardie, Hudnutt, Hood, Jackson, Knoll, Lake, Lane, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—68.

The nays were, Messrs. Bracewell, Burton, Curtiss, Holyoke, Thompson and Wilcox—6.

Absent or not voting, Messrs. Clark, Chase, Cutler, Denlinger, Flint, Fuller of Harrison, Gibson, Glanville, Guthrie, Hollingsworth, Kellogg, Lakin, Loomis, McLennan, Mitchell of Fremont, Quinn, Russell of Dallas, West, and Wilson of Chickasaw—19.

The Bill passed and the title was agreed to.

House File No. 285: A Joint Resolution for the publication of a Legislative Manual.

Mr. Thompson moved to strike out "present and" before "next General Assembly;" and upon this question the yeas and nays were demanded by Messrs. Ferguson and Maxwell and were as follows:

The yeas were, Messrs. Castor, Eichorn, Ferguson, Gault, Glanville, Gordon, Maxwell, Moir, Moser, Nelson, Russell of Jones, Sarver, Smeltzer, Speer, Stewart, Thompson, Walker, Wetherall, and Woodworth.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Clark, Cleaves, Converse, Curtiss, Dunlavy, Eaton, Fairall, Flint, Frisbie, Fuller of Fayette, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Porter, Price, Rothrock, Rowles, Russell of Dallas, Schramm, Shipman, Stanton, Stevenson, Van Anda, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wright, Young and Mr. Speaker—60.

Absent or not voting, Messrs. Chase, Cutler, Denlinger, Dorr, Fuller of Harrison, Gibson, Guthrie, McLennan, Mitchell of Fremont, Pendleton, Quinn, West, Wilson of Chickasaw and Wilson of Pottawattamie.

The amendment did not prevail.

Mr. Wilson of Pottawattamie moved to amend as follows: "Provided the same shall not cost more than seventy-five cents per copy." The amendment was adopted.

The question being upon the passage of the Joint Resolution, the yeas and nays were demanded by Messrs. Wetherall and Maxwell, and were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Clark, Converse, Curtiss, Cutler, Dorr, Eaton, Eichorn, Fairall, Frisbie, Fuller of Fayette, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lane, Lowrie, Martin, McCall, McGlothlen, McQuinn, Mercer, Meyer, Mitchell of Polk, Moser, Parker, Pendleton, Rothrock, Russell of Dallas, Russell of Jones, Schramm, Shipman, Speer, Stanton, Stevenson, Van Anda, Walker, Wasson, White, Whittemore, Wilcox, Woodworth, Wright, Young, and Mr. Speaker—54.

The nays were, Messrs. Calfee, Castor, Cleaves, Ferguson, Gault, Glanville, Gordon, Lakin, Lorah, Maxwell, Milburn, Moir, Porter, Price, Rowles, Sarver, Smeltzer, Stewart, Thompson, Walton, Weth-

erall, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie—24.

Absent or not voting, Messrs. Chase, Denlinger, Dunlavy, Fuller of Harrison, Gibson, Guthrie, Kellogg, Loomis, McLennan, Mitchell of Fremont, Quinn, West, and Wilson of Chickasaw.

The Joint Resolution passed and the title was agreed to.

House File No. 84: A Bill for an Act to punish Garnishees for disposing of property in certain cases. Amendments reported by Committee concurred in.

Mr. Meyer moved that the rule be suspended and the Bill read a third time now. The motion prevailed.

The Bill was read a third time and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Flint, Frisbie, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Stewart, Van Anda, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—79.

The nays were, Messrs. Ferguson, Smeltzer and Thompson—3

Absent or not voting, Messrs. Chase, Denlinger, Fuller of Fayette, Fuller of Harrison, Gibson, Loomis, McLennan, Quinn, Walker, West and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

Mr. Lane, by leave, introduced House File No. 347: Joint Resolution in relation to the Seventeenth Regiment Iowa Volunteers. The Resolution was passed unanimously.

On motion of Mr. Shipman the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
TUESDAY, April 1, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Nash.

Journal of yesterday read and approved.

Message from the Senate, by Wm. F. Davis, their Secretary :

MR. SPEAKER :--I am directed to inform your Honorable Body that the Senate has passed : Substitute for Senate File No. 90 : A Bill making appropriation for the Hospital for the Insane.

Senate File No. 234 : Joint Resolution in relation to claims of J. C. Walker & Bros.

Senate File No. 247 : Bill providing for the appointment of Commissioners to settle with the sureties of James D. Eads, late Superintendent of Public Instruction.

House File No. 79 : An Act amendatory of an Act to provide for the making and repairing of Public Highways, and prescribing the further duties of Township Officers in certain cases, with the following amendment: add to section 5, *Provided*, the amount so levied together with the Road Tax, shall not in any one year exceed the sum of 3 mills on the dollar of taxable property.

House File No. 6 : An Act authorizing Cities, Towns, and Villages, to regulate and license the sale of property, with the following amendments : after "Auctioneer" in section 1, insert "and transient Merchants," add the same words to title of Bill and strike out the publication section. In all of which the concurrence of the House is asked.

I herewith return House File No. 18 : An Act to amend an Act providing for auditing all accounts and disbursements arising under the call for Volunteers from Iowa, and also for all men organized as the State Militia of Iowa, the same having passed the Senate without amendment.

W. F. DAVIS, Secretary.

Mr. Curtiss moved to reconsider the vote by which substitute for Senate File No. 10 : A Bill for an Act to confer Civil and Criminal Jurisdiction on County Courts was rejected.

Mr. Cleaves moved to lay the motion upon the table, and upon this question the yeas and nays were demanded by Messrs. Moir and Van Anda and were as follows :

The yeas were, Messrs. Bass, Bowdoin, Burton, Castor, Cleaves, Dunlavy, Eichorn, Gault, Gibson, Glanville, Hardie, Hudnutt, Holyoke, Kellogg, Knoll, Lorah, Maxwell, Meyer, Milburn, Mitchell of Fremont, Moir, Nelson, Rowles, Russell of Dallas, Russell of Jones, Stevenson, Stewart, Thompson, Van Anda, Wasson, Wetherall, Whittemore, Williams of Des Moines, Williams of Mahaska—34.

The nays were, Messrs. Baker, Blackford, Bracewell, Calfee, Clark, Converse, Curtiss, Cutler, Dorr, Eaton, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Hollingsworth, Hood, Jackson, Lake, Lakin, Lane, Lowrie, Martin, McCall, McGlothlen, McQuinn, Mercer, Mitchell of Polk, Moser, Parker, Pendleton, Porter, Price, Rothrock, Sarver, Shipman, Smeltzer, Speer, Stanton, Walker, Walton, White, Wilcox, Wilson of Pottawattamie, Wright, Young, and Mr. Speaker—49.

Absent or not voting, Messrs. Chase, Denlinger, Guthrie, Loomis, McLennan, Quinn, Schramm, West, Wilson of Chickasaw and Woodworth—10.

The motion did not prevail.

The question recurring upon the motion of Mr. Curtiss to reconsider the vote by which the Bill was rejected, it prevailed.

Mr. Curtiss moved to reconsider the vote by which the Bill was ordered to a third reading. The motion prevailed.

Mr. Curtiss moved to amend by adding the following new section :

§ 27. No Court shall be held under the provisions of this Act until after the 1st day of January, A. D. 1864.

Mr. Bracewell moved to amend the amendment by striking out "1864" and inserting "1863." The amendment to the amendment prevailed.

Mr. Van Anda offered the following substitute :

§ 27. This Act shall be submitted to the legal voters of the State of Iowa, at the general election to be held in the year 1862, for their adoption or rejection, and the voters at said election shall have printed or written on their tickets "For the County Court Law," or "Against the County Court Law," and if the majority of the legal votes cast at said election shall be in favor of this Act, then said Act shall take effect and be in force on and after the 12th day of April, A. D. 1863, and if a majority of the legal votes cast at said election are cast against said Act then said Act shall not become a Law.

And upon this question the yeas and nays were demanded by Messrs. Moir and Maxwell, and were as follows :

The yeas were, Messrs. Bass, Bowdoin, Burton, Calfee, Castor, Cleaves, Dunlavy, Eichorn, Gault, Gibson, Glanville, Hardie, Hudson, Holyoke, Kellogg, Knoll, Lane, Lorah, Maxwell, McCall, Meyer, Milburn, Moir, Parker, Porter, Rowles, Russell of Dallas, Russell of Jones, Schramm, Speer, Stevenson, Stewart, Thompson, Van Anda, Walker, Wasson, Wetherall, Whittemore, Williams of Des Moines, Williams of Mahaska, and Woodworth—41.

The nays were, Messrs. Baker, Blackford, Bracewell, Converse, Curtiss, Dorr, Eaton, Fairall, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Hollingsworth, Hood, Jackson, Lake, Lakin, Lowrie, Martin, McGlothlen, McQuinn, Mercer, Mitchell of Polk, Moser, Nelson, Pendleton, Price, Rothrock, Sarver, Shipman, Smeltzer, Stanton, Walton, White, Wilcox, Wilson of Pottawattamie, Wright, Young and Mr. Speaker—40.

Absent or not voting, Messrs. Clark, Chase, Cutler, Denlinger, Ferguson, Guthrie, Loomis, McLennan, Mitchell of Fremont, Quinn, West, and Wilson of Chickasaw—11.

The amendment to the amendment was adopted.

Message from the Senate by Wm. F. Davis, their Secretary :

MR. SPEAKER:—I am directed to inform your Honorable Body

that the Senate has passed Senate File No. 257: An Act fixing the time of holding Courts in Pocahontas County.

House File No. 103: A Bill for an Act to amend Chapter 42, of the Revision of 1860, relating to vacancies and special elections, with the following amendments:

Strike out Section 2, and insert, "That vacancies in the Board of County Supervisors, may be filled by appointment by the trustees of the township unrepresented in consequence of such vacancy, and the appointee of said trustees shall hold the office of County Supervisor until the first Monday of January following, and until his successor shall be elected and qualified. Should such vacancy occur in the County Board of Supervisors during the first year after the regular election of a Supervisor in such township, and before the General election of such year, there shall be elected in such township, a member of the Board of Supervisors, to fill such vacancies, who shall hold his office for one year from the first day of January following his election, and until his successor shall be elected and qualified; and to strike out Section 4." In all of which the concurrence of the House is asked.

W. F. DAVIS, Secretary of Senate.

The question recurring upon the amendment as amended, the yeas and nays were demanded by Messrs. Van Anda and Maxwell, and were as follows:

The yeas were, Messrs. Bass, Bowdoin, Calfee, Castor, Cleaves, Dunlavy, Eichorn, Gault, Hardie, Hudnutt, Holyoke, Kellogg, Knoll, Lorah, Maxwell, Meyer, Milburn, Moir, Parker, Russell of Dallas, Russell of Jones, Speer, Stevenson, Stewart, Thompson, Van Anda, Wasson, Wetherall and Whittemore—29.

The nays were, Messrs. Baker, Blackford, Bracewell, Burton, Clark, Converse, Curtiss, Dorr, Eaton, Fairall, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Gordon, Hollingsworth, Hood, Jackson, Lake, Lakin, Lane, Lowrie, Martin, McCall, McGlothlen, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moser, Nelson, Pendleton, Porter, Price, Rothrock, Sarver, Shipman, Smeltzer, Stanton, Walton, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—51.

Absent or not voting, Messrs. Chase, Cutler, Denlinger, Ferguson, Guthrie, Loomis, McLennan, Quinn, Rowles, Schramm, Walker, West, and Wilson of Chickasaw.

The amendment was not adopted.

Message from the Senate by Wm. F. Davis, their Secretary:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed Senate File No. 258: A Bill for an Act to provide for the taking up of estray animals; in which the concurrence of the House is asked.

W. F. DAVIS, Secretary of Senate.

Mr. Lake offered the following amendment:

"SECTION 15. Any person bringing a suit originally in the County Court, in which he recovers less than fifty dollars, shall pay the costs of such suit."

Mr. Castor moved to amend the amendment by striking out "fifty," and inserting "one hundred." Lost.

The amendment of Mr. Lake was adopted.

Mr. Van Anda moved that the rule be suspended and the Bill read a third time now, and upon this motion demanded the previous question.

Mr. Martin moved a call of the House, which was seconded.

Mr. Kellogg moved to adjourn. Lost.

Mr. Clark proceeded to call the roll; the members were all in attendance except such as were excused.

Mr. Fairall moved to adjourn. Lost.

The previous question moved by Mr. Van Anda was seconded.

The question "Shall the main question be now put?" was decided in the affirmative.

The question being upon the motion of Mr. Van Anda to suspend the rule and read the Bill a third time now, it prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Bracewell, Clark, Converse, Dorr, Eaton, Fairall, Flint, Frisbie, Fuller of Harrison, Hollingsworth, Hood, Jackson, Kellogg, Lake, Lakin, Lane, Lowrie, Martin, McCall, McGlothlen, McQuinn, Mercer, Mitchell of Polk, Moser, Nelson, Pendleton, Porter, Price, Rothrock, Sarver, Shipman, Stanton, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Wright, and Mr. Speaker—40.

The nays were, Messrs. Bass, Bowdoin, Burton, Calfee, Castor, Cleaves, Curtiss, Cutler, Dunlavy, Eichorn, Ferguson, Fuller of Fayette, Gault, Gibson, Glanville, Gordon, Hardie, Hudnutt, Hol-yoke, Knoll, Lorah, Maxwell, Meyer, Milburn, Mitchell of Fremont, Moir, Parker, Rowles, Russell of Dallas, Russell of Jones, Schramm, Smeltzer, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, Whittemore, Woodworth, and Young—43.

Absent or not voting, Messrs. Chase, Denlinger, Guthrie, Loomis, McLennan, Quinn, Speer, West, and Wilson of Chickasaw.

The Bill was rejected.

Mr. Bowdoin, from Committee on Ways and Means, submitted the following report:

The Committee of Ways and Means, to whom was referred House File No. 324: A Bill for an Act to provide for the publication and distribution of the laws of the Ninth General Assembly, have had the same under consideration and have instructed me to

report the same back to the House and recommend its passage.

E. G. BOWDOIN, Chairman.

On motion of Mr. Wilcox, the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

REPORTS OF COMMITTEES.

Mr. Mitchell, of Polk, from Committee on Public Lands, submitted the following report :

Your Committee on Public Lands, to whom was referred House File No. 292 : A Bill for an Act to prevent obstructions in any of the public ditches for the benefit of Swamp Lands, have had the same under consideration, and have instructed me to report the same back with the following amendment : strike out "five," and insert "one"; add also the words "not more than thirty days," and recommend its passage.

JNO. MITCHELL.

Mr. Schramm, from the Select Committee, to whom was referred a certain petition, submitted the following report :

The Special Committee, to whom was referred the petition of M. H. Cooley and others, citizens of Van Buren County, have had the the same under consideration, and directed me to report the accompanying bill and recommend its passage.

GEO. SCHRAMM, Chairman.

J. H. WHITE,

JNO. MITCHELL.

The Committee introduced House File No. 348 : A Bill for an Act supplementary to an Act for the incorporation of cities and towns, Chapter 51, of the Revision of 1860. Read a first and second time, and on motion of Mr. Schramm, the rule was suspended and the Bill read a third time ; and upon the question, Shall the Bill pass? the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines,

Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—76.

The nays were, none.

Absent or not voting, Messrs. Bowdoin, Chase, Cutler, Denlinger, Frisbie, Gibson, Guthrie, Kellogg, Lake, Lakin, Lane, McLennan, Quinn, Russell of Dallas, West, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

Mr. Young moved to take from unfinished business the various resolutions on the Slavery question, and recommit them to the Committee on Federal Relations.

Mr. Dorr moved to lay the motion on the table, and upon this question the yeas and nays were demanded by Messrs. Young and Speer and were as follows:

The yeas were, Messrs. Bass, Bracewell, Burton, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Fuller of Fayette, Gault, Glanville, Gordon, Hardie, Hudnutt, Holyoke, Hood, Jackson, Knoll, Loomis, Lorah, Lowrie, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Mitchell of Fremont, Moir, Moser, Rowles, Sarver, Schramm, Smeltzer, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Williams of Des Moines and Mr. Speaker—47.

The nays were, Messrs. Baker, Blackford, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Frisbie, Fuller of Harrison, Hollingsworth, Lake, Lakin, Martin, Meyer, Milburn, Mitchell of Polk, Nelson, Parker, Price, Rothrock, Russell of Dallas, Russell of Jones, Shipman, Speer, Stanton, Whittemore, Wilcox, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright and Young—33.

Absent or not voting, Messrs. Bowdoin, Chase, Denlinger, Gibson, Guthrie, Kellogg, Lane, McLennan, Pendleton, Porter, Quinn, Stevenson, West, and Wilson of Chickasaw.

The motion prevailed.

Mr. Frisbie, by leave, presented the Memorial of the Board of Supervisors of Mitchell County, for a change in law creating a Board of Supervisors, in reference to canvassing votes at special elections. Passed upon the files.

Mr. Wilson of Pottawattamie, from Select Committee on House File No. 37, submitted the following Report:

Your Committee, to whom was referred House File No. 37: A Bill for an Act fixing the times of holding Courts in the Third Judicial District, have had the same under consideration, and instructed me to report the same back with some amendments, and recommend its passage as amended.

W. W. WILSON, Chairman.

MESSAGES ON THE TABLE.

Senate File No. 258: A Bill for an Act to provide for the taking

up of estray animals. Read a first and second time and referred to Committee on Agriculture.

Leave of absence was granted to Mr. Quinn for the balance of the Session.

House File No. 79: A Bill for an Act amendatory to an Act entitled an Act to provide for the making and repairing of Public Highways, and prescribing the further duties of Township Officers in certain cases, approved March 23d, 1858. Senate amendments concurred in. The question being, "Shall the Bill pass?" the ayes and nays were as follows:

The yeas were, Messrs. Baker, Bass, Bracewell, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lowrie, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—76.

The nays were, Messrs. Blackford, Burton, Ferguson, Gibson, Lorah, Russell of Jones, Smeltzer, and Williams of Mahaska—8.

Absent or not voting, Messrs. Bowdoin, Chase, Denlinger, Guthrie, Kellogg, McLennan, Quinn, West, and Wilson of Chickasaw. The Bill passed and the title was agreed to.

House File No. 6: A Bill for an Act authorizing Cities, Towns and Villages to regulate and license the sale of property by auctioneers. Senate amendments concurred in, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lowrie, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young, and Mr. Speaker—77.

The nays were, Messrs. Cutler, Ferguson, Gibson, Lorah, Moser, and Stewart—6.

Absent or not voting. Messrs. Bowdoin, Chase, Denlinger, Guth-

rie, McLennan, Quinn, Stevenson, Thompson, West, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

House File No. 103: A Bill for an Act to amend Chapter 42, of the Revision of 1860, relating to vacancies and special elections.

The amendment of Senate, substituting a new Section for Section 2, was concurred in. The House refused to concur in the other Senate amendments, striking out the last Section.

Senate File No. 257: A Bill for an Act fixing the time of holding Courts in Pocahontas County. Read a first and second time.

On motion of Mr. Bracewell, the rule was suspended and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wason, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—83.

The nays were Messrs. Bass, Martin and Moser—3.

Absent or not voting, Messrs. Chase, Denlinger, Flint, McLennan, Quinn, West, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

On motion of Mr. Mitchell of Polk, leave of absence was granted to the Speaker, on account of illness.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following Report:

MR. SPEAKER:—The Joint Committee on Enrolled Bills, ask leave to report that they have examined and corrected Senate Files Nos. 73, 96, 250 and 251; also, House Files Nos. 18, 29, 74, 200, 217 and 242, and herewith present the same for your signature.

D. G. FRISBIE,

Chairman of House Committee.

Substitute for Senate File No. 90: A Bill for an Act making appropriation for the Hospital for the Insane. Read a first and second time, and on motion of Mr. Price, the rule was suspended and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Cleaves, Eaton, Frisbie, Fuller of Fay-

ette, Fuller of Harrison, Holyoke, Hollingsworth, Jackson, Kellogg, Lake, Lakin, Lane, Lowrie, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Moser, Nelson, Porter, Price, Rothrock, Rowles, Russell of Dallas, Schramm, Shipman, Stanton, Stevenson, Thompson, Van Anda, Walker, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth, Wright, Young and Mr. Speaker—53.

The nays were, Messrs. Bracewell, Converse, Curtiss, Cutler, Dorr, Dunlavy, Eichorn, Ferguson, Flint, Gault, Gibson, Glanville, Gordon, Hardie, Hudnutt, Hood, Knoll, Lorah, Martin, Maxwell, McGlothlen, Mitchell of Fremont, Parker, Pendleton, Russell of Jones, Sarver, Smeltzer, Speer, Stewart, Walton, Wetherall, Wilson of Pottawattamie—32.

Absent or not voting, Messrs. Chase, Denlinger, Fairall, Guthrie, Loomis, Quinn, West, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

Senate File No. 254: A Joint Resolution in relation to the claim of J. C. Walker and Brothers. Read a first and second time and referred to Committee on Claims.

Senate File No. 247: A Bill for an Act providing for the appointment of Commissioners to settle with the sureties of James D. Eads, late Superintendent of Public Instruction. Read a first and second time.

Mr. Van Anda moved to refer the Bill to the Committee on Schools and State University. The motion was lost.

Mr. Frisbie moved the indefinite postponement of the Bill, and upon this question the yeas and nays were demanded by Messrs. Gibson and Hudnutt, and were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Calfee, Converse, Curtiss, Ferguson, Frisbie, Gordon, Hudnutt, Holyoke, Lake, Lakin, Lorah, Maxwell, McCall, Meyer, Milburn, Nelson, Parker, Price, Rothrock, Russell of Jones, Van Anda, White, Whittemore, Wilcox and Wright—30.

The nays were, Messrs. Bracewell, Castor, Clark, Cleaves, Cutler, Dunlavy, Eaton, Eichorn, Fairall, Flint, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Hardie, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lane, Lowrie, Martin, McGlothlen, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Pendleton, Rowles, Russell of Dallas, Sarver, Schramm, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth and Young—51.

Absent or not voting, Messrs. Chase, Denlinger, Dorr, Guthrie, Loomis, McLennan, Porter, Quinn, Shipman, West, Wilson of Chickasaw, and Mr. Speaker.

The motion did not prevail.

Mr. Van Anda moved to amend by striking out all that portion

of the Bill giving authority to the Governor to appoint one of the Commissioners, and inserting Dr. L. Fuller of Fayette. The amendment was lost.

Mr. Martin moved that the rule be suspended and the Bill read a third time now.

Mr. Fairall moved the previous question, which was seconded by a majority of the House, and the question, "Shall the main question be now put?" was decided in the affirmative.

The question being upon the motion of Mr. Martin to suspend the rule and read the Bill a third time now, it prevailed. The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Bracewell, Castor, Cleaves, Cutler, Dunlavy, Eaton, Eichorn, Flint, Fuller of Harrison, Gault, Gibson, Glanville, Hardie, Hood, Jackson, Kellogg, Knoll, Lowrie, Martin, McGlothlen, McQuinn, Mitchell of Polk, Moser, Schramm, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Walker, Wasson, Wetherall, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth and Young—38.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Calfee, Clark, Converse, Curtiss, Dorr, Fairall, Ferguson, Frisbie, Fuller of Fayette, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Lake, Lakin, Lane, Loomis, Lorah, Maxwell, McCall, Meyer, Milburn, Mitchell of Fremont, Moir, Nelson, Parker, Porter, Price, Rothrock, Rowles, Van Anda, Walton, White, Whittemore, Wilcox, and Wright—42.

Absent or not voting, Messrs. Chase, Denlinger, McLennan, Mercer, Pendleton, Quinn, Russell of Jones, Russell of Dallas, Sarver, Shipman, West, Wilson of Chickasaw, and Mr. Speaker.

The Bill was rejected.

Mr. Lake moved to reconsider the vote by which the Bill was rejected.

Mr. Frisbie moved to lay the motion on the table.

Mr. Lowrie moved a call of the House, which was seconded.

The Clerk proceeded to call the roll. The following gentlemen were absent and not excused, Messrs. Mercer and Flint.

Mr. Van Anda moved that further proceedings under the call be suspended. The motion prevailed.

The question recurring upon the motion of Mr. Frisbie to lay the motion to reconsider, on the table, the yeas and nays were demanded by Messrs. Hardie and Martin, and were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Calfee, Converse, Curtiss, Dorr, Ferguson, Frisbie, Fuller of Fayette, Gordon, Guthrie, Hudnutt, Holkoake, Hollingsworth, Lake, Lakin, Lane, Loomis, Lorah, Maxwell, McCall, Meyer, Milburn, Moir, Nelson, Parker, Porter, Price, Rothrock, Russell of Jones, Van Anda, White, Whittemore and Wright—38.

The nays were, Messrs. Bracewell, Castor, Clark, Cleaves, Cut-

ler, Dunlavy, Eaton, Eichorn, Fairall, Flint, Fuller of Harrison, Gault, Gibson, Glanville, Hardie, Hood, Jackson, Kellogg, Knoll, Lowrie, Martin, McGlothlen, McQuinn, Mitchell of Fremont, Mitchell of Polk, Moser, Pendleton, Rowles, Russell of Dallas, Sarver, Schramm, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth and Young—46.

Absent or not voting, Messrs. Chase, Denlinger, McLennan, Mercer, Quinn, Shipman, West, Wilson of Chickasaw and Mr. Speaker—9.

The motion was lost.

The question recurring upon the motion of Mr. Lake to reconsider the vote by which the Bill was lost, it prevailed.

Mr. Bracewell moved to reconsider the vote by which the Bill was ordered to a third reading. The motion prevailed.

Mr. Van Anda moved to refer the Bill to the Committee on Schools and State University. The motion prevailed.

Mr. Bracewell, by leave, offered the following resolution :

Resolved, That, in view of the firmness, impartiality and marked ability with which Hon. Rush Clark has discharged the duties of Speaker of this House for the present session, proof of which may be found in the fact that no appeal has been taken to the House by any member thereof, from any decision of his, therefore, in testimony of our appreciation of his faithful services as Speaker, we tender to him the Chair he has so ably filled, with honor to himself and honor the General Assembly of the State of Iowa.

Mr. Bowdoin, from Committee on Ways and Means, by leave, reported back to the House Senate File No. 239 : A Bill for an Act fixing the salary of the Adjutant General of the State of Iowa, and recommended its reference to the Military Committee. The Bill was so referred.

Also ; Senate File No. 169 : A Bill for an Act to prevent the further issuing or sale of State Bonds on account of the War and Defense Fund of the State and recommend that it do not pass.

Also ; House File No. 324 : A Bill for an Act to provide for the publication and distribution of the Laws of the Ninth General Assembly, and recommended its passage.

Mr. Bowdoin, from Committee on Ways and Means, by leave, reported back to the House Senate File No. 239 : A Bill for an Act fixing the salary of the Adjutant General of the State of Iowa, and recommended its reference to the Military Committee. The Bill was so referred.

Also ; Senate File No. 169 : A Bill for an Act to prevent the further issuing or sale of State Bonds, on account of the War and Defense Fund of the State, and recommend that it do not pass.

Also ; House File No. 324 : A Bill for an Act to provide for the

publication of the Laws of the Ninth General Assembly, and recommend its passage.

Mr. Kellogg, from Committee on Military Affairs, by leave, introduced House File No. 349, substitute for House File No. 261 and Senate File No. 117 and Senate substitute for Senate File No. 117: A Bill for an Act amendatory of an Act entitled an Act providing for auditing all accounts and disbursements arising under the call for volunteers from Iowa; and also for all men organized as the State Militia of Iowa. Read a first and second time, and passed upon the files.

The Minority of the Committee submitted the following report:

The undersigned objects to the policy adopted by the Majority of the Military Committee:

FIRST. Because they recommended the payment of the officers and soldiers under the commands of Cols. Edwards, Morledge, Moore and others, during the time said commands remained in Missouri. This State is not liable, legally or equitably, to pay said claim for the reasons that the Governor of Iowa had no authority of law to order said troops into a neighboring State, and they did not go in pursuance to his command, but at the urgent request of Major General Fremont, Generals Pope, Prentiss and others, and said troops were under the direction of said Federal Officers after they had crossed the Iowa line; that said Colonels of Iowa troops, or at least one of them, expected and looked for their pay from the United States; that the payment of these illegal claims, in preference to those of our own citizens, who gave their all, upon the credit of the State in the time of need, is unjust.

SECOND. Because they think it impolitic to, at this time, to pay the just claims of counties, towns and corporations, assigning as a reason therefor, that if a county be paid one thousand dollars by the State, said county will have to be taxed a like amount — in reality taking from one pocket and placing it in the other. The fallacy of this reasoning is apparent. When a county is paid a certain sum by the State, in warrants on the "War and Defense Fund," that amount is made an offset to the Federal Tax, which is payable in gold or its equivalent, so that the more claims of counties, towns, corporations or individuals, provided they be legal, the less will be the levy for the Federal Tax.

I, therefore, recommend that the Bill reported by the Majority be indefinitely postponed, and a Bill in conformity to the foregoing suggestions be passed.

All of which is respectfully submitted.

McLENNAN, of Dubuque.

Mr. Williams, of Mahaska, called up his motion to reconsider the vote by which House file File No. 258: A Bill for an Act for the protection of fruit was rejected. The motion to reconsider prevailed.

On motion of Mr. Williams, of Mahaska, the Bill was referred to the Committee on Agriculture.

On motion of Mr. Price, Senate File No. 252: A Bill for an Act to change and fix the times of holding Courts in the Seventh Judicial District, was taken from the files and referred to the members from said district.

Leave of absence was granted to Mr. Stevenson for the remainder of the session.

On motion of Mr. Van Anda, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
WEDNESDAY, April 2, 1862. }

House met pursuant to adjournment.

The Speaker being absent on account of illness, the Chief Clerk called the House to order and announced that the election of a Speaker *pro tem.* would be in order.

Messrs. Rothrock and Kellogg were put in nomination.

Mr. Rothrock having received a majority of all the votes cast was duly declared Speaker *pro tem.*

On motion of Mr. Kellogg, a Committee of two, consisting of Messrs. Kellogg and Stanton, were appointed to conduct the Speaker *pro tem.* to the Chair.

The Committee proceeded to the discharge of their duties and conducted the Speaker *pro tem.* to the Chair.

Prayer by Rev. Mr. Nash.

Journal of yesterday read and approved.

PETITIONS.

Mr. Williams of Des Moines presented the petition of B. J. Hall and other citizens of Des Moines County, for the remission of a fine against Peter Smith. Referred to Committee on Judiciary.

Mr. Pendleton presented a communication from Judge Grakely, asking for changes in law in regard to the trial of cases. Referred to Committee on Judiciary.

Message from the Senate:

MR. SPEAKER: I am directed to inform your Honorable Body that the Senate has passed Senate File No. 166: A Bill for an Act to amend and consolidate an Act passed by the Board of Education, December 24, 1859, entitled an Act to amend an Act entitled an

Act to provide a system of Common Schools and the amendments thereto.

Senate File No. 255: A Bill for an Act to provide for the publication, distribution, and transcribing of the Journals of the Ninth General Assembly.

Senate File No. 256: An Act to apportion the State into Senatorial Districts.

W. F. DAVIS, Secretary.

REPORTS OF COMMITTEES.

Mr. Converse, from Committee on Agriculture, submitted the following Report.

The Committee on Agriculture to whom was referred Senate File No. —: A Bill for an Act for taking up Estray Animals, have have the same under consideration, and have directed me to report the same back to the House and recommend its passage.

A. CONVERSE, Chairman.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following Report:

The Joint Committee on Enrolled Bills ask leave to report that they have delivered to the Governor for his approval Senate Files Nos. 73, 96, 250 and 251, also House Files Nos. 18, 29, 74, 200, 202, 217, and 242.

D. G. FRISBIE,

Chairman of House Committee.

Mr. Russell of Jones, by leave, introduced the following Resolution:

Resolved, That the Committee on Ways and Means are hereby instructed to report back to this House Senate Bill fixing the salaries of State Officers, with their action thereon on or before tomorrow morning.

Mr. Moir moved to lay the Resolution on the table. The motion was lost. The Resolution was adopted.

MESSAGES ON THE TABLE.

Senate File No. 166: A Bill for an Act to amend and consolidate an Act passed by the Board of Education, December 24, 1859, entitled an Act to amend an Act entitled an Act to provide a system of Common Schools and the amendments thereto. Read a first and second time and referred to Committee on Schools and State University.

Senate File No. 256: A Bill for an Act to apportion the State into Senatorial Districts. Read a first and second time.

Mr. Williams of Mahaska moved that the rule be suspended and the Bill read a third time now.

Mr. Cutler moved its reference to the Committee on Senatorial and Representative Districts.

Mr. Martin moved to amend by instructing the Committee to provide that there shall not be more than 30 Senatorial Districts in the State, and upon this question the yeas and nays were demanded by Messrs. Martin and Smeltzer and were as follows :

The yeas were, Messrs. Bracewell, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Gibson, Glanville, Hood, Jackson, Kellogg, Knoll, Lorah, Martin, McGlothlen, McLennan, Schramm, Smeltzer, Speer, Stewart, Walton, Wilson of Pottawattamie, Woodworth, Young—26.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Guthrie, Huddnutt, Holyoke, Hollingsworth, Jackson, Lake, Lakin, Lane, Lowrie, Maxwell, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Stanton, Stevenson, Thompson, Van Anda, Walker, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wright, and Young—59.

Absent or not voting, Messrs. Calfee, Chase, Denlinger, Hardie, Loomis, McLennan, Quinn, Wetherall, West, Wilson of Chickasaw and Mr. Speaker—11.

The amendment did not prevail.

The question recurring upon the motion of Mr. Cutler to refer to Committee on Senatorial and Representative Districts, it was lost.

Mr. Curtiss moved to amend by striking from the Thirty-Ninth District the Counties of Hardin, Butler, Grundy and Franklin, and attach thereto the County of Buchanan.

Mr. Bracewell moved to amend by striking Wayne from the Fifth District and attach to the Sixth.

Mr. Frisbie moved the previous question, which was seconded by a majority of the House; and the question, "Shall the main question be now put?" it was decided in the affirmative.

The question being upon the amendment of Mr. Bracewell, it was lost.

The question recurring upon the amendment of Mr. Curtiss, it did not prevail.

The question being upon the motion of Mr. Williams of Mahaska, to suspend the rule and order the Bill to a third reading now, it prevailed.

Mr. Pendleton moved that the Bill be referred to the Committee on Senatorial and Representative Districts. The motion did not prevail.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Burton, Cas-

tor, Clark, Cleaves, Converse, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Guthrie, Holyoke, Hollingsworth, Jackson, Lake, Lakin, Lane, Lowrie, Maxwell, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Stanton, Stevenson, Van Anda, Walker, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth, Wright, and Young—53.

The nays were, Messrs. Bass, Bracewell, Calfee, Curtiss, Cutler, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Gibson, Hudnutt, Hood, Kellogg, Knoll, Lorah, Martin, McGlothlen, Mitchell of Fremont, Moir, Smeltzer, Speer, Stewart, Thompson, Walton, Wetherall, and Wilson of Pottawattamie—29.

Absent or not voting, Messrs. Chase, Denlinger, Glanville, Hardie, Loomis, McLennan, Quinn, Schramm, Shipman, West, Wilson of Chickasaw, and Mr. Speaker.

The Bill passed and the title was agreed to.

Mr. Sarver moved to reconsider the vote by which the Bill was passed.

Mr. Kellogg moved to lay this motion on the table, and upon this question the yeas and nays were demanded by Messrs. Curtiss and Smeltzer, and were as follows :

The yeas were, Messrs. Baker, Blackford, Bowdoin, Burton, Clark, Converse, Dorr, Eaton, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Guthrie, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Lake, Lakin, Lane, Lowrie, Martin, Maxwell, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moser, Nelson, Parker, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Stanton, Stevenson, Van Anda, Walker, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth, Wright, and Young—54.

The nays were, Messrs. Bass, Bracewell, Calfee, Castor, Cleaves, Curtiss, Cutler, Dunlavy, Eichorn, Ferguson, Flint, Gault, Gibson, Hudnutt, Knoll, Lorah, McGlothlen, Mitchell of Fremont, Moir, Pendleton, Sarver, Smeltzer, Speer, Stewart, Thompson, and Wilson of Pottawattamie—26.

Absent or not voting, Messrs. Chase, Denlinger, Glanville, Hardie, Loomis, McLennan, Quinn, Schramm, Shipman, Walton, West, Wilson of Chickasaw, and Mr. Speaker.

The motion prevailed.

Senate File No. 255: A Bill for an Act to provide for the publication, distribution and transcribing of the journals of the Ninth General Assembly. Read a first and second time.

Mr. McQuinn moved that the rule be suspended and the Bill read a third time now.

Mr. Price moved to strike out "three copies," and insert "one copy." The motion was lost.

Mr. Stanton moved to amend by extending the time, in which Journals shall be published, to ninety days.

Mr. Sarver moved to amend the amendment by striking out "ninety days," and inserting "sixty days."

Mr. Frisbie moved the previous question, which was seconded by a majority of the House.

And the question, "Shall the main question be now put?" was decided in the affirmative.

The question being upon the amendment to the amendment, it was lost.

The question recurring upon the amendment of Mr. Stanton, the yeas and nays were demanded by Messrs. Hardie and Lake and were as follows :

The yeas were, Messrs. Baker, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Cleaves, Curtiss, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Gordon, Guthrie, Hollingsworth, Kellogg, Lake, Lakin, Lane, McCall, McQuinn, Meyer, Milburn, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Russell of Dallas, Shipman, Stanton, Van Anda, Wasson, White, Whittemore, Williams of Mahaska, Wright and Young—43.

The nays were, Messrs. Bass, Bracewell, Converse, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Hardie, Hudnutt, Hood, Jackson, Knoll, Lorah, Lowrie, Martin, Maxwell, McGlothlen, Mercer, Mitchell of Fremont, Moser, Rowles, Russell of Jones, Sarver, Smeltzer, Speer, Stevenson, Stewart, Thompson, Walker, Walton, Wetherall, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, and Woodworth—37.

Absent or not voting, Messrs. Chase, Cutler, Denlinger, Gault, Glanville, Holyoke, Loomis, McLennan, Quinn, Schramm, West, Wilson of Chickasaw, and Mr. Speaker.

The amendment prevailed.

Mr. Kellogg moved to reconsider the vote by which Mr. Stanton's amendment was adopted.

Mr. Moir moved to lay the motion on the table. The motion to lay on the table prevailed.

The question recurring upon the motion of Mr. McQuinn to suspend the rule and read the Bill a third time now, the yeas and nays were demanded by Messrs. Smeltzer and Stewart, and were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Calfee, Clark, Cleaves, Curtiss, Cutler, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Holyoke, Hollingsworth, Lake, Lakin, Lane, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moser, Parker, Pendleton, Porter, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Shipman, Stanton, Stevenson, Van Anda, Wasson, White, and Wright—40.

The nays were, Messrs. Bracewell, Castor, Converse, Dorr, Dun-

lavy, Eichorn, Fairall, Ferguson, Flint, Gibson, Gordon, Guthrie, Hardie, Hudnutt, Hood, Jackson, Kellogg, Knoll, Lorah, Martin, Maxwell, McGlothlen, Mitchell of Fremont, Moir, Price, Sarver, Smeltzer, Speer, Stewart, Thompson, Walker, Walton, Wetherall, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, and Young—40.

Absent or not voting, Messrs. Chase, Denlinger, Gault, Glanville, Loomis, Lowrie, McLennan, Nelson, Quinn, Schramm, West, Wilson of Chickasaw, and Mr. Speaker.

The motion did not prevail.

Mr. Castor moved to amend by striking out "Five hundred" in reference to compensation of Clerk and Secretary and insert "three hundred."

Mr. Woodworth moved to amend by inserting "four hundred." Lost.

The question recurring upon the amendment of Mr. Castor it was lost.

Mr. Smeltzer offered the following amendment: "Provided that the Clerks shall not receive the last payment until they shall have certified under oath that they have distributed the Journals according to the provisions of this Act." The amendment was adopted.

Mr. McQuinn moved that the rule be suspended and the Bill ordered to a third reading now. The motion prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Blackford, Bowdoin, Bracewell, Burton, Calfee, Clark, Cleaves, Curtiss, Cutler, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Guthrie, Holyoke, Hollingsworth, Lake, Lakin, Lane, Lowrie, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Shipman, Stanton, Stevenson, Thompson, Van Anda, Walker, Walton, Wasson, White, Whittemore, Williams of Mahaska, Wright, and Young—49.

The nays were, Messrs. Baker, Bass, Castor, Converse, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gordon, Hardie, Hudnutt, Hood, Jackson, Kellogg, Knoll, Lorah, Martin, Maxwell, Mitchell of Fremont, Moir, Sarver, Smeltzer, Speer, Stewart, Wetherall, Williams of Des Moines, Wilson of Pottawattamie and Woodworth—34.

Absent or not voting, Messrs. Chase, Denlinger, Gault, Gibson, Glanville, Loomis, McLennan, Schramm, West, Wilcox, Wilson of Chickasaw and Mr. Speaker.

The Bill passed and the title was agreed to.

Mr. Lane moved to take from the table House File No. 276: A Bill for an Act for the enrollment, organization, discipline and government of the Militia of the State, and upon this question the yeas

and nays were demanded by Messrs. Stewart and Ferguson and were as follows :

The Yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Converse, Curtiss, Cutler, Dorr, Eaton, Fairall, Fuller of Fayette, Gibson, Gordon, Hudnutt, Hollingsworth, Jackson, Kellogg, Lakin, Lane, Maxwell, McCall, McQuinn, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Jones, Sarver, Shipman, Stanton, Stevenson, Thompson, Van Anda, Walker, Walton, Wasson, White, Whittemore, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth and Wright—56.

The nays were, Messrs. Bracewell, Dunlavy, Eichorn, Ferguson, Flint, Frisbie, Fuller of Harrison, Gault, Guthrie, Hardie, Holyoke, Hood, Knoll, Lorah, Lowrie, Martin, McGlothlen, Meyer, Smeltzer, Speer, Stewart Wetherall and Wilcox—23.

Absent or not voting, Messrs. Chase, Cleaves, Denlinger, Glanville, Lake, Loomis, McLennan, Quinn, Russell of Dallas, Schramm, West, Wilson of Chickasaw, Young and Mr. Speaker.

The motion prevailed.

Mr. Shipman moved to recommit the Bill to the committee on Military Affairs. The motion prevailed.

On motion of Mr. Wilcox the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Mitchell of Polk moved to take from unfinished business Senate File No. 152: A Bill for an Act to permanently locate the Asylum or Institution for the Education of the Deaf and Dumb, and place it on the files. The motion prevailed.

Mr. Bracewell moved that when this House adjourn it be until to-morrow morning, and upon this question the yeas and nays were demanded by Moir and Maxwell and were as follows :

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Calfee, Converse, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Gordon, Hardie, Holyoke, Hollingsworth, Hood, Knoll, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, McCall, McGlothlen, McQuinn, Mercer, Meyer, Mitchell of Polk, Parker, Pendleton, Price, Rowles, Sarver, Shipman, Smeltzer, Stanton, Stewart, Walker, Walton, Wasson, White, Whittemore, Williams of Mahaska, Wilson of Pottawattamie, Wright, and Young—52.

The nays were, Messrs. Bass, Castor, Clark, Cleaves, Curtiss,

Cutler, Dorr, Gault, Guthrie, Hudnutt, Jackson, Kellogg, Maxwell, Milburn, Mitchell of Fremont, Moir, Nelson, Rothrock, Russell of Dallas, Russell of Jones, Speer, Van Anda, Wilcox, Williams of Des Moines and Woodworth—25.

Absent or not voting, Messrs. Chase, Denlinger, Eaton, Glanville, Lake, McLennan, Moser, Porter, Quinn, Schramm, Stevenson, Thompson, Wetherall, West, Wilson of Chickasaw and Mr. Speaker.

The motion prevailed.

Mr. Young from Committee on Judiciary, by leave, submitted the following report :

The Judiciary Committee to whom was referred Senate File No. 246: A Bill for an Act for the relief of the widow and children of Joseph Ketterer, deceased, have had the same under consideration, and have directed me to report the same back to the House and recommend its passage.

YOUNG, Chairman.

Mr. Flint from Committee on House File No. 91, by leave, submitted the following report :

The special Committee to whom was referred House File No. 91: have had the same under consideration and have requested me to report the following Substitute therefor, and recommend its passage.

J. H. FLINT.

BILLS ON SECOND READING.

Senate File No. 258 : A Bill for an Act to provide for the taking up of Estray Animals.

Mr. Shipman moved that the rule be suspended and the Bill read a third time now.

Mr. Cutler moved to amend after the word "County," in 5th line, of Section 5, insert "and the publishers of said paper shall forward a copy of said notice to the District Clerk of each organized county of the State." The amendment was lost.

The question recurring upon the motion of Mr. Shipman to suspend the rule and read the Bill a third time now, it prevailed.

The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtis, Cutler, Dunlavy, Eaton, Eichorn, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Lakin, Lane, Loomis, Lowrie, Martin, Maxwell, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Speer, Stanton, Stevenson, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall,

White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth, Wright and Young—73.

The nays were, Messrs. Dorr, Fairall, Gault, Knoll, Lorah, McGlothlen, Mitchell of Fremont, Smeltzer, Stewart and Wilson of Pottawattamie—10.

Absent or not voting, Messrs. Chase, Denlinger, Glanville, Lake, McLennan, Quinn, Schramm, West, Wilson of Chickasaw and Mr. Speaker.

House File No. 337: A Bill for an Act to amend an Act for the suppression of Intemperance, approved January 22, 1855, being chapter 64 of the Revision of 1860.

Mr. Moir moved that the rule be suspended and the Bill read a third time now.

Mr. Kellogg moved to strike out all after the repealing clause, and upon this question the yeas and nays were demanded by Messrs. Meyer and Fairall, and were as follows:

The yeas were, Messrs. Bass, Bracewell, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Gibson, Glanville, Guthrie, Hardie, Hudnutt, Hood, Kellogg, Knoll, Lakin, Lorah, Martin, McGlothlen, Moser, Smeltzer, Speer, Stewart, Thompson, and Van Anda—26.

The nays were, Messrs. Baker, Blackford, Bowdoin, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Holyoke, Hollingsworth, Jackson, Loomis, Maxwell, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Porter, Price, Rothrock, Rowles, Sarver, Schramm, Shipman, Stevenson, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Wilson of Pottawattamie, Woodworth, and Wright—49.

Absent or not voting, Messrs. Burton, Chase, Denlinger, Lake, Lane, Lowrie, McLennan, Pendleton, Quinn, Russell of Dallas, Russell of Jones, Stanton, West, Williams of Des Moines, Williams of Mahaska, Wilson of Chickasaw, Young and Mr. Speaker—18.

The amendment was not adopted.

The question recurring upon the motion of Mr. Moir to suspend the rule and order the Bill to a third reading now, it prevailed, the Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Holyoke, Hollingsworth, Jackson, Lane, Loomis, Maxwell, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Porter, Price, Rothrock, Rowles, Sarver, Schramm, Shipman, Stanton, Stevenson, Van Anda, Walker, Walton, Wasson, White, Whittemore, Wilcox, and Woodworth—49.

The nays were, Messrs. Calfee, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Hood, Kellogg, Knoll, Lakin, Lorah, Lowrie, Martin, McGlothlen, Nelson, Parker, Smeltzer, Speer, Stewart, Thompson, Wetherall, Williams of Des Moines, Wilson of Pottawattamie, and Wright—31.

Absent or not voting, Messrs. Burton, Chase, Denlinger, Lake, McLennan, Pendleton, Quinn, Russell of Dallas, Russell of Jones, West, Williams of Mahaska, Wilson of Chickasaw, Young, and Mr. Speaker—14.

The Bill passed and the title was agreed to.

Mr. Mitchell, of Fremont, moved to reconsider the vote by which the Bill was passed.

Mr. Lowrie, by leave, introduced House File No. 350: A Bill for an Act to repeal so much of the Act passed at the present Session of this General Assembly, as makes the Notes of the Branches of the State Bank receivable for State and Federal taxes. Read a first and second time and referred to the Committee on Judiciary.

House File No. 329: A Bill for an Act to amend Section 1851 of the Revision of 1860, relating to mechanics' liens.

On motion of Mr. Kellogg, the rule was suspend and the Bill read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Castor, Clark, Converse, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, and Young—80.

The nays were, Mr. Moser—1.

Absent or not voting, Messrs. Bass, Calfee, Chase, Cleaves, Denlinger, McLennan, Quinn, Russell of Dallas, West, Wilson of Chickasaw, and Mr. Speaker.

The Bill passed and the title was agreed to.

House File No. 250: A Bill for an Act to provide for the publication of the laws of a general nature of the Ninth General Assembly in certain German newspapers, and for the translation thereof.

Mr. Meyer moved that the rule be suspended and the Bill read a third time now. The motion prevailed, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Bass, Blackford, Bowdoin, Bracewell, Burton, Castor, Clark, Converse, Curtiss, Cutler, Dorr, Eichorn, Fairall, Frisbie, Fuller of Harrison, Glanville, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McQuinn, Mercer, Meyer, Milburn, Moir, Parker, Pendleton, Price, Rothrock, Rowles, Russell of Jones, Sarver, Schramm, Shipman, Stanton, Stevenson, Van Anda, Walker, Walton, Wetherall, White, Wilcox, Williams of Des Moines, and Williams of Mahaska—56.

The nays were, Messrs. Baker, Calfee, Dunlavy, Ferguson, Flint, Gault, Gibson, Gordon, Guthrie, McGlothlen, Mitchell of Fremont, Moser, Stewart, Thompson, and Woodworth—15.

Absent or not voting, Messrs. Chase, Cleaves, Denlinger, Eaton, Fuller of Fayette, Lake, McLennan, Mitchell of Polk, Nelson, Porter, Quinn, Russell of Dallas, Smeltzer, Speer, Wasson, West, Whittemore, Wilson of Chickasaw, Wilson of Pottawattamie, Wright, Young and Mr. Speaker.

The Bill passed and the title was agreed to.

House File No. 294: A Bill for an Act to legalize the acts of George W. Clark, Notary Public.

Mr. Meyer moved to suspend the rule and read the Bill a third time now. The motion prevailed. The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Converse, Curtiss, Cutler, Dunlavy, Eichorn, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, White, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, and Young—69.

The nays were, Messrs. Bracewell, Dorr, Ferguson, Flint, Gault, Glanville, Knoll, McGlothlen, Smeltzer, Van Anda and Wilcox—10.

Absent or not voting, Messrs. Chase, Cleaves, Denlinger, Eaton, Hardie, McLennan, Mitchell of Polk, Quinn, Russell of Dallas, West, Whittemore, Wilson of Chickasaw and Mr. Speaker.

The Bill passed and the title was agreed to.

House File No. 310: A Bill for an Act to amend Section 9, of the Act of July 14th, 1856, conferring Lands on certain Rail Road Companies.

Mr. Bowdoin moved that the further consideration of the Bill be

postponed until 2 o'clock, P. M., to-morrow. The motion prevailed.

House File No. 349: A Substitute for House File No. 261, and Senate File No. 117, and Substitute for Senate File No. 117: A Bill for an Act amendatory of an Act entitled an Act providing for auditing all accounts and disbursements arising under the call for Volunteers from Iowa, and also for all men organized as the State Militia of Iowa.

Mr. Gordon moved that the rule be suspended and the Bill read a third time now.

Mr. Fairall moved a call of the House, which was seconded. The Clerk called the roll. Absent and not excused, Messrs. Milburn and Young.

On motion of Mr. Moir, further proceedings under the call were suspended.

Mr. Kellogg moved to amend Section 1 as follows: "Provided that nothing in this Section shall apply to Section 7 of this Act." The amendment prevailed.

Mr. Fairall moved to amend Section 2, as follows: "Provided the same shall have been exclusively furnished (and used) in the State of Iowa."

Mr. Lowrie moved to amend Section 4, as follows: After "Company" in fifth line, insert, "and all Iowa troops."

On motion of Mr. Loomis, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Des Moines, April 3, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Schaffer.

On motion of Mr. Bracewell the reading of the Journal of yesterday was suspended.

Message from the Senate, by Wm F. Davis, their Secretary:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed Substitute for Senate File No. 32: A Bill for an Act to require officers of Rail Road Companies to reside within the State of Iowa, and defining their duties.

House File No. 209: A Substitute for House File No. 24 and 25: A Bill for an Act in relation to the duties and liabilities of Rail Road Companies, with the following amendments:

Strike out the 1st, 2d, 3d and 4th Sections, except the enacting clause, and in first line of Section 5, strike out the words, "In ad-

dition to the annual report required by Section 1st, of this act," and insert after "each," "Railroads." In tenth line of Section 6, strike out "and" and insert before "grades" and "fourth."

In sixteenth line of Section 6, before "neglecting," insert "willfully."

In the twenty-second line, after "person," insert "injured thereby and." Strike out of second line, in Section 9, "personally."

In Section 10, sixth line, after "large," insert "at all points where said roads have the right to fence."

In twenty-second line, strike out "fail" and insert "neglect."

In twenty-fifth line, after "given," insert "accompanied by an affidavit of the injury or destruction of said property."

In twenty-sixth line, after "any," insert "Station or Ticket."

In the second line of Section 12, before "agent," insert "Station or Ticket."

In fourth line of Section 13, strike out "be in existence," and before "hereafter" insert "be," and before "except" insert "executed."

Strike out of Section 14, all after "homes" in fifth line.

In all of which the concurrence of the House is asked.

W. F. DAVIS, Secretary of Senate.

Mr. Mercer, from Committee on Claims, submitted the following Report:

Your Committee, to whom was referred a "Joint Resolution," being Senate File No. 254, have had the same under consideration, and have instructed me to report back said Resolution and recommend its passage.

Respectfully submitted,

THOMAS MERCER,

Chairman of the Committee on Claims.

Mr. Mercer moved the adoption of the Joint Resolution, being Senate File No. 254: A Joint Resolution in relation to the Claim of J. C. Walker & Brothers.

Mr. Fairall moved to amend by striking out "the State of Iowa" and inserting "the Des Moines River Improvement." The amendment was adopted.

Mr. Dorr moved to lay the Resolution on the table. The motion was lost.

Mr. Lane offered the following amendment: "Provided that if said Claim shall be allowed, it shall be paid or satisfied alone from lands of the Des Moines River Grant, and the State of Iowa shall never be liable therefor." The amendment was adopted.

The question recurring upon the adoption of the Resolution, the yeas and nays were demanded by Messrs. Moir and Maxwell, and were as follows:

The yeas were; Messrs. Baker, Bowdoin, Bracewell, Burton, Caffee, Dunlavy, Eaton, Eichorn, Fairall, Flint, Gault, Gibson, Guthrie, Hollingsworth, Hood, Jackson, Kellogg, Lane, Lowrie, McCall,

McGlothlen, McQuinn, Mercer, Mitchell of Polk, Moser, Rowles, Sarver, Schramm, Smeltzer, Stevenson, Stewart, Thompson, Walker, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, and Woodworth—37.

The nays were, Messrs. Bass, Blackford, Castor, Clark, Converse, Curtiss, Cutler, Dorr, Ferguson, Frisbie, Fuller of Fayette, Gordon, Hudnutt, Knoll, Lake, Lane, Loomis, Lorah, Martin, Maxwell, McLennan, Meyer, Mitchell of Fremont, Moir, Nelson, Parker, Price, Rothrock, Russell of Jones, Shipman, Speer, Stanton, Van Anda, Walton, Wasson, Wetherall, White, Whittemore, Wilcox and Wright—40.

Absent or not voting, Messrs. Chase, Cleaves, Denlinger, Fuller of Harrison, Glanville, Hardie, Holyoke, Milburn, Pendleton, Porter, Quinn, Russell of Dallas, Shipman West, Wilson of Chickasaw, Young and Mr. Speaker.

The Resolution was lost.

Mr. Bass, by leave, introduced the following Resolution :

Resolved, That no member shall speak more than five minutes to any motion, without the consent of the House. The Resolution was adopted.

Mr. Hardie, from Committee on Agriculture, submitted the following Report :

The Committee on Agriculture, to whom was referred House File No. 258, have had the same under consideration, and have instructed me to report the following Substitute, said Substitute being the same as the original Bill, except that it shall be made to appear, in order to a prosecution, that the person or persons entered the enclosure maliciously or mischievously. The Committee, with the exception of one member, being convinced of the necessity of the measure, recommend the adoption and passage of the Substitute.

THOMAS HARDIE.

The Committee introduced Substitute for House File No. 258: A Bill for an Act for the protection of Fruit. The Substitute was adopted.

Mr. Hardie moved that the rule be suspended and the Bill read a third time now. The motion prevailed. The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Bass, Bowdoin, Bracewell, Burton, Caffee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Guthrie, Hardie, Hudnutt, Holyoke, Hood, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lorah, McCall, McLennan, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Nelson, Porter, Rowles, Russell of Dallas, Russell of Jones, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Whittemore, Wilcox and Woodworth—54.

The nays were, Messrs. Baker, Blackford, Dunlavy, Ferguson, Flint, Glanville, Gordon, Hollingsworth, Kellogg, Lowrie, Martin, Maxwell, McGlothlen, McQuinn, Mitchell of Fremont, Moser, Parker, Price, Rothrock, Sarver, Schramm, Shipman, Smeltzer, Walker, Walton, Wasson, Wetherall, White, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, and Wright—32.

Absent or not voting, Messrs. Chase, Pendleton, Quinn, West, Wilson of Chickasaw, Young and Mr. Speaker.

The Bill passed and the title was agreed to.

Mr. Martin, from Committee on Ways and Means, submitted the following report :

The Committee on Ways and Means, to whom was referred substitute for Senate File No. 99 : An Act to change and fix the salaries of the Judges of the Supreme and District Courts, and of certain State Officers have, according to order, had the same under consideration, and a majority of your Committee have instructed me to report the same back without amendment, with a recommendation that it do pass.

H. M. MARTIN,
G. A. GORDON,
G. L. BASS,
S. L. LORAH,
J. W. WILLIAMS.
T. C. McCALL.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: The Joint Committee on Enrolled Bills ask leave to report that they have examined and corrected Senate Files 68, 90, 227, 242 ; and also House Files 6 and 79, and present the same for your signature.

D. G. FRISBIE,
Chairman House Committee.

Mr. Williams, of Mahaska, from Committee on Judiciary, submitted the following reports :

The Judiciary Committee, to whom was referred House File No. 234 : A Bill for an Act to amend Chapter 58, of the Revision of 1860, in relation to Bastardy, have had the same under consideration, and I am directed to report the same back to the House, and recommend that it do not pass.

WILLIAMS, of Mahaska.

The Judiciary Committee, to whom was referred House File No. 236 : A Bill for an Act to amend Chapter 58 of the Revision of 1860, in relation to illegitimate children, have examined the same and I am instructed to report the same back and recommend its passage with the amendments attached, being Sections 4, 5, 6 and 7.

WILLIAMS, of Mahaska.

The Judiciary Committee, to whom was referred House File No. 232: An Act relating to the fees of County Judges, have examined the same, and I am instructed to report the same back without amendment, and recommend its passage.

WILLIAMS, of Mahaska.

Mr. Williams, of Mahaska, from Judiciary Committee, introduced House File No. 351: A Bill for an Act to amend Section 2,849 of the Revision of 1860. Read a first and second time, and on motion of Mr. Williams, of Mahaska, the rule was suspended, and the Bill read a third time; and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Calfee, Castor, Clark, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Loomis, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth and Wright—81.

In the negative, Mr. Burton.

Absent or not voting, Messrs. Chase, Cleaves, Dunlavy, Gibson, Quinn, Smeltzer, Wetherall, West, Wilson of Chickasaw, Young and Mr. Speaker—11.

The Bill passed and the title was agreed to.

Mr. Porter from Committee on Schools and State University, submitted the following report:

The Committee on Schools and State University, to whom was referred Senate File No. 166 have had the same under consideration, and have directed me to report the same back with sundry amendments, and thus amended to recommend its passage.

J. R. PORTER.

Senate File No. 166: A Bill for an Act to amend and consolidate an Act passed by the Board of Education, December 24th, 1859, entitled an Act to amend an Act entitled an Act to provide a system of Common Schools, and the amendments thereto, reported back by Committee, was taken up.

Mr. White moved that the rule be suspended and the bill read a third time now.

The following amendments reported by Committee were adopted.

Insert the following immediately after Section 61 of printed bill and before "general provisions," The Act defining the duties of County Superintendents has been repealed by the House, and the

provisions defining his duties in the old law have been repealed by the Senate, in the passage of the printed bill of which it is now proposed to make this a part. Hence the necessity of the provisions contained in this amendment.

COMMITTEE.

COUNTY SUPERINTENDENT.

SECTION — A County Superintendent of Common Schools, shall be elected in each organized County in the State at the general election in October, 1863, and at the general election every two years thereafter: and the incumbents in office at the taking effect of this Act, shall continue in office until their successors are elected and qualified as herein provided.

SEC. — On the first day of January next succeeding the date of his election he shall take and subscribe the usual oath of office, and enter upon the discharge of his duties; and on his failure so to do, or if for any other cause, there should be a vacancy in the office, the Board of Supervisors shall appoint a person to fill such vacancy, who shall qualify within ten days after his appointment, and shall continue in office until the time prescribed for filling said office by election as herein provided; and should the person so appointed, fail to qualify within the time specified, such failure shall create a vacancy.

SEC. — On the last Saturday of each month he shall meet all persons desirous of passing an examination, and for the transaction of any other business within his jurisdiction, in some suitable room provided for that purpose by the Board of Supervisors, at the county seat, at which time he shall examine all such applicants for examination as to their competency and ability to teach orthography, reading, writing, arithmetic, geography and English grammar; and in making such examination he may at his option call to his aid one or more assistants.

SEC. — If the examination is satisfactory and the Superintendent is satisfied that the respective applicants possess a good moral character, and the essential qualifications for governing and instructing children and youth, he shall give them a certificate to that effect, for a term not exceeding one year.

SEC. — Any school officer or other person shall be permitted to be present at such examination, and the Superintendent shall make a record of the name, residence, age, and date of examination of all persons so examined, distinguishing between those to whom he issues certificates, and those rejected.

If any person shall make application for an examination at any other time, he shall pay the Superintendent a fee of one dollar before the examination is commenced as a compensation therefor; unless he presented himself on the regular day specified, and was

unable from no fault of his own, to obtain an examination, in which case no fee shall be required of him.

Sec. — If for any cause the County Superintendent cannot be present at the regular day thus fixed, he shall appoint one or more deputies to make the examination in his stead. He shall afterwards issue certificates to those who receive the recommendation of his deputies as aforesaid.

Sec. — The Superintendent may revoke the certificate of any teacher in the county, which was given by the Superintendent thereof, for any reasons which would have justified the withholding thereof when the same was given.

Sec. — On the 1st Monday in October in each year he shall make a report to the Secretary of the Board of Education, containing an abstract of the reports made to him by the respective district Secretaries, and such other matters as he shall be directed to report by the said Secretary of the Board of Education, and as he himself may deem essential in exhibiting the true condition of the schools under his charge, and shall at the same time file with the Clerk of the Board of Supervisors a statement of the number of persons between the ages of five and twenty-one years in each school district within his county.

Sec. — Should he fail to make either of the reports required in the last Section, he shall forfeit to the school fund of his county the sum of fifty dollars, and shall besides, be liable for all damages caused by such neglect.

Sec. — He shall at all times conform to the instructions of the Secretary of the Board of Education, as to matters within the jurisdiction of the said Secretary. He shall serve as the organ of communication between the Secretary and township or district authorities. He shall transmit to the townships, districts or teachers, all blanks, circulars and other communications which are to them directed.

Sec. — For the time necessarily spent in the discharge of his official duties, he shall receive the sum of two dollars per day, and at the same rate for every fraction of a day, to be paid from the county revenue; but, before he shall be entitled to such compensation he shall file a sworn statement of the time he has been so employed with the Clerk of the Board of Supervisors, and in a county having less than twenty-five sub-districts, his whole annual compensation, exclusive of fees paid by teachers for examination as herein provided, shall not exceed fifty dollars; and in any county having more than twenty five sub-districts, it shall not exceed, exclusive of such fees, two dollars for each sub-district.

EXPLANATION OF AMENDMENT.

The design of the following amendment is to include in the Bill in a concise and convenient form the provisions for the benefit of

school districts composed of towns or cities, as now in force (vaguely and imbiguously set forth) in parts XVIII and XIX, of pamphlet edition of School Laws; and, also, to provide for semi-annual, instead of annual, apportionments of school money. To accomplish these ends the following changes are necessary in addition to the Section embracing the body of the amendment which is to be inserted immediately after Section 71 of the printed Bill.

In Section 69 of the printed Bill insert the word "independent," immediately after the word "all," in the third line. In same Section strike out the words "under an Act to confer certain powers on towns and cities for school purposes," and insert the words "as hereinafter provided."

In Section 31 of the printed Bill, insert the word "semi," immediately before the word "annual," in the eighth line. In the second line of Section 55, of the printed Bill, insert immediately after the word "April," the words "and fourth Monday in September." In the sixth line of same Section insert immediately after the word "County," the words "and not included in any previous apportionment." At the close of Section 57, of printed Bill, insert the following: "and shall, also, on the second Monday in February and August of each year, make out and transmit to the Auditor of State in accordance with such form as the said Auditor may prescribe, a report of the interest of the school fund then in the hands of the County Treasurer, and not included in any previous apportionment, and, also the amount of said interest remaing unpaid."

Strike out Section 72, and insert the repealing Section (written) in this amendment.

COMMITTEE.

INDEPENDENT SCHOOL DISTRICTS.

SEC. — Any city or town containing within its surveyed limits not less than three hundred inhabitants, and certain territory contiguous thereto, may be constituted a separate school district in the manner hereinafter provided.

SEC. — At the written request of any ten legal voters, residing in such city or town, the Township Trustees shall establish the boundaries of the contemplated school district, including such contiguous territory as may best subserve the convenience of the people for school purposes, and shall give at least ten days, previous notice of the time and place for a meeting of the electors residing in said district, by posting written notices in at least five conspicuous places therein, at which meeting the said electors shall vote by ballot for or against a separate organization.

SEC. — Should a majority of the votes be cast in favor of such separate organization, the Township Trustees shall give similar notice of a meeting of the electors for the election of a President, Vice President, Secretary and Treasurer, who shall continue in office until

the next annual meeting thereafter, and three Directors, one of whom shall continue in office for one, one for two and one for three years from and after the next annual meeting thereafter, their respective terms of office to be determined by lot; and the said President, Vice President, Secretary, Treasurer and three Directors, shall constitute a Board of Directors for the District.

SEC. — Said meeting shall organize by appointing a President and Secretary, who shall act as judges of the election and issue a certificate of election to the persons elected.

SEC. — In case such School District is formed of parts of two or more civil townships in the same or adjoining Counties, the duty of giving the notice shall devolve upon the Trustees of the Township in which a majority of the legal voters of the contemplated School District reside.

SEC. — Said School District may have as many schools and be divided into such wards or other sub-divisions for school purposes, as the Board of Directors may deem proper, and shall be governed by the laws enacted for the regulation of District Townships, so far as the same may be applicable.

SEC. — The annual meeting of all independent school districts formed as herein contemplated, or under the laws in force at the passage of this Act, shall be held on the second Monday in March, for the transaction of the business of the District, and for the election by ballot of a President, Vice President, Secretary and Treasurer, who shall continue in office for one year, and one Director, as the successor of the one whose term expires, who shall continue in office for three years; and the President, Vice President and Secretary, then in office, shall act as judges of the election, and shall issue certificates of election to the persons elected for the ensuing term.

SEC. — Where an independent school district has been formed out of a civil township or townships, as herein contemplated, the remainder of such township, or of each of such townships, as the case may be, shall constitute a district township as provided in the first Section of this Act, and the boundaries between such district township and independent school district may be changed at any time with the concurrence of their respective Boards of Directors.

SPECIAL PROVISIONS.

SEC. — Any School District officer in office at the taking effect of this Act shall continue in office until the next regular election thereafter, as herein provided.

SEC. — The Auditor of State shall, on the first Monday in March and September of each year, apportion the interest of the permanent school fund among the several organized Counties of this State, in proportion to the number of persons between five and twenty-one years of age in each, as shown by the last report of the

number of such persons filed with him by the Secretary of the Board of Education.

Suo. — An Act to confer certain powers on towns and cities for school purposes, passed December 24th, 1858; An Act to amend an Act entitled an Act to provide a system of common schools, passed December 24th, 1859; An Act providing for the boundaries of districts in certain cases, passed December 24th 1859; An Act to amend an Act to confer certain powers on towns and cities for school purposes, approved February 26th, 1860; an Act to amend an Act passed by the Board of Education December 24th, 1859, entitled an Act to amend an Act entitled an Act to provide a system of common schools, approved April 2d, 1860; an Act to amend an Act passed by the Board of Education December 24th, 1859, entitled an Act to provide a system of common schools, approved April 2d, 1860; an Act to amend an Act passed by the Board of Education December 24th, 1859, entitled an Act to amend an Act entitled an Act to provide a system of common schools, approved April 3d, 1860; an Act defining the duties and regulating the compensation of County Superintendents, passed December 17th, 1861; an Act to amend an Act entitled an Act to amend an Act entitled an Act to provide a system of common schools, passed December 19th, 1861, and all other Acts and parts of Acts contravening the provisions of this Act are hereby repealed.

Mr. Sarver moved to amend as follows: 2d page, 5th subdivision strike out "five" and insert "three," and upon this question the yeas and nays were demanded by Messrs. Fairall and Eichorn, and were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Dunlavy, Eichorn, Fairall, Flint, Gault, Glanville, Hardie, Kellogg, McGlothlen, McLennan, Mitchell of Fremont, Parker, Sarver, Schramm, Smeltzer, Stewart, and Wilson of Pottawattamie—20.

The nays were, Messrs. Bass, Blackford, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Ferguson, Friebie, Fuller of Fayette, Fuller of Harrison, Gibson, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Moser, Nelson, Porter, Price, Rothrock, Russell of Dallas, Russell of Jones, Speer, Stanton, Stevenson, Thompson, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, and Wright—63.

Absent or not voting, Messrs. Chase, Pendleton, Quinn, Rowles, Shipman, Van Anda, West, Wilson of Chickasaw, Young and Mr. Speaker.

The amendment was lost.

Mr. Clark of Tama, moved to amend 17th section, 14th line, by striking out "ten" and inserting "five," and upon this question the

yeas and nays were demanded by Messrs. Smeltzer and Castor, and were as follows :

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Clark, Cutler, Dunlavy, Eichorn, Fairall, Fuller of Fayette, Gordon, Guthrie, Hood, Kellogg, Lorah, Martin, Maxwell, McLennan, Mitchell of Fremont, Mitchell of Polk, Nelson, Parker, Rothrock, Russell of Dallas, Sarver, Smeltzer, Speer, Stewart, Wetherall, and Wilson of Pottawattamie—30.

The nays were, Messrs. Bass, Burton, Calfee, Castor, Cleaves, Converse, Curtiss, Denlinger, Dorr, Eaton, Ferguson, Flint, Frisbie, Fuller of Harrison, Gibson, Glanville, Hardie, Hudnutt, Holyoke, Hollingsworth, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lowrie, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Moir, Moser, Porter, Price, Russell of Jones, Schramm, Stanton, Stevenson, Thompson, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth, and Wright—53.

Absent or not voting, Messrs. Chase, Gault, Pendleton, Quinn, Rowles, Shipman, Van Anda, West, Wilson of Chickasaw, Young, and Mr. Speaker—11.

The amendment was lost.

Mr. Kellogg moved to amend section 31 as follows: *Provided*, That no Tax shall be assessed unless voted for by a majority of the electors voting at their regular meeting, and upon this question the yeas and nays were demanded by Messrs. Kellogg and Wilcox, and were as follows :

The yeas were, Messrs. Blackford, Bowdoin, Dunlavy, Eichorn, Gault, Glanville, Gordon, Guthrie, Kellogg, Lorah, McCall, McGlothlen, Moser, Parker, Sarver, Schramm, Smeltzer, Speer, Stewart, Wetherall, and Wilson of Pottawattamie—20.

The nays were, Messrs. Baker, Bass, Bracewell, Burton, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Fairall, Ferguson, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lowrie, Martin, Maxwell, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Porter, Price, Rothrock, Russell of Dallas, Shipman, Stanton, Stevenson, Thompson, Van Anda, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth, and Wright—61.

Absent or not voting. Messrs. Calfee, Chase, Flint, Pendleton, Quinn, Rowles, Russell of Jones, West, Wilson of Chickasaw, Young and Mr. Speaker.

The amendment was not adopted.

The questing recurring upon the motion of Mr. White to suspend the rule, and read the bill a third time now. The motion pre-

vailed. The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Ferguson, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Hardie, Hudnutt, Holyoke, Hollingsworth, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lowrie, Martin, Maxwell, McCall, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Porter, Price, Rothrock, Russell of Dallas, Russell of Jones, Sarver, Shipman, Stanton, Stevenson, Thompson, Van Anda, Walker, Walton, Wasson, White, Whitemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth and Wright—63.

The nays were, Messrs. Baker, Eichorn, Flint, Gault, Gibson, Glanville, Guthrie, Hood, Kellogg, Lorah, McGlothlen, Moser, Nelson, Parker, Schramm, Smeltzer, Speer, Stewart, Wetherall, and Wilson of Pottawattamie—20.

Absent or not voting, Messrs. Chase, Dunlavy, Fairall, Pendleton, Quinn, Rowles, West, Wilson of Chickasaw, Young, Mr. Speaker.

The Bill passed and the title was agreed to.

Leave of absence was granted to Mr. Rowles for the balance of the session.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Joint Committee on Enrolled Bills ask leave to report that they have delivered to His Excellency the Governor for his approval, Senate File Nos. 68, 90, 227, 242 and 257. Also House Files Nos. 6 and 79.

D. G. FRISBIE,

Chairman of House Committee.

Mr. McCall, from the Select Committee on the Cedar Rapids and Missouri River Railroad Company, submitted the following report: The Committee to whom was referred the enquiry in relation to the condition of the Cedar Rapids and Missouri River Railroad Company, as to what the Company has done, is doing and proposes to do, in fulfilling the conditions of its grant, respectfully Report:

That your Committee have conferred with the President, Vice President, and Superintendent of said Road, and learn from them and other sources, the following facts and information, which they believe may be fully relied upon.

The Company put seventy miles of the main line of their Road under contract, (to-wit: from Cedar Rapids to Marshalltown) in February of last year, and commenced the work in March, following; and a costly Bridge across the Cedar river, of 800 feet in length, was completed by the 1st of July last, by which time the grading was so far completed as to commence laying the Iron, and continue the work without interruption until they reached Otter creek in Tama County, in the valley of Iowa river, 41 miles, which was

completed and in operation before the 1st of December last, over-coming at one point on this part of the line one mile of heavy work of deep cutting, of nearly 70 feet in depth, and costing \$70,000, which was accomplished in six months from the time of commencement. Besides the completion and putting this 41 miles in operation, twenty-nine miles more have been graded, from Otter creek to Marshalltown, making the seventy miles placed under contract in February above mentioned. The Ties for the 29 miles were contracted for and are being gotten out and delivered along the line this Winter and Spring. The Iron was ordered by the contractors in January last, to be ready this Spring as early as navigation should open, with a view to commence laying it as soon as it could be transported and delivered on the ground, with a view to commence laying it the 1st of May next. This contract was made for the completion of the Road with wealthy Eastern men of great ability and energy, and ample provisions have been made for the means of payment of its entire cost. The Company have hitherto gone forward with this understanding, confidently relying upon the friendly co-operation and support of the State in the progress of the work; but now, however, finds itself embarrassed in its further progress from the following causes: The Law granting the Lands to this Company contains a section (No. 7) requiring the Company to build, besides its main line from Cedar Rapids, West, a branch road of about five miles in length from Cedar Rapids to Marion; and a section (No. 6) requiring it to build a plug of about two miles in length from Lyons City to Clinton, and connect this plug Road with the Chicago, Iowa & Nebraska Rail Road by a close connection, and requiring all trains run upon the Nebraska Road to be extended to and from the City of Lyons, and according to the provisions of said Section (No. 6) the Governor is prohibited from certifying any Lands to the Company until said sections six and seven are complied with.

It appears that after the Company had accepted the Grant in July, 1860, it made the necessary application to the Chicago, Iowa & Nebraska Rail Road Company for a close connection with the Lyons Road, as prescribed in said section (No. 6,) and also to the City of Clinton for permission to build the Road over and across its Streets, this being absolutely necessary in building said plug Road. These applications were both denied, and your Committee are of the opinion from the facts, which appear in the application above stated, and their rejection by the Nebraska Company and the Common Council of the City of Clinton, and from other information obtained, that legal impediments do really exist which render a compliance with said section (No. 6) of said Land Grant Law, absolutely impossible, and that this prohibition of the Governor from certifying Lands to this Company as it completes its main line ought to be removed.

The Chicago, Iowa & Nebraska Rail Road is not a Land Grant

Road, but has been built and now belongs to an independent corporation under the general law, and your Committee knows of no law by which it can be compelled to allow trains of other Roads to run or come upon its own or to make close connection, as connection as contemplated (by the section of law above mentioned) with other Roads.

Your Committee are also of opinion that it is unjust to the interests of the State, and especially to the Western Counties, that this Company should be required to construct a road for the City of Lyons, before any aid can be given or any lands applied to the construction of the main road through the State, for which, alone, in the opinion of your Committee, the lands were granted.

The City of Lyons is situated on the banks of the Mississippi River, the best commercial avenue in the United States, and has a Rail Road Depot on the East side, within less than half a mile from the central part of the Town, and on the South, another Depot, within less than two miles, and a Rail Road between the two; and being thus surrounded, it does not seem to your Committee wise or just to stop the progress of this road through the Western Counties, and let these lands, bequeathed by Congress to these very Counties, go back to the Government again, and all because the City of Lyons will not consent to let them be used, as Congress specified in the Grant.

The Land Grant Law also prohibits the Governor from certifying any lands to this Company until this road is built and a close connection obtained with the Chicago, Iowa & Nebraska Rail Road, which, your Committee believe, can not be obtained; and the Governor, under this restriction, has felt himself bound to refuse also to certify to the Secretary of the Interior, that any road is completed, on the ground that, though the letter of the law does not forbid the latter, yet he thinks that if he should give such a certificate, it is possible the Company might obtain the lands without his certifying them to it; and hence it will be seen that, under this decision of the Governor, the Company can not obtain any lands if it completed the road to the Missouri River.

The Law of Congress has prescribed that the Governor's Certificate of the completion of any 20 miles of the Road, as the only evidence which can be recognized, and without this, therefore, the land must revert to the Government, so that unless the Lyons plug is built, with a close connection, the Land Grant is void, and the people will be deprived of its benefits; the lands will remain unsold, unsettled, untaxed and waste; and all this to meet the demands of the City of Lyons.

Since this decision of the Governor has been known (that he could not certify when any road is completed), and the Company has ascertained that it will not get any land however much road it builds, and this war of resumption has been opened to force the Company to surrender some of its lands, it has paused in its work

and petitioned the Legislature for relief from the conditions of section No. 6 of the grant, by which means it will be able to resume again the progress of the work. Section seven of the grant by the State to this Company, also prohibits the Governor from certifying any lands, but there is not in this any legal impossibility, and the Company only asks for reasonable time for completing this work, and for temporary relief from the prohibition of certificates until the Company can complete it, reserving to the State such guaranties as the Legislature may deem requisite to secure its completion and make it satisfactory to all parties concerned, and secure the resumption and progress of the work, and the vast benefits of a Railroad to the Western counties along the line, and the State thus be able to discharge the sacred trust which it has assumed by the application of the lands to the construction of the Road.

All of which is respectfully submitted.

T. C. McCALL,
A. SPEER,
GEO. S. WALTON,
JNO. MITCHELL,
THOS. MERCER.

Message from the Senate by Wm. F. Davis, their Secretary :

MR. SPEAKER :—I am directed to inform your Honorable Body that the Senate has passed the following Bills :

Senate File 260 : A Bill for an Act fixing the time of holding Courts in the Third Judicial District.

Senate File 228 : A Bill for an Act secure the remainder of the University Land Grant.

Senate File 229 : A Bill for an Act to provide for a complete list of lands selected under the Swamp Land Grant.

Senate File 167 : A Joint Resolution to provide for auditing the claim of Capt. Wm. Edwards, of Lee County, in which the concurrence of the House is asked.

I herewith return House File 299 : A Bill for an Act to provide for the publication and distribution of the Adjutant General's Report, the same having passed the Senate without amendment.

Also ; House File 288 : Substitute for House Files 55 and 131 : A Bill for an Act in relation to fences, the same having been rejected by the Senate.

W. F. DAVIS, Secretary.

Mr. Lake, from Committee on the Judiciary, submitted the following Report :

The Judiciary Committee to whom was referred Senate File No. 243 : A Bill for an Act to amend Section 1874, of the Revision of 1860, in relation to limited partnerships have had the same under consideration, and have directed me to report a Substitute therefor and report the same to the House and recommend its passage.

JED LAKE, for Committee.

The Committee introduced Substitute for Senate File No. 243: A Bill for an Act to amend Section 1874, of the Revision of 1860, in relation to limited partnerships. The Substitute was adopted.

On motion of Mr. Lake, the rule was suspended and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McLennan, McQuinn, Mercer, Meyer, Mitchell of Polk, Moir, Nelson, Parker, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth and Wright—80.

The nays were, Mr. Mitchell of Fremont—1.

Absent or not voting, Messrs. Chase, Glanville, Lakin, McGlothlen, Milburn, Moser, Pendleton, Quinn, Smeltzer, West, Wilson of Chickasaw, Young and Mr. Speaker.

The Bill passed and the title was agreed to.

Mr. Fairall, from Committee on the Judiciary, submitted the following Reports:

The Judiciary Committee, to whom was referred House File No. —: A Bill for an Act to legalize the acts of John C. Turk, as Notary Public, have had the same under consideration and instructed me to report the same back and recommend its passage.

FAIRALL, for Judiciary Committee.

The Judiciary Committee, to whom was referred Senate File No. 137: A Bill for an Act for giving notice of Sheriffs' Sales and Constables' Sales, report that they have had said Bill under consideration and instructed me to report the same back and recommend its indefinite postponement.

FAIRALL, for Judiciary Committee.

The question being upon concurring in the Report of the Committee, recommending the indefinite postponement of the Bill, it was concurred in.

Mr. Kellogg moved to take from unfinished business, House File No. 349: A Substitute for Senate File 117, and House File No. 261, and Substitute for Senate File No. 117: A Bill for an Act Amendatory of an Act entitled an Act providing for auditing all accounts and disbursements arising under the call for Volunteers from Iowa, and also for all men organized as the State Militia, and placed on the files. And on this question the yeas and nays

were demanded by Messrs. Maxwell and Hudnutt, and were as follows :

The Yeas were, Messrs. Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Curtiss, Cutler, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Lakin, Lane, Lowrie, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Parker, Porter, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Stanton, Stewart Thompson, Van Anda, Walker, Walton, Wetherall, White, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, and Woodworth—56.

The nays were, Messrs. Baker, Bass, Converse, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Hardie, Hudnutt, Knoll, Lake, Loomis, Lorah, Martin, Maxwell, McGlothlen, McLennan, Nelson, Price, Speer, Wasson, Whittemore, Williams of Mahaska, and Wright—27.

Absent or not voting, Messrs. Chase, Moser, Pendleton, Quinn, Smeltzer, Stevenson, West, Wilson of Chickasaw, Young and Mr. Speaker.

The motion prevailed.

On motion of Mr. Shipman, the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Wilcox moved to lay on the table Mr. Shipman's motion to reconsider the vote by which the Concurrent Resolution, "That the General Assembly adjourn *sine die* on the 8th day of April," was adopted. The motion prevailed.

MESSAGES ON THE TABLE.

Substitute for Senate File No. 32: A Bill for an Act to require officers of Rail Road Companies to reside within the State of Iowa, and defining their duties. Read a first and second time and referred to the Committee on Rail Roads.

BILLS ON SECOND READING.

Substitute for House File No. 126: A Bill for an Act entitled an Act to amend Section 2275, of the Revision of 1860, with regard to occupying claimants.

Mr. Bass moved to amend Section 1, by adding the following

thereto: "Provided that said land is not incumbered in any manner by any incumbrance which constitutes a lien upon such land, paramount to the judgment on which the execution is issued; and in case said land has been so incumbered, the Sheriff shall return the execution without service, stating such fact, and general execution may then be issued upon the judgment." The amendment was adopted.

Mr. Lowrie moved to amend by inserting the following new section:

Section 3. This Act shall apply to all judgments heretofore rendered, as well as hereafter to be rendered. The amendment was lost.

Mr. Williams of Mahaska moved to strike out the last section. The motion prevailed.

Mr. Bass moved that the rule be suspended and the Bill read a third time now. The motion prevailed, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Eaton, Eichorn, Fairall, Gault, Glanville, Gordon, Guthrie, Hudnutt, Holyoke, Jackson, Lake, Lane, Loomis, Lorah, Lowrie, Martin, McCall, Mercer, Meyer, Mitchell of Polk, Moir, Moser, Porter, Rothrock, Russell of Dallas, Russell of Jones, Sarver, Schramm, Stanton, Van Anda, Walker, Wasson, Wetherall, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie and Woodworth—53.

The nays were, Messrs. Burton, Dorr, Eichorn, Ferguson, Flint, Frisbie, Gibson, Hardie, Hollingsworth, Hood, Knoll, Maxwell, McGlothlen, McLennan, Milburn, Mitchell of Fremont, Nelson, Parker, Price, Smeltzer, Speer, Stewart, Walton, and Wright—24.

Absent or not voting, Messrs. Dunlavy, Fuller of Fayette, Fuller of Harrison, Kellogg, Lakin, Lorah, McQuinn, Pendleton, Quinn, Rowles, Shipman, Stevenson, Thompson, West, Whittemore, Wilson of Chickasaw, Young and Mr. Speaker.

Substitute for Senate File No. 99: A Bill for an Act to change and fix the salaries of the Judges of the Supreme and District Courts and of certain State officers.

Mr. Martin moved that the rule be suspended and the Bill read a third time now.

Mr. Bowdoin raised the point of order that the question of concurring in Senate File No. 99, as a Substitute for House Substitute for House File No. 155, was first in order.

The Chair decided the Senate Bill shall be treated as an original Bill and open to amendment as an original Bill, as there was no sufficient evidence that it was a Substitute for House File.

Mr. Bowdoin appealed from the decision of the Chair to the House, and upon the question, "Shall the decision of the Chair

be the decision of the House?" the yeas and nays were demanded by Messrs. Bowdoin and Meyer, and were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bracewell, Castor, Clark, Cleaves, Converse, Denlinger, Eichorn, Fairall, Ferguson, Flint, Frisbie, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Hood, Knoll, Loomis, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mitchell of Fremont, Nelson, Price, Russell of Jones, Sarver, Shipman, Smeltzer, Speer, Stewart, Walker, Walton, Wasson, Wetherall, Whittemore, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, and Wright—49.

The nays were, Messrs. Bowdoin, Burton, Curtiss, Cutler, Dorr, Eaton, Fuller of Fayette, Fuller of Harrison, Holyoke, Hollingsworth, Jackson, Lake, Lakin, Lane, McCall, Mercer, Meyer, Mitchell of Polk, Moir, Moser, Parker, Porter, Russell of Dallas, Schramm, Stanton, Van Anda, White, Wilcox, and Williams of Des Moines—29.

Absent or not voting, Messrs. Calfee, Chase, Dunlavy, Kellogg, Milburn, Pendleton, Quinn, Rothrock, Rowles, Stevenson, Thompson, West, Wilson of Chickasaw, Young and Mr. Speaker.

The decision of the Chair was sustained.

Mr. Bowdoin moved that the House do concur in the Senate Substitute.

Mr. Shipman moved the previous question, which was seconded by a majority of the House, and the question, "Shall the main question be now put?" was decided in the affirmative.

The question recurring upon the motion of Mr. Bowdoin, the yeas and nays were demanded by Messrs. Fairall and Smeltzer, and were as follows :

The yeas were, Messrs. Bass, Eichorn, Fairall, Ferguson, Flint, Gault, Gibson, Gordon, Guthrie, Hardie, Hood, Kellogg, Knoll, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, Milburn, Mitchell of Fremont, Russell of Jones, Sarver, Smeltzer, Speer, Stewart, Thompson, Walton, Wetherall, Williams of Des Moines, Wilson of Pottawattamie, and Woodworth—33.

The nays were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Glanville, Hudnutt, Holyoke, Hollingsworth, Jackson, Lake, Lakin, Lane, Loomis, Lowrie, McQuinn, Mercer, Meyer, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Russell of Dallas, Schramm, Shipman, Stanton, Stevenson, Van Anda, Walker, Wasson, White, Whittemore, Wilcox, Williams of Mahaska, and Wright—53.

Absent or not voting, Messrs. Calfee, Dunlavy, Quinn, Rowles, West, Wilson of Chickasaw, Young and Mr. Speaker.

The motion was lost.

Mr. Lakin moved to repeal the rule limiting speeches of members to five minutes each.

Mr. Sarver moved to lay the motion on the table. The motion of Mr. Sarver prevailed.

Mr. Wilcox moved that when this House adjourn, it be till seven o'clock P. M.

Mr. Shipman moved to lay the motion on the table. The motion to lay on the table prevailed.

House File No. 310: A Bill for an Act to amend Section 9 of the Act of July 4th, 1856, conferring lands on certain Rail Road Companies.

Mr. Hudnutt moved that the rule be suspended, and the Bill read a third time now.

Mr. Stanton moved to amend as follows: "*Provided, further,* that the provisions of this Act shall not apply to Land Grant Railroads."

Mr. Hudnutt offered the following substitute: "*Provided, That* the flat rail shall not weigh less than 17 lbs. per yard, and provided further, that all Land Grant Railroads in this State shall lay down the common T rail, until they reach the Des Moines River."

Mr. Lakin moved the previous question, which was seconded by a majority of the House, and the question, "Shall the main question be now put?" was decided in the affirmative. The question being upon the substitute offered by Mr. Hudnutt, the yeas and nays were demanded by Messrs. Fairall and Smeltzer, and were as follows:

The yeas were, Messrs. Bass, Blackford, Bowdoin, Bracewell, Clark, Chase, Converse, Courtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Ferguson, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gordon, Hardie, Hudnutt, Holyoke, Hollingsworth, Kellogg, Knoll, Lakin, Lane, Loomis, Lorah, Martin, Maxwell, McCall, McLennan, McQuinn, Meyer, Milburn, Mitchell of Fremont, Moir, Moser, Parker, Pendleton, Porter, Rothrock, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Speer, Stevenson, Stewart, Walton, Wasson, Wetherall, White, Whittemore, Wilson of Pottawattamie, Woodworth, and Wright—58.

The nays were, Messrs. Baker, Castor, Fairall, Flint, Gibson, Guthrie, Hood, Jackson, Lake, McGlothlen, Milburn, Mitchell of Fremont, Nelson, Price, Schramm, Stanton, Thompson, Van Anda, Williams of Des Moines, Williams of Mahaska—20.

Absent or not voting, Messrs. Burton, Calfee, Cleaves, Dunlavy, Glanville, Lowrie, Mercer, Mitchell of Polk, Quinn, Rowles, West, Wilcox, Wilson of Chickasaw, Young and Mr. Speaker.

The Substitute was adopted.

The amendment as amended was adopted.

Mr. Kellogg moved to reconsider the vote by which the amendment was adopted.

Mr. Frisbie moved to lay the motion on the table. The motion to lay on the table prevailed.

Mr. Sarver offered the following amendment:

Sec. 2. None of the provisions of this Act shall apply to the Burlington and Missouri River Railroad Company." The amendment did not prevail.

Mr. Fairall moved the previous question, which was seconded by a majority of the House, and the question "Shall the main question be now put?" was decided in the affirmative.

The question being upon the motion of Mr. Hudnutt to suspend the rule and order the Bill to a third reading now, it prevailed; the Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Bass, Blackford, Bowdoin, Burton, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Eaton, Ferguson, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gordon, Hardie, Hudnutt, Holyoke, Hollingsworth, Knoll, Lake, Lakin, Loomis, Lorah, Maxwell, McCall, McLennan, McQuinn, Mercer, Meyer, Moser, Pendleton, Russell of Dallas, Shipman, Smeltzer, Speer, Van Anda, Walker, Walton, Wasson, Wetherall, Whittemore, and Woodworth—46.

The nays were, Messrs. Baker, Bracewell, Castor, Dorr, Eichorn, Fairall, Flint, Gibson, Glanville, Guthrie, Hood, Jackson, Kellogg, Lane, Lowrie, Martin, McGlothlen, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Porter, Price, Rothrock, Russell of Jones, Sarver, Schramm, Stanton, Stevenson, Stewart, Thompson, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, and Wright—38.

Absent or not voting, Messrs. Calfee, Dunlavy, Quinn, Rowles, West, Wilson of Chickasaw, Young, and Mr. Speaker.

The Bill was lost.

On motion of Mr. Blackford, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
FRIDAY, April 4, 1862. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Calfee.

Journal of yesterday read and approved.

REPORTS OF COMMITTEES.

Mr. Pendleton, from Committee on Incorporations, submitted the following report:

The Committee on Incorporations, to whom was referred Senate File No. 97: A Bill for an Act to amend the Charter of the town of Fort Madison, have had the same under consideration and directed me to report it back with the recommendation that it be indefinitely postponed, for the reason that it conflicts with Section 30, of Art. 3d of the Constitution, and is therefore unconstitutional.

PENDLETON,

From Com. on Incorporations.

Message from the Senate by Wm. F. Davis, their Secretary:

MR. SPEAKER:—I am directed to inform your Honorable Body, that the Senate has passed Senate File 263: A Bill for an Act to require the Dubuque & Sioux City Railroad Company to release certain Swamp, School and Des Moines River Lands on the line of their road and providing for the compensation therefor, by an extension of the time of the building said road, in which the concurrence of the House is asked.

Substitute for House File No. 125: Bill for an Act to exempt the property of Iowa Volunteers in the military service of the United States from levy or sale, without amendment.

W. F. DAVIS, Sec'y of Senate.

Mr. Cutler moved that the regular order of business be suspended and Bills on second reading be taken up. The motion prevailed.

BILLS ON SECOND READING.

House File No. 339: A Bill for an Act to amend an Act entitled an Act to amend an Act to confer certain powers on towns and cities for school purposes.

Mr. McQuinn moved that the rule be suspended and the Bill ordered to a third reading now. The motion prevailed, the Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Speer, Stanton, Steven-

son, Stewart, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, and Wright—80.

The nays were, Messrs. Thompson, and Williams of Des Moines—2.

Absent or not voting, Messrs. Blackford, Eaton, Gault, Lake, McLennan, Quinn, Smeltzer, West, Wilson of Chickasaw, Young, and Mr. Speaker.

The Bill passed and the title was agreed to.

House File No. 331: A Bill for an Act to amend Chapter 90, Article 2 of the Revision of 1860.

On motion of Mr. McQuinn the rule was suspended and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Flint, Frisbie, Fuller of Harrison, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stewart, Thompson, Van Anda, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth and Wright—79.

The nays were, Messrs. Ferguson and Kellogg—2.

Absent or not voting, Messrs. Blackford, Dunlavy, Fuller of Fayette, Gault, Lake, Martin, Quinn, Stevenson, Walker, West, Wilson of Chickasaw, Young and Mr. Speaker.

The Bill passed and the title was agreed to.

House File No. 324: A Bill for an Act to provide for the publication and distribution of the laws of the Ninth General Assembly.

Mr. Bowdoin moved that the rule be suspended and the Bill read a third time now. The motion prevailed. The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Dorr, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Lane, Loomis, Lowrie, Martin, Maxwell, McCall, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Stanton, Stevenson, Van Anda, Walton, Wasson, Whittemore, Wilcox, Wilson of Pottawattamie, and Wright—57.

The nays were, Messrs. Denlinger, Eichorn, Fairall, Ferguson, Flint, Gordon, Hardie, Kellogg, Knoll, Lorah, McGlothlen, Rowles, Smeltzer, Speer, Thompson, Wetherall, Williams of Des Moines, and Woodworth—19.

Absent or not voting, Messrs. Blackford, Bracewell, Cutler, Dunlavy, Gault, Lake, Lakin, McLennan, McQuinn, Meyer, Moser, Quinn, Stewart, West, White, Wilson of Chickasaw, Young, and Mr. Speaker.

The Bill passed and the title was agreed to.

Message from the Senate by Wm. F. Davis, their Secretary :

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed : Senate File No. 174: A Bill for an Act to legalize and declare valid certain judgments of the 5th and 11th Judicial Districts of Iowa.

Senate File No. 148 : A Bill for an Act entitled an Act to legalize certain acts of Seth Anderson, County Judge of Wayne county, in the sale and conveyance of certain town lots in the town of Corydon, Iowa.

House File No. 314: Joint Resolution relating to the appointment of Trustees for the Hospital for the Insane.

House File No. 243 : A Bill for an Act to repeal Chapter 68 of the laws of the Seventh General Assembly in relation to keeping in repair a levee on Muscatine Island.

And has indefinitely postponed House File No. 271 : A Bill for an Act to prevent counties containing less than 500 inhabitants from disposing of their public lands and limiting the amount to be expended for Public Buildings.

WM. F. DAVIS, Secretary.

House File No. 343 : A Bill for an Act to amend Section 4246 of the Revision of 1860.

Mr. Moir moved that the rule be suspended and the Bill read a third time now. The motion prevailed. The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bass, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wason, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth and Wright—83.

The nays were, none.

Absent or not voting, Messrs. Blackford, Bracewell Dunlavy, Gault, Lakin, Quinn, West, Wilson of Chickasaw, Young and Mr. Speaker.

The Bill passed and the title was agreed to.

House File No. 333: A Bill for an Act in relation to recording powers of Attorney for conveying real estate.

On motion of Mr. Bowdoin the rule was suspended and the Bill read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Loomis, Lorah, Lowrie, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth and Wright—80.

The nays were, Messrs. Lane, Martin and Russell of Jones—3.

Absent or not voting, Messrs. Blackford, Bracewell, Gault, McLennan, Quinn, West, Wilson of Chickasaw, Wilson of Pottawatamie, Young and Mr. Speaker—10.

The Bill passed and the title was agreed to.

Mr. Lane, from Committee on Military Affairs, by leave, submitted the following report:

The Committee on Military Affairs, to whom was referred the Bill to organize and discipline the Militia, have had the same under consideration, and have instructed me to report the same to the House with a substitute, and they recommend the adoption of the substitute, the Committee believing that no radical changes in the present law, particularly changes imposing increased taxation upon the people, will meet the approval of a majority of the members of this House, have carefully prepared a Bill supplying serious defects in the present law, and rendering it more efficient. These provisions are entirely satisfactory to military gentlemen who have been consulted, and are earnestly desired by the Adjutant General, who is the author of the present law. The Bill also fixes the salaries of the Governor's Staff, including the salary of the Adjutant General, as the Committee believes that the provisions were germane to the Bill, and that the present salaries are too high. They have left blanks in each section for the salaries, so that the House can fill the same. The Committee, therefore, report to the House the Senate Bill in relation to the salary of the Adjutant General, which

was referred to your Committee, and recommend that it be rejected.

Respectfully submitted in behalf of the Committee,

JAMES T. LANE, Chairman.

Mr. Chase, by leave, submitted the following report :

The Select Committee to whom was referred the petitions and remonstrances on the subject of the formation of a new County from parts of Alamakee and Clayton Counties, have directed me to report that in the opinion of said Committee, such change is impolitic at the present time.

Message from the Senate by Wm. F. Davis, their Secretary :

MR. SPEAKER: I am directed to inform your Honorable Body that the Senate has passed Senate File 223: A Bill for an Act to amend Chapter 32 of the Laws of the present session of the General Assembly, and to further provide for the collection of money due the State and Counties, in which the concurrence of the House is asked.

I also herewith return House File 120: A Bill for an Act to allow organized counties to fund their outstanding warrants, the same having passed the Senate with sundry amendments.

W. F. DAVIS, Secretary.

House File No. 345: A Bill for an Act making it the duty of the Clerk of the District Court to act in the place of the County Judge in certain cases.

Mr. Moir moved that the rule be suspended and the Bill read a third time. The motion prevailed. The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth and Wright—84.

The nays were, none.

Absent or not voting, Messrs. Blackford, Bracewell, Dunlavy, Kellogg, Quinn, West, Wilson of Chickasaw, Young and Mr. Speaker—9.

The Bill passed and the title was agreed to.

House File No. 302: A Bill for an Act to prevent the conveying or encumbering of certain lands.

Mr. Fairall moved to lay the Bill on the table. The motion prevailed.

House File No. 335: A Bill for an Act in relation to Witness Fees.

On motion of Mr. Lake, the rule was suspended and the Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Gibson, Gordon, Guthrie, Holyoke, Hollingsworth, Hood, Jackson, Lake, Lane, Loomis, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Smeltzer, Speer, Stanton, Stevenson, Stewart, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Woodworth, Wright and Young—72.

The nays were, Messrs. Curtiss, Fuller of Harrison, Glanville, Hardie, Hudnutt, Kellogg, Knoll, Lorah, Lakin, Mitchell of Fremont, Thompson, Williams of Mahaska and Wilson of Pottawatamie—12.

Absent or not voting, Messrs. Blackford, Bracewell, Dunlavy, Gault, Lakin, Quinn, Shipman, West, Wilson of Chickasaw and Mr. Speaker—10.

The Bill passed and the title was agreed to.

Substitute for House File No. 124: A Bill for an Act authorizing Counties to become the purchaser of Lands for Delinquent Taxes in cases where there is no other purchaser.

Mr. Bowdoin moved that the further consideration of the Bill be postponed until the 4th day of July, and upon this question the yeas and nays were demanded by Messrs. Denlinger and Converse, and were as follows:

The yeas were, Messrs. Baker, Bowdoin, Castor, Clark, Chase, Cleaves, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Gordon, Guthrie, Hudnutt, Hollingsworth, Jackson, Kellogg, Lake, Lakin, Lane, Loomis, Lorah, Martin, McCall, McGlothlen, Mercer, Milburn, Mitchell of Fremont, Nelson, Parker, Porter, Rowles, Sarver, Speer, Walker, Walton, Wasson, White, Wilcox, Williams of Mahaska, Woodworth, and Young—44.

The nays were, Messrs. Bass, Burton, Calfee, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Hardie, Holyoke, Knoll, Maxwell, Meyer, Mitchell of Polk, Moir, Moser, Pendleton, Price, Rothrock, Russell of Jones, Schramm, Shipman, Smeltzer,

Stanton, Stevenson, Thompson, Van Anda, Whittemore, Williams of Des Moines, Wilson of Pottawattamie, and Wright—34.

Absent or not voting, Messrs. Blackford, Bracewell, Dunlavy, Gault, Hood, Lowrie, McLennan, McQuinn, Quinn, Russell of Dallas, Stewart, Wetherall, West, Wilson of Chickasaw, and Mr. Speaker—15.

The motion prevailed.

House File No. 349, Substitute for House File No. 261 and Senate File No. 117, and Substitute for Senate File No. 117: A Bill for an Act amendatory of an Act entitled an Act providing for auditing all accounts and disbursements arising under the call for Volunteers from Iowa, and also for all men organized as the State Militia of Iowa.

The Chair announced the question to be upon the amendment of Mr. Lowrie which is as follows: after "Company" in 5th line of section 4, insert "and all Iowa Troops." The amendment prevailed.

The question recurred upon the following amendment of Mr. Fairall to section 2: *Provided*, The same shall have been exclusively furnished and used in the State of Iowa.

Mr. Fairall, by leave, struck out "and used" in his amendment, and upon the question "shall the amendment prevail?" Messrs. Fairall and Nelson demanded the yeas and nays which were as follows:

The yeas were, Messrs. Baker, Bass, Bowdoin, Burton, Castor, Clark, Chase, Converse, Curtiss, Cutler, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Fuller of Fayette, Fuller of Harrison, Guthrie, Hardie, Holyoke, Hollingsworth, Hood, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Martin, Maxwell, McGlothlen, Mitchell of Fremont, Moir, Nelson, Porter, Price, Russell of Jones, Smeltzer, Speer, Thompson, Van Anda, Walton, Wasson, White, Whittemore, Wilcox, Williams of Mahaska, Wilson of Pottawattamie, Wright, and Young—51.

The nays were, Messrs. Calfee, Denlinger, Frisbie, Gibson, Gordon, Jackson, Kellogg, Lowrie, McCall, Mercer, Meyer, Milburn, Mitchell of Polk, Moser, Parker, Pendleton, Rothrock, Rowles, Russell of Dallas, Sarver, Schramm, Shipman, Stanton, Stevenson, Walker, Wetherall, Woodworth and Young—28.

Absent or not voting, Messrs. Blackford, Bracewell, Cleaves, Dunlavy, Gault, Glanville, Hudnutt, McLennan, McQuinn, Quinn, Stewart, West, Williams of Des Moines, Wilson of Chickasaw and Mr. Speaker—15.

The amendment was adopted.

Mr. Fairall that his amendment be applied to sections 3 and 4, also. The motion prevailed.

Mr. Kellogg moved that the rule be suspended and the Bill read a third time now, and moved the previous question, which was not seconded.

Mr. Smeltzer moved to amend section 1 by adding the following:

Provided, That the payment for service, subsistence, transportation or supplies furnished, as contemplated by this Act, is not provided for by any Act of Congress, or by an Act of Congress approved March 25th, 1862, entitled an Act to secure to the officers and men actually employed in the Western Department or department of the Missouri, their pay, bounty, and pension, in relation to the expeditions from Iowa into Missouri, and it is further provided that the Board of Commissioners shall be satisfied that Congress has not made such provisions. The amendment prevailed.

Mr. Fairall moved to amend section 6, as follows:

The just claims of J. J. Lindley and G. H. Parker, for money expended and time spent in visiting and examining into the condition of our Iowa Volunteers under the order of the Adjutant General of the State of Iowa, of October 17th, 1861. The amendment was lost.

Mr. Lowrie moved to amend section 6, by adding "and Cox and Shelley." The amendment prevailed.

Mr. Young moved to strike out all after the enacting clause, and substitute the following:

That the Board of Commissioners appointed to audit Claims against the War and Defense Fund, be, and they are hereby authorized, to audit and allow all just claims of citizens of this State, for subsistence, clothing and transportation furnished to Iowa Volunteers, with the understanding at the time, that the parties so furnishing such subsistence, clothing or transportation, shall be reimbursed by the State, provided that no claims shall be audited and allowed under this Act, for which the Congress of the United States has made provision.

Mr. Frisbie moved the previous question, which was seconded by a majority of the House, and the question, "Shall the main question be now put?" was decided in the affirmative.

The question being upon the amendment of Mr. Young, the yeas and nays were demanded by Messrs. Lowrie and Gordon, and were as follows:

The yeas were, Messrs. Bowdoin, Converse, Curtiss, Dorr, Eichorn, Flint, Frisbie, Gibson, Glanville, Guthrie, Hudnutt, Hollingsworth, Hood, Jackson, Kellogg, Lakin, Lowrie, Maxwell, McCall, McQuinn, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moser, Parker, Rowles, Russell of Jones, Sarver, Schramm, Stevenson, Thompson, Van Anda, Walker, Walton, Wetherall, Woodworth and Wright—38.

The nays were, Messrs. Baker, Bass, Burton, Calfee, Castor, Clark, Chase, Cleaves, Cutler, Denlinger, Fairall, Ferguson, Fuller of Fayette, Fuller of Harrison, Gordon, Hardie, Holyoke, Knoll, Lake, Lane, Loomis, Lorah, Martin, McGlothlen, Meyer, Moir, Nelson, Pendleton, Porter, Price, Rothrock, Russell of Dallas, Smeltzer, Stanton, Wasson, White, Whittemore, Wilcox, Williams

of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, and Young—42.

Absent or not voting, Messrs. Blackford, Bracewell, Dunlavy, Eaton, Gault, McLennan, Quinn, Shipman, Speer, Stewart, West, Wilson of Chickasaw, and Mr. Speaker.

The Substitute was not adopted.

The question recurring upon the motion of Mr. Kellogg to suspend the rule and order the Bill to a third reading now, it prevailed. The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Calfee, Castor, Cleaves, Cutler, Eichorn, Frisbie, Fuller of Harrison, Gibson, Glanville, Gordon, Guthrie, Hollingsworth, Hood, Jackson, Kellogg, Lane, Lowrie, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Pendleton, Rothrock, Rowles, Sarver, Schramm, Shipman, Stanton, Stevenson, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright and Young—49.

The nays were, Messrs. Baker, Bass, Bowdoin, Burton, Chase, Curtiss, Denlinger, Dorr, Eaton, Fairall, Ferguson, Flint, Fuller of Fayette, Hardie, Hudnutt, Holyoke Knoll, Lake, Lakin Loomis, Lorah, Martin, Maxwell, McGlothlen, Nelson, Russell of Dallas, Russell of Jones, Whittemore and Young—29.

Absent or not voting, Messrs. Blackford, Bracewell, Clark, Converse, Dunlavy, Gault, McLennan, Porter, Price, Quinn, Smeltzer, Speer, Stewart, West, Wilson of Chickasaw, and Mr. Speaker.

The Bill passed and the title was agreed to.

On motion of Mr. Frisbie, the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Leave of absence was granted to Mr. Gault for the remainder of the session, and to Mr. Bracewell until Monday morning.

Mr. Moir moved to reconsider the vote by which House File No. 310: A Bill for an Act to amend Section 9, of the Act of July 14, 1856, conferring lands on certain Railroad Companies, was lost.

Mr. Stanton moved to lay the motion on the table.

Mr. Price moved a call of the House, pending which, further proceedings under the call were suspended, on motion of Mr. Curtiss.

The question being upon the motion of Mr. Stanton to lay the motion of Mr. Moir on the table; the yeas and nays were demanded by Messrs. Denlinger and Martin and were as follows:

The yeas were, Messrs. Baker, Calfee, Cleaves, Dorr, Eaton, Ei-

chorn, Fairall, Gibson, Glanville, Gordon, Guthrie, Holyoke, Hollingsworth, Hood, Jackson, Lane, Lowrie, Martin, Maxwell, Milburn, Mitchell of Fremont, Mitchell of Polk, Moser, Price, Rothrock, Sarver, Schramm, Shipman, Stanton, Wasson, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, and Young—38.

The nays were, Messrs. Bass, Bowdoin, Burton, Castor, Clark, Chase, Converse, Curtiss, Denlinger, Ferguson, Flint, Frisbie, Fuller of Harrison, Gault, Hardie, Hudnutt, Knoll, Lake, Lakin, Loomis, Lorah, McCall, McGlothlen, McQuinn, Mercer, Meyer, Moir, Nelson, Parker, Pendleton, Porter, Russell of Dallas, Smeltzer, Thompson, Van Anda, Walker, and Walton—37.

Absent or not voting, Messrs. Blackford, Bracewell, Cutler, Dunlavy, Fuller of Fayette, Kellogg, McLennan, Quinn, Rowles, Russell of Jones, Shipman, Stevenson, Stewart, Wetherall, West, Whittemore, Wilson of Chickasaw, and Mr. Speaker.

The motion prevailed.

Message from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed Substitute for Senate File No. 249: Joint Resolution relating to Des Moines River Grant.

Substitute for Senate File No. 245: Bill for an Act to empower the County Boards of Supervisors of the several Counties to dispose of the Swamp and Overflowed Lands.

House File No. 227: Bill for an Act to amend Chapter 45 of the Revision of 1860, being an Act relating to Revenue, with sundry amendments, in all of which the concurrence of the House is asked.

I herewith return House File No. 321: An Act to confer additional powers on the Warden of the Penitentiary.

House File 330: A Bill for an Act to repeal Section 1814 of the Revision of 1860, and to enact, in lieu thereof, a Substitute relating to proceedings to be observed in the acceptance and payment of bills and notes, the same having passed the Senate without amendment.

Also, House File 332: A Bill for an Act providing for the selection of seats in the Hall of the House of Representatives by members of the General Assembly, the same having been rejected by the Senate.

W. F. DAVIS, Sec'y of Senate.

Substitute for House File No. 91: A Bill for an Act to amend Section 823 of Chapter 46 of the Revision of 1860, in relation to bridges. The Substitute was adopted.

On motion of Mr. Wilcox, the rule was suspended and the Bill read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Bowdoin, Burton, Castor, Chase, Cleaves, Converse, Curtiss, Dorr, Eichorn, Fairall, Fergu-

son, Flint, Frisbie, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Holyoke, Hood, Lake, Lane, Loomis, Lowrie, Martin, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Moser, Parker, Pendleton, Porter, Price, Rothrock, Russell of Dallas, Sarver, Schramm, Shipman, Stanton, Thompson, Van Anda, Walker, Wasson, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth, Wright and Young—57.

The nays were, Messrs. Olark, Denlinger, Gibson, Hudnutt, Lorah, Maxwell, Mitchell of Fremont, Walton, White and Wilson of Pottawattamie—10.

Absent or not voting, Messrs. Blackford, Bracewell, Calfee, Cutler, Dunlavy, Eaton, Fuller of Fayette, Hollingsworth, Kellogg, Lakin, McLennan, Nelson, Quinn, Rowles, Russell of Jones, Smeltzer, Speer, Stevenson, Stewart, Wetherall, West, Whittemore, Wilson of Chickasaw, and Mr. Speaker.

The Bill passed and the title was agreed to.

Mr. Wilson of Pottawattamie, moved to take from messages on the table Senate File No. 260: A Bill for an Act fixing the time of holding courts in the 3d Judicial District. The motion prevailed. The Bill was read a first and second time, and on motion of Mr. Wilson of Pottawattamie, the rule was suspended and the Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bowdoin, Burton, Oastor, Clark, Chase, Cleaves, Converse, Curtiss, Denlinger, Dorr, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Pendleton, Porter, Price, Rothrock, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Stanton, Stevenson, Thompson, Van Anda, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright and Young—74.

The nays were, none.

Absent or not voting, Messrs. Bass, Blackford, Bracewell, Calfee, Cutler, Dunlavy, Eaton, Kellogg, McLennan, Nelson, Quinn, Rowles, Smeltzer, Speer, Stewart, Wetherall, West, Wilson of Chickasaw, and Mr. Speaker.

The Bill passed and the title was agreed to.

The House resumed the consideration of Bills on their second reading.

House File No. 301: A Bill for an Act fixing the time when taxes shall become a lien upon real estate.

On motion of Mr. Fairall, the rule was suspended and the Bill

read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bowdoin, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eichorn, Fairall, Flint, Frisbie, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hardie, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lowrie, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Pendleton, Porter, Price, Rothrock, Russell of Dallas, Sarver, Schramm, Shipman, Stanton, Thompson, Walton, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright and Young—61.

The nays were, Messrs. Burton, Chase, Ferguson, Gibson, Hudnutt, Lorah, Nelson, Van Anda, Walker and Wasson—10.

Absent or not voting, Messrs. Bass, Blackford, Bracewell, Calfee, Dunlavy, Eaton, Fuller of Fayette, Kellogg, McLennan, Meyer, Quinn, Rowles, Russell of Jones, Smeltzer, Speer, Stevenson, Stewart, Wetherall, Whittemore, West, Wilson of Chickasaw, and Mr. Speaker—22.

The Bill passed and the title was agreed to.

Substitute for House File No. 276: A Bill for an Act to amend the Militia Law. The substitute was adopted.

Mr. Frisbie moved to strike out section nineteen. The motion prevailed.

Mr. Gordon moved to fill the first blank in section 48 with twelve hundred.

Mr. Wilcox moved to fill the first blank with fifteen hundred dollars.

Mr. Fuller of Fayette, with two thousand dollars.

Mr. McQuinn with eighteen hundred dollars.

Mr. Lowrie with thirteen hundred dollars. This motion was lost.

Mr. Lake moved to fill the first blank with twenty-five hundred dollars. The motion was lost.

Upon the question of filling the first blank with two thousand dollars, the yeas and nays were demanded by Messrs. Hudnutt and Denlinger, and were as follows:

The yeas were, Messrs. Bowdoin, Chase, Fairall, Fuller of Fayette, Fuller of Harrison, Hollingsworth, Lake, Lane, McQuinn, Meyer, Mitchell of Fremont, Moir, Parker, Smeltzer, Stanton, Van Anda, Walton and White—18.

The nays were, Messrs. Baker, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Ferguson, Flint, Frisbie, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hood, Jackson, Knoll, Lakin, Loomis, Lorah, Martin, Maxwell, McCall, McGlothlen, Mercer, Milburn, Mitchell of Polk, Nelson, Pendleton, Porter, Price,

Rothrock, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Stevenson, Thompson, Walker, Wasson, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth and Wright—62.

Absent or not voting, Messrs. Bass, Blackford, Bracewell, Dunlavy, Kellogg, Lowrie, McLennan, Moser, Quinn, Rowles, Speer, Stewart, West, Wetherall, Wilson of Chickasaw, Young and Mr. Speaker.—62.

The motion did not prevail.

Upon the question of filling the blank with eighteen hundred dollars, the yeas and nays were demanded by Messrs. Gordon and McQuinn, and were as follows :

The yeas were, Messrs. Bowdoin, Burton, Chase, Cutler, Fairall, Fuller of Fayette, Fuller of Harrison, Hollingsworth, Lake, Lane, Lowrie, Martin, McCall, McQuinn, Mercer, Meyer, Mitchell of Fremont, Moir, Parker, Rothrock, Stanton, Van Anda, Walton, White—24.

The nays were, Messrs. Baker, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Denlinger, Dorr, Eaton, Eichorn, Ferguson, Flint, Frisbie, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hood, Jackson, Knoll, Lakin, Loomis, Lorah, Maxwell, McGlothlen, Milburn, Mitchell of Polk, Nelson, Porter, Price, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Stevenson, Thompson, Walker, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright and Young—54.

Absent or not voting, Messrs. Bass, Blackford, Bracewell, Dunlavy, Kellogg, McLennan, Moser, Pendleton, Quinn, Rowles, Speer, Stewart, Wetherall, West, Wilson of Chickasaw, and Mr. Speaker—16.

The motion did not prevail.

Message from the Senate, by W. F. Davis, their Secretary :

MR. SPEAKER: I am directed to inform your Honorable Body that the Senate has passed Senate File 237: A Bill for an Act to amend the Code of Civil Practice.

Senate File No. 16: A Bill for an Act defining further duties for the Recorder of Deeds and his compensation.

House File No. 312: A Bill for an Act to divide the State into six Congressional Districts, with certain amendments.

In all of which the concurrence of the House is asked.

I also herewith return House File 136: A Bill for an Act to authorize the Governor and Boards of Supervisors to appoint Agents in repard to Swamp Lands belonging to the State of Iowa and defining their duties.

House File 340: A Joint Resolution in relation to Swamp and Overflowed Lands, the same having passed the Senate without amendment.

W. F. DAVIS, Secretary.

Mr. Mitchell, of Fremont, moved to fill the first blank with seventeen hundred dollars, and upon this question the yeas and nays were demanded by Messrs. Gordon and Russell of Dallas and were as follows :

The yeas were, Messrs. Bowdoin, Burton, Calfee, Clark, Chase, Cutler, Eichorn, Fairall, Fuller of Fayette, Fuller of Harrison, Hollingsworth, Lake, Lane, Lowrie, Martin, McCall, McQuinn, Mercer, Mitchell of Fremont, Moir, Moser, Parker, Rothrock, Rowles, Van Anda, Walton, Wasson, and White—28.

The nays were, Messrs. Baker, Castor, Cleaves, Converse, Curtiss, Denlinger, Dorr, Eaton, Ferguson, Flint, Frisbie, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hood, Jackson, Kellogg, Knoll, Lakin, Loomis, Lorah, Maxwell, McGlothlen, Meyer, Milburn, Mitchell of Polk, Nelson, Porter, Price, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Stevenson, Thompson, Walker, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, and Young—51.

Absent or not voting, Messrs. Bass, Blackford, Bracewell, Dunlavy, McLennan, Pendleton, Quinn, Speer, Stanton, Stewart, Wetherall, West, Wilson of Chickasaw, and Mr. Speaker.

The motion did not prevail.

Mr. Lakin moved to fill the first blank with sixteen hundred dollars, and upon this question the yeas and nays were demanded by Messrs. Hudnutt and Nelson and were as follows :

The yeas were, Messrs. Bowdoin, Burton, Calfee, Clark, Chase, Cutler, Eichorn, Fairall, Fuller of Fayette, Fuller of Harrison, Hollingsworth, Lake, Lakin, Lane, Lowrie, Martin, McCall, McQuinn, Mercer, Mitchell of Fremont, Moir, Moser, Parker, Pendleton, Porter, Rothrock, Rowles, Stanton, Van Anda, Walton, Wasson, White, and Wright—33.

The nays were, Messrs. Baker, Castor, Cleaves, Converse, Curtiss, Denlinger, Dorr, Eaton, Ferguson, Flint, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hood, Jackson, Knoll, Loomis, Lorah, Maxwell, McGlothlen, Meyer, Milburn, Mitchell of Polk, Nelson, Price, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Stevenson, Thompson, Walker, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, and Young—45.

Absent or not voting, Messrs. Bass, Blackford, Bracewell, Dunlavy, Gault, Kellogg, McLennan, Quinn, Speer, Stewart, Wetherall, West, Wilson of Chickasaw, and Mr. Speaker.

The motion did not prevail.

The question recurring upon filling the first blank with fifteen hundred dollars, it prevailed.

Mr. Wilcox moved to fill the remaining blank in said Section 48 with "five hundred."

Mr. Walker moved to fill with "one thousand," and upon this

question the yeas and nays were demanded by Messrs. Russell of Dallas and Guthrie, and were as follows :

The yeas were, Messrs. Bowdoin, Chase, Lakin, McGlothlen, Mercer, Meyer, Milburn, Mitchell of Fremont—8.

The nays were, Messrs. Baker, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McQuinn, Mercer, Mitchell of Polk, Moir, Moser, Nelson, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Stevenson, Thompson, Van Anda, Walton, Wasson, Wetherall, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, and Young—81.

Absent or not voting, Messrs. Bass, Blackford, Bracewell, Dunlavy, Gault, Kellogg, Lake, McLennan, Quinn, Speer, Stewart, West, White, Wilson of Chickasaw, and Mr. Speaker.

The motion did not prevail.

The question recurring upon filling the blank with "five hundred," it prevailed.

Mr. Cutler moved to fill the blank, in Section 50, with "five." The motion was lost.

Mr. Maxwell moved to fill with "four." The motion prevailed.

Mr. Maxwell moved to amend Section 51 by striking out "—dollars per annum," and inserting "four dollars per day." The amendment did not prevail.

Mr. Lowrie moved to fill the blank with "two thousand." Lost.

Mr. McCall moved to fill with "fifteen hundred." Carried.

Mr. Russell, of Jones, moved to amend Section 51 by inserting after the words "per annum," "while actually employed." The amendment was lost.

Mr. McCall moved that the rule be suspended and the Bill read a third time now.

Mr. Burton moved to fill the blank in Section 49 with "twelve hundred." Lost.

Mr. Loomis moved to strike out Section 49. The motion prevailed.

Mr. Smeltzer moved to strike out the last section. The motion was lost.

Mr. Walker moved to reconsider the vote by which Section 49 was stricken out. The motion prevailed.

The question recurring on the motion to strike out, it was lost.

Mr. Smeltzer moved that when this House adjourn it be until tomorrow morning. The motion prevailed.

Mr. Maxwell moved to fill the blank in Section 49 with "five hundred." The motion was lost.

Mr. Moir moved to fill with "four hundred." Lost.

Mr. Wilcox moved to fill with "three hundred." Carried.

The motion to suspend the rule and read the Bill a third time now, prevailed. The Bill was read a third time and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bowdoin, Burton, Calfee, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Dorr, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Guthrie, Holyoke, Hollingsworth, Hood, Jackson, Lake, Lakin, Lane, Loomis, Lowrie, Maxwell, McCall, McQuinn, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Rothrock, Rowles, Russell of Jones, Schramm, Shipman, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, White, Wilcox, Woodworth, and Wright—58.

The nays were, Messrs. Castor, Denlinger, Eichorn, Fairall, Ferguson, Flint, Gault, Gordon, Hardie, Hudnutt, Knoll, Lorah, Martin, McGlothlen, Meyer, Price, Russell of Dallas, Smeltzer, Williams of Des Moines, Williams of Mahaska, and Wilson of Pottawattamie—21.

Absent or not voting, Messrs. Bass, Blackford, Bracewell, Dunlavy, Kellogg, McLennan, Quinn, Sarver, Speer, Wetherall, West, Whittemore, Wilson of Chickasaw, Young and Mr. Speaker.

The Bill passed and the title was agreed to.

Senate File No. 222: A Bill for an Act to legalize the Acts of James N. Miles, a Notary Public of Olinton county, Iowa.

Mr. Maxwell offered a substitute for the Bill. The substitute was adopted.

On motion of Mr. Fairall the rule was suspended and the Bill read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Converse, Curtiss, Cutler, Dorr, Eaton, Eichorn, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Lake, Lakin, Lane, Loomis, Martin, Maxwell, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Wasson, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth and Wright—66.

The nays were, Messrs. Cleaves, Denlinger, Ferguson, Flint, Knoll, Lorah, Lowrie, McGlothlen, Moir, Moser, Smeltzer, Walton and White—13.

Absent or not voting, Messrs. Bass, Blackford, Bracewell, Dun-

lavy, Kellogg, McLennan, Quinn, Speer, Wetherall, West, Whittemore, Wilson of Chickasaw, Young and Mr. Speaker.

The Bill passed and the title was agreed to.

Mr. Mitchell of Polk moved to take up messages and communications on the table. The motion prevailed.

MESSAGES AND COMMUNICATIONS ON THE TABLE.

Substitute for Senate File No. 249: Joint Resolution relating to Des Moines River Land. Read a first and second time and referred to Committee on Public Lands.

Senate File No. 228: A Bill for an Act to secure the remainder of the University Land Grant. Read a first and second time and referred to Committee on Schools and State University.

Senate File No. 229: A Bill for an Act to provide for a complete list of lands selected under the swamp land grant. Read a first and second time and referred to Committee on Public Lands.

Senate File No. 16: A Bill for an Act defining further duties for the Recorder of Deeds and his compensation. Read a first and second time and referred to Committee on Judiciary.

Senate File No. 148: A Bill for an Act entitled an Act to legalize certain acts of Seth Anderson, County Judge of Wayne county, in the sale and conveyance of certain town lots in the town of Corydon, Iowa. Read a first and second time and referred to Judiciary Committee.

Senate File No. 167: A Joint Resolution to provide for auditing the Claim of Capt. Wm. Edwards of Lee county. Read a first and second time and referred to Committee on claims.

Substitute for Senate File No. 245: A Bill for an Act to empower the County Boards of Supervisors of the several Counties to dispose of the Swamp and Overflowed Lands. Read a first and second time and referred to Committee on Public Lands.

Senate File No. 174: A Bill for an Act to legalize and declare valid certain judgments of the 5th and 11th Judicial Districts of the State of Iowa. Read a first and second time and referred to Committee on Judiciary.

Senate File No. 223: A Bill for an Act to amend Chapter 32 of the laws of the present session of the General Assembly, and to further provide for moneys due the State and counties. Read a first and second time and referred to Committee on Judiciary.

Senate File No. 237: A Bill for an Act to amend the Code of civil practice. Read a first and second time and referred to Committee on Judiciary.

House File No. 227: A Bill for an Act to amend Chapter 45 of the Revision of 1860 in relation to Revenue. Referred to Committee on Ways and Means.

Substitute for House File No. 120: A Bill for an Act to allow organized counties to fund their outstanding warrants. Senate

amendments concurred in. And upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bowdoin, Calfee, Castor, Clark, Chase, Converse, Curtiss, Cutler, Eaton, Eichorn, Fairall, Ferguson, Frisbie, Fuller of Fayette, Guthrie, Holyoke, Hollingsworth, Hood, Jackson, Lane, Lowrie, Martin, McCall, McGlothlen, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Pendleton, Rothrock, Rowles, Shipman, Smeltzer, Stevenson, Thompson, Van Anda, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Woodworth and Wright—48.

The nays were, Messrs. Burton, Cleaves, Dorr, Gibson, Hudnutt, Knoll, Maxwell, Parker, Porter, Russell of Dallas, Schramm, and Williams of Mahaska—12.

Absent or not voting, Messrs. Bass, Blackford, Bracewell, Denlinger, Dunlavy, Flint, Fuller of Fayette, Gault, Glanville, Gordon, Hardie, Kellogg, Lake, Lakin, Loomis, Lorah, McLennan, Moser, Price, Quinn, Russell of Jones, Sarver, Speer, Stanton, Stewart, Walker, Walton, Wetherall, West, Wilson of Chickasaw, Wilson of Pottawattamie, Young and Mr. Speaker.

The Bill passed and the title was agreed to.

The following communication from his Excellency, the Governor, and accompanying correspondence, was taken up and read:

EXECUTIVE OFFICE, IOWA, }
April 2, 1862. }

Gentlemen of the House of Representatives:—

In compliance with your Resolution requesting me to communicate to you the condition of the wounded and sick soldiers of the Iowa Regiments that I had an opportunity of visiting during my recent visit to Fort Donelson, and such other information as I might deem of interest, I have the honor to transmit a letter from me to Surgeon-General Hughes, who accompanied me, and his reply, which conveys the information sought.

SAMUEL J. KIRKWOOD.

EXECUTIVE OFFICE, IOWA, }
March 26, 1862. }

JOSEPH C. HUGHES, M. D.,

Surgeon-General of Iowa:

SIR:—Herewith please find copy of Resolution passed by the House of Representatives, asking information concerning the condition of the Iowa sick and wounded soldiers, as found by the Commission recently sent for that purpose.

Please furnish me such information as will answer the inquiry, in such form as I may transmit to the House of Representatives.

Very respectfully,

SAMUEL J. KIRKWOOD.

DES MOINES, IOWA, March 28, 1862.

GOVERNOR KIRKWOOD:

DEAR SIR:—Your favor of March 25th, asking information in relation to the condition of our Iowa troops after the battle of Donelson, has been received. In answer, permit me to say, that, in company with the Commissioners appointed by yourself, under a Joint Resolution of both Houses of our General Assembly, I visited Fort Donelson and the Hospitals to which most of our wounded soldiers had been sent. Taking the most rapid means of conveyance, we arrived at Cairo on the 23d day of February, one week after the battle. On our arrival we learned that a boat loaded with wounded soldiers had just been reported to head-quarters, and in company with the Commission and several Medical gentlemen from our State, I repaired to the boat and assisted in dressing many of our own wounded, as well as those from other States. While the Medical gentlemen of the Commission were thus engaged, the other members were securing passes, in order that those of our brave boys who were able to return home might be sent off immediately. This done, we repaired to the several Hospitals of Cairo and to Mound City.

To the latter place most of our wounded had been sent. After visiting the bed-side of every Iowa soldier and rendering them such assistance as required, three of our Medical gentlemen, viz: Drs. Udell, Brownell and Woodruff, were left in charge, and in company with yourself we proceeded to Paducah, Kentucky. In the Hospitals at this point we found several of our Iowa soldiers, who were well cared for by the Surgeons in charge. Arrived at Donelson on the 26th, where we found the Second, Seventh, Twelfth and Fourteenth Regiments, those engaged in that memorable battle. All of those seriously wounded, or those having received wounds unfitting them for duty for any length of time, had been sent to the various Hospitals at different points; those remaining, sick or wounded, were well provided for, and the general health of the Regiments good. Diarrhoea prevailed among the troops at this point to a considerable extent, yet our troops were not suffering so severely as those from other States. Most of our men occupied the barracks prepared by the rebel army; although not built with reference to strict sanitary regulations, were comparatively comfortable.

Some of our wounded had been sent to Cincinnati. Those we did not have an opportunity to visit; but from my knowledge of the

Hospital regulations of that city and the hospitality of her citizens, I am satisfied that their every want will be attended to.

On our return we again visited the Hospitals of Mound City, Cairo and Bird's Point, and were pleased to find our sick and wounded provided for, and received all the Medical and Surgical attention their necessities required. Quite a number of our wounded had been sent, in charge of Medical gentlemen from our own State, to the Hospitals at St. Louis. Some of those we did not have an opportunity to visit, but have no doubt that the wishes of our Surgeons in charge would be respected, and our wounded properly provided for.

I shall take the earliest opportunity to again visit the sick and wounded of our Regiments, and report to you their condition.

Respectfully submitted,

J. C. HUGHES.

Mr. Cutler moved to lay on the table and print. The motion did not prevail.

Mr. Lakin moved to reconsider the vote by which Substitute for House File No. 126: A Bill for an Act entitled an Act to amend Section 2275, of the Revision of 1860, with regard to occupying claimants, was lost.

On motion of Mr. Wilcox the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
SATURDAY, April 5, 1862. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Clark.

Mr. Van Anda moved that the reading of the Journal of yesterday be dispensed with. The motion prevailed.

Mr. Shipman asked leave to introduce a Resolution, and upon this question the yeas and nays were demanded by Messrs. Martin and Maxwell, and were as follows:

The yeas were, Messrs. Baker, Blackford, Burton, Calfee, Clark, Chase, Denlinger, Dorr, Eaton, Eichorn, Gibson, Hardie, Huddnutt, Knoll, Lake, Lane, Loomis, Lowrie, Martin, Maxwell, McLennan, McQuinn, Meyer, Milburn, Moir, Nelson, Parker, Price, Rothrock, Russell of Jones, Schramm, Shipman, Stanton, Stewart, Van Anda, Walker and White—37.

The nays were, Messrs. Bass, Bowdoin, Cleaves, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Lorah,

McCall, McGlothlen, Mercer, Mitchell of Fremont, Mitchell of Polk, Pendleton, Porter, Sarver, Smeltzer, Speer, Walton, Wasson, Wetherall, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth and Wright—35.

Absent or not voting, Messrs. Bracewell, Castor, Converse, Curtiss, Dunlavy, Gault, Glanville, Guthrie, Lakin, Moser, Quinn, Rowles, Russell of Dallas, Stevenson, Thompson, West, Whittemore, Wilson of Chickasaw, Young, and Mr. Speaker.

Leave was not granted.

Leave of absence was granted to Mr. Curtiss for the forenoon.

PETITIONS.

Mr. McLennan presented sundry petitions of citizens of Jasper County, asking for a reduction in the price of State Printing. Passed upon the files.

REPORTS OF COMMITTEES.

Mr. Porter, from Committee on Schools and State University, submitted the following Reports :

The Committee on Schools and State University, to whom was referred Senate File No. 228, have had the same under consideration and have directed me to report the same back to the House without amendment, and recommend its passage.

J. R. PORTER.

The Committee on Schools and State University, to whom was referred a resolution instructing the Committee to inquire into the expediency of having the permanent school fund paid into the State Treasury, have had the same under consideration and have instructed me to report the accompanying Bill, and recommend its passage.

J. R. PORTER.

The Committee introduced House File No. 352 : A Bill for an Act for the better protection of the School Fund, and making temporary arrangements in regard to the principal thereof. Read a first time.

Mr. Hudnutt, from same Committee, submitted the following minority reports :

The Committee on Schools, to whom was submitted the Bill for calling the Permanent School Fund into the State Treasury, have had the same under consideration, and the minority beg leave to submit the following report :

The Constitution provides that this Fund shall be inviolable. The very title of this Bill shows us that it is the intention of the friends of this measure to divert the Fund from its inviolable purpose, and to devote the same to purposes as varied as are the demands upon the State Treasury.

Again, this Bill provides for the payment of the Permanent School Fund, in Warrants on the State Treasury, either against the ordinary Revenue or the War and Defense Fund.

This arrangement not only affects the perpetuity of the original Fund, but allows the same to be mixed up with the general debts of the State, and the War and Defense Fund.

The amount of the School Fund charged to the several counties, was not borrowed by them from the State, but arose from the sale of the School lands, selected in the several counties.

Under the old Commissioner system, large sums were lost by reason of loans made upon insufficient security; but, under the present Supervisor system, we have every reason to believe that the loans are safe.

Now there is loaned to the inhabitants of our Northern counties from \$40,000 to \$100,000, much of which falls due by the first of September next, and it would be impossible to pay.

Respectfully submitted,

J. O. HUDNUTT,
D. W. CHASE,
C. DENLINGER.

Mr. Martin moved that the Bill reported by the Committee be rejected.

Mr. Van Anda moved the previous question, which was seconded by a majority of the House, and the question "Shall the main question be now put?" was decided in the affirmative.

The question being upon the motion of Mr. Martin to reject the Bill, the yeas and nays were demanded by Messrs. Hardie and Fairall, and were as follows:

The yeas were, Messrs. Bass, Burton, Chase, Converse, Denlinger, Eichorn, Fairall, Ferguson, Flint, Gault, Gibson, Glanville, Hardie, Hudnutt, Hood, Kellogg, Knoll, Loomis, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, Mitchell of Fremont, Moser, Price, Rowles, Russell of Jones, Sarver, Schramm, Smeltzer, Speer, Stewart, Thompson, Walton, Wetherall, Whittemore, Wilson of Pottawattamie—39.

The nays were, Messrs. Baker, Blackford, Bowdoin, Calfee, Castor, Clark, Cutler, Dorr, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Guthrie, Holyoke, Hollingsworth, Jackson, Lake, Lakin, Lane, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Porter, Rothrock, Shipman, Stanton, Stevenson, Van Anda, Walker, Wasson, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth, and Wright—42.

Absent or not voting, Messrs. Bracewell, Cleaves, Curtiss, Dunlavy, Lowrie, Quinn, Russell of Dallas, West, White, Wilson of Chickasaw, Young, and Mr. Speaker.

The motion was lost.

The Bill was read a second time, and passed upon the files.

Leave of absence was granted to Mr. Russell of Dallas for the day.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Joint Committee on Enrolled Bills ask leave to report that they have examined and corrected Senate File Nos. 256 and 258; also, House File Nos. 243, 299 and 314, and present them herewith for your signature.

D. G. FRISBIE,
Chairman of House Committee.

Mr. Mitchell of Polk from Committee on Public Lands, submitted the following report:

Your Committee on Public Lands to whom was referred Substitute for Senate File No. 249: A Joint Resolution relating to the Des Moines River Lands, have had the same under consideration, and have instructed me to report the same back to the House, and recommend its passage.

JNO. MITCHELL, Chairman.

Mr. Shipman from Select Committee, submitted the following report:

The Committee, to whom was referred Senate File No. 252: A Bill fixing the times of holding Court in the Seventh Judicial District, have had the same under consideration and have instructed me to report the following Substitute and recommend the passage of the Substitute.

SHIPMAN.

Mr. Williams of Mahaska moved to take up Senate File No. 249: Joint Resolution relating to Des Moines River Lands. The motion prevailed, and upon the question of the adoption of the Joint Resolution, the yeas and nays were demanded by Messrs. Van Anda and Mitchell of Polk, and were as follows:

The yeas were, Messrs. Bass, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Huddnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleon, Porter, Price, Rothrock, Rowles, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth and Wright—81.

The nays were, Messrs. Baker, Blackford, and Hardie—3.

Absent or not voting, Messrs. Bracewell, Curtiss, Dunlavy, Quinn, Russell of Dallas, West, Wilson of Chickasaw, Young and Mr. Speaker.

The Joint Resolution was adopted.

Mr. Shipman moved to take up Substitute for Senate File No. 252: A Bill for an Act to change and fix the times of holding Courts in the Seventh Judicial District. The motion prevailed. The Substitute was adopted.

Mr. Shipman moved that the rule be suspended and the Bill read a third time now. The motion prevailed. The Bill was read a third time and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Outler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth and Wright—83.

The nays were, none.

Absent or not voting, Messrs. Bracewell, Curtiss, Dunlavy, Quinn, Russell of Dallas, West, Wilcox, Wilson of Chickasaw, Young and Mr. Speaker—10.

The Bill passed and the title was agreed to.

Mr. Bowdoin moved to take up House File No. 227: A Bill for an Act to amend chapter 45 of the Revision of 1860, in relation to Revenue. The motion prevailed.

The House concurred in the following Senate amendments, except Sections "19" and "20:"

SENATE AMENDMENTS.

FIRST—In 23d line of Section 16, after "run" insert "in proportion to the number of miles of main track of Road in each County," concurred in.

SECOND—From Section 16 in 25th line, strike out, commencing with "if," to "State," in the 33d line inclusive, and insert attached amendment marked "B." Concurred in.

THIRD—From Section 17, in 10th line strike out "sixty" and insert "thirty."

FOURTH—Strike out after "him" in 20th line, to "County in-

clusive" in 24th line and insert amendments marked "C." Concurred in.

FIFTH—Insert Sections 19, 20 and 22.

House concurred in Section 22, and refused to concur in Sections 19 and 20. And upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Cutler, Dorr, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Glanville, Gordon, Guthrie, Holyoke, Hollingsworth, Jackson, Lake, Lakin, Lane, Loomis, Lowrie, Martin, Maxwell, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Rothrock, Rowles, Russell of Jones, Sarver, Shipman, Stanton, Stevenson, Thompson, Van Anda, Walker, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth and Wright—59.

The nays were, Messrs. Bass, Denlinger, Eichorn, Fairall, Ferguson, Flint, Gault, Gibson, Hardie, Hudnutt, Hood, Kellogg, Knoll, Lorah, McGlothlen, McLennan, Schramm, Smeltzer, Spear, Stewart, Walton, Wetherall and Wilson of Pottawattamie—22.

Absent or not voting, Messrs. Bracewell, Curtiss, Dunlavy, Pendleton, Price, Quinn, Russell of Dallas, West, Wilson of Chickasaw, Young and Mr. Speaker—11.

The Bill passed and the title was agreed to.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following Report:

The Joint Committee on Enrolled Bills ask leave to report that they have delivered to the Governor for his approval Senate Files Nos. 256 and 258, also House Files Nos. 243, 299 and 314.

D. G. FRISBIE,

Chairman of House Committee.

Mr. Mercer, from Committee on Claims, submitted the following Report:

Your Committee, to whom was referred sundry claims, have had the same under consideration, and beg leave to submit the following report:

That they have examined the Bill of Wesley Redhead for stationery, blank books, pens, pen-holders, pencils, mucilage, ink, envelopes, eyelets, &c., furnished the Ninth General Assembly, and approved by Charles Aldrich, Clerk, amounting to \$153.10.

Also; Bill of H. Stephenson for cloth for fire screens, in the House and Senate Chambers, and find the same correct, amounting to \$18.90.

Also; Bill of Latshaw & Woodwell for iron used in repairing the capitol building, and for locks, bolts, hinges, screws, nails, fire-shovels, castors, tacks, knobs, sash-pulleys, keys, clothes hooks, &c., for keeping in repair the furniture, and for other purposes about the capitol building, amounting to \$61.28, find the same correct, but

recommend an appropriation for only \$41,23, because \$20,05 of said Bill is for iron used in repairing the capitol building, and for which there is an unexpended appropriation now in the hands of the Treasurer of sufficient amount to pay this part of said Bill.

Also; Bill of John Bryan, for plans and specifications for the erection of galleries in the State House, under direction Hon. Elijah Sells, in 1859. Bill, \$25,00; we recommend that he be paid the sum of \$15,00.

Also: Bill of Mrs. Murray for paste furnished the Ninth General Assembly—amount seventy-five cents—and find the same correct.

Also; Bill of Edmund Loughran, for $3\frac{1}{2}$ day's services as fireman of the Ninth General Assembly, prior to the appointment of the fireman pro tem, and find the same correct—bill \$10,50.

Also; Bill of Robert Holmes for \$7,50, for publishing notices of Adjutant General Baker in the Linn County Register, viz: "Arrangements with Railroads," 5 squares, for three weeks, published in the papers of March 13, 20, and 27, 1862, and find the same correct.

Your Committee recommend the passage of the following resolution:

Resolved, That the Committee of Ways and Means are hereby instructed to place in 'the Appropriation Bill, the following items, viz:

For Wesley Redhead (Stationery Bill).....	\$153 10
H. Stephenson (Cloth Bill).....	18 90
Latshaw & Woodwell (Hardware Bill)	41 23
John Bryan (Plans and Specifications).....	15 00
Mrs. Murray (for Paste)	75
Edward Loughran (for fireman pro tem. $3\frac{1}{2}$ days)	10 50
Robert Holmes, for notices of Gen. Baker published in the Linn County Register, in reference to Rail- roads, to be drawn from the War and Defense Fund, the sum of.....	7 50
Edward Coulter for taking charge of the Post Office during the absence of the Post Master	2 00

Respectfully submitted,

THOS. MERCER,

Chairman Committee on Claims.

The Resolution reported by Committee was adopted.

Mr. Castor from Committee on Agriculture submitted the following report:

The Agricultural Committee to whom was referred Senate File 114: A Bill for an Act to amend Chapter 67 of the Revision of 1860, have had the same under consideration, and a majority of the Committee recommend the passage of the Bill with the amendments herewith attached.

S. G. CASTOR.

Mr. Converse from same Committee submitted the following report:

The undersigned members of the Committee on Agriculture to whom was referred Substitute for Senate File No. 114: A Bill for an Act to amend Chapter 67 of the Revision of 1860, beg leave to dissent from the report of the majority of the Committee and recommend that the Bill be indefinitely postponed.

A. CONVERSE.
THOS. HARDIE.

MESSAGES ON THE TABLE.

House File No. 209: Substitute for House Files Nos. 24 and 25: A Bill for an Act in relation to the duties and liabilities of Railroad Companies. Senate amendments concurred in, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Gibson, Glanville, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lane, Loomis, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whitemore, Wilcox, Williams of Des Moines, Woodworth, and Wright—70.

The nays were, Messrs. Bass, Blackford, Gault, Gordon, Kellogg, Lorah, Mitchell of Fremont, Moir, Stewart, Williams of Mahaska, and Wilson of Pottawattamie—11.

Absent or not voting, Messrs. Bracewell, Curtiss, Dunlavy, Fuller of Fayette, Lake, Lakin, Quinn, Russell of Dallas, West, Wilson of Chickasaw, Young, and Mr. Speaker.

The Bill passed and the title was agreed to.

Message from the Senate:

MR. SPEAKER:—I herewith return House File No. 266: A Bill for an Act to amend an Act entitled an Act to require County Judges to give bond.

House File No. 349: A Bill for an Act amendatory of an Act entitled an Act providing for auditing all accounts and disbursements arising under the call for Volunteers from Iowa; and, also, for men organized as the State Militia of Iowa.

House File No. 287: A Bill for an Act to authorize the Principal of the Institution for the education of the Blind, to remove said Institution to the building erected for that purpose at Vinton, Benton County, Iowa, with an amendment.

House File No. 348: A Bill for an Act supplementary to an Act

for the incorporation of cities and towns, Chapter 51 of the Revision of 1860, with an amendment.

House File No. 331: A Bill for an Act to amend Chapter 90, Art. 2 of the Revision of 1860, with sundry amendments.

House File No. 89: A Bill for an Act to repeal Chapter 7 of the Laws of the State of Iowa, passed at the Extra Session of the Eighth General Assembly, an Act entitled an Act for the relief of the Volunteer Soldiers of this State, having passed the Senate without amendment.

W. F. DAVIS, Sec'y of Senate.

Mr. Lane moved to reject Senate File No. 239: A Bill for an Act fixing the salary of the Adjutant General of the State of Iowa. The motion prevailed.

Message from the Senate by Wm. F. Davis, their Secretary:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate insists upon its Substitute to House File No. 155, and appoints Senators Redfield and Woolson as a Committee of Conference on the part of the Senate, and asks for a similar Committee upon the part of the House; and that the Senate has rejected House File No. 347: A Joint Resolution relating to the Seventeenth Regiment of Iowa Volunteers, and herewith return the same. And has passed the following Concurrent Resolution, in which the concurrence of the House is asked:

W. F. DAVIS, Secretary.

Resolved, by the Senate, the House of Representatives concurring, That a Committee of five on the part of the Senate, be appointed to meet a like Committee on the part of the House, whose duty it shall be to examine all Bills pending in either branch of the General Assembly, and report to each House to-morrow morning, such Bills as in their judgment should be first considered and acted upon to subserve the best interests of the State. The Resolution was adopted.

The Chair appointed Messrs. Van Anda, Shipman, Martin, Fairall and Porter, on the part of the House.

Mr. Bowdoin moved a Committee of Conference, to consist of two, on Senate Substitute for House File No. 155.

Mr. Cleaves moved that the Committee consist of three. Lost.

Mr. Bowdoin's motion was adopted.

The Chair appointed as such Committee, Messrs. Bowdoin and Lane.

Mr. Lowrie, by leave, submitted the following Report:

Your Committee, to whom was referred Senate File No. 32, have had the same under consideration, and directed me to recommend its passage.

C. W. LOWRIE, Chairman.

Substitute for Senate File No. 32: A Bill for an Act to require officers of Rail Road Companies to reside within the State of Iowa, and defining their duties.

On motion of Mr. Lowrie, the Bill was taken up.

And on motion of Mr. Lowrie, the rule was suspended and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Calfee, Castor, Cleaves, Converse, Denlinger, Dorr, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Moser, Nelson, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Wasson, Wetherall, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright and Young—69.

The nays were, Messrs. Bowdoin, Burton, Cutler, Kellogg, Mitchell of Fremont, Parker, Speer, Walton, and Williams of Mahaska—9.

Absent or not voting, Messrs. Blackford, Bracewell, Clark, Chase, Dunlavy, Eaton, Fuller of Harrison, Quinn, Russell of Dallas, White, West, Whittemore, Wilson of Chickasaw and Mr. Speaker.

The Bill passed and the title was agreed to.

Mr. Hudnutt read the following Protest, and asked that it be entered upon the Journal:

"Protest of J. O. Hudnutt, against the Bill providing for the Senatorial Districting of the State."

The undersigned hereby desires to earnestly protest against the action of this House, in adopting the Senate Bill, dividing the State into Senatorial Districts, so far as relates to the Thirty-Sixth District.

In the first place, it exhibits a system of "Jerrymandering" disgraceful to any party; and secondly, the means, by which it was brought about, deserves special condemnation.

The Senate Committee was composed of one member from each Judicial District. The member appointed from the Tenth District, though a Republican, was never informed of the meetings of the Committee; and hence, the Tenth Judicial District was remorselessly cut up and mangled regardless of sigh or groan, by the remaining Judicial Districts.

Now, I am unwilling to let such an outrage against the common sense of the people of Bremer County, go unrebuked; and hence, desire this, my Protest, to be placed upon the Journal.

Respectfully submitted,

J. O. HUDNUTT.

Mr. Meyer, by leave, submitted the following Report:

The Special Committee, to whom was referred House File No. 237, have had the same under consideration, and have instructed

me to report back the accompanying Substitute and recommend its passage :

JOHN MEYER.

On motion of Mr. Meyer, the Bill reported upon by the Committee, was taken up, being Substitute for House File No. 237: A Bill for an Act prescribing the manner in which the incorporate Town of Newton, Jasper County, Iowa, may dissolve its Act of Incorporation. The Substitute was adopted.

On motion of Mr. Hardie, the rule was suspended and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Cutler, Denlinger, Dunlavy, Eaton, Eichorn, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hydnutt, Holyoke, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McLennan, McQuinn, Mercer, Meyer, Milburn, Parker, Porter, Price, Rothrock, Rowles, Schramm, Shipman, Speer, Stanton, Stevenson, Thompson, Van Anda, Walker, Wasson, Wetherall, White, Woodworth and Wright—63.

The nays were, Messrs. Blackford, Dorr, Ferguson, Flint, Hollingsworth, Lane, McGlothlen, Mitchell of Fremont, Moir, Moser, Nelson, Pendleton, Russell of Jones, Sarver, Stewart, Wilcox, Williams of Des Moines, Williams of Mahaska, and Wilson of Pottawattamie—18.

Absent or not voting, Messrs. Curtiss, Mitchell of Polk, Quinn, Russell of Dallas, Smeltzer, Walton, West, Whittemore, Wilson of Chickasaw, Young and Mr. Speaker.

The Bill passed and the title was agreed to.

Mr. Frisbie, by leave, introduced the following resolution:

Resolved, That the Chief Clerk of this House be and he is hereby authorized to procure the services of such assistants for the Enrolling Clerk, as may be necessary during the remainder of the session. The Resolution was adopted.

The House resumed the consideration of messages on the table.

Senate File No. 263: A Bill for an Act to require the Dubuque and Sioux City Railroad Company to release certain Swamp, School and Des Moines River Lands on the line of their road, and providing for the compensation therefor, by an extension of the time of the building said road. Read a first and second time.

Mr. Pendleton moved to suspend the rule and read the Bill a third time now.

Mr. Fairall moved to commit the Bill to Committee on Railroads.

Mr. Gordon moved to amend by inserting "the Committee to report Monday morning." The amendment of Mr. Gordon was lost.

The question being upon the motion of Mr. Fairall to commit,

the yeas and nays were demanded by Mr. Fairall and Lowrie and were as follows :

The yeas were, Messrs. Eichorn, Fairall, Ferguson, Flint, Gibson, Glanville, Gordon, Guthrie, Hood, Jackson, Kellogg, Lowrie, McGlothlen, Milburn, Mitchell of Fremont, Moser, Russell of Jones, Schramm, Stanton, Stevenson, Stewart, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth and Wright—26.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Cutler, Denlinger, Dorr, Eaton, Frisbie, Fuller of Fayette, Gault, Hardie, Hudnutt, Holyoke, Hollingsworth, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Martin, Maxwell, McCall, McLennan, McQuinn, Mercer, Meyer, Moir, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Sarver, Shipman, Smeltzer, Speer, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, and Wilson of Pottawattamie—54.

Absent or not voting, Messrs. Bracewell, Curtiss, Dunlavy, Fuller of Harrison, Mitchell of Polk, Nelson, Quinn, Russell of Dallas, West, Whittemore, Wilson of Chickasaw, Young and Mr. Speaker.

The motion did not prevail.

The question recurring upon the motion of Mr. Pendleton to suspend the rule and read the Bill a third time now, it prevailed. The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Calfee, Clark, Chase, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Hardie, Hudnutt, Holyoke, Hollingsworth, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Jones, Sarver, Shipman, Smeltzer, Speer, Stanton, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, and Wilson of Pottawattamie—60.

The nays were, Messrs. Castor, Cleaves, Eichorn, Fairall, Ferguson, Flint, Gault, Glanville, Gordon, Guthrie, Hood, Jackson, Lowrie, McGlothlen, Mitchell of Polk, Schramm, Stevenson, Stewart, Thompson, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth, and Wright—24.

Absent or not voting, Messrs. Bracewell, Dunlavy, Quinn, Russell of Dallas, West, Wilson of Chickasaw, Young and Mr. Speaker.

The Bill passed and the title was agreed to.

On motion of Mr. Shipman the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

The House resumed the consideration of messages on the table.

House File No. 312: A Bill for an Act to divide the State into six Congressional Districts.

Mr. Mitchell of Polk moved a call of the House which was seconded pending which on motion of Mr. Shipman further proceedings under the call, were suspended.

Mr. Van Anda moved that the House concur in the Senate amendment to the Bill, and upon this question the yeas and nays were demanded by Messrs. White and Nelson and were as follows:

The yeas were, Messrs. Castor, Cleaves, Ferguson, Flint, Frisbie, Gibson, Glanville, Guthrie, Holyoke, Hollingsworth, Hood, Martin, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Porter, Russell of Dallas, Stevenson, Wasson, Wetherall, White, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, and Woodworth—27.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Calfee, Clark, Chase, Curtiss, Cutler, Denlinger, Dorr, Eichorn, Fairall, Fuller of Fayette, Fuller of Harrison, Gordon, Hardie, Hudnutt, Jackson, Kellogg, Knoll, Lake, Lakin, Loomis, Lorah, Lowrie, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Nelson, Parker, Pendleton, Price, Rothrock, Rowles, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stewart, Van Anda, Walton, Whittemore, Wilcox, and Wright—52.

Absent or not voting, Messrs. Bracewell, Converse, Dunlavy, Eaton, Gault, Lane, Milburn, Quinn, Thompson, Walker, West, Wilson of Chickasaw, Young and Mr. Speaker.

The motion did not prevail.

Mr. Mitchell of Polk from Committee on Public Lands, submitted the following report:

Your Committee on Public Lands to whom was referred Substitute for Senate File No. 245: A Bill for an Act to empower the County Boards of Supervisors of the several counties, to dispose of their Swamp and Overflowed Lands, have had the same under consideration, and have instructed me to report the same back to this House, and recommend that it be indefinitely postponed.

JNO. MITCHELL, Chairman.

The report of the Committee was concurred in.

The following messages from the Senate, were received through Wm. F. Davis, their Secretary:

MR. SPEAKER: I herewith return House File 343: A Bill for an Act to amend Sec. 4,246 of the Revision of 1860.

House File 339: A Bill for an Act to amend an Act to confer certain powers on towns and cities for School purposes.

House File No. 333: A Bill for an Act in relation to recording Powers of Attorney for conveying Real Estate.

House File No. 329: An Act to amend Section 1851 of the Revision of 1860, relating to Mechanics' Liens.

House File 258: A Bill for the protection of Fruit.

House File No. 91: A Bill for an Act to amend Section 823, of Chapter 46, of the Revision of 1860, in relation to Bridges.

The same having passed the Senate without amendment.

W. F. DAVIS, Secretary.

MR. SPEAKER: I am directed to inform your Honorable Body that the Senate has passed Senate File 268: A Joint Resolution authorizing the Auditing Commissioners to audit certain accounts incurred by the Adjutant General's Office.

And has concurred in the House amendments to Senate File 255: A Bill for an Act to provide for the publication and distribution of the Journals of the Ninth General Assembly.

Also; In the first House amendment to Senate File 72: A Bill to provide for the support of the Deaf, Dumb and Blind Asylums, and refused to concur in the second amendment thereto.

In all which the concurrence of the House is asked.

W. F. DAVIS, Secretary.

MR. SPEAKER: I herewith return House File 301: A Bill for an Act fixing the time when taxes shall become a lien upon Real Estate.

House File 222: A Bill to legalize acts of James N. Miles, a Notary Public of Clinton County, the same having passed the Senate without amendment.

Also; House File 243: A Bill for an Act to amend sec. 1874 of the Revision of 1860, in relation to limited partnerships, the same having been rejected by the Senate.

House File 227: A Bill to amend Chapter 45, of the Revision of 1860, an Act relating to Revenue, the Senate having receded from Section 19, and insists upon Section 20, the same having passed the Senate.

W. F. DAVIS, Secretary.

Senate File No. 243: A Bill for an Act to amend Section 1874, of the Revision of 1860. Read a first and second time, and on motion of Mr. Williams of Des Moines, the rule was suspended, and the Bill read a third time; and upon the question shall the Bill pass? "the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bowdoin, Calfee, Chase, Cleaves, Converse, Curtiss, Cutler, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Jackson, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Porter, Price, Rothrock, Rowles, Sarver, Schramm, Shipman, Stanton, Van Anda, Wasson, Whittemore, Wilcox, Williams

of Des Moines, Williams of Mahaska, Woodworth, Wright and Young—54.

The nays were, Messrs. Bass, Blackford, Bracewell, Burton, Castor, Clark, Denlinger, Dorr, Eaton, Gault, Gibson, Glanville, Hood, Kellogg, Knoll, Lake, Lakin, Lane, McLennan, Milburn, Moser, Pendleton, Russell of Dallas, Smeltzer, Speer, Stewart, Thompson, Walker, Walton, Wetherall, White, Wilson of Pottawatomie—33.

Absent or not voting, Messrs. Dunlavy, Quinn, Russell of Jones, Stevenson, West, Wilson of Chickasaw, and Mr. Speaker—5.

Mr. Bowdoin moved a Committee of Conference of two, on House File No. 227. The motion prevailed. The Chair appointed as such Committee Messrs. Bowdoin and Martin.

Senate File No. 268: A Joint Resolution authorizing the Auditing Commissioners to audit certain accounts incurred by the Adjutant General's Office. Read a first and second time and referred to Committee on Ways and Means.

BILLS ON SECOND READING.

Senate File No. 148: A Bill for an Act entitled an Act to legalize certain acts of Seth Anderson, County Judge of Wayne County, Iowa, in the sale and conveyance of certain town lots in the town of Corydon, Iowa.

On motion of Mr. Moir, the rule was suspended, and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Calfee, Clark, Cutler, Chase, Converse, Curtiss, Denlinger, Eichorn, Fairall, Frisbie, Fuller of Harrison, Gault, Glanville, Guthrie, Hudnutt, Hollingsworth, Hood, Jackson, Kellogg, Lake, Lane, Loomis, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Van Anda, Walton, Wasson, Whittemore, Williams of Des Moines, Williams of Mahaska, Wright and Young—70.

The nays were, Messrs. Castor, Dorr, Ferguson, Flint, Hardie, Lowrie, Nelson and Wilcox—9.

Absent or not voting, Messrs. Burton, Cleaves, Eaton, Fuller of Fayette, Gibson, Gordon, Holyoke, Milburn, Stewart, Wetherall, West, White, Wilson of Chickasaw, and Mr. Speaker—14.

The Bill passed and the title was agreed to.

Mr. Wilcox moved that when this House adjourn, it be till seven o'clock, P. M. Lost.

House File No. 336: A Bill for an Act to define the lien of judgments on a homestead.

Mr. Lake moved that the rule be suspended and the Bill read a third time now. The motion prevailed. The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Burton, Calfee, Castor, Clark, Converse, Eichorn, Fairall, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Hollingsworth, Jackson, Lake, Lakin, Lowrie, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Parker, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Speer, Stanton, Stevenson, Van Anda, Wetherall, Whittemore, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, and Wright—46.

The nays were, Messrs. Blackford, Cleaves, Curtiss, Denlinger, Dorr, Dunlavy, Hardie, Hood, Knoll, Lane, Lorah, Martin, Maxwell, Moir, Moser, Nelson, Pendleton, Smeltzer, Stewart, Walton, Wasson, White, Wilcox, and Williams of Des Moines—24.

Absent or not voting, Messrs. Bowdoin, Bracewell, Chase, Gibson, Gordon, Hudnutt, Kellogg, Loomis, Milburn, Mitchell of Polk, Quinn, Shipman, Thompson, Walker, West, White, Wilson of Chickasaw, Young, and Mr. Speaker.

The Bill was lost.

Mr. Curtiss moved to reconsider the vote by which the Bill was lost. The motion prevailed, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Burton, Calfee, Castor, Cleaves, Curtiss, Dorr, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Hardie, Hollingsworth, Jackson, Kellogg, Knoll, Lake, Lakin, Loomis, Lorah, Lowrie, Martin, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moser, Parker, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Schramm, Shipman, Speer, Stevenson, Stewart, Van Anda, Wasson, White, Whittemore, Williams of Des Moines, Williams of Mahaska, Woodworth, and Wright—59.

The nays were, Messrs. Blackford, Bowdoin, Clark, Chase, Denlinger, Hudnutt, Holyoke, Hood, Lane, Martin, Maxwell, Moir, Nelson, Pendleton, Walton, and Wilcox—16.

Absent or not voting, Messrs. Bracewell, Clark, Cutler, Dunlavy, Eaton, Guthrie, Milburn, Quinn, Sarver, Smeltzer, Stanton, Thompson, Walker, Wetherall, West, Wilson of Chickasaw, Wilson of Pottawattamie, Young, and Mr. Speaker.

The Bill passed and the title was agreed to.

Senate File No. 228: A Bill for an Act to secure the remainder of the University Land Grant.

Mr. Bowdoin moved that the rule be suspended and the Bill read a third time now. The motion prevailed, the Bill was read a third

time and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Loomis, Lohrah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Meyer, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Van Anda, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, and Wright—80.

The nays were, none.

Absent or not voting, Messrs. Bracewell, Lane, Mercer, Milburn, Mitchell of Fremont, Moser, Quinn, Thompson, West, Wilson of Chickasaw, Young and Mr. Speaker.

The Bill passed and the title was agreed to.

Message from the Senate:

MR. SPEAKER:—I herewith return House File 324: A Bill for an Act to provide for the publication and distribution of the laws of the Ninth General Assembly, with an amendment, in which the concurrence of the House is asked.

House File No. 250: A Bill to provide for the publication of the laws of a general nature of the Ninth General Assembly in certain German newspapers and for the translation thereof, and House File No. 215: Bill for an Act to provide for the publication of the laws, the same having been rejected by the Senate.

W. F. DAVIS, Sec'y of Senate.

House File No. 228: A Bill for an Act to require the land grant Railroad Companies to release certain Swamp, School and River Lands on the lines of the several Roads, and providing for the compensation therefor by an extension of the time of building said Roads, and the issuing of State Warrants.

Mr. McCall offered a substitute for the Bill.

Mr. Shipman moved to strike out the fifth Section of the substitute. The motion prevailed.

Mr. Fuller of Harrison, offered the following amendment: Strike out the words "now approved," in the seventh line of Section 1, and insert "and all the land selected and returned to the General Land Office as swamp and overflowed land, and confirmed by the Act of Congress of March 3d, 1857."

Mr. Maxwell moved that the Bill and Substitute be committed to a select Committee of five. The motion did not prevail.

The question recurring upon the amendment of Mr. Fuller of Harrison, it was adopted.

Mr. Lowrie moved to amend Section 4, by adding: "*Provided further*, That this Act in no manner recognizes that said Road, with the provisions of the Act granting lands to said Road, or that it has complied with the Act of Congress passed in 1856, granting lands for the construction of four Railroads as therein mentioned."

Mr. Eaton moved to postpone the further consideration of the Bill and Substitute until Monday at 2 o'clock, P. M. The motion was lost.

Mr. Frisbie moved the previous question, which was not seconded.

The question recurring upon the amendment of Mr. Lowrie, it was lost.

Mr. Lane moved to amend Section 2, by striking out the words "the said Road shall be completed to the Des Moines River," and insert in lieu thereof, "the first day of December, 1863." The amendment was adopted.

The Substitute as amended was adopted.

Mr. Cutler moved that the rule be suspended and the Bill read a third time now. The motion prevailed. The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Castor, Clark, Converse, Curtiss, Cutler, Denlinger, Eichorn, Ferguson, Frisbie, Fuller of Fayette, Fuller of Harrison, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Martin, Maxwell, McCall, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Shipman, Smeltzer, Speer, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Wright and Young—62.

The nays were, Messrs. Dorr, Eaton, Fairall, Flint, Glanville, Jackson, Lowrie, Russell of Jones, Schramm, Stevenson, Wilcox, and Woodworth—12.

Absent or not voting, Messrs. Bracewell, Calfee, Chase, Cleaves, Dunlavy, Gault, Gibson, Gordon, Loomis, McGlothlen, Milburn, Quinn, Sarver, Stanton, Stewart, West, Wilson of Chickasaw and Mr. Speaker—18.

The Bill passed.

Mr. McCall moved to amend the title by striking out "and the issuing of State Warrants." The amendment prevailed. The title as amended was agreed to.

On motion of Mr. Ferguson the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
MONDAY, April 7, 1862. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Clark.

Journal of Saturday read and approved.

Mr. Fairall, by leave, offered the following Resolution :

Resolved, by the General Assembly of the State of Iowa, That the Governor or Adjutant General of the State, shall have full power to give a pass to any Soldier of an Iowa Regiment who has been absent from his Regiment on Furlough, whenever in the opinion of the Governor or Adjutant General there is a necessity to furnish such aid.

The Resolution was adopted.

Mr. Mercer, from Committee on Claims, submitted the following Report :

Your Committee, to whom was referred Senate File No. 169 : A Joint Resolution to provide for the Auditing of the claim of Captain Wm. Edwards of Lee County, have had the same under consideration and herewith report back the Resolution and recommend its passage.

THOMAS MERCER,
Chairman of Committee on Claims.

The Resolution was adopted.

Message from the Senate by Wm. F. Davis, their Secretary :

MR. SPEAKER :—I herewith return House File No. 85 : A Bill for an Act prescribing the duties of Township Trustees and Road Supervisors in certain cases.

Also, House File No. 220 : A Bill for an Act to regulate the carrying of Freight and Passengers over connecting Rail Roads, the same having passed the senate with sundry amendments.

W. F. DAVIS, Secretary.

MR. SPEAKER :—I am directed to inform your Honorable Body that the Senate has passed Senate File No. 248 : A Bill for an Act to amend Section 313 of the Revision of 1860.

Also, Senate File No. 269 : A Joint Resolution for auditing the claim of Captain Guttchalk for Shoes provided for Company "H," first Regiment of Iowa Volunteers, in which the concurrence of the House is asked.

W. F. DAVIS, Secretary.

On motion of Mr. Fairall the Joint Resolution was taken up. The Joint Resolution was adopted.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER :—The Joint Committee on Enrolled Bills ask leave to report that they have examined and corrected House Files

Nos. 89, 91, 222, 301, 305½, 329, 333, 339, 343, and 266, and present the same herewith for your signature.

D. G. FRISBIE,

Chairman of House Committee.

Mr. Price moved to take up Bills on their second reading. The motion prevailed.

BILLS ON SECOND READING.

House File No. 240: A Bill for an Act to amend an Act entitled an Act to amend an Act entitled an Act for the government and regulation of the State University of Iowa.

On motion of Mr. Shipman the rule was suspended and the Bill read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bracewell, Burton, Castor, Chase, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Ferguson, Frisbie, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hudnutt, Holyoke, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Maxwell, McLennan, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Rothrock, Russell of Dallas, Russell of Jones, Schramm, Shipman, Van Anda, Walker, Walton, Wasson, Wetherall, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth and Wright—58.

The nays were, Messrs. Bowdoin, Eaton, Fairall, Fuller of Fayette, Hollingsworth, Lane, Lowrie, Martin, McCall, Mercer, Pendleton, Rowles, Stanton, and Young—14.

Absent or not voting, Messrs. Chase, Calfee, Clark, Cutler, Eichorn, Flint, Hardie, Loomis, McGlothlen, McQuinn, Milburn, Quinn, Sarver, Smeltzer, Speer, Stevenson, Stewart, Thompson, West, White, and Wilson of Chickasaw—21.

The Bill passed and the title was agreed to.

House File No. 324: A Bill for an Act to provide for the publication and distribution of the Laws of the Ninth General Assembly. Senate amendment concurred in.

On motion of Mr. Wilcox the rule was suspended and the Bill read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McCall, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver,

Schramm, Shipman, Speer, Stanton, Stevenson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, Woodworth, Wright and Young—78.

The nays were, none.

Absent or not voting, Messrs. Clark, Cutler, Gibson, Loomis, McLennan, McGlothlen, Milburn, Quinn, Smeltzer, Stewart, Thompson, West, Williams of Mahaska, Wilson of Chickasaw, and Mr. Speaker—15.

The Bill passed and the title was agreed to.

Substitute for Senate File No. 84: A Bill for an Act to amend Chapter 83, of the Revision of 1860, relating to Dower.

On motion of Mr. Williams of Mahaska, the rule was suspended, the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The Yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Chase, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Sarver, Schramm, Shipman, Speer, Stanton, Stevenson, Van Anda, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright and Young—77.

The nays were, Messrs. Ferguson, Gordon, Kellogg, Russell of Jones, Russell of Dallas, and Walker—6.

Absent or not voting, Messrs. Clark, Cutler, Gibson, Loomis, Quinn, Stewart, Thompson, West, Wilson of Chickasaw, and Mr. Speaker.

The Bill passed and the title was agreed to.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following Report:

MR. SPEAKER:—The Joint Committee on Enrolled Bills, ask leave to report that they have examined Senate Files Nos. 127 and 260; also, House Files Nos. 120, 125, 136, 321 and 330; also, a Joint Resolution in relation to Swamp Lands; find them correctly enrolled, and present the same herewith for your signature.

D. G. FRISBIE,

Chairman of the House Committee.

House File No. 344: A Bill for an Act to amend Section 4360, of the Revision of 1860.

On motion of Mr. Martin, the rule was suspended and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Knoll, Lake, Lakin, Lane, Lorah, Lowrie, Martin, Maxwell, McCall, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright and Young—83.

The nays were, none.

Absent or not voting, Messrs. Bracewell, Chase, Loomis, Jackson, McGlothlen, Milburn, West, Wilson of Chickasaw, and Mr. Speaker.

The Bill passed and the title was agreed to.

Message from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body, that the Senate refuses to recede from its amendment to House File No. 312: A Bill for an Act to divide the State into six Congressional Districts, and asks for a Committee of Conference on the part of the House, and that Messrs. Smith and Pollard have been appointed on such Committee, on the part of the Senate.

W. F. DAVIS, Secretary of Senate.

Mr. Young moved a Committee of Conference of three, on House File No. 312. The motion prevailed.

The Chair appointed Messrs. Young, Pendleton and Eaton as such Committee.

House File No. 327: A Bill for an Act to amend Section 843, of the Revision of 1860, relating to Roads.

On motion of Mr. Moir, the rule was suspended and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hood, Jackson, Knoli, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams

of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright and Young—85.

The nays were, Messrs. Hollingsworth, and Kellogg—2.

Absent or not voting, Messrs. Bracewell, Milburn, Quinn, West, Wilson of Chickasaw and Mr. Speaker—6.

The Bill passed and the title was agreed to.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Joint Committee on Enrolled Bills ask leave to report that they have examined Senate Files 127 and 260; also, House Files 120, 125, 136, 321, 330, and a Joint Resolution in relation to swamp lands, find the same correctly enrolled and present them herewith for your signature.

D. G. FRISBIE,
Chairman of House Committee.

Message from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate recedes from its amendment to Section 20, of House File No. 227: A Bill for an Act to amend Chapter 45 of the Revision of 1860, being an Act in relation to Revenue, and the same is herewith returned.

W. F. DAVIS, Sec'y of Senate.

House File No. 342: A Bill for an Act to amend Section 4220 of the Revision of 1860.

On motion of Mr. Moir, the rule was suspended and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Bass, Blackford, Bracewell, Burton, Castor, Cleaves, Curtiss, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lane, Loomis, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Schramm, Shipman, Smeltzer, Stanton, Stevenson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth, Wright, and Young—66.

The nays were, Messrs. Baker, Russell of Jones, and Wilson of Pottawattamie—3.

Absent or not voting, Messrs. Bowdoin, Calfee, Clark, Chase, Converse, Cutler, Eaton, Ferguson, Gibson, Hardie, Lakin, Lowrie, Milburn, Moser, Quinn, Sarver, Speer, Stewart, Thompson, Wasson, West, Wilson of Chickasaw and Mr. Speaker.

The Bill passed and the title was agreed to.

House File No. 232: A Bill for an Act to amend an Act entitled an Act regulating the compensation of County Judges.

On motion of Mr. Shipman, the rule was suspended and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stevenson, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright and Young—83.

The nays were, Messrs. Dunlavy, Eichorn, Kellogg, Mitchell of Fremont and Russell of Jones—5.

Absent or not voting, Messrs. Bracewell, Quinn, West, Wilson of Chickasaw and Mr. Speaker—5.

The Bill passed and the title was agreed to.

On motion of Mr. Quinn, the House took up Messages on the table.

House File No. 331: A Bill for an Act to amend Chapter 90, Article 2, of the Revision of 1860. Senate amendment concurred in, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Burton, Calfee, Castor, Clark, Chase, Converse, Curtiss, Dorr, Dunlavy, Ferguson, Frisbie, Fuller of Harrison, Gault, Glanville, Gordon, Guthrie, Holyoke, Hollingsworth, Jackson, Lakin, Lane, Loomis, Lowrie, Martin, McCall, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Shipman, Smeltzer, Van Anda, Walker, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth and Wright—55.

The nays were, Messrs. Bracewell, Denlinger, Eichorn, Fairall, Hardie, Hood, Kellogg, Knoll, McGlothlen, Russell of Jones, Schramm and Stanton—12.

Absent or not voting, Messrs. Bass, Bowdoin, Cleaves, Cutler, Eaton, Flint, Fuller of Fayette, Gibson, Hudnutt, Lake, Lorah, Maxwell, Milburn, Moser, Pendleton, Quinn, Sarver, Speer, Stevenson, Stewart, Thompson, Walton, West, Wilson of Chickasaw, Young and Mr. Speaker.

The Bill passed and the title was agreed to.

House File No. 287: A Bill for an Act to authorize the Principal of the Institution of the Blind to remove said Institution to the building erected for that purpose, at Vinton, in Benton County, Iowa. Senate amendment concurred in, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Dorr, Fairall, Ferguson, Frisbie, Fuller of Harrison, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Lake, Lakin, Lane, Loomis, Lorah, Martin, Maxwell, McCall, McLennan, McQuinn, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Porter, Price, Quinn, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Schramm, Shipman, Smeltzer, Stanton, Van Anda, Walton Wason, Wetherall, West, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, and Woodworth—67.

The nays were, Messrs. Dunlavy, Eaton, Eichorn, Gault, Kellogg, Knoll and McGlothlen—7.

Absent or not voting, Messrs. Denlinger, Flint, Fuller of Fayette, Lowrie, Mercer, Meyer, Milburn, Pendleton, Sarver, Speer, Stevenson, Stewart, Thompson, Walker, Wilson of Chickasaw, Wright, Young and Mr. Speaker.

The Bill passed and the title was agreed to.

Message from the Senate.

MR. SPEAKER: I am directed to inform your Honorable Body that the Senate has adopted the Minority Report of the Joint Committee of Conference, upon the disagreement of the two Houses, upon the Substitute for House File No. 155: A Bill for an Act providing for the taxing of salaries and incomes for State purposes, and the Senate Substitute therefor, being Senate File 99: A Bill to change and fix the salaries of Judges of the Supreme and District Judges, and of certain State officers, and the same are herewith returned, with such Reports.

W. F. DAVIS, Secretary of Senate.

The undersigned, a majority of the Joint Committee of Conference upon House File No. 155 and the Senate's amendment thereto, by a Substitute by an Act to change and fix the salaries of Judges, State Officers, &c., begs leave to report: That he cannot join in the Report of the majority of such Committee, for sundry reasons, some of which are the following:

1. The adoption of such report will not produce such a reduction of salaries as the times demand. If adopted and the taxes collected, the reduction would be only as follows, viz:

On a salary of..\$ 600....Tax	\$ 5 00....Reduced to..\$ 595 00
On a salary of.. 1,000....Tax	25 00....Reduced to.. 975 00
On a salary of.. 1,100....Tax	31 00....Reduced to.. 1,069 00
On a salary of.. 1,200....Tax	38 00....Reduced to.. 1,162 00

On a salary of.. 1,500....Tax 56 00....Reduced to.. 1,444 00
 On a salary of.. 2,000....Tax 86 00....Reduced to.. 1,914 00
 Making a much less reduction than has fallen upon all other sources of income and is much less than is demanded by the universal voice of our constituents.

2. If adopted it will prove fallacious; while it seems to tax all incomes it permits an opportunity for persons disposed to shun taxation by subterfuges. It provides that no income shall be taxed which is derived from the use of property otherwise taxed; under this provision no physician, lawyer or other person whose income is derived from the use of his library, horse and carriage, medicines or the like, no broker whose income is derived from the use of his banking house or his capital, or the like, will be obliged to list any part of such income for taxation, because no one can say what part thereof is derived from the use of property otherwise taxed, so that these classes of persons upon whom so much reliance was placed by the advocates of the House Bill reported by the majority of the Committee will entirely fail in meeting the expectations so confidently predicted by the friends of the House Bill.

Again: If the report of the majority of the Committee be adopted, there will immediately follow the greatest reduction on a small scale of salaries of the officers, clerks and employees of Banks, Rail Roads and other employers that history has ever recorded.

No one of such officers or clerks will hereafter receive as a salary or income more than the \$500, but, of course their contract of employment will provide for the payment of the House rent, the support of the family of such employee, or some other subterfuge to avoid all the liability of taxation.

Besides the above suggestions the undersigned is of opinion that it will not be wise to present so great an inducement to prevarication. It is useless to deny that there is a tendency in most men to avoid taxation, even to adopting in some cases, measures that savor of immorality when it can be safely done. Will it not be worthy our attention whether the evil likely to result to public morals from the adoption of the majority report, will be compensated by any advantage resulting from the income to be derived from the proposed tax?

3. The Federal Government is providing for a heavy income tax, which will be rigidly enforced. This State has not so far ever imposed this species of tax upon its citizens; is it advisable for this State to now also impose an income tax, before experience, which we are sure to have, has taught the propriety of such tax.

4. The undersigned can but think it bad policy for the State and counties to pay to their officers large salaries and then run the risk of collecting back a tax on such salaries. It seems but poor policy to say the least to pay to an officer money for the purpose of collecting it back, especially as in many cases it must be doubtful whether it can be so collected. In every aspect of the case the undersigned

is constrained to the opinion that the adoption of the report of the majority of the Committee will be bad policy. He therefore recommends that the Senate insist on the adoption of the Substitute heretofore presented by the Senate for such House Bill, with the following amendment: insert at the end of Section 4 the following: "except as provided in Section 5 of this Act."

Respectfully submitted,

T. W. WOOLSON.

The Joint Committee of Conference appointed by the Senate and House of Representatives in reference to the disagreement of the two Houses on the Bill for an Act providing for the taxing of salaries and incomes for State purposes, have had the same under consideration and a majority of the Committee have instructed me to submit the following report:

The majority of the Committee recommend that the words "or compensation" be inserted after the word "salary," in the eleventh line of the first Section for the reason that the word "salary" does not embrace all the incomes which ought to be and which are intended to be taxed by the Bill.

The majority of the Committee would further recommend, that all the words after the word "viz" in the sixteenth line of the first Section and down to the word "provided," in the twenty-second line, be stricken out, and in lieu thereof, there be inserted the following words: "On all incomes on the first five hundred dollars or less of such excess, five per centum, and one per centum additional to said five per centum, on each one hundred dollars above one thousand dollars, that is to say: on eleven hundred dollars a tax of thirty-one dollars, and on twelve hundred dollars, a tax of thirty-eight dollars, and so on increasing one per centum on each one hundred dollars above one thousand dollars."

The majority of the Committee find some difficulty in expressing clearly the intention of the Bill, but they believe that the amendment recommended removes any obscurity and makes the intention clear.

The majority of the Committee therefore recommend the adoption of these amendments, and that the Bill so amended be adopted.

Respectfully submitted,

JAMES REDFIELD,
JAMES T. LANE,
E. G. BOWDOIN.

Substitute for Substitute for Senate File No. 72: A Bill for an Act to provide for the support of the Deaf and Dumb and Blind Asylums.

Mr. Kellogg moved that the House adhere to its amendment. The motion prevailed.

On motion of Mr. Kellogg a Committee of Conference of three was appointed by the Chair consisting of Kellogg, Holyoke and Mitchell of Polk.

House File No. 220 : A Bill for an Act to regulate the carrying of freight and passengers over connecting Railroads. Senate amendments concurred in, and upon the question "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Blackford, Bowdoin, Burton, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Dorr, Eichorn, Fairall, Ferguson, Fuller of Fayette, Fuller of Harrison, Glanville, Gordon, Holyoke, Hollingsworth, Jackson, Lake, Lakin, Lane, Loomis, Martin, Maxwell, McQuinn, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Porter, Price, Quinn, Rothrock, Rowles, Russell of Jones, Shipman, Stanton, Walker, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, and Wright—50.

The nays were, Messrs. Bracewell, Cutler, Denlinger, Dunlavy, Gault, Gibson, Guthrie, Hardie, Hudnutt, Kellogg, Knoll, Lowrie, McLennan, Moser, Russell of Dallas, Smeltzer, Van Anda, and Wetherall—18.

Absent or not voting, Messrs. Bass, Calfee, Eaton, Flint, Frisbie, Gibson, Hood, Lorah, McCall, McGlothlen, Mercer, Milburn, Pendleton, Sarver, Schramm, Speer, Stevenson, Stewart, Thompson, Walker, West, Wilson of Chickasaw, Woodworth, Young and Mr. Speaker.

The Bill passed and the title was agreed to.

House File No. 85 : A Bill for an Act prescribing the duties of Township Trustees and Road Supervisors in certain cases. Senate amendments concurred in. And upon the question, "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Castor, Clark, Chase, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Fairall, Flint, Fuller of Fayette, Fuller of Harrison, Gault, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Lake, Lane, Loomis, Lowrie, Martin, Maxwell, McCall, McQuinn, Mercer, Meyer, Mitchell of Polk, Nelson, Parker, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Shipman, Smeltzer, Stanton, Van Anda, Walton, Wasson, White, Whittemore, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth and Wright—57.

The nays were, Messrs. Ferguson, Glanville, Gordon, Hardie, Kellogg, Knoll, McQuinn, Mitchell of Fremont and Wilcox—9.

Absent or not voting, Messrs. Calfee, Cleaves, Eaton, Eichorn, Frisbie, Gibson, Guthrie, Lakin, Lorah, McLennan, McGlothlen, Milburn, Moir, Moser, Quinn, Sarver, Schramm, Speer, Stevenson, Stewart, Thompson, Walker, Wetherall, West, Wilson of Chickasaw, Young and Mr. Speaker—27.

The Bill passed and the title was agreed to.

Mr. Martin moved that the Majority Report of the Committee of conference on Substitute for Senate File 99 and Substitute for House File No. 125, concurred in. And upon this question, the

yeas and nays were demanded by Messrs. McCall and Gault, and were as follows :

The yeas were, Messrs. Blackford, Bowdoin, Burton, Clark, Chase, Cutler, Frisbie, Fuller of Fayette, Fuller of Harrison, Glanville, Hollingsworth, Lake, Lakin, Lane, Loomis, Maxwell, McQuinn, Mercer, Meyer, Mitchell of Polk, Moir, Nelson, Parker, Price, Rothrock, Shipman, Van Anda, Walker, Wasson, Whittemore, Williams of Mahaska, Wilson of Pottawattamie and Wright—33.

The nays were, Messrs. Baker, Bracewell, Burton, Castor, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hood, Jackson, Kellogg, Knoll, Lorah, Lowrie, Martin, McCall, McGlothlen, McLennan, Mitchell of Fremont, Moser, Porter, Rowles, Russell of Dallas, Russell of Jones, Schramm, Smeltzer, Walton, Wetherall, White, Wilcox, Williams of Des Moines and Woodworth—44.

Absent or not voting, Messrs. Bass, Calfee, Eaton, Gibson, Milburn, Pendleton, Quinn, Speer, Stanton, Stevenson, Stewart, Thompson, West, Wilson of Chickasaw, Young and Mr. Speaker.—16.

The motion was lost.

Mr. Kellogg moved that the House recede from their agreement to adhere to the income tax bill, instead of the Senate Substitute, providing for the reduction of salaries of State Officers ; and upon his question the yeas and nays were demanded by Messrs. Gault and Ferguson, and were as follows :

The yeas were, Messrs. Baker, Bass, Bracewell, Castor, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hood, Jackson, Kellogg, Knoll, Lorah, Martin, McCall, McGlothlen, McLennan, Milburn, Mitchell of Fremont, Porter, Price, Quinn, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Smeltzer, Stanton, Walton, Wasson, Wetherall, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie and Woodworth—49.

The nays were, Messrs. Blackford, Bowdoin, Burton, Clark, Chase, Cutler, Frisbie, Fuller of Fayette, Fuller of Harrison, Hardie, Hollingsworth, Lake, Lakin, Lane, Loomis, Maxwell, McQuinn, Mercer, Meyer, Mitchell of Polk, Moir, Moser, Nelson, Parker, Rothrock, Shipman, Van Anda, Walker, White, Whittemore and Wright—31.

Absent or not voting, Messrs. Calfee, Eaton, Gibson, Lowrie, Milburn, Pendleton, Quinn, Sarver, Speer, Stevenson, Stewart, Thompson, West, Wilson of Chickasaw, Young and Mr. Speaker.—16.

The motion prevailed.

Message from the Senate :

MR. SPEAKER: I herewith return House File No. 291: A Bill for an Act making an appropriation for the payment of State and Judicial Officers, interest on State Bonds and Loans, and for other purposes, with two amendments, in which the concurrence of the House is asked.

W. F. DAVIS, Secretary.

Substitute for Senate File No. 99 and House File 155: A Bill for an Act to change and fix the salaries of the Judges of the Supreme and District Courts, and of certain State Officers.

Mr. Price moved to amend by striking out "twelve hundred," in relation to the salaries of Auditor, Secretary of State and Treasurer, and insert "fifteen hundred."

Mr. Moir moved to strike out all in reference to fixing salaries of District Judges.

Mr. Wilcox moved the previous question, which was seconded by a majority of the House, and upon the question, "Shall the main question be now put?" was decided in the affirmative.

The question recurring upon the motion of Mr. Moir, the yeas and nays were demanded by Messrs. Wetherall and Lorah, and were as follows:

The yeas were, Messrs. Blackford, Bowdoin, Burton, Clark, Chase, Frisbie, Fuller of Fayette, Fuller of Harrison, Hollingsworth, Lake, Lakin, Lane, Lowrie, McQuinn, Mercer, Meyer, Mitchell of Polk, Moir, Moser, Parker, Price, Shipman, Stanton, Van Anda, White, Whittemore and Wright—27.

The nays were, Messrs. Baker, Bass, Bracewell, Castor, Cleaves, Converse, Curtiss, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Glanville, Gordon, Guthrie, Hudnutt, Holyoke, Hood, Jackson, Kellogg, Knoll, Loomis, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, Mitchell of Fremont, Nelson, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Schramm, Smeltzer, Walton, Wetherall, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, and Woodworth—48.

Absent or not voting, Messrs. Calfee, Cutler, Denlinger, Eaton, Gibson, Hardie, Milburn, Pendleton, Porter, Quinn, Sarver, Speer, Stevenson, Stewart, Thompson, Walker, Wasson, West, Wilson of Chickasaw, Young and Mr. Speaker.

The motion was lost.

The question recurring upon the motion of Mr. Price, the yeas and nays were demanded by Messrs. Gault and Guthrie, and were as follows:

The yeas were, Messrs. Blackford, Bowdoin, Burton, Calfee, Clark, Chase, Dorr, Frisbie, Fuller of Fayette, Fuller of Harrison, Hollingsworth, Lake, Lakin, Lane, Loomis, Lowrie, McQuinn, Mercer, Mitchell of Polk, Moir, Moser, Parker, Price, Rothrock, Shipman, Smeltzer, Stanton, Van Anda, Walker, White, Whittemore and Wright—32.

The nays were, Messrs. Baker, Bass, Bracewell, Castor, Cleaves,

Converse, Curtiss, Denlinger, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hood, Jackson, Kellogg, Knoll, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, Mitchell of Fremont, Nelson, Rowles, Russell of Dallas, Russell of Jones, Schramm, Walton, Wasson, Wetherall, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie and Woodworth—44.

Absent or not voting, Messrs. Cutler, Eaton, Gibson, Meyer, Milburn, Pendleton, Porter, Quinn, Sarver, Speer, Stevenson, Stewart, Thompson, West, Wilson of Chickasaw, Young and Mr. Speaker.

Mr. Kellogg moved that the rule be suspended and the Bill read a third time now.

Mr. Martin moved a call of the House, which was seconded, pending which, on motion of Mr. Shipman further proceedings under the call were suspended.

Mr. Wilcox moved the previous question, which was seconded by a majority of the House, and upon the question "Shall the main question be now put?" was decided in the affirmative.

The question recurring upon the motion of Mr. Kellogg, to suspend the rule and read the Bill a third time now. The motion prevailed. The Bill was read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Bracewell, Castor, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Gault, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hood, Jackson, Kellogg, Knoll, Lorah, Martin, Maxwell, McCall, McGlothlen, McLennan, Meyer, Mitchell of Fremont, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Schramm, Smeltzer, Walker, Walton, Wasson, Wetherall, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie and Woodworth—48.

The nays were, Messrs. Blackford, Bowdoin, Burton, Calfec, Clark, Chase, Cutler, Frisbie, Fuller of Fayette, Fuller of Harrison, Hollingsworth, Lake, Lakin, Lane, Loomis, Lowrie, McQuinn, Mercer, Mitchell of Polk, Moir, Moser, Nelson, Parker, Price, Shipman, Stanton, Van Anda, White, Whittemore and Wright—30.

Absent or not voting, Messrs. Eaton, Gibson, Lake, Milburn, Pendleton, Porter, Quinn, Sarver, Speer, Stevenson, Stewart, Thompson, West, Wilson of Chickasaw, Young and Mr. Speaker. The Bill passed and the title was agreed to.

Message from the Senate by Wm. F. Davis, their Secretary :

MR. SPEAKER :—I herewith return House File No. —: A Bill for an Act making appropriations for Guards and Salaries, Locks, Library, Cisterns, Vaults, Contingent Fund, Shop, and past indebtedness, &c., the same having passed the Senate with an amendment.

W. F. DAVIS, Sec'y of Senate.

On motion of Mr. Frisbie, Mr. Jackson was appointed upon Joint Committee on Enrolled Bills.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following Report :

The Joint Committee on Enrolled Bills ask leave to report that they have delivered to His Excellency, the Governor, for his approval, Senate Files 127 and 260 ; also, House Files 89, 91, 120, 125, 136, 222, 226, 266, 301, 305½, 321, 329, 330, 333, 339 and 343, and a Joint Resolution in relation to Swamp Lands.

D. G. FRISBIE,

Chairman House Committee.

Mr. Frisbie asked leave to introduce a resolution, and upon this question the yeas and nays were demanded by Messrs. McLennan and Fairall and were as follows :

The yeas were, Messrs. Baker, Blackford, Castor, Clark, Cleaves, Converse, Curtiss, Frisbie, Fuller of Fayette, Gordon, Guthrie, Holyoke, Hollingsworth, Jackson, Lane, Loomis, McCall, Mercer, Meyer, Nelson, Porter, Price, Rothrock, Stanton, Van Anda, White, Williams of Des Moines, Williams of Mahaska, Woodworth and Wright—30.

The nays were, Messrs. Bass, Bowdoin, Bracewell, Burton, Caffee, Curtiss, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Fuller of Harrison, Gault, Glanville, Hardie, Hudnutt, Hood, Kellogg, Knoll, Lakin, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, Mitchell of Fremont, Mitchell of Polk, Moir, Rowles, Russell of Dallas, Schramm, Smeltzer, Walton, Wasson, Wetherall, Wilcox and Wilson of Pottawattamie—40.

Absent or not voting, Messrs. Chase, Cutler, Eaton, Gibson, Lake, McQuinn, Milburn, Moser, Pendleton, Porter, Quinn, Russell of Jones, Sarver, Shipman, Speer, Stevenson, Stewart, Thompson, Walker, West, Whittemore, Wilson of Chickasaw, Young and Mr. Speaker.

Leave was not granted.

On motion of Mr. Kellogg the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

House File No. 238 : A Bill for an Act making appropriation for Guards' Salaries, Locks, Library, Cistern, Vault, Contingent Fund, and Shop Indebtedness of the Penitentiary. Senate amendment concurred in.

Mr. Lowrie moved a call of the House.

Mr. Schramm was excused.

Mr. Wilcox moved that further proceedings under the call be suspended. The motion prevailed.

Mr. Kellogg moved that when the House adjourn it be until tomorrow morning.

Mr. Castor moved to lay the motion on the table. The motion to lay on the table prevailed. And the question recurring upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Calfee, Castor, Cutler, Dorr, Dunlavy, Fairall, Ferguson, Fuller of Harrison, Gault, Glanville, Gordon, Hardie, Hudnutt, Jackson, Knoll, Lake, Loomis, Lowrie, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Van Anda, Walton, Wasson, White, Wilcox and Williams of Des Moines—48.

The nays were, Messrs. Converse, Flint, Gibson, Kellogg and Stewart—5.

Absent or not voting, Messrs. Bass, Burton, Clark, Chase, Cleaves, Denlinger, Eaton, Eichorn, Frisbie, Fuller of Fayette, Guthrie, Hollingsworth, Holyoke, Hood, Lakin, Lane, Lorah, Martin, Milburn, Mitchell of Fremont, Pendleton, Quinn, Schramm, Speer, Stanton, Stevenson, Thompson, Walker, Wetherall, West, Whittemore, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Wright, Young and Mr. Speaker—38.

The Bill passed and the title was agreed to.

Message from the Senate by Wm. F. Davis, their Secretary:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has concurred in House Substitute for Senate File No. 252: A Bill for an Act to change and fix the time of holding Courts in the Seventh Judicial District.

W. F. DAVIS, Secretary.

MR. SPEAKER: I am directed to inform your Honorable Body that the Senate has passed Senate File No. 270: A Bill for an Act to amend the Code of Civil Practice.

Also, Substitute for Senate File No. 78: A Bill for an Act relating to foreclosure of Mortgages and Deeds of Trust with power of Sale, and repealing Section 3673 of the Revision, also in which concurrence of the House is asked. That the Senate has refused to concur in House amendments to Senate File No. 132: A Bill for an Act to define further the duties of County Supervisors and their Clerks.

W. F. DAVIS, Secretary.

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed A Joint Resolution in relation to Supreme Court Reports, in which the concurrence of the House is asked.

W. F. DAVIS, Secretary.

House File No. 348 : A Bill for an Act supplementary to an Act for the Incorporation of Cities and Towns, Chapter 51 of the Revision of 1860. Senate amendment concurred in. And upon the question "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Blackford Bowdoin, Bracewell, Calfee, Castor, Clark, Converse, Cutler, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Fuller of Harrison, Gault, Glanville, Gordon, Hardie, Hudnutt, Hood, Jackson, Kellogg, Knoll, Lake, Loomis, Lowrie, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Stewart, Van Anda, Wasson, White, Wilcox, Williams of Des Moines, and Wright—55.

The nays were, None.

Absent or not voting, Messrs. Bass, Burton, Chase, Cleaves, Curtiss, Denlinger, Eaton, Flint, Frisbie, Fuller of Fayette, Gibson, Guthrie, Hollingsworth, Holyoke, Lakin, Lane, Lorah, Martin, Milburn, Mitchell of Fremont, Pendleton, Quinn, Schramm, Speer, Stanton, Stevenson, Thompson, Walker, Walton, Wetherall, West, Whittemore, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Young and Mr. Speaker—38.

The Bill passed and the title was agreed to.

Bill passed and title agreed to.

Mr. Kellogg submitted the following report :

The Committee of Conference of both Houses, to whom was referred Substitute for Substitute for Senate File No. 72, have had the same under consideration, and unanimously instructed me to report in favor of the House amendments, and recommend that the House do not recede, and that the Bill be returned to the Senate.

KELLOGG, Chairman.

Report of Committee concurred in.

BILLS ON SECOND READING.

Substitute for House File No. 174 : A Bill for an Act to legalize the Acts of H. Toll, a Notary Public in Clinton County. The substitute was adopted.

On motion of Mr. Curtiss the rule was suspended and the Bill read a third time, and upon the the question "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Calfee, Castor, Clark, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Hudnutt, Jackson, Kellogg, Knoll, Lake, Loomis, Lowrie, Maxwell, McCall, McLennan, McQuinn, Mercer, Mitchell of Polk, Moir, Nelson, Parker, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Stanton, Van Anda, Wasson,

White, Wilcox, Williams of Des Moines, Wright and Young—51
 The nays were, Messrs. Flint, Smeltzer, Stewart, and Walton—4.

Absent or not voting, Messrs. Bass, Burton, Chase, Cleaves, Converse, Denlinger, Frisbie, Fuller of Fayette, Guthrie, Hardie, Holyoke, Hollingsworth, Lakin, Lane, Lorah, Martin, McGlothlen, Meyer, Milburn, Mitchell of Fremont, Moser, Pendleton, Porter, Quinn, Schramm, Shipman, Speer, Stevenson, Thompson, Walker, Wetherall, West, Whittemore, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, and Mr. Speaker.

The Bill passed and the title was agreed to.

Mr. Van Anda moved a call of the House.

Mr. Fuller of Fayette was excused.

On motion of Mr. Ferguson, further proceedings under the call were suspended.

Mr. Converse, from Committee on Agriculture, by leave, submitted the following Report and Resolution :

The Committee on Agriculture, to whom was referred a Resolution instructing said Committee to report the names of suitable persons to fill the vacancies occurring in the Board of Trustees of the Iowa Agricultural College and Farm, have had the same under consideration, and have directed me to report the accompanying Joint Resolution and recommend its adoption.

A. CONVERSE, Chairman of Committee.

The Committee introduced House File No. 353: A Joint Resolution relating to Trustees for the Agricultural College and Farm.

Mr. Wilcox moved to amend by striking out "M. W. Robinson" and insert "Joseph J. McMakin." Lost. The Resolution was adopted.

House File No. 341: A Bill for an Act in relation to evidence to vacate, modify or set aside a judgment.

On motion of Mr. Fairall, the rule was suspended and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bowdoin, Burton, Castor, Clark, Converse, Cutler, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Flint, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Hardie, Hudnutt, Hollingsworth, Hood, Jackson, Knoll, Loomis, Lowrie, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Stanton, Stewart, Van Anda, Walton, Wasson, White, Wilcox, Williams of Des Moines, Williams of Mahaska, and Wright—60.

The nays were, Messrs. Curtiss, Guthrie, and Kellogg—3.

Absent or not voting, Messrs. Bass, Bracewell, Calfee, Chase, Cleaves, Eaton, Frisbie, Fuller of Fayette, Holyoke, Lake, Lakin, Lane, Lorah, Martin, Milburn, Mitchell of Fremont, Quinn,

Schramm, Speer, Stevenson, Walker, Wetherall, West, Whittemore, Wilson of Chickasaw, Wilson of Pottawattamie, Woodworth, Young and Mr. Speaker.

The Bill passed and the title was agreed to.

House File No. 237: A Bill for an Act to amend the Code of Civil Practice.

On motion of Mr. Smeltzer, the rule was suspended and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Castor, Clark, Converse, Curtiss, Outler, Dorr, Eichorn, Fairall, Ferguson, Fuller of Harrison, Gault, Gibson, Gordon, Hardie, Hudnutt, Holyoke, Jackson, Knoll, Loomis, Lowrie, McCall, McLennan, McQuinn, Mercer, Meyer, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Stanton, Stewart, Van Anda, Walton, Wasson, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, and Wright—55.

The nays were, Messrs. Denlinger, Dunlavy, Flint, Glanville, Guthrie, Hollingsworth, Kellogg, Maxwell, McGlothlen, Mitchell of Fremont, Speer, and Wetherall—12.

Absent or not voting, Messrs. Bass, Burton, Calfee, Chase, Cleaves, Eaton, Frisbie, Fuller of Fayette, Hood, Lake, Lakin, Lane, Lorah, Martin, Milburn, Quinn, Schramm, Stevenson, Thompson, Walker, West, Whittemore, Wilson of Chickasaw, Woodworth, Young and Mr. Speaker.

The Bill passed and the title was agreed to.

Mr. Kellogg, by leave, offered the following Resolution:

Resolved, That the thanks of this House be tendered to Hon. James H. Rothrock, for the able, impartial and highly satisfactory manner in which he has discharged the duties as Speaker of the House, during the time he has filled the Chair the present Session of the General Assembly.

The Resolution was unanimously adopted.

Mr. Hardie, by leave, offered the following Resolution, which was adopted:

Resolved, That the sum of five dollars be, and is hereby appropriated, to be paid to the Assistant Post Master, for extra expense incurred in having the mail ferried to the Capitol.

House File No. 354: A Bill for an Act to legalize the acts of Delos Arnold, a Notary Public of Marshall County, Iowa.

On motion of Mr. Mercer, the rule was suspended and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Clark, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon,

Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Lowrie, Maxwell, McCall, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Stanton, Stewart, Van Anda, Wasson, Wetherall, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, and Wright—53.

The nays were, Messrs. Ferguson, Flint, Knoll and Smeltzer—4.

Absent or not voting, Messrs. Bass, Burton, Calfee, Castor, Chase, Cleaves, Cutler, Eaton, Frisbie, Glanville, Hardie, Lake, Lakin, Loomis, Lorah, Martin, McLennan, McGlothlen, Milburn, Pendleton, Price, Quinn, Schramm, Shipman, Speer, Stevenson, Thompson, Walker, Walton, West, Whittemore, Wilson of Chickasaw, Woodworth, Young and Mr. Speaker.

The Bill passed and the title was agreed to.

House File No. 280: A Bill for an Act to legalize the acts of John C. Turk, as Notary Public, in and for Polk County, Iowa.

On motion of Mr. Fairall, the rule was suspended and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Bowdoin, Bracewell, Burton, Clark, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Fuller of Fayette, Fuller of Harrison, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Jackson, Kellogg, Loomis, Lowrie, Maxwell, McCall, McGlothlen, McQuinn, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Jones, Sarver, Shipman, Stanton, Stewart, Van Anda, Wasson, White, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth and Wright—53.

The nays were, Messrs. Ferguson, Flint, Hardie, Knoll, McLennan, Smeltzer, Speer, Walton, Wetherall and Wilcox—10.

Absent or not voting, Messrs. Blackford, Calfee, Castor, Chase, Cutler, Eaton, Frisbie, Gault, Gibson, Glanville, Hood, Lake, Lakin, Lane, Lorah, Martin, Mercer, Milburn, Pendleton, Quinn, Russell of Dallas, Schramm, Stevenson, Thompson, Walker, West, Whittemore, Wilson of Chickasaw, Young and Mr. Speaker.

The Bill passed and the title was agreed to.

Senate File No. 223: A Bill for an Act to amend Chapter 32 of the Laws of the present Session of the General Assembly, and to further provide for the collection of moneys due the State and Counties.

On motion of Mr. Van Anda the rule was suspended and the Bill read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Clark, Converse, Curtiss, Cutler, Dorr, Dun-

lavy, Eichorn, Fairall, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Loomis, Lorah, Lowrie, Maxwell, McCall, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Stanton, Stewart, Van Anda, Walton, Wasson, Wetherall, White, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth and Wright—66.

The nays were, Messrs. Ferguson, Flint, Kellogg and Wilson of Pottawattamie—4.

Absent or not voting, Messrs. Castor, Chase, Cleaves, Eaton, Frisbie, Lake, Lakin, Lane, Lorah, Martin, McGlothlen, Milburn, Pendleton, Quinn, Schramm, Speer, Stevenson, Thompson, Walker, West, Whittemore, Wilson of Chickasaw, Young and Mr. Speaker—24.

The Bill passed and the title was agreed to.

The House took up from Messages on the table House File No. 291: A Bill for an Act making appropriations for the payment of State and Judicial officers, Interest on State Bonds and Loans and for other purposes. Senate amendments concurred in. And upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Maxwell, McCall, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Stanton, Van Anda, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright and Young—72.

The nays were, Messrs. Ferguson, Flint, Gault, Kellogg, Knoll, McGlothlen, McLennan, Smeltzer, Stewart and Wetherall—10.

Absent or not voting, Messrs. Chase, Cleaves, Fairall, Martin, Quinn, Speer, Stevenson, Thompson, West, Wilson of Chickasaw and Mr. Speaker—11.

The Bill passed and the title was agreed to.

Messages from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed Substitute for Senate File No. 230: A Bill for an Act to authorize the Board of Supervisors of Lee County to loan a portion of the School Fund in said County, to the College of Physicians and Surgeons, at Keokuk, known as the

Medical Department of the University of the State of Iowa, in the which concurrence of the House is asked.

W. F. DAVIS, Secretary.

MR. SPEAKER:—I herewith return Substitute for House File No. 276: A Bill for an Act to amend the Militia Law, the same having passed the Senate with sundry amendments, in which the concurrence of the House is asked.

W. F. DAVIS, Secretary.

Substitute for Senate File No. 3: A Bill for an Act for the better protection of the School Fund.

On motion of Mr. Rothrock, the rule was suspended and the Bill read a third time; and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Bass, Blackford, Bowdoin, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Eaton, Eichorn, Fuller of Harrison, Guthrie, Holyoke, Hollingsworth, Hood, Jackson, Lakin, Lane, Loomis, Lowrie, Maxwell, McCall, Meyer, Mitchell of Fremont, Mitchell of Polk, Moser, Parker, Pendleton, Porter, Price, Rothrock, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Stanton, Van Anda, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth and Wright—51.

The nays were, Messrs. Baker, Bracewell, Burton, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Gault, Gibson, Glanville, Hardie, Hudnutt, Kellogg, Knoll, Meyer, Moir, Nelson, Speer, Stewart, Walton, Wetherall and Wilson of Pottawattamie—23.

Absent or not voting, Messrs. Dunlavy, Eaton, Gordon, Lake, Lorah, Martin, Milburn, Quinn, Rowles, Stevenson, Thompson, Walker, West, Wilson of Chickasaw, Young and Mr. Speaker.

The Bill passed and the title was agreed to.

Senate File No. 97: A Bill for an Act to amend the Charter of the town of Fort Madison.

Mr. Fairall moved the indefinite postponement of the Bill. The motion prevailed.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Joint Committee on Enrolled Bills ask leave to report that they have examined Senate Files 32, 148, 166, 167, 228, 243, 249, 255, 263 and 269; also, House Files 209, 220, 287, 324, 331 and 349, find the same correctly enrolled and present them herewith for your signature.

D. G. FRISBIE,
Chairman House Committee.

Message from the Senate:

MR. SPEAKER:—I am directed to inform the House that the Senate has refused to adopt the report of the Committee of Conference to the two Houses upon House File 312: A Bill for an Act to divide the State into six Congressional Districts, and that another

Committee is asked ; and that Messrs. Leake, English and Burdick have been appointed as such Committee on the part of the Senate.
W. F. DAVIS, Sec'y of Senate.

Substitute for House File No. 276 : A Bill for an Act to amend the Militia Law.

The House concurred in the first and third Senate amendments and refused to concur in the second and fourth, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bass, Burton, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Dorr, Fairall, Frisbie, Fuller of Fayette, Gibson, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Lake, Lakin, Lane, Loomis, Lowrie, Maxwell, McCall, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Porter, Rothrock, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Thompson, Van Anda, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Wilson of Pottawattamie, and Woodworth—51.

The nays were, Messrs. Blackford, Bowdoin, Bracewell, Castor, Denlinger, Ferguson, Flint, Gault, Hardie, Jackson, Kellogg, Knoll, McGlothlen, McLennan, Smeltzer, Speer, Walton, Wetherall and Williams of Mahaska—18.

Absent or not voting, Messrs. Calfee, Dunlavy, Eaton, Eichorn, Fuller of Harrison, Glanville, Gordon, Lorah, Martin, Milburn, Moser, Pendleton, Price, Quinn, Rowles, Stanton, Stevenson, Stewart, Walker, West, Wilson of Chickasaw, Wright, Young and Mr. Speaker.

The Bill passed and the title was agreed to.

Message from the Senate :

MR. SPEAKER:—I herewith return House File No. 84 : A Bill for an Act to punish Garnishees for disposing of property in certain cases, the same having been indefinitely postponed by the Senate.

House File No. 345 : A Bill for an Act making it the duty of the Clerk of the District Court to act in the place of the County Judge in certain cases.

House File No. 335 : A Bill for an Act in relation to witness fees, the same having passed the Senate without amendment.

W. F. DAVIS, Secretary of Senate.

Mr. Cutler moved a Committee of Conference of three on House File No. 312. The motion prevailed.

The Chair appointed as such Committee, Messrs. Cutler, Van Anda and Fairall.

Mr. Shipman moved that when the House adjourn it be until 7½ o'clock, P. M. Carried.

Mr. Shipman moved that the House adjourn. Lost.

Senate File No. 270 : A Bill for an Act to amend the Code of Civil Practice. Read a first and second time, and on motion of Mr. Moir, the rule was suspended and the Bill read a third time, and

upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Blackford, Clark, Cleaves, Curtiss, Eichorn, Holyoke, Hollingsworth, Jackson, Loomis, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Pendleton, Porter, Price, Rothrock, Russell of Dallas, Russell of Jones, Sarver, Schramm, Thompson, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, and Williams of Mahaska—29.

The nays were, Messrs. Baker, Bass, Bracewell, Burton, Calfee, Chase, Converse, Denlinger, Dorr, Eaton, Flint, Gault, Gibson, Guthrie, Hardie, Hudnutt, Hood, Kellogg, Knoll, Lorah, Lowrie, Maxwell, McLennan, Parker, Smeltzer, Stewart, Walton, Wilson of Pottawattamie, and Woodworth—29.

Absent or not voting, Messrs. Bowdoin, Castor, Cutler, Dunlavy, Fairall, Ferguson, Frisbie, Fuller of Fayette, Fuller of Harrison, Glanville, Gordon, Lake, Lakin, Lane, Martin, McCall, McGlothlen, McQuinn, Milburn, Moser, Quinn, Rowles, Shipman, Speer, Stanton, Stevenson, Van Anda, Walker, Wetherall, West, Wilson of Chickasaw, Wright, Young and Mr. Speaker.

The Bill was lost.

Mr. Curtiss, by leave, offered the following Joint Resolution :

Resolved, by the General Assembly of the State of Iowa, That the Secretary of State send to each of the members, Clerks and Secretaries of the Ninth General Assembly, a copy of the 12th Volume of the Iowa Reports, as soon as the same shall be published. The motion was adopted.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following Report :

MR. SPEAKER :—The Joint Committee on Enrolled Bills ask leave to report that they have handed to the Governor for his approval, Senate File Nos. 32, 148, 166, 167, 228, 243, 249, 255, 263, and 269 ; also, House File Nos. 209, 220, 287, 324, 331 and 349.

D. G. FRISBIE,

Chairman of the House Committee.

On motion of Mr. Kellogg, the House adjourned.

SEVEN AND A HALF O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Bracewell, by leave, offered the following Resolution :

Resolved, That the Clerks, Sergeant-at-Arms, Assistant Postmaster, Doorkeeper, Messengers, Paper Folders, and Firemen of this House are entitled to the thanks of this Body for their courtesy and the promptness with which they have responded to the calls of its

members, and the faithfulness and alacrity with which they have discharged their respective duties.

The Resolution was unanimously adopted.

Mr. Lake offered the following Joint Resolution, which was adopted :

Resolved, by the General Assembly of the State of Iowa, That the Governor is hereby empowered to employ such additional assistance in the Adjutant General's Office, as he may from time to time deem necessary, and the Auditing Board are hereby directed to audit the accounts for the same to be paid out of the War and Defense Fund.

Message from the Senate :

MR. SPEAKER :—I am directed to request the House to return to the Senate, House File No. 250 : Bill relating to publication of the Laws of the Ninth General Assembly in German newspapers, the Senate having reconsidered the vote by which the Bill was lost.

W. F. DAVIS, Sec'y of Senate.

BILLS ON SECOND READING.

Senate File No. 138 : A Bill for an Act to define further the duties of County Supervisors and their Clerks.

On motion of Mr. Martin, the rule was suspended, and the Bill read a third time, and upon the question, " Shall the Bill pass ? " the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bass, Bracewell, Burton, Calfee, Castor, Clark, Chase, Converse, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hardie, Hudnutt, Hollingsworth, Hood, Jackson, Knoll, Lakin, Loomis, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Shipman, Smeltzer, Speer, Stanton, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth Wright and Young—67.

The nay was Mr. Meyer—1.

Absent or not voting, Messrs. Blackford, Bowdoin, Cleaves, Curtiss, Denlinger, Flint, Glanville, Holyoke, Kellogg, Lake, Lane, Lorah, Lowrie, McCall, Milburn, Moser, Quinn, Schramm, Stevenson, Stewart, Thompson, West, Wilson of Chickasaw, Wilson of Pottawattamie and Mr. Speaker.

The Bill passed and the title was agreed to.

Substitute for Senate File No. 230 : A Bill for an Act to authorize the Board of Supervisors of Lee county to loan a portion of the School Fund in said county, to the College of Physicians and Surgeons at Keokuk, known as the Medical Department of the

University of the State of Iowa. Read a first and second time, and on motion of Mr. Van Anda the rule was suspended, and the Bill read a third time; and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Bowdoin, Burton, Chase, Cleaves, Converse, Curtiss, Dunlavy, Eaton, Eichorn, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Lake, Lakin, Lowrie, Martin, McCall, McQuinn, Mercer, Mitchell of Polk, Moir, Pendleton, Porter, Price, Rothrock, Shipman, Smeltzer, Stanton, Stewart, Thompson, Van Anda, Walker, Wasson, White, Wilcox, Williams of Des Moines, Woodworth and Young—49.

The nays were, Messrs. Blackford, Bracewell, Calfee, Castor, Clark, Denlinger, Dorr, Ferguson, Gibson, Gordon, Guthrie, Hardie, Hudnutt, Knoll, Loomis, Lorah, Maxwell, McGlothlen, McLennan, Meyer, Milburn, Mitchell of Fremont, Rowles, Russell of Dallas, Russell of Jones, Sarver, Speer, Walton, Wetherall, Whittemore, Williams of Mahaska, Wilson of Pottawattamie, and Wright—33.

Absent or not voting, Messrs. Flint, Glanville, Kellogg, Lane, Moser, Nelson, Parker, Quinn, Stevenson, West, Wilson of Chickasaw, and Mr. Speaker.

The Bill passed and the title was agreed to.

Substitute for Senate File No. 78: A Bill for an Act relating to the foreclosure of Mortgages and Deeds of Trust, with power of sale, and repealing Section 3673 of the Revision of 1860. Read a first and second time.

Mr. Sarver moved the indefinite postponement of the Bill. The motion prevailed.

Senate File No. 152: A Bill for an Act to permanently locate the Asylum for the education of the Deaf and Dumb.

Mr. Shipman moved that the Bill be postponed until the 4th day of July, and upon this question, the yeas and nays were demanded by Messrs. Mitchell of Polk and Lorah, and were as follows:

The yeas were, Messrs. Baker, Bass, Bowdoin, Bracewell, Burton, Clark, Chase, Cleaves, Converse, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Fuller of Fayette, Lakin, Lowrie, Martin, Maxwell, Meyer, Milburn, Moir, Parker, Price, Rothrock, Rowles, Russell of Jones, Shipman, Thompson, Van Anda, Wilcox, Woodworth, and Young—33.

The nays were, Messrs. Blackford, Calfee, Castor, Curtiss, Denlinger, Ferguson, Frisbie, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lorah, McCall, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moser, Nelson, Pendleton, Porter, Russell of Dallas, Sarver, Schramm, Smeltzer, Speer, Stewart, Walker, Walton, Wasson, Wetherall,

White, Whittemore, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, and Wright—48.

Absent or not voting, Messrs. Cutler, Flint, Glanville, Lake, Lane, Loomis, McQuinn, Quinn, Stanton, Stevenson, West, Wilson of Chickasaw and Mr. Speaker.

The motion did not prevail.

Mr. Stewart moved that the rule be suspended and the Bill read a third time now. The motion prevailed. The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Bracewell, Calfee, Curtiss, Cutler, Denlinger, Ferguson, Frisbie, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hardie, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lorah, McCall, McGlothlen, McLennan, Mercer, Mitchell of Fremont, Mitchell of Polk, Moser, Pendleton, Rowles, Russell of Dallas, Sarver, Schramm, Smeltzer, Speer, Stewart, Thompson, Walton, Wasson, Wetherall, Wilson of Pottawattamie and Wright—40.

The nays were, Messrs. Baker, Bass, Blackford, Bowdoin, Burton, Clark, Chase, Cleaves, Converse, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Fuller, of Fayette, Lake, Lakin, Lane, Lowrie, Martin, Maxwell, Meyer, Milburn, Moir, Nelson, Parker, Porter, Price, Rothrock, Russell of Jones, Shipman, Stanton, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth and Young—40.

Absent or not voting, Messrs. Castor, Flint, Glanville, Kellogg, Loomis, McQuinn, Quinn, Stephenson, Van Anda, Walker, West, Wilson of Chickasaw and Mr. Speaker.

The Bill was Lost.

Message from the Senate:

MR. SPEAKER: I am directed to inform your Honorable Body that the Senate has concurred in the House amendments to Senate File No. 72: A Bill providing for the support of the Deaf and Dumb and Blind Asylums.

Also: In the recommendation of the Committee of Conference upon House File No. 312: A Bill for an Act to divide the State into six Congressional Districts, by striking Buchanan County from the Sixth District, and attaching to the Third, and striking Worth and Cerro Gordo Counties from the Third and adding to the Sixth District.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Joint Committee on Enrolled Bills, ask leave to report that they have examined and corrected Senate Files 84, 99, 223, 237; also House Files 85, 227, 238, 252, 335, 345 and 348; and also a Concurrent Resolution instructing the Secretary of State to furnish Members and Officers of the Ninth General Assembly with copies of the Supreme Court Reports.

D. G. FRISBIE, Chairman of House Committee.

Message from the Senate:

MR. SPEAKER:—I herewith return House File No. 250: A Bill for an Act to provide for the publication of the laws of a general nature of the Ninth General Assembly in certain German newspapers and for the translation thereof.

House File No. 346: A Bill for an Act to apportion the State into Representative Districts, the same having passed the Senate without amendment.

W. F. DAVIS, Secretary.

Senate File No. 246: A Bill for an Act for the relief of the widow and children of Joseph Ketterer deceased:

On motion of Mr. Williams of Des Moines, the rule was suspended and the Bill read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Loomis, Lorah, Lowrie, Maxwell, McCall, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Smeltzer, Speer, Stanton, Stewart, Thompson, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright and Young—80.

The nays were, none.

Absent or not voting, Messrs. Kellogg, Lane, Martin, McGlothlen, Moir, Moser, Quinn, Shipman, Stevenson, Van Anda, West, Wilson of Chickasaw, and Mr. Speaker—13.

The Bill passed and the title was agreed to.

Mr. Cutler submitted the following report:

Your Committee of Conference, on the part of the House, beg leave to submit the following report:

That we have met the Committee on the part of the Senate, and have come to the following agreement, to wit: Adopt the House Bill with these exceptions, add Buchanan County to District No. 3, and Worth and Cerro Gordo Counties to District No. 6.

L. H. CUTLER, Chairman.

S. G. VAN ANDA,

S. FAIRALL.

House File No. 212: A Bill for an Act to divide the State into six Congressional Districts. Senate amendment concurred in. And upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The Yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Brace-

well, Burton, Calfee, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Dorr, Eaton, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Guthrie, Hudnutt, Hollingsworth, Jackson, Lake, Lakin, Lane, Loomis, Lowrie, McCall, McQuinn, Mercer, Milburn, Mitchell of Fremont, Mitchell of Polk, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Stanton, Van Anda, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Woodworth, Wright and Young—58.

The yeas were, Messrs. Castor, Denlinger, Dunlavy, Eichorn, Ferguson, Gault, Gibson, Hardie, Holyoke, Hood, Knoll, Lorah, Martin, Maxwell, McGlothlen, McLennan, Meyer, Mitchell of Fremont, Moir, Smeltzer, Speer, Stewart, Thompson, Wetherall, Williams of Mahaska and Wilson of Pottawattamie—26.

Absent or not voting, Messrs. Flint, Glanville, Kellogg, Mitchell of Polk, Moser, Quinn, Stevenson, West, Wilson of Chickasaw and Mr. Speaker—10.

The Bill passed and the title was agreed to.

Mr. Lowrie moved to reconsider the vote by which Senate File No. 270: A Bill for an Act to amend the Code of Civil Practice was lost. The motion prevailed, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Bass, Blackford, Bracewell, Burton, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Dunlavy, Eaton, Eichorn, Fairall, Fuller of Harrison, Gault, Gordon, Hollingsworth, Jackson, Lake, Lakin, Lane, Loomis, Lowrie, Martin, McCall, McLennan, McQuinn, Mercer, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moir, Pendleton, Porter, Price, Rothrock, Russell of Dallas, Russell of Jones, Schramm, Shipman, Smeltzer, Speer, Stanton, Stewart, Thompson, Van Anda, Walker, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wright and Young—58.

The nays were, Messrs. Baker, Bowdoin, Bracewell, Burton, Calfee, Denlinger, Dorr, Ferguson, Frisbie, Fuller of Harrison, Gibson, Guthrie, Hardie, Hudnutt, Hood, Kellogg, Knoll, Lorah, Maxwell, McGlothlen, Moser, Nelson, Parker, Sarver, Walton, Wetherall, Wilson of Pottawattamie and Woodworth—28.

Absent or not voting, Messrs. Calfee, Flint, Glanville, Holyoke, Quinn, Rowles, Stevenson, West, and Wilson of Chickasaw.

The Bill passed and the title was agreed to.

House File No. 338: A Bill for an Act to legalize the issuing of certain orders.

On motion of Mr. Wilson of Pottawattamie, the rule was suspended, the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Bass, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gordon, Hudnutt, Holyoke, Hollings-

worth, Hood, Jackson, Kellogg, Lorah, Martin, McCall, McGlothlen, McLennan, McQuinn, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Parker, Pendleton, Rothrock, Rowles, Russell of Dallas, Sarver, Smeltzer, Stanton, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Whittemore, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie and Wright—50.

The nays were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Ferguson, Gibson, Guthrie, Knoll, Lakin, Lane, Loomis, Maxwell, Nelson, Porter, Price, Russell of Jones, Schramm, Speer, Wetherall, White, and Woodworth—25.

Absent or not voting, Messrs. Chase, Cleaves, Cutler, Flint, Glanville, Hardie, Lake, Loomis, Lowrie, Mercer, Milburn, Quinn, Shipman, Stevenson, West, Wilcox, Wilson of Chickasaw, Young and Mr. Speaker—18.

The Bill passed and the title was agreed to.

Message from the Senate :

MR. SPEAKER :—I am directed to inform the House that the Senate refuses to recede from its amendments to House File 276: An Act to amend the Militia Law, and has appointed Messrs. Duncombe, McCrary and Boardman as a Committee of Conference on the part of the Senate and asks that a similar Committee be appointed on the part of the House.

Also : that the Senate has passed House File 294: Bill to legalize the acts of Geo. W. Clark, Notary Public, without amendments.

W. F. DAVIS, Sec'y of Senate.

Mr. Lane moved a Committee of Conference of three on House File No. 276. The motion prevailed.

The Chair appointed as such Committee Messrs. Lane, Kellogg and Bowdoin.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following Report :

The Joint Committee on Enrolled Bills have delivered to the Governor for his approval Senate Files 84, 99, 223, and 237 ; also House Files 85, 227, 238, 252, 335, 345 and 348, and a Concurrent Resolution instructing the Secretary of State to furnish copies of Supreme Court Reports to the members and officers of the Ninth General Assembly.

D. G. FRISBIE,
Chairman House Committee.

Mr. Frisbie read the following protest, and asked that it be entered on the Journal :

The undersigned feeling aggrieved by and dissenting from, the action of the majority of the members of this House in relation to an Act entitled an Act for the better protection of the School Fund, ask leave to respectfully protest against such action, for the following reasons :

Said Act provides that the Counties in which the School Fund is loaned, under certain contingencies, shall become liable for losses to said Fund, which provision we believe to be unjust and unconstitutional.

The State in her sovereign capacity created certain County Officers her agents for the control and management of said fund, without consulting the wishes of the Counties.

The Counties in their corporate capacity receive no benefit from said fund, but it is loaned and collected for the benefit of the whole State.

The County Officers who are by law made the agents of the State are severally liable on their official bonds for losses occasioned by fraud or defalcation.

The Constitution (the supreme law) provides that the State shall be liable for all losses to the School Fund occasioned by the defalcation, mismanagement or fraud of the agents or officers controlling and managing the same.

In the opinion of the undersigned, the State cannot impose such loss upon the Counties in which such Fund is loaned, thus compelling a single County to bear a burden which the fundamental law of the State so plainly declares shall be borne by the whole State.

D. G. FRISBIE.
LEVI FULLER.
JAMES McQUINN.
R. D. KELLOGG.
JNO. D. SARVER.
ISAAC MILBURN.
GEO. B. STEWART.
C. C. SMELTZER.
GEO. S. WALTON.
H. M. MARTIN.
L. H. CUTLER.

House File No. 174: A Bill for an Act to legalize and declare valid certain judgments of the Fifth and Eleventh Judicial Districts of the State of Iowa.

On motion of Mr. Moir, the rule was suspended and the Bill read a third time, and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bracewell, Burton, Calfee, Castor, Clark, Ohase, Converse, Curtiss, Cutler, Denlinger, Eaton, Fairall, Fuller of Fayette, Fuller of Harrison, Gibson, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Lakin, Loomis, Lowrie, Martin, Maxwell, McCall, McGlothlen, McQuinn, Mitchell of Polk, Moir, Moser, Parker, Porter, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Speer, Stanton, Thompson, Van Anda, Walker, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright and Young—57.

The nays were, Messrs. Dorr, Dunlavy, Eichorn, Ferguson, Gault, Hardie, Knoll, Lorah, McLennan, Meyer, Milburn, Mitchell of Fremont, Nelson, Schramm, Smeltzer, Stewart and Wetherall—17.

Absent or not voting, Messrs. Bowdoin, Cleaves, Flint, Frisbie, Glanville, Kellogg, Lake, Lane, Mercer, Pendleton, Price, Quinn, Schramm, Stevenson, Walton, Wasson, West, Wilson of Chickasaw and Mr. Speaker.

The Bill passed and the title was agreed to.

House File No. 124: A Bill for an Act for the protection of Agricultural Fairs.

Mr. Pendleton moved its indefinite postponement. The motion prevailed.

Senate File No. 21: A Bill for an Act to amend Article 1, Chapter 51 of the Revision of 1860, entitled an Act to Incorporate Cities and towns.

Mr. White moved to strike out 1st and 4th Sections. The motion prevailed.

On motion of Mr. White the rule was suspended and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Burton, Calfee, Castor, Clark, Cleaves, Converse, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Lakin, Loomis, McCall, McQuinn, Meyer, Moir, Moser, Nelson, Parker, Porter, Price, Rothrock, Russell of Dallas, Russell of Jones, Sarver, Schramm, Speer, Stanton, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Williams of Des Moines, Woodworth and Wright—53.

The nays were, Messrs. Blackford, Bracewell, Ferguson, Gault, Gibson, Knoll, Lake, Lorah, Lowrie, Maxwell, McGlothlen, McLennan, Milburn, Mitchell of Fremont, Rowles, Smeltzer, Stewart and Wilcox—18.

Absent or not voting, Messrs. Bowdoin, Chase, Denlinger, Eichorn, Flint, Glanville, Hardie, Kellogg, Lane, Martin, Mercer, Mitchell of Polk, Pendleton, Quinn, Shipman, Stevenson, West, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawatamie, Young and Mr. Speaker—22.

The Bill passed and the title was agreed to.

Message from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed Senate File No. 109: An Act requiring Records of the several Counties of Iowa to procure and keep on file the Decrees and Judgments of the United States District Court.

Also: House File No. 237: Bill prescribing the manner in which the Incorporated Town of Newton, Jasper County, may dissolve

its Act of Incorporation, without amendment; and has indefinitely postponed House File No. 65: Bill for an Act to pay Capt. James F. Morton and others, for services rendered in protecting the North-Western frontiers, during the months of May and June, 1861, in which the concurrence of the House is asked.

W. F. DAVIS, Secretary.

House File No. 196: A Bill for an Act in relation to Stay of Execution and Exemption Law.

Mr. Curtiss moved the indefinite postponement of the Bill, and upon the question the yeas and nays were demanded by Messrs. Fairall and Nelson and were as follows:

The yeas were, Messrs. Baker, Bracewell, Burton, Castor, Chase, Cleaves, Curtiss, Denlinger, Dorr, Dunlavy, Eichorn, Ferguson, Fuller of Fayette, Gault, Gibson, Gordon, Guthrie, Hudnutt, Holyoke, Hood, Jackson, Knoll, Lakin, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Meyer, Milburn, Mitchell of Fremont, Mitchell of Polk, Moser, Parker, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stewert, Thompson, Walker, Wasson, Wetherall, Whittemore, Williams of Des Moines, Williams of Mahaska, Woodworth and Wright—60.

The nays were, Messrs. Bass, Blackford, Calfee, Clark, Converse, Fairall, Flint, Fuller of Harrison, Hollingsworth, Lake, Loomis, Moir, Nelson, Porter, Van Anda, Walton, White and Wilson of Pottawattamie—17.

Absent or not voting, Messrs. Bowdoin, Cutler, Eaton, Flint, Frisbie, Glanville, Hardie, Kellogg, Lane, Mercer, Pendleton, Quinn, Stanton, Stevenson, West, Wilcox, Wilson of Chickasaw, Young and Mr. Speaker—19.

The Bill was indefinitely postponed.

Substitute for Senate File No. 138: A Bill for an Act further defining the duties of County Treasurers and fixing the compensation therefor.

Mr. Gordon moved the indefinite postponement of the Bill. The motion was lost.

Mr. Lowrie moved that the rule be suspended and the Bill read a third time now. The motion prevailed. The Bill was read a third time and upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Castor, Chase, Cleaves, Curtiss, Denlinger, Dunlavy, Eichorn, Fairall, Ferguson, Fuller of Fayette, Gault, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Knoll, Lake, Lakin, Lane, Loomis, Lowrie, Maxwell, McQuinn, Meyer, Moir, Moser, Nelson, Porter, Price, Rowles, Russell of Jones, Sarver, Schramm, Stanton, Van Anda, Walker, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Woodworth and Young—48.

The nays were, Messrs. Blackford, Bowdoin, Bracewell, Burton,

Calfee, Clark, Converse, Cutler, Fuller of Harrison, Gibson, Gordon, Kellogg, Lorah, Martin, McCall, McGlothlen, McLennan, Mercer, Mitchell of Fremont, Mitchell of Polk, Parker, Russell of Dallas, Shipman, Smeltzer, Speer, Thompson, Walton, Williams of Mahaska, Wilson of Pottawattamie, and Wright—30.

Absent or not voting, Messrs. Dorr, Eaton, Flint, Frisbie, Glanville, Hardie, Milburn, Pendleton, Quinn, Rothrock, Stevenson, Stewart, West, Wilson of Chickasaw, and Mr. Speaker.

The Bill passed and the title was agreed to.

Mr. McLennan, by leave, introduced House File No. 356: Joint Resolution on Claims of A. Greenwald *et al* of Dubuque County.

Mr. Gibson moved to amend by inserting A. Black. The amendment was lost. The resolution was adopted.

Mr. Lane submitted the following report:

The Committee of Conference on the disagreement between the Houses on Militia Bill, have had the same under consideration and have agreed upon the following report:

FIRST—The Committee recommend the following be added to Section 46: "*Provided*, That the salaries of said Clerks shall not in the aggregate exceed at the rate of fifteen hundred dollars per annum," in lieu of Senate's amendment.

SECOND—That the Senate insist upon, and the House recede from the Senate amendments to Section 48.

THIRD—That in lieu of Senate amendment to Section 49, the Committee recommend that the Senate recede from its amendment and insert two Sections stricken out with one thousand dollars instead of fifteen hundred dollars.

Unanimously recommended by the Committee.

JAMES T. LANE, Chairman.

Senate File No. 109: A Bill for an Act requiring the Recorders of the several counties of Iowa, to procure and keep on file the decrees and judgments of the United States District Court.

Mr. Dunlavy moved that the rule be suspended and the Bill read a third time now. The motion prevailed. The Bill was read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Burton, Calfee, Castor, Chase, Converse, Denlinger, Dorr, Dunlavy, Eaton, Fairall, Fuller of Harrison, Gault, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Kellogg, Knoll, Lake, Lakin, Lane, Lowrie, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Porter, Rothrock, Rowles, Russell of Dallas, Shipman, Smeltzer, Stanton, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright and Young—59.

The nays were, Messrs. Bracewell, Clark, Curtiss, Eichorn, Fer-

guson, Frisbie, Gordon, Lorah, McCall, Meyer, Price, Russell of Jones, Sarver, Schramm and Speer—15.

Absent or not voting, Messrs. Bowdoin, Cleaves, Cutler, Flint, Fuller of Fayette, Gibson, Glanville, Guthrie, Jackson, Loomis, Milburn, Moser, Pendleton, Quinn, Stevenson, Wetherall, West, Wilson of Chickasaw and Mr. Speaker.

The Bill passed and the title was agreed to.

House File No. 236: A Bill for an Act to amend Chapter 58 of the Revision of 1860 relating to illegitimate children.

The Chair announced the question to be upon the adoption of the amendment by Committee. The amendment was adopted.

On motion of Mr. Lake, the rule was suspended and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Baker, Bass, Blackford, Bracewell, Burton, Calfee, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Gault, Hudnutt, Holyoke, Hollingsworth, Jackson, Lake, Lakin, Lane, Loomis, Martin, Maxwell, McCall, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Shipman, Speer, Stanton, Thompson, Wetherall, White, Whittemore, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright and Young—58.

The nays were, Messrs. Denlinger, Ferguson, Gordon, Guthrie, Hardie, Kellogg, Knoll, Lorah, Lowrie, McGlothlen, Sarver, Schramm and Smeltzer—13.

Absent or not voting, Messrs. Bowdoin, Oastor, Flint, Frisbie, Fuller of Fayette, Gibson, Glanville, Hood, McLennan, Milburn, Porter, Quinn, Stevenson, Stewart, Walker, Walton, Wasson, West, Wilcox, Wilson of Chickasaw and Mr. Speaker.

The Bill passed and the title was agreed to.

Mr. Shipman submitted the following report:

Your Select Committee to whom was referred a petition from certain citizen dogs of Delaware, in relation to the income dog tax law, would report that they have had the same under consideration and would report that in the opinion of your Committee, said petition ought to receive the serious consideration of this House, and as your committee are satisfied that the petitioners are a very respectable set of dogs and that their loyalty to the Administration is undoubted; your Committee therefore recommend that the dogs and bitches whose names appear on said petition, be, and are hereby forever released from the operations of the law of which they complain.

SHIPMAN, Chairman.

Senate File No. 212: A Bill for an Act to punish trespass on the Swamp and Overflowed Lands belonging to the several counties of this State.

Mr. Martin moved the indefinite postponement of the Bill. The motion prevailed.

House File No. 350: A Bill for an Act to repeal so much of the Act passed at the present General Assembly as makes the rates of the Branches of the State Bank of Iowa receivable for taxes.

Mr. Frisbie moved the indefinite postponement of the Bill.

Mr. Castor moved a call of the House, pending which, on motion of Mr. Shipman further proceedings under the call were suspended.

The question recurring upon the motion of Mr. Frisbie to indefinitely postpone the Bill, the yeas and nays were demanded by Messrs. Lowrie and McLennan, and were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Burton, Calfee, Castor, Clark, Chase, Cleaves, Cutler, Eaton, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Lake, Lakin, Loomis, McCall, McQuinn, Mercer, Meyer, Mitchell of Polk, Moir, Moser, Parker, Porter, Price, Rothrock, Rowles, Russell of Dallas, Sarver, Shipman, Stanton, Van Anda, Wasson, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Woodworth, Wright and Young—51.

The nays were, Messrs. Bowdoin, Denlinger, Dorr, Dunlavy, Eichorn, Fairall, Ferguson, Gault, Hardie, Hood, Knoli, Lorah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, Mitchell of Fremont, Nelson, Pendleton, Schramm, Smeltzer, Speer, Stevenson, Stewart Thompson, Walton, Wetherall, and Wilson of Pottawattamie—30.

Absent or not voting, Messrs. Converse, Curtiss, Flint, Glanville, Lane, Milburn, Quinn, Russell of Jones, Walker, Wilson of Chickasaw and Mr. Speaker.

The Bill was indefinitely postponed.

Message from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed House File No. 65: An Act to pay Captain James F. Morton and others, for services rendered in protecting the North-Western frontier during the months of May and June, 1861, without amendment.

Senate File No. 94: A Bill to legalize the official acts of J. D. Burkholder, Clerk of the District Court of Webster County.

Mr. Shipman, by leave, offered the following Resolution, which was adopted:

Resolved, That the thanks of this House are due to the citizens of Des Moines for the cordial hospitality extended to the members of this General Assembly during the present session.

Mr. Mitchell called up his motion to reconsider Substitute for Senate File No. 245. The motion was lost.

Senate File No. 94: A Bill for an Act to legalize the acts of J. D. Burkholder, Clerk of the District Court of Webster County. Read a first and second time, and on motion of Mr. Kellogg, the

rule was suspended and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Baker, Bass, Blackford, Bracewell, Burton, Clark, Chase, Converse, Outler Dorr, Eaton, Eichorn, Fairall, Fuller of Fayette, Fuller of Harrison, Gault, Gordon, Hudnutt, Holyoke, Hollingsworth, Jackson, Kellogg, Loomis, Maxwell, McCall, McQuinn, Mercer, Mitchell of Polk, Moir, Moser, Nelson, Porter, Price, Rothrock, Russell of Dallas, Sarver, Schramm, Smeltzer, Stanton, Stewart, Van Anda, Walker, Walton, Wasson, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Wright and Young—49.

The nays were, Messrs. Guthrie, Hardie, Knoll, Lorah, McGlothlen, McLennan, Meyer, Mitchell of Fremont, Parker, Rowles, Speer, Wilcox, Wilson of Pottawattamie, and Woodworth—12.

Absent or not voting, Messrs. Bowdoin, Calfee, Castor, Cleaves, Curtiss, Denlinger, Dunlavy, Ferguson, Flint Frisbie, Gibson, Glanville, Hood, Lake, Lakin, Lane, Martin, Milburn, Pendleton, Quinn, Russell of Jones, Shipman, Stevenson, Thompson, Wetherall, West, White, Whittemore, Wilson of Chickasaw, and Mr. Speaker.

The Bill passed and the title was agreed to.

House File No. 252: A Bill for an Act to prevent obstructions in any of the public ditches for the benefit of swamp lands.

On motion of Mr. Williams of Des Moines, the rule was suspended and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Denlinger, Dunlavy, Eichorn, Fairall, Ferguson, Fuller of Harrison, Gault, Gibson, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Kellogg, Knoll, Lakin, Lane, Loomis, Lorah, Lowrie, Maxwell, McGlothlen, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Rothrock, Russell of Dallas, Russell of Jones, Sarver, Schramm, Smeltzer, Speer, Stanton, Stewart, Van Anda, Walker, Walton, Wetherall, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, and Woodworth—63.

The nays were, none.

Absent or not voting, Messrs. Bowdoin, Curtiss, Outler, Dorr, Eaton, Flint, Frisbie, Fuller of Fayette, Glanville, Hood, Jackson, Lake, Martin, McCall, McLennan, Milburn, Pendleton, Quinn, Rowles, Shipman, Stevenson, Thompson, Wasson, West, White, Wilson of Chickasaw, Wilson of Pottawattamie, Wright, Young and Mr. Speaker.

The Bill passed and the title was agreed to.

Message from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed Senate File No. 271: A Joint Resolu-

tion in relation to the pay of the assistant Enrolling Clerks of the Ninth General Assembly, in which the concurrence of the House is asked.

Also: House File No. 295: A Bill for an Act to protect the owners of Treasurers' Certificates of Purchase of Real Estate at Tax Sales, and has adopted the recommendation of the Committee of Conference in relation to House File No. 276, and that the Senate insists upon its amendment to Section 48, and asks the House to recede.

W. F. DAVIS, Secretary of Senate.

Mr. Van Anda, by leave, introduced House File No. 357: A Joint Resolution recommending the appointment of Col. Tuttle as Brigadier General. The Resolution was unanimously adopted.

House File No. 276: A Bill for an Act to amend the Militia law.

The House adopted the Senate amendments to Section 46 and 49, and receded from its amendment to Section 48; and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Clark, Chase, Cleaves, Converse, Curtiss, Dorr, Eaton, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gibson, Gordon, Guthrie, Hudnutt, Holyoke, Hollingsworth, Jackson, Lake, Lakin, Lane, Loomis, Lowrie, Maxwell, McCall, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Nelson, Parker, Porter, Price, Rothrock, Russell of Jones, Stanton, Thompson, Van Anda, Walker, Walton, White, Whittemore, Wilcox, Woodworth, Wright and Young—55.

The nays were, Messrs. Denlinger, Dunlavy, Eichorn, Ferguson, Gault, Hardie, Kellogg, Knoll, Lorah, Martin, McGlothlen, McLennan, Schramm, Smeltzer, Stewart, Wetherall, Williams of Des Moines—17.

Absent or not voting, Messrs. Castor, Cutler, Flint, Glanville, Hood, Milburn, Moser, Pendleton, Quinn, Rowles, Sarver, Shipman, Stevenson, Wasson, West, Williams of Mahaska, Wilson of Chickasaw, Wilson of Pottawattamie, and Mr. Speaker.

The Bill passed and the title was agreed to.

Mr. Bowdoin, by leave, from Committee on Ways and Means, submitted the following report:

The Committee of Ways and Means have instructed me to report the accompanying Bill for an Act making appropriations for the per diem of the members and officers of the Ninth General Assembly, and for other purposes, and recommend its passage.

E. G. BOWDOIN, Chairman.

The Committee introduced House File No. 358: A Bill for an Act making appropriations for the per diem of the members and officers of the Ninth General Assembly, and for other purposes. Read a first and second time,

Mr. Ferguson moved to deduct two dollars from the pay of the Postmaster. The motion prevailed.

On motion of Mr. Martin, the rule was suspended and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows:

The Yeas were—Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Jackson, Knoll, Lake, Lakin, Loomis, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Schramm, Shipman, Speer, Stanton, Thompson, Van Anda, Wasson, White, Whittevore, Wiicox, Williams of Des Moines, Williams of Mahaska, Woodworth, Wright and Young—68.

The nays were, Messrs. Ferguson, Smeltzer, Stewart and Thompson—4.

Absent or not voting, Messrs. Bass, Cutler, Flint, Glanville, Gordon, Hood, Lane, Lorah, Mercer, Milburn, Pendleton, Quinn, Sarver, Stevenson, Walker, Walton, Wetherall, West, Wilson of Chickasaw, Wilson of Pottawattamie and Mr. Speaker.

The Bill passed and the title was agreed to.

Senate File No. 271: Joint Resolution in relation to pay of Assistant Enrolling Clerks of Ninth General Assembly. The Resolution was adopted.

On motion of Mr. Smeltzer the House took a recess till 1 o'clock A. M., April 8th.

HALL OF THE HOUSE OF REPRESENTATIVES, }
TUESDAY, April 8, 1862. }

The Chair called the House to order.

Mr. Stanton, by leave, introduced the following Resolution, which was unanimously adopted:

Resolved, That the thanks of the House are hereby unanimously tendered to the ladies of Des Moines, for the tasteful and sumptuous repast which they have furnished us this evening, and that for this, as well as the many other kindnesses we have received at their hands during this session, they are entitled to our lasting gratitude and most distinguished consideration.

Messages from the Senate :

MR. SPEAKER :—I am directed to inform your honorable body that the Senate has indefinitely postponed House File 341 : A Bill for an Act in relation to evidence to vacate, modify or set aside a judgment, and has passed House File 232 : A Bill for an Act to amend an Act regulating the compensation of County Judges, without amendment.

Also ; House File 358 : A Bill for an Act making appropriations for the per diem of Members and Officers of the Ninth General Assembly, and for other purposes, with an amendment.

W. F. DAVIS, Secretary.

House File No. 358 : A Bill for an Act making appropriations for the per diem of the Members and Officers of the Ninth General Assembly, and for other purposes. Senate amendment concurred in. And upon the question, " Shall the Bill pass ? " the yeas and nays were as follows :

The yeas were, Messrs. Baker, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Denlinger, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright and Young—83.

The nays were, none.

Absent or not voting, Messrs. Bass, Cutler, Dorr, Dunlavy, Milburn, Quinn, Stevenson, West, Wilson of Chickasaw, and Mr. Speaker.

The Bill passed and the title was agreed to.

Message from the Senate :

MR. SPEAKER : I am directed to inform your Honorable Body that the Senate has passed Senate File No. 145 : Bill for an Act to provide for auditing the claim of Jacob Wiley, Absalom Black and Geo. W. Jones.

Senate File 272 : A Bill for an Act to authorize the publication of the Laws of the Ninth General Assembly in the Weekly State Register and Weekly Des Moines Times, and the following concurrent Resolution :

Resolved, by the Senate, (the House concurring,) That the Secretary of State be requested to take charge of and forward to the members and officers of the Ninth General Assembly, all mail mat-

ter coming to Des Moines, after their departure home ; in which the concurrence of the House is asked.

W. F. DAVIS, Secretary of Senate.

On motion of Mr. Kellogg, the House adopted the concurrent resolution :

Senate File No. 272 : A bill for an Act to authorize the publication of the laws of the Ninth General Assembly in the Weekly State Register and Weekly Des Moines Times. Read a first and second time.

On motion of Mr. Bowdoin, the rule was suspended and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake, Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stewart, Thompson, Van Anda, Walker, Walton, Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright and Young—87.

The nays were, none.

Absent or not voting, Messrs. Milburn, Quinn, Stevenson, West, Wilson of Chickasaw, and Mr. Speaker.

The Bill passed and the title was agreed to.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following Report :

MR. SPEAKER :—The Joint Committee on Enrolled Bills ask leave to report that they have examined and corrected Senate Files Nos. 3, 72, 109, 174, 230 and 244.

Also, House Files Nos. 250, 291, 237, 294, 295 and 312, and present them herewith for your signature.

D. G. FRISBIE,

Chairman of House Committee.

Senate File No. 145 : A Bill for an Act to provide for auditing the claim of Jacob Wesley, Absalom Black and Geo. W. Jones. Read a first and second time, and on motion of Mr. Gibson the rule was suspended and the Bill read a third time, and upon the question, "Shall the Bill pass?" the yeas and nays were as follows :

The yeas were, Messrs. Blackford, Castor, Clark, Chase, Converse, Cutler, Denlinger, Dorr, Eichorn, Fairall, Fuller of Fayette, Gault, Gibson, Guthrie, Hudnutt, Jackson, Lane, Loomis, Lo-

rah, Lowrie, Martin, Maxwell, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Porter, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Schramm, Shipman, Smeltzer, Speer, Stanton, Stewart, Thompson, Van Anda, Walker, Wetherall, Whittemore, Williams of Des Moines, Williams of Mahaska, Woodworth and Young—53.

The nays were, Messrs. Baker, Bass, Bowdoin, Bracewell, Burton, Calfee, Castor, Curtiss, Eaton, Ferguson, Fuller of Harrison, Gordon, Knoll, Lake, Lakin, and Wright—14.

Absent or not voting, Messrs. Cleaves, Dunlavy, Flint, Frisbie, Glanville, Hardie, Holyoke, Hood, Kellogg, McCall, McGlothlen, Milburn, Pendleton, Price, Quinn, Sarver, Speer, Stevenson, Walton, Wasson, West, White, Wilcox, Wilson of Chickasaw, Wilson of Pottawattamie, and Mr. Speaker.

The Bill passed and the title was agreed to.

Messages from the Senate:

MR. SPEAKER:—I herewith return House File No. 280: A Bill for an Act to legalize the acts of John C. Turk, as Notary Public in and for Polk County, Iowa.

House File No. 292: A Bill for an Act to prevent obstructions in any of the public ditches for the benefit of swamp lands.

House File no. 347: A Joint Resolution in relation to the appointment of Col. Tuttle as Brigadier General.

House File No. —: A Joint Resolution authorizing the Governor to employ additional Clerks in the Adjutant General's Office.

The same having passed the Senate without amendment.

W. F. DAVIS, Secretary of Senate.

MR. SPEAKER:—I herewith return House File No. 353: A Joint Resolution relating to Trustees for Agricultural College and Farm, the same having passed with sundry amendments, in which the concurrence of the House is asked.

House File No. —: A Joint Resolution in relation to the distribution of 12th volume of Iowa Reports, the same having been rejected by the Senate.

House File No. 354: A Bill for an Act to legalize the Acts of Delos Arnold a Notary Public of Marshall County, Iowa.

House File No. 327: A Bill for an Act amend Section 843, of the Revision of 1860, relating to roads.

House File No. 344: A Bill for an Act to amend Section 4,360, of the Revision of 1860, the same having passed the Senate without amendment.

W. F. DAVIS, Secretary.

House File 353: A Joint Resolution relating to the Trustees for the Agricultural College and Farm. The Chair announced the question to be upon concurring in the Senate amendment in striking out the name of George Sprague of Butler County, and insert-

ing the name of Porter L. Hinckley, of Fayette County. The House concurred in the amendment. The question recurring upon upon the adoption of the resolution as amended, it prevailed.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following Report :

MR. SPEAKER: The Joint Committee on Enrolled Bills, have placed in the hands of His Excellency, the Governor, for his approval, Senate Files 3, 72, 109, 174, 230 and 246; Also, House Files 250, 291, 237, 294, 295 and 312. We have also examined and corrected Senate Files 94, 138, 270 and 271, and House Files 65 and 346, and herewith present the same for your signature.

D. G. FRISBIE,
Chairman House Committee.

Messages from the Senate :

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed Substitute for House File 174: Bill for an Act to legalize the acts of C. H. Toll, a Notary Public in Clinton County.

And House File 240: Bill for an Act to amend an Act entitled an Act to amend an Act entitled an Act for the government and regulation of the State University of Iowa.

House File 61: Bill for an Act for the relief of Amity College, the same having passed the Senate without amendment.

W. F. DAVIS, Sec'y of Senate.

MR. SPEAKER:—I am directed to inform the House that the Senate has passed the House Joint Resolution giving power to the Governor or Adjutant General to pass Iowa Soldiers when on furlough, without amendment.

Also, the following Concurrent Resolution, in which the concurrence of the House is asked:

Resolved, by the Senate (the House concurring,) That the State Printer be directed not to print anything in the Journals except the Messages of the Governor, Legislative proceedings, not including the reports of State Officers, or Officers of Charitable Institutions.

W. F. DAVIS, Sec'y of Senate.

The above Concurrent Resolution was adopted.

Mr. Pendleton, by leave, introduced House File No. 359: A Bill for an Act to change the name of Buncombe County to Lyon County. Read a first and second time. And on motion of Mr. Lowrie the rule was suspended and the Bill read a third time. And upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Baker, Bass, Blackford, Bowdoin, Bracewell, Burton, Calfee, Castor, Clark, Chase, Cleaves, Converse, Curtiss, Cutler, Denlinger, Dorr, Dunlavy, Eaton, Eichorn, Fairall, Ferguson, Flint, Frisbie, Fuller of Fayette, Fuller of Harrison, Gault, Gibson, Glanville, Gordon, Guthrie, Hardie, Hudnutt, Holyoke, Hollingsworth, Hood, Jackson, Kellogg, Knoll, Lake,

Lakin, Lane, Loomis, Lorah, Lowrie, Martin, Maxwell, McCall, McGlothlen, McLennan, McQuinn, Mercer, Meyer, Mitchell of Fremont, Mitchell of Polk, Moir, Moser, Nelson, Parker, Pendleton, Porter, Price, Rothrock, Rowles, Russell of Dallas, Russell of Jones, Sarver, Schramm, Shipman, Smeltzer, Speer, Stanton, Stewart, Thompson, Van Anda, Walker, Walton Wasson, Wetherall, White, Whittemore, Wilcox, Williams of Des Moines, Williams of Mahaska, Wilson of Pottawattamie, Woodworth, Wright, and Young—87.

The nays were, none.

Absent or not voting, Messrs. Milburn, Quinn, Stevenson, West, Wilson of Chickasaw and Mr. Speaker—6.

The Bill passed and the title was agreed to.

Mr. Williams of Mahaska, moved that a Committee of two be appointed to wait upon the Senate and inform that body that the House is now ready to adjourn *sine die*. The motion prevailed.

The Chair appointed as such Committee, Messrs. Williams of Mahaska, and Martin.

The Committee, after a brief absence, reported having discharged their duties.

Message from the Senate :

MR. SPEAKER :—I am directed to inform the House that the Senate has passed House File No. 356: A Joint Resolution on claims of A. Greenwald and others, of Dubuque County, without amendment.

W. F. DAVIS, Secretary of Senate.

Mr. Pendleton moved that a Committee of three be appointed to wait upon the Governor and inquire if he have any further communications to make to this House. The motion prevailed.

The Chair appointed as such Committee, Messrs. Pendleton, Hardin, and Clark of Tama.

Mr. Pendleton, from the Committee to wait on the Governor, reported that they had discharged that duty, and that his Excellency had no further communication to make to this House. The Committee were discharged.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following Report :

MR. SPEAKER :—The Joint Committee on Enrolled Bills ask leave to report that they have examined and corrected Senate File No. 272; also, House Files Nos. 174, 232, 240, 280, 292, 327, 354 and 359, and present the same herewith for your signature.

D. G. FRISBIE,

Chairman of House Committee.

Message from the Senate :

MR. SPEAKER :—I am directed to inform your Honorable Body that the Senate has passed Senate File No. 273: A Bill for an Act in relation to the State Library, in which the concurrence of the House is asked.

W. F. DAVIS, Sec'y of Senate.

The House took up message from the Senate—Senate File No. 273 : A Bill for an Act in relation to the State Library. Read a first and second time.

Mr. Shipman moved the indefinite postponement of the Bill. The motion prevailed.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following Report :

MR. SPEAKER :—The Joint Committee on Enrolled Bills ask leave to report that they have examined and corrected Senate Files Nos. 94, 138, 270, 271 and 358.

Also, House Files Nos. 61, 65, 174, 232, 240, 276, 280, 292, 327, 344, 346, 353, 354, 356, 359 and 360, and present them for your consideration.

D. G. FRISBIE,

Chairman of House Committee.

Mr. Curtiss moved that the thanks of the House be tendered to the Reporters for the faithful and impartial manner in which they have discharged their duties.

The motion was unanimously adopted.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following Report :

The Joint Committee have presented to the Governor for his approval Senate Files Nos. 94, 138, 270, 271, 272, 170, 138, and 358, and House Files Nos. 61, 65, 346, 174, 232, 240, 280, 292, 327, 354, 359, 276, 344, 353, 356 and 360.

D. G. FRISBIE,

Chairman House Committee.

Mr. Frisbie, from Joint Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER :—The Joint Committee on Enrolled Bills have examined and find correctly enrolled a Joint Resolution empowering the Governor to employ assistance in the Adjutant General's Office.

D. G. FRISBIE,

Chairman of House Committee.

Messrs. Holmes and Kent, a Committee from the Senate, informed the House that the Senate was ready to adjourn *sine die*.

Mr. Russell of Jones moved that the House do now adjourn *sine die*.

Before announcing the vote the Speaker said :

Gentlemen of the House of Representatives :

Having been called to preside over this body after one who has few superiors as a presiding officer, and whose illness none more deeply deplore than myself, and relying upon your co-operation and assistance, I can truly say that I have not been disappointed.

That I have endeavored to do my duty is gratification enough

for me. If I have wronged any one it has arisen from a mistaken judgment, and not from any desire to injure.

We are about to separate, and to many of us this separation will be for life. In all time to come I will hold in grateful remembrance the officers and members of the 9th General Assembly of the State of Iowa; and I am proud to say, what I believe every one of you can say each to the other, I have nothing but the kindest feelings for every one of you.

We met as strangers and now part as brothers and friends, and wherever our lot may be cast, the ties here formed, those "ties which bind heart to heart and soul to soul," will, I hope in God, never be severed or broken asunder.

I now declare this House adjourned *sine die*.

[Attest:]

CHA'S. ALDRICH,
Chief Clerk of the House of Representatives.

INDEX.

ABSTRACT—

Of the valuation of property in counties, 30, 31, 32.

BILLS INTRODUCED—

- H. F. 1. To amend the game laws, 55.
 2. To amend Section 2967, Chap. 122 of Revision, 55.
 3. In relation to the final settlement of estates, 58.
 4. To legalize the Acts of J. W. Thompson, 58.
 5. To amend the game laws, 58.
 6. In relation to auctioneers, 58.
 7. To legalize the Acts of James N. Miles, 58.
 8. In relation to life insurance companies, 58.
 9. To amend Chapter 36 of Revision, 58.
 10. To prevent fire on prairie and timber land, 58.
 11. In relation to Arsenal at Rock Island, 60.
 12. In relation to confiscation, 62.
 13. In relation to emancipation of slaves, 62.
 14. For additional mail facilities, 66, 67.
 15. Defining the duties of justices and special constables, 70.
 16. To amend the Revised Code, and regulate the publishing of tax sale notice, 71.
 17. In reference to conferring jurisdiction on county courts, 71.
 18. In reference to auditing war accounts, 71.
 19. In reference to the pay of Col. Edward's command, 71.
 20. To audit claims of soldiers in expedition to Missouri, 71.
 21. Empowering Adjutants to administer oaths, &c., 71.
 22. To legalize sale of school lands, 71.
 23. For an Act to lay out private roads, 71.
 24. Defining the duties of railroad companies, 72.
 25. Defining the duties of railroad companies, 72.
 26. On assumption of Federal tax, 72.
 27. Allowing the redemption of homesteads, 72.
 28. Holding courts in the 8th judicial district, 72.
 29. To amend Section 548 of the Revision, 73.

BILLS INTRODUCED—Continued.

- H. F. 30. Making appropriation for the per diem and traveling fees of members, 73.
31. To amend the revenue law, 73.
32. To repeal Chapter 81, Eighth General Assembly, 73.
33. In relation to the collection of the School fund, 73.
34. For additional mail facilities, 73.
35. Joint Resolution for a daily mail between Des Moines and Magnolia, 74.
36. To prevent domestic animals from running at large, 74.
37. Fixing times of holding courts in the third Judicial District, 74.
38. To specify the party plaintiff in suits for the collection of school fund, 74.
39. Joint Resolution in relation to certain Iowa prisoners, 77.
40. Resolution asking for additional mail facilities, 78.
41. On Federal Relations.
42. Resolution asking for additional mail facilities, 78.
43. On the same subject, 78.
Substitute for House File No. 5, 80.
44. Changing the boundaries of Dallas county, 83.
45. Exempting sheep from taxation, 83.
46. To amend section 2834 of the Revision, 83.
47. In relation to county seats, 83.
48. To incorporate civil townships, 83.
49. On amending certificates to depositions, 84.
50. Resolution of instruction to members of Congress, 84.
51. For additional mail facilities, 84.
52. Resolution concerning Rebellion, 84.
53. Making Swamp Land proceeds a permanent School Fund, 84.
54. Joint Resolution in relation to the Rebellion, 84.
55. Amending Revision in reference to partition fences, 84.
56. Resolution for mail facilities, 84.
57. Authorizing Treasurers to receive Demand Treasury Notes as money, 84.
Substitute for House File No. 10, 87.
59. To exempt certain lands from taxation, 92.
60. To amend an Act creating a County Board of Supervisors, 92.
61. To relieve Amity College, 92.
62. To amend Section 840, Chapter 46 of Revision, 92.
63. To amend Chapter 45 of the Code, 92.
64. Authorizing counties to cancel indebtedness to Swamp Land Fund, 93.

BILLS INTRODUCED—Continued.

- H. F. 65. To relieve Capt. J. F. Martin, 93.
66. On water crafts, lost goods and estray animals, 93.
67. Substitute for 33 and 38, 93.
Substitute for Senate File No. 31, in relation to P.
M., 101.
Substitute for Senate File No. 1, 104.
68. Providing for vacating town plats, 105.
69. Amending an Act for the suppression of Intemper-
ance, 105.
70. Preserving sheep from the ravages of dogs, 106.
71. To amend Section 2193, Chapter 91 of the Rev., 106.
72. To prohibit swine from running at large, 106.
73. Relating to the Incorporation of the Iowa Conference
Seminary, 106.
74. To amend Chapter 46 of the Revision, 106.
75. Authorizing Clerks and Judges of Probate to issue
fee bills, 106.
76. To amend Sec. 3719 of Rev., 106.
77. To amend an Act in relation to water crafts, &c.,
106.
78. To amend Sec. 5192 of Revision, 106.
79. To provide for repairing highways, &c., 117.
80. To prevent male stock from running at large, 117.
81. State Binder to preserve 200 copies of all documents,
117.
82. To amend Sec. 4607 of Revision, 133.
83. Fixing times for holding Courts in the 5th Judicial
District, 137.
84. To punish garnishees, 137.
85. Prescribing duties of Township Trustees, &c., 138.
86. To fine and remove County Treasurers, 138.
87. Supervisors choose their own Clerks, 138.
88. Relative to the Incorporation of the Fayette Sem-
inary, 138.
89. To repeal Chapter 7 of the Session Laws of the 8th
General Assembly, 138.
90. To amend an Act for the suppression of Intemper-
ance, 138.
91. In relation to Bridges, 138.
92. Creating Chairman for Board of Supervisors, 138.
94. To amend Section 2,045 of Revision, 170.
95. To exempt young orchards from taxation, 170.
96. To amend Section 5,066 of Revision, 170.
97. To prevent unlawful driving away of cattle, &c., 170.
98. To amend Section 843 of Revision, 170.
99. Legalizing acts of Louis Case, 170.
100. On change of County Boundaries, 170.

BILLS INTRODUCED—Continued.

- H. F. 101. On powers of City Courts, 170.
 102. Legalizing acts of certain persons, 171.
 103. To amend Chapter 42 of the Revision, 171.
 104. Tax for school house purposes, 171.
 105. To amend Chapter 199 of Revision, 171.
 106. Commissioner of Immigration, 171.
 107. To amend Section 317, Chapter 22, of Revision, 171.
 108. Amending Laws for suppressing Intemperance, 171.
 110. Amending Naturalization Laws, 173.
 111. Concerning soldiers in Missouri, 175.
 112. Claims of Cols. Edwards and Morledge, 176.
 113. Repealing Law for publishing Delinquent Tax Lists, 178.
 114. To amend Section 764 of the Revision, 179.
 115. To amend Section 840 of the Revision, 179.
 116. Regulating the settlement of negroes, 179.
 117. Exempting Bees from execution, 185.
 118. To remove weights and measures to Des Moines, 185.
 Substitute for House File No. 28, 191.
 Substitute for House File No. 32, 192.
 120. To allow counties to fund warrants, 200.
 121. For the encouragement of hedging, 200.
 122. To license Stallions and Jacks, 201.
 123. To protect young men's rights, 202.
 124. Authorizing counties to purchase lands for Delinquent Taxes, 202.
 125. Exempting property of Militia from execution, 202.
 126. To amend Section 2,225 of Revision, 202.
 127. To amend Section 1, of Chapter 98, of Laws Sixth General Assembly, 202.
 128. To regulate evidence of written contracts, 202.
 129. Defining the duties of Coroners, 203.
 130. Salary of Adjutant General, how drawn, 206.
 131. A Bill in relation to fences, 209.
 132. To amend Section 4,324 of the Revision, 211.
 133. A Bill for a dog law, 211.
 134. To protect Agricultural Fairs, 211.
 135. To organize Fire Companies, 211.
 136. On appointment of Swamp Land Agents, 211.
 137. Creating Office of Township Collector, 211.
 138. Appropriations, Blind Asylum, 214.
 139. Deeds for for Swamp Lands sold by Courts, 212.
 140. On creating Township Collectors, 216.
 Substitute for Senate File No. 55, 237.
 142. To amend Chapter 45 of the Revision, 240.
 143. On disposition of Township Road Funds, 240.
 144. In relation to assessment of property, 240.

BILLS INTRODUCED—Continued.

- H. F. 145. Thanks to Iowa Volunteers, 240.
 146. To establish Boards of County Commissioners, 241.
 147. To adapt law for canvassing votes, 241.
 148. Relating to qualifications for office, 241.
 149. Claims against estates of deceased persons, 241.
 150. In relation to estates of decedents, 241.
 151. In relation to County Seats, 241.
 Substitute for House File No. 68, 244.
 152. In relation to Notaries Public, 258.
 153. Regulating the taxation of costs, 258.
 154. To amend Revenue Act, 264.
 155. To tax incomes, 264.
 156. Relief of R. H. Webster, 264.
 157. To amend Sections 4779 and 4730, of Rev., 264.
 158. To repeal Section 6 and 7, Chap. 37, of Laws of 8th
 General Assembly, 264.
 159. To amend Section 2, Chapter 192, of Code, 264.
 163. To amend Chapter 100, of Revision, 296.
 164. Regulating Mutual Insurance Companies, 296.
 165. Making Rail Road Companies liable for injuries, &c.,
 296.
 166. On newspaper postage, 296.
 167. To set off funds for sale of 16th Section, 314.
 Substitute for House File No. 30, 306.
 169. For the relief of Willis Clemens, 316.
 170. In relation to Clerks and Justices, 317.
 171. Relative to Secretary of Agricultural College, 318.
 172. Repealing Charter of Newton, 318.
 173. To legalize the acts of County Judges, 318.
 174. For relief of C. H. Toll, 318.
 175. Conferring jurisdiction on Township Trustees, 318.
 176. Printing Report of Adjutant General, 318.
 177. To repeal Section 3852, of Revision, 318.
 178. Regulating certificates of election, 319.
 179. To amend Section 3961, of Revision, 322.
 180. To amend Section 3006, of Revision, 322.
 181. To amend Section 3952, of Revision, 322.
 182. To repeal Section 3156, &c., of Revision, 322.
 183. In relation to Plank Roads, 322.
 Substitute for Senate File No. 18, 323.
 Substitute for House File No. 133, Dog Law, 339.
 Substitute for House File No. 101, 339.
 Substitute for House No. 100 and 119, 347.
 Substitute for House File No. 23, 347.
 185. N. B. Baker, Brig. General, 349.
 Substitute for House File No. 164, 350.
 186. On diseased sheep, 350.

BILLS INTRODUCED—Continued.

- H. F. 187. Fixing salaries of Sheriffs, 355.
 188. To have Rail Roads fenced, 355.
 189. To amend Section 2495, of Revision of 1860, 356.
 191. To amend Section 313, of Revision, 393.
 192. Making the State a party defendant, 393.
 193. Disposition of Supreme Court Reports, 393.
 194. Limiting the number of Grand Jurors, 393.
 195. Uniform standard of weights and measures, 393.
 196. Waiving stay of execution, 393.
 197. Punishing persons for receiving rebel property, 401.
 198. Regulating purchase of supplies for charitable institutions, 401.
 199. To amend Section 3851, of Revision, 402.
 200. For relief of divorced persons, 402.
 201. To amend Article 4, Chapter 100, of Revision, 402.
 202. Legalizing acts of D. D. Chase, 402.
 203. Regulating additions to unincorporated towns, 402.
 204. To make valid certain instrument, 402.
 205. Limiting number of Grand Jurors, 402.
 206. To dissolve incorporate towns or cities, 402.
 207. On duties of Penitentiary Physician, 405.
 208. To amend Act for suppression of Intemperance, 405.
 209. Substitute for House File No. 24 and 25, 405.
 210. On sale of certain liquors, 406.
 211. To preserve the peace, 408.
 212. Repealing part of section 1583 chapter 64 of Revision, 408.
 213. Authority in certain bridge matters, 408.
 214. On power to organize new counties, 409.
 215. Publication of the laws, 409.
 216. Regulating stay of execution, 409.
 217. Bringing suits against counties, 409.
 218. Auditing of claims of Mentzer, &c., 409.
 219. For relief of sureties of L. S. Frederick, 423.
 220. Freight over connecting railroads, 424.
 221. Regulating tolls, &c., 424.
 222. To prevent railroad obstructions, 424.
 223. Relative to General Franz Sigel, 425.
 224. Joint Resolution, 425.
 225. To amend Section 492, Chapter 32 of Revision, 425.
 226. Exempting grounds leased to Agricultural Societies, 439.
 227. A Bill in relation to revenue, 446.
 228. On releasing certain swamp, river and school lands, 447.
 229. Regulating the taxation of costs, 447.
 230. Regulating proceedings in actions on bonds, 447.

BILLS INTRODUCED—Continued.

- H. F. 231. To amend Section 885 of the Revision of 1860, 447.
 232. Compensation of county judges, 448.
 233. Defining duties of Register of State Land Office, 464.
 234. To amend Chapter 58 of Revision, 470.
 235. To amend Chapter 146, of Revision, 470.
 236. To amend Chapter 58, of Revision, 470.
 237. Militia Bill, 477.
 238. Relative to abolishing acts of incorporation, 479.
 239. In relation to Penitentiary repairs, 479.
 240. Concerning form of oath at elections, 480.
 Mr. Curtiss' Substitute for Dog Bill, 480.
 241. Regulating State University, 487.
 242. Change of county boundaries, 489.
 243. To repeal Chapter 68, Laws of Ninth General Assembly, 492.
 244. On confirming Swamp Land Grant, 494.
 245. To establish roads in certain cases, 499.
 246. Re-indexing records in Appanoose County, 499.
 247. Locating Deaf and Dumb Asylum, 499.
 248. Legalizing acts of E. A. Alexander, 506.
 249. Relating to Public Square in Indianapolis, 512.
 250. For the publication of laws of general nature, 513.
 251. Reducing number of trustees of Insane Hospital, 520.
 252. For relief of Omer Lytle, 532.
 253. Securing to mortgagors certain crops, 533.
 254. Auditing Volunteer accounts under call, 533.
 255. Relating to Bonds of State officers, &c., 533.
 256. Providing for assistant collectors, 533.
 257. Legalizing establishment of roads, 533.
 258. For protection of fruit, 545.
 259. For management of School Fund, 545.
 260. Pertaining to Insane Hospital, 545.
 261. Authorizing Auditing Commission to allow certain claims, 557.
 262. Deeds for conveyance of real estate, 559.
 263. On additional mail facilities, 560.
 264. On sureties of J. D. Eads, 577.
 265. On appropriation for mileage, 580.
 266. In relation to bonds of county judges, 582.
 267. Relating to estates of decedents, 582.
 268. Relating to sessions of county courts, 582.
 269. To amend Section 4515 of Revision, 582.
 270. Limiting taxation in counties, 582.
 271. Certain counties cannot dispose of lands, 582.
 272. Preventing issue of false receipts, 582.
 273. Legalizing acts of R. B. Griffith, &c., 582.
 274. Protecting rights to lands, 583.

BILLS INTRODUCED—Continued.

- 275. Regulating fees, &c., of certain officers, 583.
Substitute for Senate File No. 125, 593.
- 277. Protecting timber from trespass, 596.
- 278. To amend Section 1650 of Revision, 610.
- 279. Conferring additional powers on Supervisors, 610.
- 280. Legalizing acts of J. C. Turk, 610.
- 243. To repeal Chapter 68 of laws Seventh General Assembly, 611.
- 281. Legalizing acts of J. H. Brown, 611.
- 282. Increase of mail facilities, 612.
- 283. On mail facilities, 612.
- 284. On mail facilities, 612.
Substitute for Senate File No. 206.
- 285. Relative to Legislative Manual, 624.
- 286. On meetings of Board of Education, 630.
- 287. Removal of Blind Asylum, 631.
- 288. Substitute for House File Nos. 55 and 131, 641.
- 289. In relation to malt liquors, 642.
- 290. Vacating part of town of Windham, 642.
- 291. Appropriations for State and Judicial officers, 654.
- 292. To prevent obstructions in public ditches, 656.
- 293. To provide for Swamp Land sections, 656.
- 294. Legalizing acts of G. W. Clark, 656.
- 295. To protect owners of Treasurer's certificates, 656.
- 296. On increase of mail facilities, 656.
- 297. " " " 656.
- 298. " " " 656.
- 299. To provide for printing, &c., of Adjutant General's Report, 668.
- 300. Substitute for House File No. 152, 668.
- 301. When taxes shall be lien on Real Estate, 669.
- 302. Prevent conveying certain lands, 669.
- 303. In relation to Federal Tax, 669.
- 304. Thanks to Pea Ridge Soldiers, 675.
- 305. Approval of the Administration, 675.
- 305½. Claim of John Johns, 683.
- 306. Mail facilities, 684.
- 307. Fire Companies in Waterloo, 684.
- 308. Reducing salaries of certain officers, 684.
- 309. To amend section 6, Chap. 45 of Revision, 684.
- 310. Conferring lands on R. R. Companies, 684.
- 311. Amending Acts of Board of Education, 684.
- 312. Dividing State Congressionally, 691.
- 313. Fees of County Treasurer, 697.
- 314. Substitute for House File No. 252, 699.
- 315. Providing dockets for Justices of Peace, 701.
- 316. Relating to vacancy in Co. Judgeship, 701.

BILLS INTRODUCED—Continued.

- H. F. 317. Defining duties of Sheriffs, &c., 701.
 318. To reduce price of State printing, 701.
 319. Relative to Des Moines River Grant, 701.
 320. Relating to 4th Iowa Cavalry, 701.
 321. Powers of Penitentiary Warden, 701.
 322. Mail facilities, 703.
 323. Substitute for Senate File No. 117, 703.
 324. Providing for publication of laws, 708.
 Substitute for House File No. 304, 714.
 " " " 89. 714.
 325. To provide for payment of Commissioners, 724.
 327. To amend Sec. 843 of Revision, 732.
 328. To amend Sec. 1842 of Revision, 732.
 329. To amend Section 1851 of Revision, 732.
 330. To repeal Sec. 1814 of Revision, 732.
 331. Bill for an Act to amend Chap. 90, Art. 2, of Revision of 1860, 732.
 332. For selecting seats of members, 733.
 333. Powers of Attorney for conveying real estate, 735.
 334. To amend Section 2285 of Revision, 735.
 335. In relation to witness fees, 735.
 336. Lien of judgments on homestead, 735.
 337. Relative to suppression of Intemperance, 735.
 338. Orders receivable for county taxes, 735.
 339. Relative to powers of cities, &c., for school purposes, 736.
 340. In relation to swamp and overflowed lands, 745.
 341. To vacate, modify or set aside judgment, 746.
 342. To amend Sec. 4220 of Revision, 746.
 343. To amend Sec. 4246 of Revision, 749.
 344. To amend Sec. 4360 of Revision, 749.
 345. Clerk act in place of County Judge, 749.
 346. Apportioning State into Representative Districts, 749.
 Substitute for House File No. 309, 750.
 347. In relation to 17th Iowa Infantry, 761.
 348. Relative to incorporation of cities and towns, 766.
 349. Substitute for House File No. 261, 773.
 350. To repeal part of Demand Treasury Note Bill, 783.
 Substitute for Senate File No. 243, 800.
 352. For better protection of School Fund, 826.
 353. Relating to Agricultural Farm, 859.
 357. Col. Tuttle recommended as Brigadier, 879.
 358. Appropriation for per diem of members, 879.
 359. To change name of Buncombe county, 884.

BILLS PASSED—

- House File No. 11. In relation to Arsenal at Rock Island, 60.
- House File No. 14. For additional mail facilities, 67.
- House File No. 34. Joint Resolution asking for additional mail facilities from Adel to Sac City, 73.
- House File No. 35. Joint Resolution of Instruction for a daily mail between Des Moines and Magnolia, 74.
- House File No. 4. Legalizing acts of Thompson, 79.
- House File No. 7. Legalizing acts of Miles, 80.
- House File No. 26. Assumption of Federal Tax, 122.
- House File No. 73. Relative to Iowa Conference Seminary, 161.
- House File No. 83. Relative to 5th Judicial District, 173.
- House File No. 26. Assumption of Federal Tax, 180.
- House File No. 112. Claims of Col. Edwards, &c., 185.
- House File No. 43. For the preservation of Trout, 188.
- House File No. 8. Life Insurance Companies, 190.
- Substitute for House File No. 28, 191.
- Substitute for House File No. 32, 192.
- House File No. 82. To amend Sec. 4607 of Revision, 193.
- House File No. 18. Auditing accounts under call for volunteers, 193.
- Bill to license the sale of property by auctioneers, 195.
- Bill for the encouragement of hedging, 207.
- Legalizing acts of Louis Case, 219.
- Substitute for House File No. 68, 244.
- Prairie Fire Bill, 244.
- House File No. 96, 245.
- Bill relating to Fayette Seminary, 247.
- Senate File No. 41, 248.
- Bill appropriating money to sick soldiers, 249.
- House File No. 110, 252.
- House File No. 102, 252.
- Scalp Bounty Bill, 254.
- Joint Resolution, House File No. 160, 267.
- Bill legalizing acts of J. T. Knapp, 267.
- Substitute for House File No. 2, 269.
- House File No. 62, 270.
- House File No. 104, 273.
- House File No. 33, 276.
- Senate File No. 105, 296.
- Senate File No. 9, on Demand Treasury Notes, 303.
- Appropriation of per diem for Members, 306.
- Senate File No. 83: Federal Tax, 310.
- Bill to exempt Bees from Execution, 340.
- Bill defining &c., the duties of City Courts, 345.
- Senate File No. 60, Auditor's Warrants for Taxes, 346.

BILLS PASSED—Continued.

Bill legalizing sales of School Lands in Tama County, 346.

Bill in relation to County Seats, 351.

Senate File No. 123, 370.

Senate File No. 92, 371.

Bill to prevent importation of Diseased Sheep, 372.

Bill to regulate Certificates of Election, 374.

House File No. 67, Substitute for House File Nos. 33 and 38, 374.

House File No. 139, Deeds for Swamp Lands, 375.

House File No. 157, to amend Sections 4,779 and 4,780 of Revision, 376.

In relation to the duties of Justices and Clerks, 376.

An Act for the relief Willis Clemens, 377.

House File No. 107, 378.

Bill legalizing acts of C. A. Perry, 402.

House File No. 162, 411.

Senate File No. 87, 412.

House File No. 103, 415.

Bill for recording Officers' Bonds, 415.

Bill defining the duties of Justices, &c., 416.

Substitute for House File 163 and 173, 417.

Bill requiring Clerks to keep Appearance Docket, 417.

Bill to incorporate Civil Townships, 415.

Relative to Federal Judicial Circuit, 425.

Bill to amend Section 1, Chapter 98, of Laws of Sixth Assembly, 426.

Substitute for House File No. 179, 427.

House File No. 127, 426.

Bill legalizing the election of D. D. Chase, 458.

Bill defining the duties of Penitentiary Physician, 459.

Bill for the relief of R. H. Webster, 460.

Bill for relief of Amity College, 460.

Concerning guardians of property for Minors, 461.

Relating to proof of written instruments, 462.

Bill in relation to estates of Decedents, 464.

Bill in relation to unincorporated towns, 464.

Bill relating to duties and liabilities of Railroad Companies, 465.

Bill to amend Section 843 of Revision, 466.

House File No. 181, 466.

House File No. 226, 467.

Bill to prevent driving away of cattle, &c., 467.

Substitute for House File No. 78, 468.

Bill to regulate Mutual Insurance Companies, 468.

Bill relating to adapting Law for canvassing votes to Supervisor System, 482.

House File No. 197, 483.

BILLS PASSED—Continued.

- House File No. 133, Dog Law, 491.
Bill to repeal Chapter 68, of Laws of the Seventh General Assembly, 492.
Bill legalizing the acts of E. A. Alexander, 506.
Bill taxing salaries and incomes, 516.
Bill to prevent driving away of cattle unlawfully, 534.
Bill for the relief Reuben Webster, 535.
Bill in relation to Life Insurance Companies, 535.
Bill concerning diseased sheep, 536.
Substitute for House File No. 78, 536.
Bill regulating the issuing of election certificates, 537.
Bill on Blind Asylum, Appropriation, 540.
Enabling State, &c., to acquire real estate, 547.
Bill concerning Register of Land Office, 548.
Bill providing for publication of Laws, 551.
Bill concerning Public Square in Indianapolis, 559.
Bill for a Court in McGregor, 566.
Bill relating to Mills County, 566.
Bill for disbursements under call for Volunteers, 567.
Senate File No. 62, Liquor Bill, 572.
Relating to School Lands in Tama County, 572.
House File No. 212, 574.
On Salary of Physician to Insane Hospital, 576.
For relief of divorced persons, 577.
On appropriation for Mileage, 580.
Bill legalizing acts of R. B. Griffith, &c., 582.
Making certain Penitentiary appropriations, 585.
Brown & Allender Bill, 588.
Bill to re-index records of Appanoose County, 596.
Bill defining duties of Penitentiary Physician, 598.
Bill for re-locating county seats, 599.
Bill to repeal Chapter 68, of Laws of Seventh General Assembly, 611.
Bill to legalize acts of J. H. Brown, 611.
Prairie fire Bill, 612.
Legalizing acts of E. T. Edgington, 613.
House File No. 130, 614.
Canvassing votes at special elections, 614.
Providing for repairing highways, 615.
Substitute for Senate File No. 29, 616.
Substitute for Senate File No. 206, 617.
Regulating the tax on costs, 618.
Bringing suits against Counties, 618.
Bill to remove escheat, 620.
Relative to Grove City, 620.
In relation to Plank Roads, 621.
Substitute for House File No. 271, 622.

BILLS PASSED—Continued.

- Relative to the 500,000 acre Land Grant, 623.
- Legalizing acts of G. C. Wright, 624.
- Legalizing acts of W. H. Manning, 627.
- Fixing meetings of Board of Education, 630.
- Providing for standard of weights and measures, 632.
- Regulating fees of Sheriffs in certain cases, 633.
- In relation to County Court Records, 634.
- For the encouraging of hedging, 634.
- Defining the duties of Supervisors and Clerks, 635.
- In relation to draining, 635.
- Amending Revenue Law, 637.
- In relation to organization of Townships, 639.
- On change of County boundaries, 639.
- Bill relating to duties of Register of Land Office, 644.
- Procuring passes for wounded soldiers, 644.
- In relation to fences, 646.
- Fixing compensation of Township Clerks, 647.
- To change names of Townships, &c., 648.
- Preventing fraud in warehousemen, 649.
- Regulating stay on execution, 650.
- In relation to Swamp Lands, 652.
- Uniform standard of weights and measures, 656.
- House File No. 107, 657.
- For the vacation of town plats, 657.
- In relation to Swamp Land claimants, 658.
- Bill to amend Acts to protect game, 661.
- Settlement with Eads' sureties, 662.
- Appropriation for mileage, 663.
- Printing Report of Adjutant General, 668.
- Dubuque City Court Bill, 670.
- House File No. 291, 670.
- Senate File No. 235, 678.
- Joint Resolution approving the Administration, 675.
- Exempting property of Iowa Volunteers, 679.
- House File No. 307: Fire Companies, 684.
- Providing for Swamp Land selections, 685.
- Substitute for House File No. 152, 687.
- Appointment of additional surgeon, 688.
- Congressional District Bill, 692.
- House File No. 120, 692.
- Powers of Penitentiary Warden, 701.
- Repealing certain acts of Board of Education, 708.
- Removal of Blind Asylum, 711.
- Prescribing duties of Township Trustees, 711.
- Commencing criminal actions in certain cases, 712.
- Substitute for House File No. 304, 714.
- House File No. 89, 715.

BILLS PASSED—Continued.

House File No. 295, 715.

House File No. 268, 716.

House File No. 220, 718.

Act to quiet certain Webster County titles, 719.

On selection of members' seats, 733.

For support of Deaf, Dumb and Blind Asylums, 736.

House File No. 326: Mail facilities, 736.

To amend an Act requiring County Judges to give bond,
737.

House File No. 328, 737.

House File No. 316, 738.

House Substitute for Senate Substitute for House File No.
1, 739.

House File No. 330, 739.

Bill relating to estates of decedents, 740.

To protect young men's rights, 742.

In relation to Swamp and Overflowed lands, 743.

Apportioning the State into Representative Districts, 769.

Substitute for House File No. 309, 751.

To amend Liquor Law, 751.

How County boundaries may be changed, 752.

For relief of Jacob Minturn, 753.

Substitute for House File No. 29 and Senate File No. 74.
753.

Legalizing acts of J. G. Tanner, 754.

Relief of widow and children of Ketterer, 754.

Legalizing acts of Wm. L. Wood, 755.

Act to pay James F. Morton and others, 758.

On appointing Swamp Land agents, 758.

Holding courts in Sixth Judicial District, 759.

Publication of Legislative Manual, 760.

To punish garnishees in certain cases, 761.

In relation to Seventeenth Iowa Infantry, 761.

House File No. 348, 766.

House File No. 79, 768.

House File No. 6, 768.

Concerning courts in Pocahontas County, 769.

Appropriation for Insane Hospital, 769.

Apportioning State into Senatorial Districts, 776.

For publication, &c., of Journal, 779.

Taking up estray animals, 781.

To amend Act for suppression of intemperance, 782.

House File No 329, 783.

House File No. 250, 783.

Legalizing acts of G. W. Clark, 784.

For the protection of fruit, 787.

To amend Section 2849, of Revision, 789.

BILLS PASSED—Continued.

- Consolidating Act of Board of Education, 796.
- Substitute for Senate File No. 243, 800.
- Relative to occupying claimants, 802.
- House File No. 339, 806.
- House File No. 331, 807.
- House File No. 324, 807.
- To amend Section 4246 of Revision, 808.
- Powers of Attorney for conveying real estate, 809.
- Clerk act in place of county judge, 810.
- In relation to witness fees, 811.
- Providing for auditing accounts arising under call for Volunteers, 814.
- Substitute for House File No. 91, 816.
- Holding courts in Third Judicial Districts, 816.
- Taxes lien on real estate, 816.
- Bill for an Act to amend Militia law, 821.
- Legalizing acts of J. N. Miles, 821.
- Substitute for House File No. 120, 823.
- On duties and liabilities of Railroad Companies, 832.
- Requiring railroad officers to live in State, 834.
- Substitute for House File No. 237, 835.
- Senate File No. 263, 836.
- Amending Section 1874 of Revision, 838.
- Legalizing acts of Seth Anderson, 839.
- Judgment lien on homestead, 840.
- To secure remainder of University land grant, 840.
- Joint Resolution relating to Des Moines river lands, 828.
- Holding courts in Seventh Judicial District, 829.
- To amend an Act in relation to revenue, 830.
- House File No. 228, 842.
- Auditing claim of Capt. Gottschalk, 843.
- House File Nos. 240 and 324, 844.
- To amend dower law, 845.
- To amend Section 4360 of Revision 846.
- To amend Section 4220 of Revision, 847.
- Relative to compensation of county judges, 847.
- House File No. 331, 848.
- Removing blind asylum to Vinton, 849.
- House File No. 220, 852.
- Prescribing duties of township trustees, &c., 852.
- Fixing salaries of Supreme Judges, 855.
- Making Penitentiary appropriations, 856.
- House File No. 348, 858.
- Legalizing acts of C. H. Toll, 858.
- Relating to Agricultural Farm, 859.
- To amend the Code of civil practice, 860.
- Legalizing Acts of Delos Arnold, 860.

BILLS PASSED—Continued.

- Legalizing acts of J. C. Turk, 861.
- Senate File No. 226, 862.
- For better protection of school fund, 863.
- To amend the Militia law, 864.
- To amend the Code of civil practice, 864.
- Defining duties of County Supervisors, &c., 866.
- Substitute for Senate File No. 230, 866.
- For relief of the Ketterer family, 869.
- Congressional District Bill, 869.
- To amend Code of civil practice, 870.
- House File No. 338, 870.
- House File No. 174, 872.
- For protection of agricultural affairs, 873.
- In relation to stay of execution, 874.
- Defining the duties of county treasurers, 874.
- Senate File No. 109, 875.
- Relating to illegitimate children, 877.
- House File No. 350, 877.
- Legalizing acts of J. D. Burkholder, 878.
- To prevent obstructions in ditches, 878.
- Appropriating for per diem of members, 880.
- Pay of assistant enrolling clerks, 880.
- Making appropriations for per diem of members, 881.
- Publication of laws in Register and Times, 882.
- Claim of Jacob Wesley, Absolom Black, *et al*, 882.
- To change the name of Buncombe county, 884.

CERTIFICATE—

- Of election of State Printer, 152.
- Of election of State Binder, 152.
- Of election of Warden, 500.
- Of election of Bank Commissioners, 503.
- Of election of Bank Directors, 505.

COMMITTEES—

- On Credentials, 3, 4, 6.
- Standing, 55, 56, 57.

COMMITTEE OF THE WHOLE—

- On Governor's Message, 107.
- On House File No. 26, 122.
- On House File No. 85, 189.
- On House File No. 23, 122.
- On House File No. 58, 213.
- On Stallion Bill, 214.
- On Prairie Fire Bill, 215, 216.
- On House File No. 140, 301.
- On Emancipation and Slavery, 308.
- On Dog Law, 397.

COMMUNICATIONS—

- From Des Moines Post Master, 101.

COMMUNICATIONS—Continued.

- From Geo. R. Brainard, 102.
- From Adjutant General Baker, 111, 325, 342.
- From the Governor, 125, 126, 127, 128, 155, 156, 597, 625, 823.
- From L. J. Coulter, on State Library, 129.
- From Secretary of State, on Fees, 129, 130.
- From Eliphalet Price and Gen. Baker, 140.
- From N. B. Baker to Governor, 156, 157, 541.
- From Gen. Baker to Speaker, 158.
- From Secretary of State on Stamps, 162.
- From J. H. Wallace, 190.
- From State Treasurer, 212, 236.
- On the Fremont County troubles, 221.
- From the Governor, 277, 366.
- From Auditor of State, 280.
- From Secretary of State, 311, 457.
- From Secretary of State Agricultural Society, 323.
- From R. D. Kellogg, 352.
- From the Treasurer of State, 358.
- From J. W. Quinn, 370.
- From Register of State Land Office, 410, 476.
- From auditing commission, 410, 425.
- From Attorney General, 448, 659, 723.
- From Mayor of Des Moines, 507.
- From R. D. Kellogg, 542.
- From President of C. R. & M. R. R. Company, 598.

CORRESPONDENCE—

- Concerning Lyon Regiment, 325.
- Between Governor and Surgeon Hughes, 824.

ELECTION—

- Speaker *pro tem*, 3.
- Chief Clerk, *pro tem*, 3.
- Clerk, Assistant 3.
- Fireman *pro tem*, 3.
- Sergeant-at-Arms, 3.
- Doorkeeper, 3.
- Permanent officers, 6, 7, 8, 9.
- Contested, 48, 62, 96, 97, 98, 99, 138, 154.
- Of State Printer, 150.
- Of State Binder, 151.
- Of Warden of Penitentiary, 500.
- Of Bank Commissioners, 501.
- Of Bank Directors, 504.
- Of Speaker *pro tem*, 774.

INAUGURAL ADDRESS—

- 40, 41, 42, 43, 44, 45, 46, 47, 48.
- Printing, 50.

JOINT CONVENTION—

11, 37, 38, 39, 48, 150, 379, 499.

MESSAGES—

From Governor, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 79, 110, 671.

From Senate, 9, 10, 53, 54, 58, 72, 80, 87, 105, 122, 131, 142, 155, 174, 179, 186, 194, 201, 209, 215, 247, 253, 265, 272, 292, 298, 302, 309, 337, 341, 350, 380, 403, 405, 406, 421, 435, 458, 470, 482, 483, 492, 494, 499, 533, 546, 552, 561, 570, 579, 589, 601, 606, 617, 624, 641, 647, 653, 661, 662, 663, 702, 707, 735, 743, 746, 750, 757, 762, 763, 764, 774, 785, 799, 806, 808, 810, 815, 818, 832, 833, 837, 838, 841, 843, 846, 849, 854, 855, 857, 862, 863, 864, 886, 883, 871, 873, 877, 878, 881, 883, 884, 885.

OATHS—

Administered to members, 6.

Administered to Speaker, *pro tem.*, 6.

ORGANIZATION—Of House, 3.

PERMANENT SCHOOL FUND—

Statement of interest, 452.

PETITIONS AND MEMORIALS—

For a law making County Judge recorder of deeds, &c., 82.

In relation to swamp lands of Harrison County, 82.

For an Act to prevent pauperism, 82.

For an Act vacating Wilsey's addition to the City of Keokuk, 82.

In relation to Penitentiary Clerk, 82.

In relation to lands of P. E. Church, 82.

For a tax on dogs, 88.

From Board of Supervisors of Mills County, 88.

Change of boundaries of Eighth Judicial District, 103.

From the Supervisors of Clayton County, 103.

On omissions, &c., in the Code of Procedure, 103.

For relief on a School Fund mortgage, 103.

For Demand Treasury Notes to be taken for taxes, 103.

To amend the liquor law, 139, 140.

For change in law passed by Board of Education, 139.

To restrict the powers of city courts, 140.

Memorial A. H. Wathen, 140.

To make new township from parts of Muscatine and Louisa counties, 140.

To fence railroads, 313.

For additional mail facilities, 313.

Repealing Sections of land grant law, 313.

For change of Supervisor system, 132.

For the enactment of License law, 132.

For Townships to be detached from Fayette County, 139.

PETITIONS AND MEMORIALS—Continued.

- For reviving the County Judge System, 139, 140.
- For a more efficient game law, 139.
- For protecting hedge fences, 139.
- For encouraging manufacture of Sugar, &c., 139.
- For law in relation to partition fences, 139.
- Asking that a part of Dallas county be attached to Polk, 57.
- Asking the repeal of liquor laws, 57, 132.
- Asking protection for sheep, 57, 68, 82, 88, 103, 106, 132.
- Asking for efficient prohibitory law, 57, 68, 82, 88, 132.
- Asking that State Bank and Treasury notes be received for taxes, 57.
- Asking that certain streets in Manchester be discontinued, 57.
- Asking for change in collection laws, 66.
- From the clergy and laity of the P. E. Church, 67.
- In reference to live stock running at large, 68, 82.
- In reference to legalizing acts in funding county warrants, 68.
- In reference to granting relief to sureties of Fredericks, 68.
- In reference to giving additional powers to township trustees, 68.
- Asking that sheep be exempted from taxation, 68.
- In reference to the pay of township officers, 69.
- On obstruction of highways and location of roads, 69.
- Asking that the name of Cue township be changed, 69.
- For repeal of prohibitory law, 81, 88.
- For an Act restricting the powers of the Dubuque City Court, 81.
- For an amendment to the prohibitory law, 81.
- Against law to prohibit live stock from running at large, 165, 197, 208.
- To amend Liquor Law, 165.
- Relation to lands of P. E. Church, 165.
- Against interference with Liquor Law, 165.
- To change law in relation to printing tax lists, 165.
- Protection to Sheep, 165, 174, 175, 197.
- For more stringent Liquor Law, 165, 197.
- On restricting powers of City Courts, 174.
- On amending Liquor Law, 174.
- On importation of diseased Sheep, 174.
- About the Muscatine Island Levee, 174.
- For female nurses to attend sick soldiers, 174.
- For protection of title to Des Moines River Lands, 183.
- That Rebels may not find an Asylum in Iowa, 195.
- For repeal of Liquor Law, 197, 237.
- Relative to Plank Road in Lee County, 197.
- For special Act for citizens of Davis County, 197.

PETITIONS AND MEMORIALS—Continued.

- For reduction of State officers' salaries, 198.
- On Livingston's improved Rifle, 198.
- To allow Supervisors to sit twenty-five days, 198.
- In reference to Des Moines River Claims, 216.
- On repealing Prohibitory Liquor Law, 220, 238.
- Against repealing Liquor Law, 237.
- Repealing Sections of Land Grant Law, 237.
- Securing title to Des Moines River Lands, 237.
- On the protection of Sheep, 237.
- To prohibit stock from running at large, 237.
- Against prohibiting stock from running at large, 237.
- Increasing the duties of County Judges, 238.
- Each Township support its own paupers, 238.
- In regard to School Laws, 238.
- For creating a new Judicial District, 238.
- For division of Pottawattamie County, 238.
- For additional mail facilities, 238.
- Exemption of certain lands from taxation, 244.
- Concerning Levee on Muscatine Island, 255.
- To repeal Act incorporating Newton, 255.
- To repeal Sections of Land Grant Law, 255, 256.
- Relating to Prohibitory Law, 255, 261, 290.
- For the formation of a new County, 255.
- On protection of Sheep, 256, 261, 290.
- On Townships supporting their own paupers, 256.
- On refunding certain amounts to Tama County, 256.
- Concerning the Plank Road in Lee County, 256.
- Restricting powers of City Courts, 256, 261.
- On creating office of Township Collector, 256.
- For abolishing empiricism, 261.
- For repeal of all Liquor Laws, 261.
- For more perfect Township Organization, 261.
- For relief of R. H. Webster and others, 261.
- For relief of A. C. Price and A. Clemens, 287.
- Against a change of Cass County boundaries, 290.
- Conferring jurisdiction on County Courts, 290, 291.
- For abolishing Supervisor System, 291.
- For exempting the property of soldiers of 1812 from Federal taxation, 291.
- From Vangent on certain claims, 291.
- On lands of P. E. Church, 291.
- From J. J. Popejoy for relief, 291.
- For a tax on dogs, 291.
- For amendment to School Laws, 291.
- To give County Judges original jurisdiction in civil cases, 313.
- To establish office of township collector, 313.

PETITIONS AND MEMORIALS—Continued.

- For repeal of Section 3852, of Revision, 313.
- Relative to Prohibitory Liquor Law, 313, 321, 348, 380, 398.
- To confer powers on City Courts, 313, 321.
- Revocation of Charter of Iowa City, 313.
- To change Marysville to Port Royal, 321.
- Certain jurisdiction to County Judges, 321, 349, 379, 398.
- Road orders receivable for taxes, 348.
- On laws granting lands to C. R. & M. R. R., 348, 349.
- For repeal of Le Claire City Charter, 348.
- For repeal of certain Rail Road laws, 349.
- From citizens of Boone County, 349.
- From Board of Supervisors of Alamakee County, 349.
- For protection against Rail Road Companies, 353.
- In reference to School Laws, 353.
- To legalize acts of R. J. Thornton, 370.
- To authorize the Auditing Board to allow certain claims, 379.
- In reference to printing, 380, 399.
- For protection of sheep, 380.
- For the abolishment of certain offices, 380.
- Against repeal of Sections of Land Grant Act, 380.
- To pay bills of Toottle & Wood, 380.
- From Supervisors of Monona County, 380.
- In reference to Des Moines River lands, 380.
- Against repeal of Iowa City Charter, 380.
- Land Grant resumption, 397.
- For abolishing Supervisor system, 398.
- For stringent Liquor Law, 404, 435, 494.
- For repealing sections of Land Grant Law, 404.
- To tax dogs, 413.
- On State Printing, 419, 435, 494, 556, 579, 591, 608, 627.
- For repeal of Prohibitory Law, 419.
- To benefit residents on Des Moines River lands, 420.
- Relative to land grant to C. R. & M. Rail Road, 420.
- Asking jurisdiction for County Judges, 420, 435, 469, 494, 579, 591.
- To protect sheep from dogs, 420, 494.
- Asking for share of land grant, 420.
- For changing boundaries of Dickinson County, 446.
- Concerning C. R. & M. R. R. Company, 446, 579.
- For change of Supervisor system, 494, 591.
- On resumption of Rail Road grants, 494.
- For Rail Road Companies to keep officers in State, 514.
- For repeal of laws appraising property, 514, 556, 627.
- For attaching certain townships to Audubon County, 518.

PETITIONS AND MEMORIALS—Continued.

- For repeal of Chapter 41, of Acts of Fifth General Assembly, 556.
- For exempting certain property from taxation, 556.
- Against repeal of usury law, 556.
- On change of county government, 557.
- For security for costs in criminal cases, 557.
- For amendment to School Laws, 579.
- Against repealing Sections of Land Grant, 579.
- For abolishing seed department, 579.
- For a tax on cats, 579.
- For repeal of Appraisement Act, 579.
- For compensation for stolen horse, 588.
- From John Bryan, concerning work on State House, 591.
- For exempting physicians from military duties, 591.
- For repealing Sections of Land Grant, 591.
- From J. C. Washburne, 591.
- Against forming new counties out of old ones, 591.
- For part of Tama to be attached to Black Hawk, 608.
- For allowance of certain claims, 654.
- For jurisdiction of County Courts, 654.
- In reference to schools, 654.
- From citizens of Richland Township, Fayette County, 654.
- For claim for subsisting troops, 654.
- From J. W. Stow, on Agriculture, 654.
- Change of Supervisor system, 664.
- Additional jurisdiction to County Judges, 664.
- Against extending jurisdiction to County Judges, 683.
- Three Supervisors for Audubon county, 720.
- Claim of Herman Vogel, 731.
- Relative to incorporation of cities, &c., 745.
- For remission of fine against Peter Smith, 774.

PROTESTS—

- Against making notes of State Bank receivable for taxes, 125.
- Wetherall and others on the Iowa soldiery, 352.
- On Resolution of thanks to President, 681, 689.
- Of J. O. Hudnutt, 834.
- In relation to protecting the School Fund, 871.

RECONSIDERATION—

- Act to encourage domestic manufactures, 90.
- Resolution in reference to number of commissioned officers, 117.
- Of vote on Bill to prevent domestic animals from running at large, 164.
- Of vote on House File No. 2, 195.
- “ “ “ “ 18, 202.
- On reference of Township Collector Bill, 212.

RECONSIDERATION—Continued.

- On House File No. 110, 251.
- Of vote on House File No. 240, 490.
- Of vote rejecting House File No. 55, 540.
- Of House File No. 120, 692.
- Of Substitute for Senate File No. 10, 762.

REMONSTRANCES—

- Against law punishing empiricism, 419.
- “ repeal of certain Sections of Land Grant Act, 435.
- “ repealing law for Railroad between Clinton and Lyons, 435.

REPRESENTATIVE DISTRICTS—

- Roll called, 3.
- Members present from, 4.

REPORTS OF COMMITTEES—

- On rules, 52.
- On the adoption of Joint Rules, 57.
- On Bill to legalize acts of Miles, 69.
- On Bill to protect game, 69.
- On Bill to prevent spread of fire, 69.
- On Bill to legalize acts of Thompson, 70.
- In relation to printing Adjutant General's Report, 70.
- On assumption of Federal tax, 82.
- On House File No. 21, 83.
- On House File No. 18, 83.
- On receiving Treasury Notes, &c., in payment of taxes, 84.
- On House Files Nos. 33 and 38, 88.
- On House File No. 22, 88.
- On House File No. 9, 88.
- In relation to Swamp Land of Harrison County, 88.
- On exempting Sheep from taxation, 89.
- On additional mail facilities, 89.
- On exempting Sheep, Wool, &c., from taxation, 89.
- On the validity of Joint Resolutions, 89.
- On amending section 2967 of Revision, 90.
- Of minority on House File No. 2, 90.
- On House File No. 27, 90.
- On House File No. 46, 91.
- On House File No. 15, 91.
- On House File No. 36, 91.
- On House File No. 5, 91.
- On House File No. 6, 91.
- On House File No. 11, 91.
- On Congressional Districts, 91.
- On selection of Post Master, 91.
- On the Iowa Episcopal Fund, 92.
- On contested election, 96.
- Of minority on contested election, 99.

REPORTS OF COMMITTEES—Continued.

- On House File No. 49, 103.
- On House File No. 8, 103.
- On House File No. 65, 104.
- On Governor's message, 107.
- On the resolution of inquiry in regard to Board of Supervisors, 111, 112.
- Minority on same, 112.
- On act to amend section 3719 of Revision, 113.
- On House File No. 64, 113.
- On House File No. 73, 113.
- On Demand Treasury Note bill, 113.
- On House File No. 11, 113.
- On reducing pay of Commissioned Officers, 132.
- On resolution of Mr. Quinn, 132.
- On resolutions of Lakin, Jackson and Russell, 132.
- On amending section 4607 of the Revision, 133.
- On the constitutionality of legalizing former acts and proceedings, 133.
- On resolutions of Maxwell, Smeltzer and Wetherall, 134.
- On House File No. 68: Providing for vacating town plats, 134.
- On binding certain State documents, 134.
- On African resolution of Mr. McLennan, 135.
- On emancipating slaves, 140.
- Minority report on emancipating slaves, 141.
- Report of H. D. Gibson on emancipation, 146.
- On postage stamp matter, 162.
- On House File No. 47: In relation to county seats, 165.
- In relation to powers of trustees in road cases, 166.
- On resolution commending Governor's Inaugural, 166.
- On House File No. 84: To punish garnishees, 166.
- On discontinuance of newspapers, 166.
- On House File No. 71: To amend Section 2193, Chapter 91 of Revision, 167.
- On House File No. 10: Relative to fire on prairie, 167.
- On House File No. 8: In relation to Life Insurance Companies, 167.
- On rates, &c., for State binding, 167.
- Mr. Lake from Committee on Printing, 168.
- On House File No. 79: On repairing highways, 169.
- On Engrossed Bills, 169.
- On fixing times for holding court in the Fifth Judicial District, 170.
- On petition from 8th Iowa Infantry, 175.
- On Commissioner of Immigration, 175.
- On Claims of Colonels Edwards and Morledge, 175.
- Relative to Fayette Seminary, 176.

REPORTS OF COMMITTEES—Continued.

- On disposition of Swamp Land Fund in Harrison County, 176.
- On resolution from Supervisors of Mills County, 176.
- On conflict between Revision and Constitution, 176.
- On House File No. 89, amending Act for relief of Volunteers, 177.
- On Bill to amend Section 5,066, of Revision, 177.
- On rights of citizenship to foreign soldiers, 177.
- In relation to the taxation of mortgages, 177.
- On defining the duties of Railroad Companies, 177.
- From Committee on Engrossed Bills, 178.
- Amending Revision in relation to Bridges, 178.
- On amending Chapter 46 of Revision, 178.
- On changing County Boundaries, 178.
- On allowing Supervisors to elect Clerk, 184.
- On legalizing notarial acts of Louis Case, 184.
- On House File No. 48, 184.
- From Committee on Enrolled Bills, 184, 189.
- On legalizing the acts of certain persons, 184.
- On amending Chapter 46 of the Revision, 185.
- On times of holding Court in Eighth Judicial District, 191.
- On foreign languages in Common Schools, 198.
- Relative to school house orders in payment of taxes, 198.
- Relative to Chairman of Supervisors, 198.
- To amend Chapter 42 of the Revision, 199.
- In relation to changing boundary lines, 199.
- To amend Chapter 22 of the Revision, 199.
- On powers of Supervisors to change County Boundaries, 199.
- In relation to Jury Fees, 199.
- To legalize taxes for school house purposes, 199.
- On Memorial of Lee County Supervisors, 199.
- On the protection of hedge fences, 200.
- On removing the State Weights to Des Moines, 200.
- On amending Section 840 of the Revision, 200.
- On the subject of highways, 200.
- On resignation of Hon. A. R. Pierce, 202.
- In relation to binding documents, 204.
- To exempt Soldiers' property from execution, 208.
- On Bill to license Jacks, &c., 208.
- In relation to partition fences, 209.
- Relative to form of indictment, 209.
- From Committee on Enrolled Bills, 210, 216.
- On Senate File No. 41, 210.
- On legalizing acts of certain persons, 210.
- Relative to Livingston's improved rifle, 210.
- On creating office of Township Collector, 216.

REPORTS OF COMMITTEES—Continued.

- On remitting school house tax in certain cases, 238.
- On fixing compensation of Tp. Clerks, 238.
- On duties of Tp. Clerks in certain cases, 238.
- Relative to malicious mischief on property, 239.
- On Bill to protect growing fruit, 239.
- On House File No. 127, 239.
- On increasing number of Supreme Judges, 239
- On repeal of Act to protect game, 240.
- On the prairie fire bill, 240.
- On petition from ladies of Clinton, 250.
- In relation to scalp bounties, 254.
- On exempting property of militia from execution, 256.
- On Bill to restrict powers of District Courts, 256.
- In relation to estates of decedents, 257.
- Relative to qualifications for office, 257.
- On House File No. 147, 257.
- Relative to partition fences, 257.
- Relative to bridges, 257.
- On House File No. 2, 257.
- On regulating evidence of written contracts, 258.
- On reduction of salaries, 262.
- On disposition of road fund, 262.
- On canceling indebtedness to Swamp Land Fund, 262.
- Relative to occupying claimants, 262.
- On protection of Agricultural Fairs, 263.
- On Bill to prevent male stock from running at large, 263.
- On House File No. 85, 263.
- On House File No. 62, 263.
- Relative to petition from Davis county, 263.
- On Bill to protect sheep from dogs, 263.
- On thanks to volunteers, 286.
- On the Bright expulsion resolution, 287.
- On assumption of Federal Tax, 291.
- On receiving Auditor's Warrants for taxes, 291.
- On canvassing votes cast at special elections, 292.
- On requiring Clerks to keep appearance docket, 292.
- On House File No. 142, 292.
- On Governor's message in reference to fugitives, 293.
- On House File No. 162, 293.
- On exempting bees from execution, 293.
- On preventing the driving away of cattle, 293.
- On the dog law, 293.
- On railroad capital stock, &c., 294.
- On removing property of Historical Society, 294.
- On sale of school lands in Tama county, 294.
- On bill for laying out private roads, 298.
- On per diem and mileage of members, 306.

REPORTS OF COMMITTEES—Continued.

- On Federal indebtedness to Iowa, 307.
- Relative to Commissioner of Immigration, 314.
- On Bill to protect young mens' rights, 314.
- License to hunt on other men's lands, 314.
- On House Files No. 119 and 100, 315.
- On change in County Government, 315.
- On Bill for recording officers' bonds, 315.
- On apportioning certain taxes in Webster county, 316.
- On change in Revenue Law, 316.
- Additional powers to magistrates, 316.
- On relief of Willis Clemens and others, 316.
- Relative to duties of Clerks and Justices, 316.
- On regulating Insurance Companies, 317.
- Deeds for swamp and overflowed lands, 317.
- On contingent expenses of Supreme Court, 317.
- On change in County Government, 322.
- On plank road in Lee county, 323.
- On copies of Adjutant General's Report, 323.
- Relative to Newton Charter, 347.
- On removing Deaf and Dumb Asylum, 348.
- On expenses of wounded soldiers, 349.
- Relief of R. H. Webster, 350.
- On House File No. 163 and 173, 350.
- Relative to 2d Regiment Iowa Volunteers, 352.
- On additional copies of Adjutant General's Report, 354.
- On House File No. 177, 354.
- On duties of Coroners in certain cases, 354.
- Respecting peremptory challenges in criminal cases, 354.
- On appropriation for Blind Asylum, 354.
- On counties funding outstanding warrants, 355.
- On importation and sale of diseased sheep, 355.
- On compelling parents to send children to school, 381.
- Legalizing acts of Chas. A. Perry, 381.
- On regulating the taxation of costs, 381.
- On House File No. 181, 381.
- On House File No. 189, 382.
- On Substitute for Senate File No. 18, 382.
- On Senate File No. 75, 382.
- On House File No. 180, 382.
- Senate File No. 63, Eads' sureties, 382.
- On House File No. 137, 391.
- Relative to Supreme Court Reports, 392.
- On House File No. 155, 398.
- On memorial of Alamakee Supervisors, 399.
- On House File No. 94, 399.
- On Bill organizing Fire Companies, 399.
- On House File No. 78, 399.

REPORTS OF COMMITTEES—Continued.

- On House Files Nos. 163 and 173, 400.
- On House File No. 23, 400.
- On House File No. 196, 400.
- On House File No. 195, 400.
- On the Fremont County troubles, 400.
- On Penitentiary matters, 405.
- On the Liquor law, 405.
- From Rail Road Committee on House File No. 25, 405.
- Minority report on Liquor Law, 406.
- On Senate File No. 125, relief to J. Jones, 406.
- On Bill for relief of Amity College, 408.
- On Bill to amend section 313 of Revision, 420.
- On Bill fixing salaries of Sheriffs, 420.
- On Bill to punish County Treasurers, 420.
- On House File No. 79, 420.
- On Bill to remit School House tax, 421.
- On reducing salaries of State Officers, 421.
- On legalizing acts of D. D. Chase, 421.
- Bill to amend section 843 of the Revision, 421.
- Bill to amend Section 2496 of Article 7, of Revision, 422.
- Bill regulating stay of execution, 422.
- Bill to amend Section 3952, Sub-division 3, of Revision, 422.
- On bringing suits against counties, 422.
- Bill to make valid certain instruments in writing, 422.
- On House File No. 171, 422.
- On Bill to regulate Insurance Companies, 423.
- On Bill concerning unincorporated towns, 423.
- On Bill relating to L. S. Frederick, 423.
- On Bill for relief of divorced persons, 435.
- On Bill to regulate tolls, 436.
- On claim of Conrad B. Vangent, 436.
- On claim of Wm. Lee, 437.
- On claim of Beals, Green & Co., 438.
- On petition of Daniel Webster, 438.
- On claim of Henry Hospers, 439.
- On House File No. 226, 439.
- On the Brown and Allender Bill, 440.
- On Bill to confer jurisdiction on Township Trustees, 442.
- In relation to wage of Penitentiary guards, 442.
- On Dog Law, 442.
- On mileage of members, 442.
- A Bill in relation to Revenue, 446.
- Bill defining duties of Township Clerks, 447.
- On copies of Report of Adjutant General, 462.
- Bill in relation to duties of Rail Road Companies, 463.
- On appointing Swamp Land agents, 463.
- On House File No. 192, 469.

REPORTS OF COMMITTEES—Continued.

- From Committee on new counties, 470.
- On mileage of members, 471.
- Relative to Militia Law, 477.
- Bill attaching Cass to Fifth Judicial District, 478.
- On House File No. 206, 479.
- In relation to empiricism, 479.
- On Penitentiary matters, 479.
- On reducing Professorships in State University, 484.
- On the 500,000 acres selected under Act of Congress, 487.
- In relation to levying executions, 487.
- On Bill to remove escheat, 488.
- On House File No. 75, 488.
- On counties acquiring real estate, 488.
- Bill to substitute affidavit for oath in elections, 488.
- Bill to define manner of canvassing votes, 488.
- Bill in relation to Plank Roads, 488.
- On change of County boundaries in certain cases, 489.
- On instructions to Auditing Commission, 489.
- On petition of citizens of Muscatine Island, 491.
- On House File No. 142, 495.
- House File No. 113, 495.
- On Bill to amend the revised Code, 495.
- On Bill authorizing Counties to purchase lands, 495.
- House File No. 154, 495.
- Bill for an Act to amend Revenue Law, 495.
- House File No. 144, 495.
- On Supervisors bidding off lands, 496.
- On advertising delinquent tax lists, 496.
- On form of tax receipts, 496.
- On laws requiring notices of delinquent taxes, 496.
- On amendments to Revenue law, 497.
- On amending Act relative to Dower, 497.
- On purchasing supplies for Charitable Institutions, 497.
- On exempting ministers from working roads, 497.
- Relative to County Court Records, 498.
- On defining duties of County Treasurers, 498.
- On defining the duties of County Supervisors, 498.
- On Bill for an Act to suppress intemperance, 498.
- On amending law for suppression of intemperance, 498.
- On taxing salaries, 514.
- On funeral of Des Moines soldiers, 516.
- On publication of laws in German papers, 518.
- From Committee on Constitutional amendments, 519.
- Minority Report on Constitutional amendments, 519.
- On matters pertaining to Insane Hospital, 520.
- Majority Report from Committee on Railroads, 520.
- Minority Report from Committee on Rail Roads, 529.

REPORTS OF COMMITTEES—Continued.

- On increasing the number of Judicial Districts, 531.
- On appointing additional Surgeon to Regiment, 545.
- On claims for publishing laws of Extra Session, 546.
- On claims of Knox, Harbach &c., 546.
- On presentation of Flag of Iowa Second, 552.
- On canceling indebtedness of Swamp Land Fund, 547.
- On claims of citizens of Dubuque County, 557.
- On petition from citizens of Audubon County, 558.
- On division of Pottawattamie County, 558.
- On establishing Court at McGregor, 558.
- On locating Deaf and Dumb Asylum, 558.
- On jurisdiction of County Judges, 558.
- Relative to public square in Indianapolis, 558.
- On Act to establish roads in certain cases, 559.
- On House File No. 231, 559.
- On Substitute for House File No. 120, 571.
- On mileage of the two Houses, 580.
- On repairing certain bridges in counties, 580.
- Relating to organization of Townships, 580.
- On encouragement of hedging, 581.
- On the protection of fruit, 581.
- On locating Deaf and Dumb Asylum, 592.
- On resolution of Mahaska Supervisors, 592.
- On deeds for conveyance of real estate, 592.
- On Bill in relation to draining, 592.
- On House Files Nos. 188, 222 and 24, 592.
- On securing to mortgagors certain crops, 593.
- Regulations concerning connecting Rail Roads, 593.
- Regulating proceedings on bonds, coupons, &c., 593.
- Relative to District Court of Lee County, 593, 594.
- On preventing issue of false receipts, 594.
- Punishing trespass on Swamp Lands, 595.
- On amending Section 662, of Revision, 595.
- On the claim of Mentzer, Toogood & Co., 596.
- On protecting timber from trespass, 596.
- Relating to Bonds of State officers, 596.
- On re-indexing Records of Appanoose County, 596.
- On House File No. 275, 609.
- On claim of J. Teesdale and G. M. Todd, 609.
- On House Files Nos. 270 and 271, 616.
- In relation to Notaries Public, 628.
- Substitute for Senate File No. 150, 628.
- On appointment of additional Surgeons, 628.
- Relief of J. H. Morton, 628.
- Abolishing Supervisor system, 628.
- Jurisdiction for County Judges, 628.
- From Committee on Banks and Banking, 629.

REPORTS OF COMMITTEES—Continued.

- Right of Counties to dispose of Swamp Lands, 629.
- On amending Chapter 146, of Revision, 641.
- In relation to fences, 641.
- Preventing fraud in warehousemen, 649.
- On the management of School Fund, 651.
- On Bond of J. D. Eads, 654.
- On amending Article 1, Chapter 54, of Revision, 654.
- From Committee on new counties, 655.
- On exempting property of Volunteers, 655.
- On vacating part of the town of Windham, 655.
- On manner of commencing actions against Volunteers, 655.
- Substitute for Senate File No. 10, 655.
- Claim of Cattron & Taylor, 655.
- Claim of John Bryan, 655.
- War claim of Tama County, 666.
- Claims of Eaton and Luse, 667.
- On Clothing for Second Regiment, 667.
- On Senate File No. 55, 667.
- On repeal of acts regulating interest on money, 669.
- On providing for Deaf, Dumb and Blind Asylums, 682.
- On removal of Blind Asylum, 682.
- On counties purchasing delinquent taxes, 683.
- On amending section 4515, of Revision, 683.
- On claim of John Johns, 683.
- On the erection of Arsenal, 693.
- On House File No. 295, 697.
- On amending Chapter 46, of Revision, 697.
- On making County Treasurer a fee officer, 697.
- Relating to printing reports of State officers, 697.
- On House Files Nos. 266, 267 and 208, 698.
- Concerning trustees of Insane Hospital, 698.
- On claims of John Hornby, 698.
- On relief of Omer Lytle, 698.
- In relation to quality of Rail Road Iron, 699.
- On House File No. 302, 699.
- Pertaining to Rail Road matters, 699.
- On carrying freight over connecting Rail Roads, 700.
- From Select Committee in case of Mr. Lowrie, 700.
- Legalizing acts of C. H. Toll, 701.
- On tendering Hall to Soldiers' Aid Society, 703.
- From Committee on Public Printing, 707.
- On House File No. 309, 708.
- On House File No. 287, 708.
- On appointment of Swamp Land agents, 710.
- On Des Moines River Lands, 716.
- House File No. 220, reported back, 718.
- On Senate File No. 214, 718.

REPORTS OF COMMITTEES—Continued.

- Relative to the Asylums, 720.
- Relative to dockets of justices of the Peace, 721.
- Claim of State Geologist, 721.
- Minority report on House File No. 236, 722.
- Substitute for Senate File No. 1, 731.
- On amendments to Revision, 732.
- On affairs of Blind Asylum, 732.
- On claim of Assistant State Geologist, 732.
- On House File No. 104, 733.
- Legalizing Acts of J. C. Turk, 733.
- On amendment to Revision, 734.
- On Swamp Land Grants of this State, 745.
- On punishing timber trespassers, 746.
- On claims of Noyes and Vogle, 746.
- On claims of John Dahldorf and H. P. Scholte, 747.
- Claim of Harbach & Co., for Speaker's chair, 748.
- Substitute for Senate File No. 124, 748.
- On House File No. 259, 748.
- On House File No. 222, 748.
- Concerning Legislative Manual, 756.
- On House File No. 292, 766.
- On petition of M. H. Cooley and others, 766.
- On House File No. 37, 767.
- Minority Report on Substitute for House File No. 261, 773.
- House File No. 91 and Senate File 246, 781.
- Senate File No. 99 and House File Nos. 234 and 236, 788.
- House File No. 232, 789.
- Consolidating Act of the Board of Education, 789.
- From select Committee on C. R. & M. R. R. Co., 796.
- On Bill to organize the Militia, 809.
- On new County from parts of Alamahee, &c., 810.
- On calling School Fund into Treasury, 826.
- On claims of sundry persons, 831.
- Committee of Conference on House File No. 155, 849.
- Committee of Conference on taxing incomes, 851.
- Committee of Conference on Militia Bill, 875.
- In relation to the income dog tax law, 876.

REPORT—Of Secretary of Board of Education, 203.

RESOLUTIONS—

- To furnish members with Revision, 9, 10.
- For Committee to wait on Senate, 10.
- For Committee on Joint Rules, 10.
- For Rules of last Session to be adopted, 10.
- To invite clergymen to officiate, 10, 11.
- To attach names of members, &c., to Rules, 11.
- To print copies of Governor's Message, 33, 34.
- To refer Message to Committee of five, 33.

RESOLUTIONS—Continued.

- On the per diem of Clerks, &c., 34.
- To furnish Reporters with desks, 35.
- To employ Hospers to translate Message, 35.
- To arrange with Post Master for mail matter, 35.
- On newspaper matter, 35, 36.
- To tender Hall to Rev. Cowles, 36.
- For Committee to wait on Governor, 39.
- For printing Inaugural, 48.
- Concerning Legislative Manual, 49.
- On bravery of Iowa soldiers, 49, 130.
- To designate the several standing Committees, 50.
- To furnish members with Manual, 50.
- To instruct Post Master of the House, 52.
- To instruct Sergeant-at-Arms, 54.
- To close door during call of House, 54.
- To employ J. W. Keller as Post Master, 55.
- To furnish Clerks with papers, &c., 55.
- To furnish members with Acts of Board of Education, 55.
- To create Committee on Police Regulations, 59.
- To create select Committee in regard to salaries of State Officers, 59.
- In relation to Adjutant General's Report, 59, 60.
- In relation to License Law, 61.
- In favor of Governor's Inaugural, 62.
- In reference to the Rebellion, 63.
- In reference to Judge Grant's Library, 63.
- In reference to compensation of private soldiers, 63, 64.
- In reference to putting down the Rebellion, 64.
- To furnish members with proceedings of Board of Education, 64.
- To exempt Sheep from taxation, 65.
- In relation to demand Treasury Notes, 65.
- In relation to the validity of Joint Resolutions, 66.
- To furnish papers to Regiments, 66.
- For Members to send papers to Volunteers, 66.
- To appoint Committee to number the desks, 66.
- To distribute report of Adjutant General, 70.
- In relation to Railroad Companies filing reports of proceedings, 74, 86.
- Inquiry whether officers of Regiments are elected, 75, 86.
- In relation to County Treasurers and Collectors, 75.
- In reference to fees of Secretary of State, 75.
- On receipt of school and school-house orders, 75.
- On returning gold pens, &c., 75.
- Substitute for, on returning gold pens, &c., 76.
- That Hosper of Pella, translate Inaugural, 76.

RESOLUTIONS—Continued.

- Allowing claims arising under command of Colonel Morledge, 77.
- On creating Committee on Police Regulations, 77.
- On suspending laws for the collection of debts, 78.
- In relation to brigading troops, 79.
- Acres of land certified to Secretary of Interior, 84, 92.
- On the expediency of abolishing Board of Supervisors, 85.
- Members receiving pay as officers in the Army, 85, 92.
- On propriety of prohibiting swine and sheep from running at large, 85.
- Committee to report on Congressional Districts, 85.
- Granting Hall to Agricultural Club, 85.
- On Bill providing for election of two township trustees, 86.
- On Bill providing for the election of one collector in each township, 86.
- On members who are commissioned officers, 86.
- On abolishing the grand jury system, 86.
- On the right to legalize certain acts, 87.
- For Committee to examine State officers, 93.
- One session of House per day, 93, 104.
- Instructions to clerks in making up Journal, 93.
- Instructions to special committee on liquor law, 94.
- Repealing the offices of State Printer and Binder, 95.
- On change in rules, 95, 104.
- On providing county officers with books, &c., 95.
- On amending Chapter 46, Article 3 of the Revision, 95.
- On the number of civil officers in the State, 96, 104.
- On the number of commissioned officers, &c., 96, 104.
- On Joint Convention for the election of State Printer, 96.
- On State Printing, 96.
- Distributing reports of Institutions, 96.
- On amending Section 4607 of the Revision, 96.
- On contracts for clothing Regiments, 102.
- In reference to Territorial Governments, 106, 108.
- On the Bill of Mr. Lee for Stationary, 108.
- On legislating for white men, 108, 109.
- On furnishing members with paper folders, 109.
- On amending Chapter 77 of the Revision, 117.
- On Assistant P. M. and Mail Carrier, 117.
- On letter stamps to members, 117.
- Instructions to Post Master about Stamps, 117.
- On appointing Wesley B. Barnard, Assistant P. M., 118.
- On compensation to Governor's Staff, 119.
- On equal distribution of Public Documents, 119.
- On amending the revenue laws, 119.
- On encouraging the payment of taxes by discounting, 119.
- To furnish chair for Speaker's stand, 119.

RESOLUTIONS—Continued.

- On transferring the school fund to State as loan, 119.
- On resolutions of the Supervisor of Lee county, 119.
- On increasing the number of Judicial Districts, 120.
- On conflict between Sections 843 of the Revision, and Section 18, Article 1 of the Constitution, 120.
- On the rates of State Binding, 120.
- On allowing Supervisors to elect clerk, 120.
- To furnish members with map of Iowa, 121.
- On the Military law of Iowa, 121.
- Substitute for Senate File No. 39, asking relief for Volunteers, 131.
- On the right to discontinue newspapers, 140.
- On the contest between Smith and Maxwell, 154.
- That J. S. Maxwell is entitled to his seat, 154.
- On one cent postage stamps, 159.
- To arrange with P. M. to put on stamps, 159.
- More on the Stamp question, 159.
- That clerks have the stamp privilege, 160.
- To confer with Secretary on stamp matter, 160.
- On removing snow from Capitol Building, 161.
- Granting Hall to Rev. J. P. Teeter, 163.
- On sending Military stores to Hospitals in Missouri, 163.
- On printing report of Trustees of Insane Asylum, 169.
- On mode of paying Federal tax, 171.
- On publication of delinquent tax lists, 171.
- On increasing number of Supreme Judges, 172.
- On exempting certain improvements from taxation, 172.
- On mode of sale for delinquent taxes, 172.
- On reducing number of Judicial Districts, 173.
- That A. P. Burrhus, be appointed mail carrier, 180.
- Volunteers' expenses paid by Federal Government, 185, 201.
- On Committee to visit Penitentiary, 185.
- On per diem pay of members, 186.
- On the amount of gold and silver in the Treasury, 186, 201.
- On amending Section 2028 of Revision, 186.
- On increasing the salaries of County Treasurers, &c., 186.
- On preventing the ingress of Mulattoes and Negroes, 187.
- On taxing Salaries for State purposes, 187.
- On the propriety of removing the Deaf and Dumb Asylum, 187, 188.
- Making Assessors duties commence on 1st Monday of April, 187.
- On posting up postage laws by Clerk, 191.
- On the troubles in Fremont county, 195, 201.
- On placing matting across the Hall, 196.
- On expediency of amending the Militia Law, 202.

RESOLUTIONS—Continued.

- On removing seats near the door of Hall, 203.
- Requiring statement from Auditing Commission, 204.
- Tendering the Hall to Rev. Kynett, 204.
- On furnishing State Binder with 250 copies of all documents, 204.
- Appointing Washburne as fireman, 205.
- Instruction to Committee on Railroads, 205.
- Instruction to Committee on Expenditures, 206.
- On mail facilities between Burlington and Clifton, 211.
- Revising laws in reference to roads, 211.
- On Stamps and papers to Mr. Walker, 211.
- Town Clerk record chattle mortgages, 212.
- On the duty of the Postmaster, 214.
- On the expulsion of Senator Bright, 220.
- On Swamp land settlement with Department, 237.
- On sustaining President in war policy, 241.
- On additional Surgeon and nurses, 242.
- On lawyer to assist Agr. Committee, 242.
- On Capitol building matters, 243.
- Contingent expenses of Supreme Court, 243, 264.
- On confiscation of rebel property, 243.
- Exempting certain improvements from taxation, 243.
- On Soldiers electing field officers, 243.
- On transferring Swamp lands to other purposes, 251.
- Hardie's Resolution on Federal matters, 358.
- On discussion of Federal matters, 260.
- On granting Hall to Rev. Kynett, 261.
- On reference of Message on Federal troubles, 261.
- On moving the previous question, 264, 295.
- Indebtedness of Government to this State, 265.
- Instruction to Railroad Committee, 265.
- On salary of Secretary of Agricultural Colls, 265.
- On money drawn by Agricultural Society, 265.
- On removing Archives of Historical Society to Des Moines, 265.
- On Justices reporting fines, &c., 266.
- On exorbitant taxation in counties, 266.
- On adjournment of General Assembly, 266.
- Relative to State Treasurer's communication, 267, 295.
- On the Eads disposition of School Fund, 286.
- Reducing number of Trustees Insane Asylum, 289.
- On the prayer of Rev. Dr. Peet, 290.
- On frauds in the counties, 297.
- On change in Revenue law, 297.
- Pertaining to the State University, 297.
- On certain requirements from County Treasurers, 298.
- On form of Tax Receipts, 299.

RESOLUTIONS—Continued.

- On Mileage of Members, 302.
- On ascertaining amount of Mileage, 307.
- Printing arrangement of Adjutant General, 307.
- Correspondence concerning Lyon Regiment, 307.
- On amending Constitution, 319.
- On more efficient law for collection of taxes, 319.
- Treasurer and Recorder a fee office, 319.
- Relative to Capitol building, 320.
- On celebrating 22d of February, 320.
- To grant Hall to Hugh J. Campbell, 321.
- On abolishing Supervisor system, 322.
- On copies of "Star Spangled Banner," 322.
- On amending 41st rule, 338, 392.
- Certificates in favor of officers of Assembly, 338.
- Thanking our soldiers at Donelson, 340.
- On sending commission to Donelson, 340.
- On procuring Flags for Iowa Regiments, 343.
- On expenses of wounded soldiers returning home, 345.
- On the kind of money expended by the United States, 345.
- Certificate in favor of T. Washburne, 350.
- Introduction of a new legislative matter, 356.
- Distribution of Supreme Court Reports, 356, 392.
- Preventing collection of debts due to rebels, 357.
- On amounts allowed to Adjutant General, 357.
- Confiscation of rebel property in this State, 370.
- On appointment of N. B. Baker as Brig. General, 372.
- For information from Register of Land office, 378, 392.
- House hold one session per day, 392.
- Washington's Farewell Address, 393.
- Information from City Postmaster, 393.
- On thorough organization of Militia, 394.
- On the right to diminish salaries, 394.
- On adjournment of General Assembly, 394.
- On copies of Adjutant General's Report, 395.
- For the protection of timber, 395.
- For information from Auditor of State, 396.
- On instructions to Liquor Law Committee, 396.
- Asking report of certain items from Auditor, 401.
- On amount of School Fund collected, 401.
- Requiring Opinion of Attorney General, 403, 408.
- On evening session, 404.
- On Joint Convention to elect Warden, 409.
- Instructing Jud. Committee concerning Land Grant Act, 409.
- On preserving papers in regard to claims, 409.
- On speaking but 10 minutes at a time, 413.

RESOLUTIONS—Continued.

- On writing names of members on newspaper wrappers, 424.
- On dividing the State Congressionally, 427.
- On time allowed for speaking, 428.
- Inquiry of Treasurer of State Agricultural Society, 428.
- For Information from Register of Land Office, 428, 434.
- On number of sessions each day, 429.
- On claim of Wm. Lee for stationery, 437.
- On separating office of Recorder and Treasurer, 448.
- On manner of serving original notices, 448.
- In relation to punishment for Jayhawking, 462.
- Distribution of reports Sec. of State Agricultural Society, 462, 463.
- Concerning delinquent Ex-Treasurers, 470.
- In reference to mileage, 471.
- On mileage of Chief Clerk, 474.
- On claim of J. H. Knox, 476.
- Mileage and per diem of Mr. West, 478.
- On sick and wounded at Donelson, 481.
- Instruction to Railroad Committee, 491.
- On election of Bank Commissioners, 493.
- On adjournment of General Assembly, 493.
- Instructions to State Binder, 493.
- Instructions to Judiciary Committee, 493.
- Requirements of C. R. & M. R. R. Co., 494.
- Relative to funeral of soldiers, 512.
- On the adjournment of General Assembly, 512.
- On the twenty-four delinquent Ex-Treasurers, 532.
- Reception of the Flag of Iowa Second, 543.
- Sending Commissioners to Arkansas, 550.
- On Flag presentation, 550, 552.
- On adjourning for benefit of Committees, 560.
- On night sessions each week, 571, 581.
- On claim of J. Teesdale and G. M. Todd, 610.
- On Committee to examine Bills, 612.
- Number of Senators and Representatives, 612.
- On Land Grant opinion of Attorney General, 618, 630.
- Escheat case of Francis W. Allen, 620, 630.
- On Counties diverting their Swamp Land Grant, 629.
- Instructions to Committee on Congressional Districts, 642.
- On reducing per diem of Members, 643.
- On sickness of Members, 669.
- Relative to a report on Printing, 669.
- Contingent Fund of State officers, 674.
- Censure of C. W. Lowrie, 674.
- Relating to Public Printing, 676.
- Instructions to Railroad Committee, 680.

RESOLUTIONS—Continued.

- On introduction of new business, 689.
- On per diem allowance of officers, 696.
- Tendering the Hall to Soldiers' Aid Society, 703.
- On *sine die* adjournment, 714, 723.
- Sergeant-at-Arms take charge of Post Office, 719.
- In relation to same subject, 720.
- In reference to Assistant Post Master, 720.
- Committee of five for each Land Grant Railroad Company, 734.
- On mislaying Senate File 96, 734.
- Instruction to Committee on Agriculture, 742.
- To remove carpet from Hall, 752.
- Substitute for same, 752.
- On slavery question, 767.
- Presenting Chair to Speaker, 772.
- Instructing Committee on Ways and Means, 775.
- On five minute speeches, 787.
- For Joint Committee on important Bills, 833.
- Chief Clerk procure Assistants, 835.
- On power to give passes to soldiers, 843.
- Thanks to Speaker pro tem., 860.
- Extra expense of Assistant Post Master, 860.
- Distribution of Iowa Reports, 865.
- Thanks to Clerks, &c., 865.
- Additional assistance in Adjutant General's Office, 866.
- Hospitality of Des Moines people, 877.
- Thanks to ladies of Des Moines, 880.
- Mail matter sent after adjournment, 881.

ERVENUE BILL—603, 604, 605, 606, 607.

SPEAKER—Address of, 7.

- Remarks on receiving Flag of Iowa Second, 554.
- Valedictory of, 881.

YEAS AND NAYS—

- On printing Governor's Message, 33, 34.
- On newspaper matters, 35, 36, 51.
- On rules of the House, 54.
- On passage of House File No. 11, 60.
- On license law, 61.
- Relative to emancipation, 62, 63.
- On resolution to put down rebellion, 64.
- On resolution in relation to Demand Treasury Notes and Bills of State Bank, 65.
- On House File No. 14, 68.
- On House File No. 33, 73.
- On House File No. 35, 74.
- On resolution to return gold pens, &c, 75.
- On license question, 77.

YEAS AND NAYS—Continued.

- On Brigading troops, 79.
- On House File No. 4, 79, 80.
- On House File, No. 7, 80.
- On instructions to clerks, 94.
- On instructing special Committee on liquor law, 94.
- On State Printing and Binding, 95.
- On relation to Post Master, 101.
- In reference to Territorial Governments, 106.
- On legislating for white men, 108.
- On furnishing paper folders, 109.
- On motion to print reports on contested elections, 110.
- On Assistant Post Master and Mail Carrier, 118.
- On resolution relative to rates for State Binding, 120.
- On reporting a Bill to repeal Liquor Law, 121.
- On House File, No. 26, 122.
- On amendments to H. F. No. 57, 122, 123, 124.
- On the right to discontinue newspapers, 142.
- On election of State Printer, 150.
- On election of State Binder, 151.
- On motion to lay emancipation subject on the table, 153.
- On call of the House, 153.
- On the contest between Maxwell and Smith, 154.
- On stamping mail matter, 159, 160.
- On Bill relative to Iowa Conf. Seminary, 161.
- On postponement of Bill to prevent domestic animals from running at large, 162.
- On publication of delinquent tax lists, 172.
- On House File No. 83: 5th Judicial District, 173.
- On indefinite postponement of Negro Bill, 179.
- On assumption of Federal Tax, 180.
- On resolution to appoint Mail Carrier, 181.
- On resolution to prevent ingress of negroes, 187.
- On Bill for the preservation of Trout, 189.
- On bill concerning Life Insurance Companies, 191.
- On Substitute for House File No. 28, 191.
- On Substitute for House File No. 32, 192.
- On House File No. 82, 193.
- On House File No. 82: Auditing accounts under call for Volunteers, 194.
- On House File No. 2: To amend Sec. 2767 of Rev., 194.
- On licensing sale of property by Auctioneers, 195.
- On Senate File No. 13, 196.
- On printing Report of Secretary of Board of Education, 203.
- On furnishing State Binder with documents, &c., 205.
- On Bill to encourage hedging, 207.
- On amendment to Prairie fire Bill, 217, 218.

YEAS AND NAYS—Continued.

- On legalizing acts of Lewis Case, 219.
- On reference of the Bright Resolution, 220,
- On reference of Resolution sustaining President's War policy, 242.
- On Substitute for House File No. 68, 244.
- On substitute for House File No. 10, 244.
- On House File No. 96, 245.
- On amendments to House File No. 71, 245.
- On Bill relating to Fayette Seminary, 247.
- On Senate File No. 41, 248.
- On Bill appropriating money to sick soldiers, 249.
- On amendments to House File No. 10, 250, 251.
- On House File No. 110, 252.
- On House File No. 102, 252.
- On Scalp County bill, 254.
- On Hardin's Federal Resolution, 259.
- On discussion of Federal matters, 260.
- On legalizing acts of J. T. Knapp, 268.
- On amendment to Substitute for House File No. 125, 269.
- On passage of Substitute for House File No. 225, 269.
- On House File No. 62, 270.
- Amendments to House File No. 85, 271.
- On passage of House File No. 104, 273.
- On amendments to House File No. 33, 275, 276.
- On passage of House File No. 33, 276.
- On amendments to House File No. 28, 287.
- On passage of Senate File No. 105, 296.
- On motion to postpone House File No. 140, 301.
- On amendments to Senate File No. 9, 303.
- On passage of Senate File No. 9, 305.
- On per diem of members, appropriation, 306.
- On amendments on Senate File No. 83, 309, 310.
- On passage of Senate File No. 83, 310.
- On amendments to Senate File No. 60, 339.
- On engrossing House File No. 47, 344.
- On passage of Senate File No. 60, 846.
- On House File No. 101, 345.
- On House File No. 22, 346.
- On Bill to exempt Bees from execution, 340.
- On Bill in relation to County Seats, 351.
- On distributing Supreme Court Reports to members, 357.
- On Senate File No. 123, 370.
- On Senate File No. 92, 371.
- To prevent importation of diseased sheep, 372.
- On House File No. 67, 374.
- On House File No. 139, 375.
- On House File No. 157, 376.

YEAS AND NAYS—Continued.

- On House File No. 170, 376.
- On House File No. 169, 376.
- On House File No. 107, 378.
- On adjourning the 18th of March, 394.
- On resolution respecting Liquor Law, 395.
- On Bill legalizing acts of C. A. Perry, 402.
- On House File No. 162, 412.
- On Senate File No. 87, 412.
- On House File No. 103, 414.
- Substitute for House File No. 23, 414.
- On Senate File No. 70, 415.
- On Bill defining duties of Justices, 416.
- On Substitute for House File 163 and 173, 417.
- On Senate File No. 56, 418.
- On bill to incorporate civil townships, 419.
- On House File No. 127, 426.
- Substitute for House File No. 179, 427.
- On limiting time of speakers, 428.
- On postponement of Substitute for House File No. 155, 429.
- On amendments to Substitute for House File No. 155, 431.
- On Mr. Sarver's Mileage amendment, 445.
- Bill to legalize acts of D. D. Chase, 458.
- Bill defining duties of Penitentiary Physician, 459.
- Bill for the relief of R. H. Webster, 460.
- Bill for relief of Amity College, 460.
- Bill concerning guardians of property for minors, 461.
- Relating to proof of written instruments, 461.
- On Bill relating to estates of decedents, 464.
- On Bill in relation to incorporated towns, 464.
- On Bill relating to duties and liabilities of Rail Road Companies, 465.
- On House File No. 98, 466.
- On House File No. 181, 466.
- On House File No. 226, 467.
- On passage of House File No. 97, 467.
- Substitute for House File No. 78, 468.
- Bill to regulate Mutual Insurance Companies, 468.
- On engrossing House File No. 197, 478.
- On Substitute for Dog Bill, 480.
- On Senate File No. 63, 481.
- House File No. 147, 482.
- On House File No. 197, 483.
- On enacting clause to House File No. 64, 489.
- On motion to adjourn to certain time, 490.
- On passage of Dog Law, 491.
- On Bill to repeal Chapter 68, of Session Laws, 492.

YEAS AND NAYS—Continued.

- On Bill legalizing acts of E. A. Alexander, 506.
- On resolution to adjourn, 513.
- Amendments to Bill taxing salaries, 515.
- On passage of Bills taxing incomes, 516.
- When temperance Bills shall be discussed, 517.
- On Bill to prevent driving away of cattle, 534.
- Bill for the relief of Webster, 535.
- On Bill in relation to Life Insurance Companies, 535.
- On Bill concerning diseased sheep, 536.
- On Substitute for House File No. 78, 536.
- On passage of House File No. 178, 537.
- Altering the boundaries of certain Judicial Districts, 537.
- On Bill in relation to partition fences, 539.
- On Blind Asylum appropriation, 540.
- On indefinite postponement of House File No. 191, 542.
- On laying Liquor Bill on table, 543.
- On Bill enabling the State to acquire real estate, 547.
- On Bill concerning Register of Land Office, 548.
- Striking out the enacting clause of House File No. 120, 549.
- On indefinite postponement of House File No. 120, 549.
- On amendments to House File No. 215, 551.
- On passage of House File No. 215, 551.
- On Bill concerning Square in Indianapolis, 559.
- On amendments to House File No. 260, 560.
- Striking out enacting clause of House File No. 226, 561.
- On indefinite postponement of House File No. 226, 562.
- On postponing same Bill to 4th of July, 565.
- On Bill for a Court in McGregor, 565.
- On Bill relating to Mills County, 566.
- On disbursements under call for Volunteers, 566.
- On divers matters pertaining to Liquor Bills, 567, 568, 569.
- On passage of Liquor Bill, 572.
- On passage of House File No. 22, 572.
- On taking up House File No. 212, 573.
- On striking out enacting clause of same Bill, 574.
- On passage of House File No. 212, 574.
- On rejection of House File No. 251, 575.
- On passage of House File No. 260, 576.
- On passage of Bill for relief of divorced persons, 577.
- On postponing House File No. 239, 577.
- On rejection of House File No. 239, 578.
- On Bill for the encouragement of hedging, 634.
- On Bill defining duties of Supervisors, &c., 635.
- On Bill for draining, 636.
- Striking out enacting clause of House File No. 59, 636.
- On postponing same Bill to 4th of July, 637.

YEAS AND NAYS—Continued. *

- On amending Revenue Law, 637.
- On Bill in relation to Organization of Townships, 638, 639.
- On Bill to change County Boundaries, 640.
- Rejection of House File No. 289, 642.
- On resolution reducing per diem of Members, 643.
- Bill relating to duties of Register of State Land Office, 643.
- On Bill relating to passes for soldiers, 644.
- Bill in relation to fences, 646.
- Fixing compensation of Township Clerks, 647.
- Postponement of Bill organizing Fire Companies, 648.
- Bill to change names of Townships, &c., 648.
- Preventing fraud in Warehousemen, 649.
- Regulating Stay on Execution, 650.
- Relating to release of certain instruments, 651.
- Bill relating to Swamp Lands, 652.
- Uniform standard of Weights and Measures, 657.
- Bill in relation to Board of Supervisors, 657.
- Bill for vacating town plats, 657.
- Senate File No. 232, 658.
- Amending Acts to protect game, 661.
- Bill settling with Eads's ureties, 662.
- Printing Adjutant General's Report, 668.
- On Dubuque City Court Bill, 670.
- On House File No. 291, 670.
- On motion to lay Lowrie Resolution on table, 674.
- On referring same Resolution, 675.
- On approval of Administration, 676.
- On motion to lay Printing Resolution on table, 676.
- Senate File No. 235, 676.
- On exempting property of Volunteers, 679.
- Rejecting Substitute for House File 152, 686.
- Rejecting Substitute for House File No. 120, 688.
- On passage of Bill appropriating mileage, 580.
- On passage of House File No. 273, 582.
- On amendments to House File No. 238, 583.
- On passage of same Bill, 584.
- On striking out enacting clause of Brown & Allender Bill, 586.
- On passage of Brown & Allender Bill, 588.
- Relative to House File No. 239, 588, 590.
- Bill to re-index the records of Appanoose County, 596.
- Bill defining duties of Penitentiary Physician, 598.
- Amendment to House File No. 47, 599.
- Passage of Bill for re-location of County Seats, 599, 606.
- Amendments on Revenue Bill, 602, 603, 604, 605.
- On Bill to amend Chapter 68 of Laws of Seventh General Assembly, 611.

YEAS AND NAYS—Continued.

- On passage of House File No. 281, 611.
- On passage of Prairie Fire Bill, 612.
- On passage of Senate File No. 129, 613.
- On passage of House File No. 230, 614.
- On canvassing votes at special elections, 614.
- On Bill for repairing highways, 615.
- On Substitute for House File No. 29, 616.
- On passage of substitute for Senate File 206, 617.
- Bill to regulate taxation of costs, 618.
- On passage of Bill for bringing suits against counties, 618.
- On adjournment, 619, 623.
- Passage of Bill to remove eschest, 620.
- Relation to Grove City, 620.
- Bill in relation to Plank Roads, 621.
- Substitute for 96 File No. 271, 622.
- On holding night sessions, 623.
- On Substitute for Senate File No. 141, 624.
- Legalizing acts of G. C. Wright, 626.
- Legalizing acts of W. H. Manning, 627.
- On passage of House File No. 286, 630.
- On Bill to remove State Weights, 631.
- On standard of Weights and Measurers, 632.
- On Senate File No. 79, 633.
- Bill in relation to County Court Records, 634.
- On Congressional District Bill, 691.
- On passage of same Bill, 692.
- On postponing House File No. 276, 702.
- On adopting Substitute for Senate File No. 117, 705.
- Indefinite postponement of Senate File No. 217, 712.
- Indefinite postponement of the Arsenal Bill, 713.
- Rejecting House File No. 220, 714.
- Indefinite postponement of the House File No. 313, 717.
- On laying House File No. 319 on the table, 717.
- Rejection of House File No. 23, 724.
- Rejection of House File No. 325, 725.
- Rejection of Senate File No. 117, 729.
- Rejection of Bill protecting fruit, 741.
- Substitute for Senate File No. 10, rejected, 757.
- Same reconsidered and rejected, 765.
- Rejection of Eads' Commissioner Bill, 771.
- Vote reconsidering same, 772.
- Rejection of Senate File No. 254, 786.
- On sustaining decision of Chair, 803.
- Rejection of House File No. 310, 804.
- Postponing House File No. 124, 811.
- On amendments to Bill amending Malitia Law, 818.
- Rejection of House File No. 336, 839.
- On Substitute for Senate File No. 99, 853.